AN ORDINANCE of the City of Kent, Washington amending Kent Codified City Ordinance 10.15.04 and 10.15.16, changing the composition of the members of the Kent Board of Adjustment and requiring that appeals from decisions of the Kent Board of Adjustment be taken to King County Superior Court rather than the Kent City Council.

WHEREAS, as required by Kent Ordinance no. 1071, as amended ("Zoning" Ordinance), after referral, study by and a public hearing before the Kent Planning Commission, wherein it was recommended that the amendments hereinafter set forth be made in the Kent Zoning Ordinance, and

WHEREAS, thereafter, the Kent City Council did, upon the 19th day of January, 1970, hold a public hearing on said recommendation, said public hearing being held after proper notice thereof, NOW THEREFORE,

THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Kent Codified City Ordinance No. 10.15.04 which reads as follows:

"The Board of Adjustment shall consist of citizens having an understanding of the benefits of planning and zoning to the municipality. It shall include a councilman, a planning commissioner, an attorney and two laymen, (but not the City Attorney, City Engineer, City Planner, nor any of their assistants, who shall serve as ex-officio non-voting members). The presence of three voting members, including the chairman, shall constitute a quorum".

is hereby amended to read as follows:

"The Board of Adjustment shall consist of five citizens having an understanding of the benefits of planning and zoning to the municipality. The City Attorney, City Engineer, City Planner and any of their assistants may serve as ex-officio non-voting members thereof. The presence of three voting members including the chairman shall constitute a quorum".
Section 2. Kent Codified City Ordinance No. 10.15.16

which reads as follows:

"Any interested citizen or administrative officer of the city may appeal to the City Council from a ruling of the Planning Commission or the Board of Adjustment where such ruling allegedly is adverse to his interests. Written notice of appeal from such rulings shall be filed within ten (10) days from such ruling. Thereupon the Planning Commission or Board of Adjustment shall forthwith transmit to the City Council all papers constituting the record upon which the ruling was made. The City Council at a regularly scheduled meeting shall hear the appeal after receiving such further evidence as seems relevant. The City Council may overrule or alter the decision of the Planning Commission or the Board of Adjustment by a majority vote of the full council"

is hereby amended to read as follows:

(A) "Any interested citizen or administrative officer of the city may appeal to the City Council from a ruling of the Planning Commission where such ruling allegedly is adverse to his interests. Written notice of appeal from such ruling shall be filed within ten (10) days from such ruling. Thereupon the Planning Commission shall forthwith transmit to the City Council all papers constituting the record upon which the ruling was made. The City Council at a regularly scheduled meeting shall hear the appeal after receiving such further evidence as seems relevant. The City Council may overrule or alter the decision of the Planning Commission by a majority vote of the full council"

(B) The action of the Kent Board of Adjustment shall be conclusive unless within ten (10) days from the date of said action the original applicant or an adverse party makes application to the Superior Court of King County for a Writ of certiorari, a Writ of prohibition, or a Writ of mandamus".

Section 3. This Ordinance shall take effect and be in force five (5) days from and after its passage, approval and publication, as provided by law.

PASSED by the City Council and approved by the Mayor this

day of , 1970.

Attest:

MARIE JENSEN, City Clerk

Approved as to form:

JOHN B. BEREITER, City Attorney