DATE: December 6, 1979
TO: City Council
FROM: Mayor Hogan
SUBJECT: ORDINANCE 2194

I have vetoed Ordinance 2194 for the same reasons I submitted in the veto of Ordinance 2187, the Rowley Annexation Ordinance.

Rowley #2 Zoning
AN ORDINANCE of the City of Kent, Washington, relating to planning and zoning for land use and development in the City of Kent, Washington and zoning pursuant to Kent City Ordinance 1827 certain land annexed to the City of Kent as unzoned (ROWLEY ANNEXATION NO. 2) MR-M (Medium Density Multi-Family Residential) zone.

WHEREAS certain land hereinafter described was annexed to the City of Kent unzoned, said annexation to be effective upon the effective date of the Ordinance effecting said annexation, and

WHEREAS as required by Kent City Ordinance No. 1827, the City Council of the City of Kent, Washington after referral to and study by the Planning Commission of the City of Kent recommended that said land be zoned as hereinafter set forth, and

WHEREAS the City Council of the City of Kent did upon the 20th day of August, 1979, 1st day of October, 1979, 5th day of November, 1979 and the 19th day of November, 1979 hold public hearings on said recommendation insofar as they related to certain land, said public hearings being held after proper notice thereof, and

WHEREAS it is found that said original zoning is in the best interests of the health and welfare of the citizens of the City of Kent and is consistent with good planning, NOW, THEREFORE

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

Section 1. The following described land, situated in the City of Kent, County of King, State of Washington and presently unzoned, more particularly described as follows:

Lots 33, 44, 45 and 46 of R.O. Smith's Orchard Tracts according to plat recorded in Volume 12 of Plats, Page 27, records of King County, Washington, together with those portions of South 252nd Street and 100th Avenue SE lying adjacent thereto;

Together with those portions of the southeast quarter and of the northeast quarter
of Section 19, Township 22 North, Range 5 East, W.M., and those portions of the southwest quarter and of the northwest quarter of Section 20, Township 22 North, Range 5 East, W.M., more particularly described as follows:

The south 30 feet of that portion of said northeast quarter of Section 19 lying easterly of the centerline of 94th Avenue South; and the north 30 feet of that portion of said southeast quarter of Section 19 lying easterly of the northerly projection of the West line of Lot 36 of said R.O. Smith's Orchard Tracts; and also the north half of the northeast quarter of the southeast quarter of said Section 19; and also

The south 30 feet of the southwest quarter of the southwest quarter of the northwest quarter of said Section 20; and also

The northwest quarter of the northwest quarter of the southwest quarter of said Section 20, all in Township 22 North, Range 5 East, W.M., in King County, Washington.

is hereby zoned as MR-M (Medium Density Multi-Family Residential) zone.

Section 2. The imposition of MR-M zoning on that portion of the property described in Section 1 which lies below the 375 foot contour line shall be expressly conditioned upon the following:

a) Site plans for any development below the 375 foot contour line shall be reviewed by the City of Kent Planning Department staff to determine that such development maximizes the retention of trees and other significant vegetation while allowing development to the MR-M zoning density.

b) The owners of all property below the 375 foot contour line shall not remove any timber or other significant vegetation until development plans have been reviewed and approved by the City of Kent Planning Department staff.

c) If conditions a or b are violated, the Kent City Council shall be permitted to review and/or reconsider the MR-M zoning and development below the 375 foot contour line.
Section 3. Development within the area described in Section 1 shall be subject to the following conditions:

a) Any property touching the "ravine" (375 foot contour line) shall be subject to development under the Planned Unit Development Concept.

b) Approval of a suitable road system by city staff.

Section 4. The Planning Director of the City of Kent be and he is hereby authorized and directed to indicate on the Official Zoning Map of the City of Kent, or upon an addendum thereto, the zoning of said property as provided for in Section 1 of this Ordinance.

Section 5. That upon said amendment being shown upon the Official Zoning Map of the City of Kent or upon an addendum thereto, the copy of said map or addendum shall be filed with the Director of Records and Elections of King County, Washington and the City Clerk of the City of Kent be and she is hereby authorized and directed to record this Ordinance with the Director of Records and Elections of King County and pay the filing fee therefor.

Section 6. This Ordinance shall take effect and be in force five (5) days from and after its passage, approval and publication as provided by law.

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ISABEL HOGAN, MAYOR

ATTEST:

MARIE JENSEN, CITY CLERK

APPROVED AS TO FORM:

DONALD E. MIRK, CITY ATTORNEY
WILCE, MAYOR

MADRE JENSEN, CITY CLERK

PUBLISHED the 3 day of December, 1979.

I hereby certify that this is a true copy of Ordinance No. 294, passed by the City Council of the City of Kent, Washington, and approved by the mayor of the City of Kent, December 17, 1979.

PASSED the 3 day of December, 1979.

MADE JENSEN, CITY CLERK

(Seal)