ORDINANCE NO. 3259

AN ORDINANCE of the City of Kent, Washington, establishing interim zoning controls relating to stream development standards in the Meridian Annexation Area.

WHEREAS, the City has recently completed proceedings to annex a 5.2 square mile area lying east of the existing City limits, commonly known as the Meridian Annexation Area; and

WHEREAS, the Meridian Annexation shall become effective on January 1, 1996; and

WHEREAS, the Meridian Annexation area currently lies within unincorporated King County; and

WHEREAS, three major tributaries to the Soos Creek drainage system, Soos Creek, Big Soos Creek, and Little Soos Creek lie within the City's annexation area; and

WHEREAS, these three tributaries constitute a significant part of a unique regional drainage system, providing valuable habitat for salmon and other plant and wildlife species; and

WHEREAS, Metropolitan King County's development setbacks along these tributaries, known as "buffers," establish more
effective protection for these tributaries' systems than would be established under Kent City Code development standards; and

WHEREAS, various parties who deem themselves affected by this potential change in setback requirements have notified the City of their concerns for the continued preservation of this important habitat area; and

WHEREAS, the Kent City Council intends to review this matter by holding a public hearing on a proposed zoning map and text amendment that will permanently preserve these established stream development standards, including without limitation, a 100 foot buffer requirement, on these tributaries in the Meridian Annexation Area; and

WHEREAS, it is appropriate to establish interim zoning controls preserving these stream development standards in the Meridian Annexation Area until the City Council has had an opportunity to receive public input and more fully consider the impacts of preserving these development standards. NOW THEREFORE:

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

Section 1. Recitals Incorporated. The foregoing recitals are by this reference incorporated and made a part hereof.
Section 2. Findings and Conclusions. The Kent City Council finds as follows:

A. Soos Creek, Big Soos Creek, and Little Soos Creek lying within the City's Meridian Annexation Area, as shown on the map attached as Exhibit A and incorporated by this reference, are part of a significant regional drainage network;

B. This drainage network provides valuable and unique habitat for fish life, plant life, and wildlife within the Meridian Annexation Area and throughout the region;

C. Existing City zoning that would apply to the Meridian Annexation Area would not provide the same level of stream protection as currently provided by Metropolitan King County's development standards;

D. The City wishes to preserve the County's development standards, including, without limitation, the County's 25 and 100 foot buffer requirements, for an interim period while the City reviews creation and preservation of similar development standards, to the extent these areas lie within the City's Meridian Annexation Area.

Section 3. Interim Zoning Control. There is hereby created an interim zoning control establishing the County's development standards and provisions for Soos Creek, Little Soos Creek and Big Soos Creek within the City's Meridian Annexation Area as enacted in chapter 21.54 of the Metropolitan King County Code. Kent City Code Sections 15.08.220-15.08.224 and the City's "Hazard Area Development Limitations" Map are hereby modified during this interim zoning control period to the extent that they are inconsistent with this ordinance.
**Section 4. Expiration.** These interim zoning controls shall be in effect as of January 1, 1996, and shall remain in effect for six (6) months unless extended or shortened by action of the Kent City Council.

**Section 5. Severability.** The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this ordinance, or the invalidity of the application thereof to any person or circumstances shall not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

**Section 6. Effective Date.** This ordinance shall take effect and be in force five (5) days from the time of its publication as provided by law.

JIM WHITE, MAYOR

**ATTEST:**

BRENDA JACOBER, CITY CLERK

APPROVED AS TO FORM:

ROGER A. LUBOVICH, CITY ATTORNEY
PASSED the 19 day of December, 1995.
APPROVED the 20 day of December, 1995.
PUBLISHED the 24 day of December, 1995.

I hereby certify that this is a true and correct copy of Ordinance No. 3259, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent hereon indicated.

BRENDA JACOBER
BRENDA JACOBER, CITY CLERK

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