ORDINANCE NO. 3300

AN ORDINANCE of the City of Kent, Washington, extending interim zoning controls established by City Ordinance No. 3259, relating to stream development standards in the Meridian Annexation Area.

WHEREAS, on January 1, 1996, the City annexed a 5.2 square mile area of unincorporated King County lying east of the existing City limits, commonly known as the Meridian Annexation Area; 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, on December 19, 1995, after a public hearing on the matter, the Kent City Council, by its Ordinance No. 3259, established interim zoning controls relating to preservation of these stream buffers so that City staff could conduct further study on the matter; and

WHEREAS, the City staff has studied this matter, and on May 29, 1996, the City's Interim Land Use and Planning Board held a public hearing on a proposed zoning map and text amendment that will permanently preserve these established stream development standards on these tributaries in the Meridian Annexation Area; and

WHEREAS, the Interim Land Use and Planning Board determined, in principle, to implement these setbacks and buffers, subject to review under the State Environmental Policy Act ("SEPA") and also subject to final review and approval of the implementing ordinance; and

WHEREAS, it is appropriate to extend the established interim zoning controls created by Ordinance No. 3259 in order to preserve these stream development standards in the Meridian
Annexation Area in order to conduct SEPA review and to develop regulations pursuant to the direction of the Interim Land Use and Planning Board. NOW THEREFORE:

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

Section 1. Recitals and Findings Incorporated. The foregoing recitals and findings 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 described in the City's Ordinance No. 3259, 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 conducts SEPA review of the impacts of permanently implementing these zoning controls and while City staff develop and propose
development standards specifically designed to implement these zoning controls.

Section 3. Interim Zoning Control. The Interim Zoning Controls established by City Ordinance No. 3259 on December 19, 1995, which established 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 shall be extended. 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 July 1, 1996, and shall remain in effect for three (3) 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 18th day of June, 1976.
APPROVED the 19th day of June, 1976.
PUBLISHED the 21st day of June, 1976.

I hereby certify that this is a true and correct copy of Ordinance No. 336, 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, CITY CLERK