ORDINANCE NO. 3373

AN ORDINANCE of the City Council of the City of Kent, Washington, amending the City of Kent comprehensive plan for the Del Mar Annexation Area.

WHEREAS, in 1990, the Washington Legislature adopted the Growth Management Act as Chapter 36.70A RCW (GMA), requiring jurisdictions throughout the State of Washington to prepare and adopt comprehensive plans; and

WHEREAS, the Kent City Council adopted the City of Kent Comprehensive Plan on April 18, 1995; and

WHEREAS, pursuant to RCW 36.70A(2), the GMA states that each comprehensive land use plan shall be subject to continuing evaluation and review by the City upon adoption; and

WHEREAS, pursuant to RCW 36.70A.130(2), each jurisdiction is required under the GMA to establish procedures whereby proposed amendments or revisions of the comprehensive plan are considered by the City Council no more frequently than once a year; that all proposals shall be considered by the City council concurrently so that the cumulative effect of various proposals can be ascertained; and that the City may adopt amendments or revisions to the comprehensive plan whenever an emergency exists; and

WHEREAS, on July 6, 1995, the Kent City Council adopted Ordinance 3237 establishing procedures for amendment to the Kent Comprehensive Plan; and
WHEREAS, on June 3, 1997, the Kent City Council adopted Ordinance 3351, relating to the annexation into the City of Kent of an area known as the Del Mar Annexation Area, and that this area would become part of the City of Kent on July 1, 1997; and

WHEREAS, the Kent Comprehensive Plan includes land use designations for the Del Mar Annexation Area on the Plan's land use plan map; and

WHEREAS, subsequent to the adoption of Ordinance 3351, the City's planning staff began work on annexation zoning for the Del Mar Annexation Area, as outlined in Section 15.09.055 of the Kent Zoning Code; and

WHEREAS, pursuant to RCW 36.70A.120, the GMA requires that the City enact development regulations, which are consistent with and implement its comprehensive plan; and

WHEREAS, in order to ensure that the comprehensive plan land use designations and zoning map amendments for the Del Mar Annexation Area are consistent, the Kent City Council adopted Resolution 1498 on October 7, 1997, which declared an emergency to pursue a comprehensive plan amendment for the Del Mar Annexation Area; and

WHEREAS, the Land Use and Planning Board conducted a public hearing on September 22, 1997, on amendments to the comprehensive plan land use plan map for the Del Mar Annexation Area; and

WHEREAS, the Land Use and Planning Board considered various comprehensive plan land use plan map alternatives and public testimony during its public hearings, and following its deliberations on September 22, 1997, recommended approval of a land use plan map amendment to the City Council; and
WHEREAS, the City Council held two public hearings to consider the recommendation of the Land Use and Planning Board. The first hearing was held on October 7, 1997, and the second hearing was held on November 18, 1997; and

WHEREAS, at the November 18, 1997 hearing, the City Council heard additional, new public testimony; and

WHEREAS, the City Council moved to close the public hearing, considered the public testimony provided at the hearings and moved to modify the land use and planning board's land use plan map recommendations; and

WHEREAS, the City Council adopted an amendment to the land use plan map in the Kent Comprehensive Plan for the Del Mar Annexation Area and that the amended land use designations for the Del Mar Annexation Area be as illustrated in Exhibit A, attached hereto and incorporated herein by this reference; and

WHEREAS, the Washington State Environmental Act (SEPA) requires that comprehensive plans be reviewed as to their potential environmental impact and that on November 18, 1997, the City of Kent issued an addendum to the Environmental Impact Statement, which was prepared for the Kent Comprehensive Plan and that this addendum analyzed the Comprehensive Plan Amendments adopted by the City Council on November 18, 1997;

NOW THEREFORE,

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

SECTION 1. The land use plan map in the City of Kent comprehensive
plan for the area known as the Del Mar Annexation Areas is hereby amended as shown in Exhibit A..

SECTION 2. - City Council finds that the amendment outlined in Exhibit A meets the criteria for a comprehensive plan amendment as outlined in Section 12.02.050 of the Kent City Code.

SECTION 3. - Severability. If any one or more sections, subsections, or sentences of this Ordinance are held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this Ordinance and the same shall remain in full force and effect.

SECTION 4. - Effective Date. This Ordinance shall take effect and be in force thirty (30) days from the time of its final approval and passage as provided by law.

ATTEST:

BRENDA JACOBER, CITY CLERK

APPROVED AS TO FORM:

ROGER A. LUBOVICH, CITY ATTORNEY

PASSED: 9 day of December, 1997.

APPROVED: 9 day of December, 1997.
PUBLISHED: 12 day of December, 1997.

I hereby certify that this is a true copy of Ordinance No. 3373, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

BRENDA JACOBER, CITY CLERK