Ordinance No. 3437

["Beginning July 1, 1998"]

(Amending or Repealing Ordinances)

Amends Ord. 3222
ORDINANCE NO. 3437

AN ORDINANCE of the City Council of the City of Kent, Washington, amending the Kent Zoning Code to change the zoning designation for property located at 11605 Kent-Kangley Road from a zoning designation of SR-6 (single-family, 6.05 units per acre) to a zoning designation of NCC (neighborhood convenience commercial) (CPZ-97-5).

WHEREAS, pursuant to the Washington Growth Management Act ("GMA"), the City of Kent accepts applications for comprehensive plan amendments once each year; and

WHEREAS, the City of Kent received application no CPZ-97-5 in September of 1997 as part of its annual comprehensive plan and zoning amendments; and

WHEREAS, application CPZ-97-5 requested an amendment from an existing zoning designation of SR-6 (single-family residential, 6.05 units per acre) to a zoning designation of NCC (neighborhood convenience commercial) and to correspondingly amend the zoning map designation of said parcel; and

WHEREAS, on November 24, 1997, the Land Use & Planning Board held a public hearing on the proposed comprehensive plan and zoning map amendment; and

WHEREAS, the City of Kent Land Use and Planning Board reviewed the proposed amendment, took public testimony, and moved to recommend approval of the comprehensive plan amendment CPA-97-3(E) and the corresponding zoning map amendment CPZ-97-5 subject to the condition that the owner deed a portion of the property
as public right-of-way for widening and improvement of the 116th Avenue SE and Kent Kangley Road; and

WHEREAS, on January 20, 1998, the City Council approved the Land Use & Planning Board’s recommendation subject to adoption of the necessary ordinance; and

WHEREAS, on February 3, 1998, at the next regular city council meeting, the applicant requested that the matter be pulled from the 1997 annual comprehensive plan and zoning map amendments with the understanding that it would be submitted to the City Council at a later date following fulfillment of the condition of approval to rezone; and

WHEREAS, the condition was not fulfilled until December 8, 1998; NOW, THEREFORE,

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

SECTION 1. The City of Kent zoning map is hereby amended to establish a new zoning map designation for the property consisting of approximately 2.08 acres located at 11605 Kent-Kangley Road, Kent, Washington from a zoning designation of SR-6 (single-family residential, 6.05 units per acre) to NCC (neighborhood convenience commercial) and as depicted in the attached Exhibit A and incorporated herein by this reference (CPZ-97-5).

SECTION 2. - 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 3. - Effective Date. This Ordinance shall take effect and be in force five (5) days from and after the date of passage and publication as provided by law.

JIM WHITE, MAYOR

ATTEST:
BRENDA JACOBER, CITY CLERK

APPROVED AS TO FORM:
ROGER A. LUBOVICH, CITY ATTORNEY

PASSED: 5th day of January, 1999.
APPROVED: 5th day of January, 1999.
PUBLISHED: 8th day of January, 1999.

I hereby certify that this is a true copy of Ordinance No. 3437, 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 (SEAL)
BRENDA JACOBER, CITY CLERK
APPLICATION NAME: T.M. Investments

NUMBER: #CPZ-97-5

REQUEST: Comprehensive Plan Zoning

DATE: November 24, 1997
Amending Kent Zoning Code to change zoning designation for property located at 11605 Kent-Kangley Rd. from SR-6 (single-family, 6.05 units per acre) to NCC (neighborhood convenience commercial) (CPZ-97-5).