Ordinance No. 3441

["Beginning July 1, 1998"]

(Amending or Repealing Ordinances)

AMENDS: Ord. 3222
ORDINANCE NO. 3441

AN ORDINANCE of the City Council of the City of Kent, Washington, amending the City of Kent Comprehensive Plan to change the plan's land use map designation on three (3) sites: (1) from single family residential, six units per acre (SF-6) to commercial (C) for the property located at 11715 and 11733 Kent-Kangley Road (CPA-98-2(D)); (2) from industrial (I) to low density multifamily residential (LDMF) for the property located at 88th Avenue South and South 218th Street (CPA-98-2(E)); and (3) from mobile home park (MHP) to commercial (C) for the property located at 15386 SE 272nd Street (CPA-98-2(G)); and further to amend the capital facilities element (CPA-98-2(K) of the comprehensive plan.

WHEREAS, the Washington State Growth Management Act ("GMA") requires internal consistency among comprehensive plan elements in the zoning map; and

WHEREAS, to assure that comprehensive plans remain relevant and up-to-date, the GMA requires each jurisdiction to establish procedures whereby amendments to the plan are considered by the City Council (RCW 36.70A.130(2)), and limits amendments to once each year unless an emergency exists; and

WHEREAS, the City of Kent has established a procedure for amending the comprehensive plan set forth in Chapter 12.02 of the Kent City Code which sets a deadline of September 1 of each year for acceptance of comprehensive plan amendments; and
WHEREAS, by September 1, 1997, the City received applications to amend the comprehensive plan's land use plan map designation and five (5) of those applications involved properties located at (1) 11715 and 11733 Kent-Kangley Road; (2) 88 Avenue South and South 218th Street; (3) 15386 SE 272nd Street; (4) approximately 700 feet west of Pacific Highway South; and (5) 108th Avenue Southeast and Kent-Kangley Road; and

WHEREAS, the City of Kent Finance Department has submitted proposed amendments to the capital facilities element of the Comprehensive Plan to update capital facilities inventories, financial information, and project summaries; and

WHEREAS, the staff presented the requested comprehensive plan amendments for consideration by the City of Kent’s Land Use & Planning Board on November 23, November 30, and December 14, 1998; and

WHEREAS, the proposed amendments are consistent with the standards of review for comprehensive plan amendments outlined in Section 12.02.050 of the Kent City Code; and

WHEREAS, the City of Kent Land Use & Planning Board took public testimony, reviewed the proposed comprehensive plan amendments, and moved to recommend the approval of the amendments of the comprehensive plan designations and capital facilities element amendments to the full City Council which considered the recommendation on February 2, 1999; and

WHEREAS, on February 2, 1999, the City Council approved the Land Use & Planning Board’s recommendation on comprehensive plan amendment:
1. CPA-98-2(D) to amend the comprehensive plan designation of property located at 11715 and 11733 Kent-Kangley Road from a plan designation of single family residential, six units per acre (SF-6) to a plan designation of Commercial (C);
2. CPA-98-2(E) to amend the comprehensive plan designation of property located at 88th Avenue South and South 218th Street from a plan designation of Industrial (I) to low density, multifamily residential (LDMF);
3. CPA-98-2(G) to amend the comprehensive plan designation of property located at 15386 SE 272nd Street from a plan designation of mobile home park (MHP) to a plan designation of Commercial (C); and

WHEREAS, the Kent City Council approved the City of Kent Finance Department's proposed amendment to the capital facilities element of the comprehensive plan for capital facilities element amendment CPA-98-2(K); and

WHEREAS, the Kent City Council voted to deny or to table other proposed plan amendments; NOW, THEREFORE,

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

SECTION 1. The City of Kent comprehensive plan adopted by Ordinance No. 3222, as subsequently amended, is hereby amended to establish new plan designations for property located at 11715 and 11733 Kent-Kangley Road, Kent, Washington, from a plan designation of single family, 6 units per acre (SF-6) to a new plan designation of Commercial (C) as depicted in the map attached as Exhibit A and incorporated herein by this reference (CPA-98-2(D)).

SECTION 2. The City of Kent comprehensive plan adopted by Ordinance No. 3222, as subsequently amended, is hereby amended to establish new plan
designations for the property located at 88th Avenue South and 218th Street, Kent, Washington from a plan designation of Industrial (I) to low density, multifamily residential (LDMF) as depicted in the map attached hereto as Exhibit B and incorporated herein by this reference (CPA-98-2(E)).

SECTION 3. The City of Kent comprehensive plan adopted by Ordinance No. 3222, as subsequently amended, is hereby amended to establish new plan designations for the property located at 15386 SE 272nd Street from a plan designation of mobile home park (MHP) to a new plan designation of Commercial (C) as depicted in the map attached as Exhibit C and incorporated herein by this reference (CPA-98-2(G)).

SECTION 4. The capital facilities element of the City of Kent Comprehensive Plan is hereby amended as set forth in Exhibit D, attached hereto and incorporated herein by this reference (CPA-98-2(K)).

SECTION 5. - 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 6. - 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.

ATTEST:

[Signatures]

JIM WHITE, MAYOR PRO-TEM

BRENDA JACOBER, CITY CLERK, DEPUTY

DONNA SWAW

1998 Comp Plan Amendments
APPROVED AS TO FORM:

ROGER A. LUBOVICH, CITY ATTORNEY

PASSED: 16 day of February, 1999.
APPROVED: 16 day of February, 1999.
PUBLISHED: 19 day of February, 1999.

I hereby certify that this is a true copy of Ordinance No. 3441, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

DONNA SWAW (SEAL)
BRENDA JACOBER, CITY CLERK, DEPOY

1998 Comp Plan Amendments
APPLICATION NAME: Costanzo

NUMBER: #CPA-98-2 (D)                      DATE: January 19, 1999

REQUEST: Comprehensive Plan Amendment

Recommendation: Single Family 6 to Commercial

EXHIBIT A
APPLICATION NAME: Mower/Tonelli

NUMBER: #CPA-98-2 (E)

REQUEST: Comprehensive Plan Amendment

recommendation: Industrial to Low Density Multifamily

DATE: January 19, 1999

EXHIBIT B
APPLICATION NAME: Gusa

NUMBER: #CPA-98-2 (G)

REQUEST: Comprehensive Plan Amendment

Recommendation: Mobile Home Park to Commercial

DATE: January 19, 1999
Table 8.1
1999 - 2004 Capital Facilities Plan
Project Cost Statistics
(in 000's)

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<th>1999</th>
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Table 8.2
1999 - 2004 Capital Facilities Plan
Revenues by Source
(in 000's)

TOTAL REVENUES: $211,417