Ordinance No. 3472

["Beginning July 1, 1998"]

(Amending or Repealing Ordinances)

Amends Ord. 3222
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 from Mixed Use (MU) to Low Density Multi-Family Residential for a 4.8 acres property located generally at the northwest corner of the intersection of South 260th Street and 108th Avenue SE, south of Kent-Kangley Road (CPA-98-2(I)).

WHEREAS, the Washington 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 amendment 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, 1998, the City received nine (9) applications to amend the comprehensive plan’s land use plan map designation and
one of those applications involves a 4.8 acre property located generally at the northwest corner of the intersection of South 260th Street and 108th Avenue SE, south of Kent Kangley Road; and

WHEREAS City staff presented the requested comprehensive plan amendment for consideration by the Land Use and Planning Board and City Council as part of the 1998 proposed comprehensive plan amendments; and

WHEREAS, the Kent Land Use & Planning Board held public hearings on the proposed comprehensive plan amendment on November 23, November 30, and December 14, 1998; and

WHEREAS, the Kent Land Use & Planning Board reviewed the proposed amendments, took public testimony, and moved to recommend denial of the comprehensive plan amendments CPA-98-2(I) and CPZ-98-9 to the full City Council; and

WHEREAS, on February 2, 1999, the Kent City Council voted to table this comprehensive plan and zoning amendment application for further deliberation because:

1. The applicants had proposed to develop condominiums on the site;
2. The City Council and Mayor had expressed interest in the idea of developing a zoning designation that would encourage condominium developments in the City; and
3. The City Council tabled this application until such time a new condominium zoning ordinance was established; and

WHEREAS, on August 3, 1999, after meetings and public hearings with the Public Works and Planning Committee and the Land Use and Planning Board, the City Council voted to adopt two new Multifamily Residential-Townhouse

Mower/Hebert Comprehensive Plan Amendment
zoning districts that require condominium development, designated as the MR-T12 and MR-T16 zones; and

WHEREAS, on August 17, 1999, the City Council approved the creation of an ordinance for the MR-T12 and MR-T16 zoning districts which would permit the development of townhouse condominium units at 12 units per acre and 16 units per acre, respectively; and

WHEREAS, on September 7, 1999, the City Council voted to amend the comprehensive plan designation of the subject 4.8 acres property from Mixed Use to Low Density Multi-Family Residential, which is a comprehensive plan designation that would allow for condominium zoning; NOW THEREFORE,

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

SECTION 1. The City of Kent comprehensive plan is hereby amended to establish a new comprehensive plan designation for the 4.8 acre property located generally at the northwest corner of the intersection of south 260th Street and 108th Avenue SE, south of Kent-Kangley Road, Kent, Washington from a comprehensive plan designation of Mixed Use (O-MU) to Low Density Multi-Family Residential as depicted in the attached Exhibit A, incorporated by this reference (CPA-98-2(I)).

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.

ATTEST:

BRENDA JACOBER, CITY CLERK

APPROVED AS TO FORM:

ROGER A. LUBOVICH, CITY ATTORNEY

PASSED: 21st day of September, 1999.

APPROVED: 21st day of September, 1999.

PUBLISHED: 24th day of September, 1999.

I hereby certify that this is a true copy of Ordinance No. 3472, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

(SEAL)

BRENDA JACOBER, CITY CLERK
#CPA-98-2(I)
Mower/Hebert

Exhibit A

Mixed Use to LDMF

Site

Ordinance No.

September 21, 1999
ORDINANCE

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mutuality of the

mutuality of the

mixed use (mu) to low density

mixed use map designation from

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C.P.NA. 98-2 (Et)

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intersection of 90 A

A. 108 th