ORDINANCE NO. 3500

AN ORDINANCE of the City Council of the City of Kent, Washington, relating to Land Use and Zoning, rezoning a 4.5 acre portion of two properties located east of the intersection of 71st Place South and South 234th Street from Industrial Park District (M-1) to Limited Industrial District (M-2) zone. (SEATABO Rezone – RZ-99-1).

WHEREAS, an application to rezone approximately 4.5 acres from the current zoning of Industrial Park District (M-1) to Limited Industrial District (M-2) was filed on April 23, 1999; and

WHEREAS, the City’s SEPA responsible official issued a Mitigated Determination of Nonsignificance (MDNS) with no conditions for the proposed rezone on July 14, 1999; and

WHEREAS, a public hearing on the SEATABO Rezone was held before the Hearing Examiner on August 5, 1999; and

WHEREAS, the Hearing Examiner issued findings that the SEATABO Rezone is consistent with the City Comprehensive Plan, that the proposed rezone and subsequent development activity would be compatible with the development in the vicinity,
that the proposed rezone will not unduly burden the transportation system in the vicinity of the property with significant adverse impacts which cannot be mitigated, that circumstances have changed since the establishment of the current zoning district to warrant the proposed rezone, and that the proposed rezone will not adversely affect the health, safety and general welfare of the citizens of the City of Kent; and

WHEREAS, the findings are consistent with the standards for rezone set forth in Sections 15.09.050(A)(3) of the Kent City Code; and

WHEREAS, the Kent Hearing Examiner recommended approval of the Sebato Rezone on August 18, 1999, as submitted by the applicant; and

WHEREAS, the City Council moved to accept the findings of the Hearing Examiner and the Hearing Examiner's recommendation for approval of the Sebato Rezone from Industrial Park District (M-1) to Limited Industrial District (M-2) zone; NOW, THEREFORE,

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

SECTION 1. The property located east of the intersection of 71st Place South and South 234th Street, Kent, Washington consisting of approximately 4.5 acres, depicted in Exhibit 1 attached hereto and incorporated herein by this reference, is rezoned as follows:

Parcel numbers 132204-9155-09 and 132204-9193 located in Kent, Washington, shall be rezoned from Industrial Park District (M-1) to Limited Industrial District (M-2).
SECTION 2. **Severability.** If any one or more sections, sub-sections, 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 five (5) days from and after its passage, approval and publication as provided by law.

ATTEST:

BRENDA JACOBER
BRENDA JACOBER, CITY CLERK

APPROVED AS TO FORM:

ROGER A. LUBOVICH, CITY ATTORNEY

APPROVED 18 day of January, 2000.

I hereby certify that this is a true copy of Ordinance No. 3560, 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
Exhibit 1

From M1, Industrial Park
To M2, Limited Industrial

Seatabo Site

January 11, 2000