Ordinance No. 3646

(Amending or Repealing Ordinances)

CFN=131 – Zoning Codes
Passed 7/1/2003
Amends Sec. 15.08.040(G)(2)

Amends Ord. 3575

Amended by Ord. 4003
AN ORDINANCE of the city council of the city of Kent, Washington, amending section 15.08.040(G)(2) of the Kent City Code, to extend the amortization period for auto repair as a home occupation.

WHEREAS, the city council desires to amend section 15.08.040(G)(2) of the Kent City Code, to extend the amortization period for auto repair home occupations to October 18, 2004, three (3) years from the effective date of the initial code amendment that prohibited this type of use, and

WHEREAS, after providing appropriate public notice, the city held a public hearing on this modification proposal at the regular land use & planning board meeting held on April 28, 2003, and

WHEREAS, the planning committee considered this matter at the regularly scheduled meeting on May 20, 2003; and

WHEREAS, on April 23, 2003, the city provided notification to the State of Washington under RCW 36.70A.106 of the city's proposed amendment to the amortization schedule for prohibited home occupations, and
WHEREAS, the sixty (60) day notice period under RCW 36.70A.106 has elapsed, NOW THEREFORE,

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

SECTION 1. - Amendment. Section 15.08.040(G)(2) of the Kent City Code is amended as follows.

Sec. 15.08.040 Home occupations.

G. Home occupations prohibited.

1. The following uses, by the nature of their operation or investment, have a pronounced tendency, once started, to increase beyond the limits permitted for home occupations and impair the use and value of zoning districts where dwelling units are lawfully established. Therefore, the uses listed below shall not be permitted as home occupations:

   a. Repair, body repair, building, or servicing of vehicles

2. Home occupations prohibited by subsection (G)(1) of this section and which were operated lawfully in the city of Kent in compliance with the provision of this chapter as of the date of passage, may continue to operate until October 18, 2004 for one (1) year from the effective date of the ordinance codified in this chapter, or the expiration of a current business license, whichever is longer, after which date no prohibited home occupations may lawfully operate in the city of Kent.

SECTION 2. - Savings. The existing section 15 08 040(G)(2) of the Kent City Code, which is amended by this ordinance, shall remain in full force and effect until the effective date of this ordinance.
SECTION 3. - Severability  If any one or more section, 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 and after passage as provided by law.

JIM WHITE, MAYOR

ATTEST

BRENDA JACOBER, CITY CLERK

APPROVED AS TO FORM.

TOM BRUBAKER, CITY ATTORNEY

Kim A. Pratt

PASSED: 1st day of July, 2003

APPROVED 1st day of July, 2003

PUBLISHED 6th day of July, 2003

I hereby certify that this is a true copy of Ordinance No 3648 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 (SEAL)