AN ORDINANCE of the City Council of the City of Kent, Washington, amending the City of Kent Comprehensive Plan as follows: (1) to change the land use map designation from Single Family, three (3) units per acre (SF-3), to Single Family, six (6) units per acre (SF-6) for property located at 21907 100th Avenue Southeast (CPA-2003-4(A)); and (2) to change the land use map designation from Single Family, six (6) units per acre (SF-6), to Neighborhood Services (NS) for property located at 11525 SE 240th Street (CPA-2003-4(C)).

WHEREAS, the Washington State Growth Management Act ("GMA") requires internal consistency among comprehensive plan elements and the plans from other jurisdictions; 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 these amendments to once each year unless certain circumstances exist; and

WHEREAS, the City of Kent has established a procedure for amending the Comprehensive Plan in chapter 12.02 of the Kent City Code, which sets a deadline of September 1st of each year for submittal of requests for comprehensive plan amendments; and

WHEREAS, the City received three (3) timely applications to amend the comprehensive plan's land use plan map designation, and those applications involve

2003 Comprehensive Plan Amendments
WHEREAS, the parcel at 21907 100th Avenue Southeast is currently designated Single Family Residential, three (3) units per acre (SF-3), and the applicants are requesting a plan designation to Single Family Residential, six (6) units per acre (SF-6) (CPA-2003-4(A)); and

WHEREAS, the parcel at 11644 SE 240th Street is currently designated Single Family Residential, six (6) units per acre (SF-6), and Neighborhood Services (NS), and the applicants are requesting a plan designation of Neighborhood Services (NS) (CPA-2003-4(B)); and

WHEREAS, the parcel at 11525 SE 240th Street is currently designated Single Family Residential, six (6) units per acre (SF-6), and the applicants are requesting a plan designation of Neighborhood Services (NS) (CPA-2003-4(C)); and

WHEREAS, the City of Kent Land Use and Planning Board considered CPA-2003-4(A), CPA-2003-4(B) and CPA-2003-4(C); conducted a public hearing of the same on October 27, 2003; and made the following recommendations: the conditional approval of CPA-2003-4(A), denial of CPA-2003-4(B), and denial of CPA-2003-4(C); and

WHEREAS, the proposed amendments of CPA-2003-4(A) and CPA-2003-4(C) are consistent with the standards of review for comprehensive plan amendments outlined in section 12.02.050 of the Kent City Code; and

WHEREAS, on November 18, 2003, the City Council for the City of Kent approved the comprehensive plan amendment CPA-2003-4(A) to amend the comprehensive plan designation for the parcel of property located at 21907 100th Avenue Southeast with the condition that approval is contingent upon completion and recording
of storm water and open space tracts on the subject site consistent with the approvals of the Kara Crest and Cofield Subdivisions; and

WHEREAS, on November 18, 2003, the City Council for the City of Kent denied the comprehensive plan amendment CPA-2003-4(B) for the parcel of property located at 11644 SE 240th Street; and

WHEREAS, on November 18, 2003, the City Council for the City of Kent approved the comprehensive plan amendment CPA-2003-4(C) to amend the comprehensive plan designation of the parcel of property at 11525 SE 240th Street on the following conditions (i) that if Russ Hanscom, of Arbor Village Assisted Living, or its associate(s), can purchase the property, no later than March 15, 2004, and develop it as a senior oriented public park in perpetuity, then the property land use designation will not be amended; (ii) that if that proposal described in (i) above fails, the land use designation will amend to Neighborhood Services (NS) effective at midnight on March 16, 2004; and (iii) that if an alternative park project different from (i) above is proposed by Russ Hanscom, the City Council must vote on that proposal before midnight on March 16, 2004; and

WHEREAS, on September 12, 2003, the City provided the required sixty (60) day notification under RCW 36.70A.106 to the state of Washington of the City’s proposed amendment to the Comprehensive Plan; and

WHEREAS, the sixty (60) day notice period has lapsed; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:
SECTION 1. - Amendments. The City of Kent Comprehensive Plan adopted by Ordinance No. 3222, as subsequently amended, is hereby amended to establish new land use designations for the following parcels:

A. For the property located at 21907 100th Avenue Southeast, from a plan designation of Single Family three (3) units per acre (SF-3) to a plan designation of Single Family six units per acre (SF-6), as depicted in the map attached as Exhibit “A” and incorporated by this reference (CPA-2003-4(A)), with the condition that approval is contingent upon completion and recording of storm water and open space tracts on the subject site consistent with the approvals of the Kara Crest and Cofield Subdivisions; and

B. For the property located at 11525 SE 240th Street from Single Family six (6) units per acre (SF-6) to a plan designation of Neighborhood Services (NS), as depicted in the map attached as Exhibit “B” and incorporated by this reference (CPA-2003-4(C)) with the following conditions: (i) that if Russ Hanscom, of Arbor Village Assisted Living, or its associate(s) can purchase the property, no later than March 15, 2004, and develop it as a senior oriented public park in perpetuity, then the property land use designation will not be amended; (ii) that if that proposal described in (i) above fails, the land use designation shall be amended to Neighborhood Services (NS) effective midnight on March 16, 2004; and (iii) that if an alternative park project different from (i) above is proposed by Russ Hanscom, the City Council must vote on that proposal before midnight on March 16, 2004.

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 3. - Effective Date. This Ordinance shall take effect and be in force thirty (30) days from and after the date of passage as provided by law.

JIM WHITE, MAYOR

2003 Comprehensive Plan Amendments
ATTEST:

BRENDA JACOBER, CITY CLERK

APPROVED AS TO FORM:

TOM BRUBAKER, CITY ATTORNEY

PASSED 9 day of Dec, 2003.
APPROVED 10 day of Dec, 2003.

I hereby certify that this is a true copy of Ordinance No. 3676, 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
This map is a graphic aid only and is not a legal document. The City of Kent makes no warranty to the accuracy of the listing dimensions, contours, property boundaries, or placement or locations of any map features depicted thereon. The City of Kent disclaims and shall not be held liable for any and all damage, loss, or liability, whether direct or indirect, or consequential, which arises from use of this product.

City of Kent
Planning Services Office

Exhibit "A"

1:5,000

December 1, 2003
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