Ordinance No. 3744
(Amending or Repealing Ordinances)

CFN=377 – Comprehensive Plan Amendments
Passed – 4/19/2005
2004 Comprehensive Plan Amendments
ORDINANCE NO. 3744

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, six (6) units per acre (SF-6), to Mixed-Use (MU) for property located at 26056 116th Avenue Southeast (CPA-2004-4(A)); (2) to change the land use map designation from Manufacturing/Industrial Center (MIC) to Commercial (C) for property located at 20651 84th Avenue South/East Valley Highway (CPA-2004-4(B)); and (3) to change the land use map designation from Single Family, six (6) units per acre (SF-6), to Neighborhood Services (NS) with conditions, for property located at 11644 Southeast 240th Street (CPA-2004-4(C)).

RECITALS

A. The Washington State Growth Management Act ("GMA") requires internal consistency among comprehensive plan elements.

B. 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.

C. 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.
D. The City received four (4) timely applications to amend the comprehensive plan's land use designation map, and those applications involve parcels located at: (1) 26056 116th Avenue Southeast (CPA-2004-4(A)); (2) 20651 84th Avenue South/East Valley Highway (CPA-2004-4(B)); (3) 11644 Southeast 240th Street (CPA-2004-4(C)); and (4) 21320 42nd Avenue South (CPA-2004-4(D)).

E. The parcel at 26056 116th Avenue Southeast 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-2004-4(A)).

F. The parcel at 20651 84th Avenue South/East Valley Highway is currently designated Manufacturing/Industrial Center (MIC), and the applicants are requesting a plan designation of Commercial (C) (CPA-2004-4(B)).

G. The parcel at 11644 Southeast 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-2004-4(C)).

H. The parcel at 21320 42nd Avenue South is currently designated Agricultural Resource Land (AG-R), and the applicants are requesting a plan designation of Single Family Residential, one (1) unit per acre (SF-1) (CPA-2004-4(D)).

I. The City of Kent Land Use and Planning Board considered CPA-2004-4(A), CPA-2004-4(B), CPA-2004-4(C), and CPA-2004-4(D); and conducted a public hearing on the same on November 22, 2004. The Planning and Economic Development Committee considered the applications at its meetings on December 6, 2004, and held a public hearing on CPA-2004-4(C) on January 19, 2005. The Committee made the following recommendations: the approval of CPA-2004-4(A) as Mixed-Use (MU), approval of CPA-2004-4(B) as Commercial (C), approval of CPA-2004-4(C) as Neighborhood Services (NS), and approval of CPA-2004-4(D) as Single Family Residential, one (1) unit per acre (SF-1).
Neighborhood Services (NS) with conditions, and CPA-2004-4(D) was withdrawn by the applicant so no recommendation was made.

J. The proposed amendments of CPA-2004-4(A), CPA 2004-4(B), and CPA-2004-4(C), as conditioned, are consistent with the standards of review for comprehensive plan amendments outlined in section 12.02.050 of the Kent City Code.

K. On February 1, 2005, the City Council for the City of Kent approved the comprehensive plan amendment CPA-2004-4(A) to amend the comprehensive plan designation to Mixed-Use (MU) for the parcel of property located at 26056 116th Avenue South.

L. On February 1, 2005, the City Council for the City of Kent approved the comprehensive plan amendment CPA-2004-4(B) to amend the comprehensive plan designation to Commercial (C) for the parcel of property located at 20651 84th Avenue South/East Valley Highway.

M. On February 1, 2005, the City Council for the City of Kent approved, with conditions, the comprehensive plan amendment CPA-2004-4(C) for the parcel of property located at 11644 SE 240th Street. The conditions imposed alleviate impacts to the neighborhood that would otherwise result from the amended land use designation due to unique circumstances such as the nature of the residential development in the area and current traffic patterns.

N. The SEPA Responsible Official issued an Addendum and Adoption Notice on November 15, 2004 determining that impacts of the proposed amendments were adequately evaluated under Environmental Impact Statement #ENV-93-51 and do not substantially change the prior analysis.
On September 17, 2004, 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. The sixty (60) day notice period has lapsed.

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

ORDINANCE

SECTION 1. - Amendments. The City of Kent Comprehensive Plan adopted by Ordinance No. 3698 is amended to establish new land use designations for the following parcels:

A. For the property located at 26056 116th Avenue Southeast, from a plan designation of Single Family Residential, six (6) units per acre (SF-6) to a plan designation of Mixed Use (MU), as depicted in the map attached as Exhibit "A-1" and incorporated by this reference (CPA-2004-4(A)).

B. For the property located at 20651 84th Avenue South/East Valley Highway, from a plan designation of Manufacturing/Industrial Center (MIC) to a plan designation of Commercial (C), as depicted in the map attached as Exhibit "B-1" and incorporated by this reference (CPA-2004-4(B)).

C. For the property located at 11644 Southeast 240th Street, from a plan designation of Single Family Residential, six (6) units per acre (SF-6) to a plan designation of Neighborhood Services (NS), as depicted in the map attached as Exhibit "C-1" and incorporated by this reference (CPA-2004-4(C)), with the following conditions: (i) automobile service stations or gasoline filling stations as defined in KCC 15.02.035, or as hereafter amended, are prohibited; (ii) development of the property shall include a twenty-five (25) foot wide aesthetic and pedestrian connectivity buffer with Type I landscaping as defined in KCC 15.07.050, or as hereafter amended; and (iii) development of the property shall be consistent with Comprehensive Plan Land Use Policies LU-14.5 and LU-14.8 that require commercial development to minimize impacts to adjacent residential development and require commercial development to be compatible in height and scale with adjacent residential development. On all building facades oriented toward the north and east property lines, compliance with these two Policies shall include architectural design variations such as fenestration, accents, overhangs,
modulation, colors and/or materials to avoid long, monotonous, uninterrupted walls or roof planes.

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.

ATTEST:

BRENDA JACOBER, CITY CLERK

APPROVED AS TO FORM:

TOM BRUBAKER, CITY ATTORNEY
PASSED 19 day of April, 2005.

APPROVED 19 day of April, 2005.

PUBLISHED 23 day of April, 2005.

I hereby certify that this is a true copy of Ordinance No.3744, 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

2004 Comprehensive Plan Amendments
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Exhibit "C-1"

City of Kent
Planning Services Office

February 7, 2005

Lotto/Toppano
CPA-2004-4(C)

SF-6 to NS
Conditional Approval