Ordinance No. 3748

(Amending or Repealing Ordinances)

CFN=121 - Rezones
Passed - 5/3/2005
Mount View Rezone

Recorder's # 20050520002830

The date ["Beginning July 1, 1998"] has led to confusion. This date will be deleted from cover sheets of ordinance/resolution revision pages. This cover sheet will be deleted on electronic pages only, no other deletions or changes have been made to the document – 6/21/2012.
AN ORDINANCE of the City Council of the City of Kent, Washington, relating to land use and zoning, specifically the rezoning of approximately 4.7 acres of property located at 23438 94th Avenue South from Single Family Residential 4.5 units per acre (SR-4.5) to Single Family Residential 6 units per acre (SR-6). (Mount View Rezone, #RZ-2004-4).

RECITALS

A. An application to rezone approximately 4.7 acres of property located at 23438 94th Avenue South, Kent, Washington from the current zoning of Single Family Residential 4.5 units per acre (SR-4.5) to Single Family Residential 6 units per acre (SR-6) was filed on August 30, 2004, by David Mahk, (Mount View Rezone, #RZ-2004-4).

B. The City’s SEPA responsible official issued a Determination of Nonsignificance (DNS) (#ENV-2004-6) for the proposed rezone on January 10, 2005, and a public hearing on the rezone was held before the hearing examiner on March 16, 2005.

C. On March 30, 2005, the hearing examiner issued findings and conclusions that the Mount View Rezone is consistent with the city’s 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 that 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.

D. Based on these findings and conclusions, the hearing examiner recommended approval of the Mount View Rezone.

E. On April 19, 2005, the City Council determined that the hearing examiner's findings and conclusions are consistent with sections 15.09.050(A)(3) and 15.09.050(C) of the Kent City Code, accepted the findings of the hearing examiner, and adopted the hearing examiner's recommendation for approval of the Mount View Rezone from Single Family Residential 4.5 units per acre (SR-4.5) to Single Family Residential 6 units per acre (SR-6).

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

ORDINANCE

SECTION 1. - Rezone. The property located at 23438 94th Avenue South, Kent, Washington consisting of approximately 4.7 acres depicted in Exhibit "A" (marked "Mount View Rezone"), attached and incorporated by this reference, and legally described in Exhibit "B", attached and incorporated by this reference, is rezoned as follows:

King County tax parcel numbers 182205-9037, 182205-9238, 182205-9175, and 182205-9164 shall be rezoned from Single Family Residential 4.5 units per acre (SR-4.5) to Single Family Residential 6 units per acre (SR-6).

The City of Kent zoning map shall be amended to reflect the rezone granted above.
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 five (5) days from and after its passage as provided by law.

ATTEST:

BRENDA JACOBER,
CITY CLERK

APPROVED AS TO FORM:

TOM BRUBAKER,
CITY ATTORNEY

PASSED: 3 day of May, 2005.
APPROVED: 5 day of May, 2005.
PUBLISHED: 7 day of May, 2005.

I hereby certify that this is a true copy of Ordinance No. 3748 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)
CITY CLERK
King County Tax Lot No. #1822059175
BEG AT PT ON S LN OF NW 1/4 OFSE 1/4 230 FT E OF E MGN OF 94THAVE S TH N 130 FT TH W TO PT 635 FT W OF E LN OF SUBD THN 50 FT TH E 635 FT TH S 180 FT TH W 415 FT TO BEG LESS E 190 FT

King County Tax Lot No. #1822059238
E 190 FT OF S 180 FT OF SE 1/4 OFNW 1/4 OF SE 1/4

King County Tax Lot No. #1822059164
LOT 3 CITY OF KENT SHORT PLAT NOSP-96-9 (WILKERSON SHORT PLAT) RECORDING NO 9608151415 BEING A PORTION OF NW QTR SE QTR STR18-22-05

King County Tax Lot No. #1822052707-9037
S 1/2 OF SW 1/4 OF NE 1/4 OFSE 1/4 LESS CO RD LESS E 4/5 THOFTGW N 15 FT OF S 330 FT OF E 645 FT OF NW 1/4 OF SE 1/4

EXHIBIT "B"
WASHINGTON STATE COUNTY AUDITOR/RECORDER'S COVER SHEET

Document Title: City of Kent Ordinance No. 3748 authorizing the rezoning of approximately 4.7 acres of property located at 23438 94th Avenue South from Single Family Residential 4.5 units per acre (SR-4.5) to Single Family Residential 6 units per acre (SR-6). (Mount View Rezone, #RZ-2004-4).

Reference Number(s): N/A

Grantor(s): City of Kent, a Washington municipal corporation

Grantee(s): The Public

Abbreviated Legal Description: Ptn. of Sec. 18, Twn. 22 N, Rng. 5E, W.M., King County

Additional legal description is on Exhibit “B” of document.

Assessor’s Property Tax Parcel/Account Number(s): 182205-9037, 182205-9238, 182205-9175, and 182205-9164

Project Name: Mount View Rezone

Said document(s) were filed for record by Pacific Northwest Title as accommodation only. It has not been examined as to proper execution or as to its affect upon title.