Ordinance No. 3831
(Amending or Repealing Ordinances)

CFN=121 - Rezones
Passed - 3/6/2007
Bjorgo Rezone

Recorder's # 20070327002499

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.
ORDINANCE NO. 3831

AN ORDINANCE of the City Council of the City of Kent, Washington, relating to land use and zoning, specifically the rezoning of approximately 1.84 acres of property located at 22424 94th Avenue South from SR-4.5 (Single-Family Residential, 4.5 units per acre) to SR-6 (Single-Family Residential, 6 units per acre). (Bjorgo Rezone RZ-2006-4).

RECITALS

A. An application was filed on August 3, 2006, to rezone approximately 1.84 acres of property located at 22424 94th Avenue South from SR-4.5 (Single-Family Residential, 4.5 units per acre) to SR-6 (Single-Family Residential, 6 units per acre). (Bjorgo Rezone, #RZ-2006-10).

B. The City's SEPA responsible official issued a Mitigated Determination of Nonsignificance (MDNS) (#ENV-2006-57) for the proposed rezone on October 27, 2006.

C. A public hearing on the rezone was held before the hearing examiner on January 17, 2007. On January 31, 2007, the hearing examiner issued findings and conclusions that the Bjorgo 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 Bjorgo Rezone.

E. On March 6, 2007, 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 Bjorgo Rezone from SR-4.5 to SR-6.

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

ORDINANCE

SECTION 1. - Recitals Incorporated as Findings. The foregoing recitals, which are incorporated by this reference, constitute the council's findings on this matter.

SECTION 2. - Rezone. The property located at 22424 94th Avenue South in Kent, Washington consisting of approximately 1.84 acres depicted in Exhibit "A" (marked "Vicinity Map"), attached and incorporated by this reference, and legally described in Exhibit "B", attached and incorporated by this reference, is rezoned from SR-4.5 (Single-Family Residential, 4.5 units per acre) to SR-6 (Single-Family Residential, 6 units per acre). The City of Kent zoning map shall be amended to reflect the rezone granted above.

SECTION 3. - 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 publication as provided by law.

Suzette Cooke
Suzette Cooke, Mayor

ATTEST:

Brenda Jacob
Brenda Jacob, City Clerk

APPROVED AS TO FORM:

Tom Brubaker
Tom Brubaker, City Attorney

PUBLISHED: 14th day of March, 2007.

I hereby certify that this is a true copy of Ordinance No. 3831 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 Jacob
Brenda Jacob, City Clerk

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Bjorgo Rezone
APPLICATION NAME: BJORGO
REQUEST: #RZ-2006-10 KIVA #RPP4-2063617
VICINITY MAP

EXHIBIT "A"
EXHIBIT "B"

Lot 1 King County Short Plat Number L93S0042 recorded under Recording No. 9501259010, said Short Plat being a Portion of the NE ¼ of the NW ¼ of the NE ¼ of Section 18, Township 22 North, Range 5 East, W.M., in King County, Washington.
WASHINGTON STATE COUNTY AUDITOR/RECORDER'S COVER SHEET

Document Title: City of Kent Ordinance No. 3831 authorizing the rezoning of approximately 1.84 acres of property located at 22424 94th Avenue South from Single Family Residential 4.5 units per acre to Single Family Residential 6 units per acre.

Reference Number(s): N/A

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

Grantee(s): The Public

Abbreviated Legal Description: Ptn. of STR 18-22-05, City of Kent, W.M., King County

Additional legal description is on Exhibit "B" of document.

Assessor's Property Tax Parcel/Account Number(s): 1822059103

Project Name: Bjorgo 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 effect upon title.