Ordinance No. 3958
(Amending or Repealing Ordinances)

CFN=377 - Comprehensive Plan
CFN=131 - Zoning Codes
CFN=1309 - Panther Lake Annexation
Passed – 5/18/2010
Panther Lake Annexation Comprehensive Plan Land Use Map and Zoning District Map Designations
ORDINANCE NO. 3758

AN ORDINANCE of the City Council of the City of Kent, Washington, relating to and implementing Comprehensive Plan Land Use Map and Zoning District Map designations for the Panther Lake Annexation.

RECITALS

A. On December 8, 2009, the Kent City Council adopted Ordinance No. 3936, effective on July 1, 2010, approving the annexation of the Panther Lake Annexation Area (the “Annexation Area”) into the City of Kent. Implementing Comprehensive Plan Land Use Map and Zoning District Map designations (together, the "Map designations") for the Annexation Area is an issue of community-wide significance that promotes the public health, safety, and general welfare of the citizens of Kent in accord with Kent City Code 12.02.010(A)(1).

B. The Annexation Area is approximately 3350 acres, bounded by the City of Renton on the north (generally along Southeast 192nd Street to the Benson Road, then continuing west along Southeast 200th Street. to 100th Avenue Southeast), Big Soos Creek on the east, and contiguous with
Kent’s existing city limits on the south and west. The Annexation Area is shown in detail on Exhibits A and B to this ordinance.

C. On January 20, 2010, the City provided the State of Washington Department of Commerce the required sixty (60) day notification under RCW 36.70A.106 of the City’s proposed amendments to the Comprehensive Plan. The sixty (60) day notice period has lapsed.

D. The City’s State Environmental Policy Act (SEPA) responsible official issued a Determination of Nonsignificance (DNS) (#ENV-2010-2) for the proposed Map designations on April 16, 2010.

E. Subsequent to the adoption of Ordinance 3936, the City’s Planning staff began work on Comprehensive Plan Land Use Map and Zoning Map designations for the Annexation Area, as outlined in section 15.09.055 KCC. The City invited comments regarding these Map designations during an open house held on January 9, 2010, in the Annexation Area. The Land Use & Planning Board held work-shops on November 23, 2009, and January 11, 2010, and conducted a public hearing on January 25, 2010. The Economic and Community Development Committee considered the Map designation issues on September 14, 2009, and February 8, 2010. The Committee subsequently conducted two public hearings on March 8, 2010 and April 12, 2010.

F. On May 18, 2010 the City Council adopted the following Comprehensive Plan Land Use Map designations for the Annexation Area: Urban Separator (US); Single Family Residential, 4.5 Dwelling Units per Acre (SF-4.5); Single Family Residential, 6 Dwelling Units per Acre (SF-6); Single Family Residential, 8 Dwelling Units per Acre (SF-8); Mobile Home
Park (MHP); Low Density Multifamily Residential (LDMF); Medium Density Multifamily Residential (MDMF); and Mixed Use (MU) as depicted in Exhibit “A” attached and incorporated herein.

G. Also on May 18, 2010, the City Council adopted Zoning District Map designations for the Annexation Area of Residential Agricultural, 1 dwelling unit per acre (SR-1); Single-Family Residential, 4.53 dwelling units per acre (SR-4.5); Single-Family Residential, 6.05 dwelling units per acre (SR-6); Single-Family Residential, 8.71 dwelling units per acre (SR-8); Mobile Home Park Combining (MHP) Zoning District; Low Density Multifamily Residential, 16 dwelling unit per acre (MR-G); Medium Density Multifamily Residential, 23 dwelling unit per acre (MR-M); High Density Multifamily Residential, 40 dwelling unit per acre (MR-H); and Community Commercial, Mixed-Use (CC-MU) as depicted in Exhibit “B” attached and incorporated herein.

H. After considering staff analysis and public testimony, the Council adopted a Comprehensive Plan Land Use Map designation of Urban Separator (US) and corresponding Zoning Map designation of Residential Agricultural, 1 dwelling unit per acre (SR-1) for the entirety of three split-designated parcels adjacent to and including Lake Jolie. King County’s designations for these parcels included a land use designation of Urban Residential Medium, 4 to 12 dwelling units per acre (um) with R-6 zoning, and a land use designation of Greenbelt (gb) with R-1 zoning. The Council acted on compelling public testimony regarding the protections offered by the Greenbelt designation for the environmental, visual, wildlife, and sensitive area characteristics of Lake Jolie while still allowing lower density single-family residential development.
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 are incorporated by this reference.

SECTION 2. - Adopt. Pursuant to Chapter 12.02 of the Kent City Code, section 15.09.055 of the Kent City Code, and RCW 36.70A.130 the following Comprehensive Plan Land Use Map designations are established for the Panther Lake Annexation Area as shown on Exhibit “A” attached and incorporated herein by this reference: Urban Separator (US); Single Family Residential, 4.5 Dwelling Units per Acre (SF-4.5); Single Family Residential, 6 Dwelling Units per Acre (SF-6); Single Family Residential, 8 Dwelling Units per Acre (SF-8); Mobile Home Park (MHP); Low Density Multifamily Residential (LDMF); Medium Density Multifamily Residential (MDMF); and Mixed Use (MU).

SECTION 3. - Adopt. Pursuant to the Kent City Code section 15.09.055 the following Zoning District Map designations are established for the Panther Lake Annexation Area as shown on Exhibit “B” attached hereto and incorporated herein by this reference: Residential Agricultural, 1 dwelling unit per acre (SR-1); Single-Family Residential, 4.53 dwelling units per acre (SR-4.5); Single-Family Residential, 6.05 dwelling units per acre (SR-6); Single-Family Residential, 8.71 dwelling units per acre (SR-8); Mobile Home Park Combining (MHP) Zoning District; Low Density Multifamily Residential, 16 dwelling unit per acre (MR-G); Medium Density Multifamily Residential, 23 dwelling unit per acre (MR-M); High Density
Multifamily Residential, 40 dwelling unit per acre (MR-H); and Community Commercial, Mixed-Use (CC-MU).

SECTION 4. - 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 5. - Corrections by City Clerk or Code Reviser. Upon approval of the City Attorney, the City Clerk and the code reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors; references to other local, state or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering.

SECTION 6. - Effective Date. This ordinance shall take effect and be in force on July 1, 2010, which is no sooner than thirty (30) days from and after its passage, approval, and publication.

ATTEST:

Suzette Cooke, Mayor

Brenda Jacober, City Clerk

APPROVED AS TO FORM:

Panther Lake Annexation Comprehensive Plan Land Use Map and Zoning District Map Designations
TOM BRUBAKER, CITY ATTORNEY

PASSED: ______ day of ________, 2010.

APPROVED: ______ day of ________, 2010.

PUBLISHED: ______ day of ________, 2010.

I hereby certify that this is a true copy of Ordinance No. 3958 passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

(SEAL)
BRENDA JACOBER, CITY CLERK

Panther Lake Annexation Comprehensive Plan Land Use Map and Zoning District Map Designations
Exhibit A: Adopted Panther Lake Annexation Comprehensive Plan Land Use Map Designations

City of Kent Planning Division
April 23, 2010

Legend

- Panther Lake Annexation Area

Kent Conversion

OS (Open Space)
US (Urban Separator)
SF-4.5 (Single Family, 4.5 DUA)
SF-6 (Single Family, 6 DUA)
SF-8 (Single Family, 8 DUA)
MHP (Mobile Home Park)
LDMF (Low Density Multifamily)
MOMF (Medium Density Multifamily)
NS ( Neighborhood Services)
MU (Mixed-Use)
Exhibit B:
Adopted Panther Lake Annexation Zoning Districts Map Designations

City of Kent Planning Division
May 18, 2010