ORDINANCE NO. 4002

AN ORDINANCE of the City Council of the City of Kent, Washington, relating to land use and zoning, specifically the rezoning of the eastern portion of an approximately .79 acre site consisting of .45 of an acre of property located at 10329 SE 273rd Place from Single Family Residential 1 unit per acre (SR-1) to Single Family Residential 6 units per acre (SR-6). (Kentara Lot 21 Rezone, #RZ-2010-1, KIVA #2102422).

RECITALS

A. An application to rezone the eastern portion of an approximately .79 acre site, consisting of .45 of an acre of property located at 10329 SE 273rd Place, Kent, Washington, from the current zoning of Single Family Residential 1 unit per acre (SR-1) to Single Family Residential 6 units per acre (SR-6), was filed on September 1, 2010, by Harry Schneider, Schneider Homes (Kentara Lot 21 Rezone, #CPZ-2010-1, KIVA #2102422).

B. On May 19, 2011, the SEPA Responsible Official determined that additional SEPA review was not required for the current rezone proposal, based on her finding that the current rezone request is substantially similar to the Comprehensive Plan Land Use Map amendment approved by the City Council on April 19, 2011, and does not contain new information related to probable significant adverse environmental impacts.
C. A public hearing on the rezone was held before the hearing examiner on June 1, 2011. On June 14, 2011, the hearing examiner issued findings and conclusions that the Kentara Lot 21 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 Kentara Lot 21 Rezone.

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

ORDINANCE

SECTION 1. - Hearing Examiner's Findings and Conclusions Adopted. The hearing examiner's findings and conclusions pertaining to the Kentara Lot 21 Rezone issued on June 14, 2011, are consistent with sections 15.09.050(A)(3) and 15.09.050(C) of the Kent City Code. The findings of the hearing examiner are accepted, and the Kent City Council adopts the hearing examiner's recommendation for approval of the Kentara Lot 21 Rezone from Single Family Residential 1 unit per acre (SR-1) to Single Family Residential 6 units per acre (SR-6).
SECTION 2. - Rezone. The property located at 10329 SE 273rd Place, Kent, Washington consisting of approximately .45 of an acre depicted in Exhibit “A,” 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 number 383125-0210, located in Kent, Washington, shall be rezoned from Single Family Residential 1.0 unit per acre (SR-1) 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 3. - Severability. If any one or more section, sub-section, or sentence of this ordinance is 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. - 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 5. - 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: 2nd day of August, 2011.

APPROVED: 2nd day of August, 2011.

PUBLISHED: 5th day of August, 2011.

I hereby certify that this is a true copy of Ordinance No. 4002 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, CITY CLERK

(SEAL)

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EXHIBIT A
EXHIBIT B
LEGAL DESCRIPTION
PROPOSED COMP. PLAN AMENDMENT
AFFECTED PARCEL

ASSESSOR'S PARCEL No. 383125-0210

LOT 21, KENTARA, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 238
OF PLATS, PAGES 36 THROUGH 39, INCLUSIVE, IN KING COUNTY, WASHINGTON.
City of Kent
Attn: Law Department
220 Fourth Ave. S.
Kent, WA 98032

Return Address:
City of Kent
Attn: Law Department
220 Fourth Ave. S.
Kent, WA 98032

WASHINGTON STATE COUNTY AUDITOR/RECORDER'S COVER SHEET

Document Title: CITY OF KENT ORDINANCE NO. 4002: Relating to Rezone
Reference Number(s): N/A
Grantor(s): City of Kent, a Washington Municipal Corporation
Grantee(s): The Public, Ordinance No. 4002
Assessor’s Tax Parcel No.: 383125-0210

Abbreviated Legal Description: Lot 21, Kentara, According to the plat thereof, recorded in Volume 238 of plats, pages 36 through 39, inclusive, in King County, Washington.

Project Name: Kentara Lot 21 Rezone, #RZ-2010-1, KIVA #2102422

[Handwritten note:]
Sale 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.