AN ORDINANCE of the City Council of the city of Kent, Washington, amending the City of Kent Comprehensive Plan to change the land use plan map designation for the Riverbend Surplus Property from Parks and Open Space (OS) and Medium Density Multifamily (MDMF) to Mixed Use (MU). Riverbend Surplus Property Comprehensive Plan Amendment and Rezone (CPZ/CPA 2014-1).

RECITALS

A. The Growth Management Act (GMA) requires that the City establish procedures governing amendments to the comprehensive plan that limit amendments to once each year unless certain circumstances exist. RCW 36.70A.130(2)(b). The City has established a procedure for amending the comprehensive plan in Chapter 12.02 of the Kent City Code ("KCC") that permits amendments in addition to the standard annual update if an emergency exists. An emergency is defined as an issue of community-wide significance that promotes the public health, safety, and general welfare. KCC 12.02.010(A).

B. On April 14, 2014, the Economic and Community Development Committee moved to request that staff move forward with the entitlement process for the Riverbend Surplus Property ("Property"), located at 2020 West Meeker Street (a portion of King County Parcel No. 2322049011), as depicted in Exhibit A, attached and incorporated by this
reference. The Property has also been referred to as the “Par 3 golf course” site.

C. On May 6, 2014, the City Council adopted Resolution No. 1883, which authorized staff to move forward with a comprehensive plan amendment on the Property. The recitals of Resolution No. 1883 are incorporated herein by reference.

D. The Property is currently operated as a “Par 3” golf course and is zoned Residential Agricultural (SR-1) and Medium Density Multifamily Residential (MR-M), and its land use designation in the comprehensive plan is Parks and Open Space (OS) and Medium Density Multifamily (MDMF).

E. On June 4, 2014, the City provided via e-mail to the Washington State Department of Commerce the required sixty (60) day notification under RCW 36.70A.106 regarding the proposed comprehensive plan amendment. The 60-day notice period has elapsed.

F. On June 9, 2014 and July 14, 2014, the Land Use and Planning Board ("LUPB") held workshops to discuss four proposed land use plan map and zoning districts designation options.

G. On July 23, 2014, the City’s State Environmental Policy Act (SEPA) Responsible Official issued a Determination of Nonsignificance for the comprehensive plan land use map amendment for the Property.

H. On July 28, 2014, the LUPB held a public hearing to consider the matter. At the close of the public hearing, the LUPB voted to recommend amending the comprehensive plan.
I. The Economic & Community Development Committee considered the LUPB’s recommendation at a meeting on August 11, 2014 and forwarded its own recommendation to the full City Council.

J. On August 19, 2014, the City Council determined that the proposed amendment to the Riverbend Surplus Property (CPA-2014-1) is consistent with the standards of review for comprehensive plan amendments outlined in KCC Section 12.02.050 and approved the comprehensive plan amendment to change the land use map designation of the Riverbend Surplus Property from Parks and Open Space (OS) and Medium Density Multifamily (MDMF) to Mixed Use (MU).

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. - Amendment. The City of Kent Comprehensive Plan, adopted by Ordinance No. 3222, and as subsequently amended, is amended to establish a new land use plan map designation for the Riverbend Surplus Property. See Exhibit “A,” attached and incorporated herein.

SECTION 3. - 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; ordinance, section, or subsection numbering; or references to other local, state or federal laws, codes, rules, or regulations.

Comp Plan Amendment Ordinance
SECTION 4. - **Severability.** If any one or more section, subsection, or sentence of this ordinance is held to be unconstitutional or invalid, that decision shall not affect the validity of the remaining portion of this ordinance and that remaining portion shall maintain its full force and effect.

SECTION 5. - **Effective Date.** This ordinance shall take effect and be in force five (5) days after its passage and publication, as provided by law.

ATTEST:

SUZETTE COOKE, MAYOR

RONALD F. MOORE, CITY CLERK

APPROVED AS TO FORM:

TOM BRUBAKER, CITY ATTORNEY

PASSED: 19th day of August, 2014.

APPROVED: 19th day of August, 2014.

PUBLISHED: 22nd day of August, 2014.

I hereby certify that this is a true copy of Ordinance No. 4121 passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

RONALD F. MOORE, CITY CLERK
Exhibit A (Comprehensive Plan Amendment)

Riverbend Surplus Property
Parcel 2322046011
From CS/MDMF to MU

Eastern edge of easement area ("Lot B")
Recording #9502160277

60'

Parcel 169950000
Green River

W Meeker St
Russell Rd S
Frager Rd S