AN ORDINANCE of the City Council of the city of Kent, Washington, relating to land use and zoning, specifically the rezoning of three parcels totaling approximately 2.82 acres located at 2703 South 240th Street, Kent, Washington, from MHP, Mobile Home Park, to MTC-1, Midway Transit Community-1. (New Alaska Mobile Home Park Rezone #RZ-2014-1, KIVA #2140847.)

RECITALS

A. An application to rezone three parcels totaling approximately 2.82 acres from the current zoning of MHP, Mobile Home Park, to MTC-1, Midway Transit Community-1, was filed on March 20, 2014, by Threasa Lynn Melton, on behalf of AFG Holdings, LLC (New Alaska Mobile Home Park Rezone, RZ-2014-1, KIVA #2140847).

B. On July 16, 2014, the City’s State Environmental Policy Act (SEPA) Responsible Official issued a Mitigated Determination of Nonsignificance (ENV-2014-11, RPSW-2140846) for the rezone proposal with one condition requiring that a new relocation report/plan in accordance with Kent City Code 12.05.320 and 12.05.330 be approved by the City if in the future the mobile home park is proposed to be sold or redeveloped for a use other than for mobile homes.

C. A public hearing on the rezone was held before the Hearing Examiner on August 6, 2014. On August 13, 2014, the city of Kent Hearing Examiner issued findings and conclusions that the New Alaska Mobile Home Park Rezone Ordinance

1 New Alaska Mobile Home Park Rezone Ordinance
Mobile Home Park Rezone is consistent with the City’s comprehensive plan, that the proposed rezone and any subsequent development would be compatible with the existing neighborhood, the proposed rezone would not unduly burden the transportation system, that circumstances have changed substantially to warrant the proposed rezone, and that the proposed rezone would not adversely affect public 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 New Alaska Mobile Home Park Rezone.

E. On October 7, 2014, the City Council considered additional testimony and documents, incorporated into the record herein by reference.

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 New Alaska Mobile Home Park Rezone issued on August 13, 2014, 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 New Alaska Mobile Home Park Rezone of three parcels totaling approximately 2.82 acres from MHP, Mobile Home Park, to MTC-1, Midway Transit Community-1.
SECTION 2. - Rezone. The property located at 2703 South 240th Street, Kent, Washington, consisting of King County Tax Parcel numbers 3603600330, 3603600450 and 3603600445, depicted on Exhibit "A," attached and incorporated by this reference, are rezoned as follows:

King County tax parcel numbers 3603600330, 3603600450 and 3603600445, located in Kent, Washington, shall be rezoned from MHP, Mobile Home Park, to MTC-1, Midway Transit Community-1.

The city of Kent zoning map shall be amended to reflect the rezone granted above.

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.

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.

Suzette Cooke, Mayor
ATTEST:

RONALD F. MOORE, CITY CLERK

APPROVED AS TO FORM:

TOM BRUBAKER, CITY ATTORNEY

PASSED:  14th  day of  October  2014.

APPROVED:  17th  day of  October  2014.

PUBLISHED:  10th  day of  October  2014.

I hereby certify that this is a true copy of Ordinance No. 4125 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

(Seal)
Exhibit A

Legal Descriptions

Parcel: 3603600330
Lots 1 through 24 and Lots 30 through 42, Block 5, Section 6, Interurban Heights Addition, according to the Plat thereof recorded in Volume 17 of Plats, Page 88, records of King County, Washington.

Parcel: 3603600450
Lots 27 through 29, Block 5, Section 6, Interurban Heights Addition, according to the Plat thereof recorded in Volume 17 of Plats, Page 88, records of King County, Washington.

Parcel 3603600445
Lot 26, Block 5, Section 6, Interurban Heights Addition, according to the Plat thereof recorded in Volume 17 of Plats, Page 88, records of King County Washington.