ORDINANCE NO. 4335


RECITALS

A. The Washington State Growth Management Act ("GMA") requires internal consistency among comprehensive plan elements.

B. To assure that comprehensive plans remain relevant and up to date, the GMA requires each jurisdiction to establish procedures whereby amendments to the plan are considered by the city council, and limits these amendments to once each year unless certain circumstances exist.

C. The City of Kent has established a procedure for amending the Comprehensive Plan in chapter 12.02 of the Kent City Code, which sets a deadline of September 1st of each year for submittal of requests for comprehensive plan amendments.

D. The City received three timely applications to amend the comprehensive plan's land use designation map. The applications involve parcels located at: (1) 12218 SE 288th Pl (CPA-2018-01), (2) 24700 Military Rd./36th Ave. S (CPA-2018-2), and (3) 245XX and 24518 104th
Ave. SE (CPA-2018-5). The application for CPA-2018-01 was later withdrawn from consideration.

E. Parcel 2222049142, located at 24700 Military Rd./36th Ave. S is currently designated Commercial and the applicants are requesting a plan designation of Mixed Use (MU) (CPA-2018-2). Adjacent parcels 2222049153, 1253200025, 2222049145, 1253200015, 2222049010, 1253200020, 1253200070, 1253200075, 1253200010, and 1253200005 are also currently designated Commercial (C). A portion of parcel 2222049144 is currently designated Commercial (C), with the remainder designated Single-Family 8 units per acre. Parcel 1253200040 is currently designated Single-Family 8 units per acre.

F. Parcels 7830800296 and 7830800300, located at 245XX and 24518 104th Ave. SE are currently designated Single Family, eight units per acre (SF-8). The applicants are requesting a plan designation of Mixed Use (MU).

G. The City of Kent Land Use and Planning Board considered these amendment requests at a regularly scheduled workshop on 08/12/2019, and at a public hearing on 08/26/2019. It recommended approval of CPA-2018-5, as proposed by the applicant, and approval of CPA-2018-2, as modified by staff-proposed alternative Option 2. The Economic and Community Development Committee also considered the applications at its meeting on 09/09/2019, and also recommended approval of CPA-2018-5, as proposed by the applicant, and approval of CPA-2018-2, as modified by staff-proposed alternative Option 2.

2 Comprehensive Plan Amendments - Land Use Plan Map Designations
H. The City’s SEPA responsible official issued a SEPA Addendum for the proposed amendments on 08/02/2019.

I. On 11/26/2018 the Washington State Department of Commerce was notified of the proposed amendments. No comments were received.

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

ORDINANCE

SECTION 1. - Incorporation of Recitals. The preceding recitals are incorporated herein by this reference and constitute the city council’s findings on this matter. Council hereby approves CPA-2018-5, as proposed by the applicant, and approves of CPA-2018-2, as modified by staff-proposed alternative Option 2, as presented to the Land Use and Planning Board and the Economic and Community Development Committee.

SECTION 2. - Amendment. The Kent Comprehensive Plan is hereby amended to establish new land use plan map designations for the following parcels:

A. Parcels 2222049153, 1253200025, 2222049145, 1253200015, 2222049142, 2222049010, 1253200020, 1253200070, 1253200075, 1253200010, 1253200005, 2222049144, and 1253200040 located on Military Rd./36th Ave. S from land use designations of Commercial (C) and Single-Family 8 units per acre (SF-8) to a land use designation of Mixed Use (MU) as

Comprehensive Plan Amendments - Land Use Plan Map Designations
depicted in the map attached and incorporated as Exhibit “A” (CPA-2018-2).

B. Parcels 7830800296 and 7830800300, located at 245XX and 24518 104th Ave. SE, from a land use designation of Single Family, eight units per acre (SF-8) to a land use designation of Mixed Use (MU), as depicted in the map attached and incorporated as Exhibit “B” (CPA-2018-5), with the condition that at such time a development project is proposed for this site, the applicant shall provide proof of legal access to 104th Avenue Southeast. Access to the residential neighborhood that is to the east of these parcels shall not be permitted.

SECTION 3. – Severability. If any one or more section, subsection, 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; ordinance, section, or subsection numbering; or references to other local, state, or federal laws, codes, rules, or regulations.

SECTION 5. – Effective Date. This ordinance shall take effect and be in force 30 days from and after its passage, as provided by law.

DANA RALPH, MAYOR

October 1, 2019
Date Approved
13 Parcels: 2222049153, 1253200025, 2222049145, 1253200015, 2222049142, 2222049010, 1253200020, 1253200070, 1253200075, 1253200010, 1253200005, 2222049144, 1253200040

Commercial (C) and Single-Family Residential (8 units per acre) to Mixed Use (MU)
STATE OF WASHINGTON, COUNTY OF KING }  
AFFIDAVIT OF PUBLICATION

PUBLIC NOTICE  
Polly Shepherd, being first duly sworn on oath that she is the Publisher of the

Kent - Covington Reporter

a weekly newspaper, which newspaper is a legal newspaper of general circulation and is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a weekly newspaper in King County, Washington. The Kent - Covington Reporter has been approved as a Legal Newspaper by order of the Superior Court of the State of Washington for King County. The notice in the exact form annexed was published in regular issues of the Kent - Covington Reporter (and not in supplement form) which was regularly distributed to its subscribers during the below stated period. The annexed notice (875755), a:

Public Notice

was published on October 4th, 2019.

The full amount of the fee charged for said foregoing publication is the sum of $76.98.

Polly Shepherd, Publisher, Kent - Covington Reporter

Subscribed and sworn to me this 4th day of October, 2019.

Gale Gwin, Notary Public for the State of Washington, Residing in Covington, WA
CITY OF KENT
NOTICE OF
ORDINANCE PASSED
BY THE CITY COUNCIL
The following is the summary of an ordinance passed by the Kent City Council on October 1, 2019.
ORDINANCE NO.4335 -
AN ORDINANCE of the City Council of the City of Kent, Washington, amending the Comprehensive Plan Land Use Plan Map designations in compliance with the requirements of the Growth Management Act (CPA-2018-2; CPA-2018-5).
This ordinance shall take effect and be in force 30 days from and after its passage, as provided by law.
A copy of the complete text of this ordinance will be mailed upon request of the City Clerk.
Kimberly A. Komoto,
City Clerk
253-856-5725
CityClerk@KentWA.gov
Published in the Kent-Covington Reporter October 4, 2019. #875755