

Ordinance No. 3070

["Beginning July 1, 1998"]

(Amending or Repealing Ordinances)

Sec. 12.12A.130 (B) (now:11.03.050) Amended by
Ord. 3424

ORDINANCE NO. 3070

Amends
KCC 12.12A.130(B)
(Ord. 2494)
11.03.050

AN ORDINANCE of the City of Kent, Washington, amending the timing considerations for the issuance of SEPA threshold determinations.

WHEREAS, Chapter 208 of Washington Laws, 1992, amends Chapter 43.21C RCW by imposing time limits for issuing State Environmental Policy Act threshold determinations; NOW, THEREFORE

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

Section 1. Section 1 of City of Kent Ordinance No. 2494, codified as Kent City Code Section 12.12A.130 (B), is hereby amended as follows:

B. Threshold determinations.

1. The City ~~should complete~~ shall issue threshold determinations ~~that can be based solely upon review of the environmental checklist for the proposal on a completed application within fifteen~~ ninety (90) days of the date an applicant's completed checklist and site plans are submitted after the application and supporting documentation are complete.

2. The responsible official shall, by administrative rule, adopt and make available to the public written standards for determining when an application and supporting documentation are complete. The standards adopted by the responsible official shall be consistent with any rules adopted by the Department of Ecology pertaining to the issuance of a threshold determination.

~~2. 3. When the responsible official requires further information from the applicant or consultation with other agencies with jurisdiction:~~

~~a. The City should request such further information consult with all other agencies with jurisdiction within fifteen days of receiving a completed environmental checklist and site plans application and supporting documents;~~

~~b. The City should wait no longer than thirty days for a consulted agency to respond;~~

~~c. The responsible official should complete the threshold determination within fifteen days of receiving the required information from the applicant or the consulted agency. The City shall, in any event, issue its threshold determination within ninety (90) days of receiving a completed application and supporting documents.~~

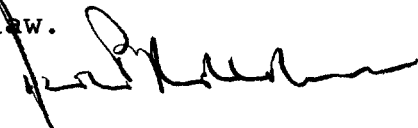
~~3. When the City must initiate further studies, including field investigations, to obtain the information to make the threshold determination, the City should complete the studies within thirty days of receiving completed checklist and site plans. The applicant may request a thirty day extension of the time allowed for the consideration of the threshold determination, which request shall not be unreasonably refused.~~

4. The City shall complete threshold determinations on actions where the applicant recommends in writing that an EIS be prepared, because of the probable significant adverse environmental impact(s) described in the checklist, within fifteen days of receiving the completed checklist and site plans.

Section 2. Severability. The provisions of this ordinance are declared to be separate and severable. The

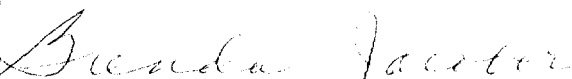
invalidity of any clause, sentence, paragraph, subdivision, section or portion of this ordinance, or the invalidity of the application thereof to any person or circumstances shall not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

Section 3. Effective Date. This ordinance shall take effect and be in force thirty (30) days from the time of its final approval and passage as provided by law.



DAN KELLEHER, MAYOR

ATTEST:



BRENDA JACOBBER, CITY CLERK

APPROVED AS TO FORM:




ROGER A. LUBOVICH, CITY ATTORNEY

PASSED the 6th day of October, 1992.

APPROVED the 7th day of October, 1992.

PUBLISHED the 9th day of October, 1992.

I hereby certify that this is a true and correct copy of Ordinance No. 3071, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent hereon indicated.



BRENDA JACOBBER, CITY CLERK