

Ordinance No. 3141

(Amending or Repealing Ordinances)

CFN=786 - SEPA

Passed -11/2/1993

Amending Sec. 11.03.410(A) Relating to Land Use and Zoning

Amended by Ord. 3424

ORDINANCE NO. 3141

AN ORDINANCE of the City of Kent, Washington, relating to land use and zoning, amending Section 11.03.410(A) to provide public notice of any addendum to an existing environmental document, and amending Section 11.03.410(A)(1) to provide public notice of a mitigated determination of nonsignificance, and adding a new subsection a, b, and c to indicate the manner in which public notice shall be given.
(PUBLIC NOTICE POLICY)

WHEREAS, the Public Notice section of the Kent City Code does not presently provide for public notice to be given when any addendum is added to an existing environmental document; and

WHEREAS, the Public Notice section of the Kent City Code does not presently provide that public notice be given when a mitigated determination of nonsignificance is issued; and

WHEREAS, it is in the public interest to have notice of determinations relating to environmental review; NOW THEREFORE,

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

Section 1. Kent City Code (KCC) Section 11.03.410 is hereby amended as follows:

Sec. 11.03.410. Public notice.

A. Whenever the city issues a determination of nonsignificance under WAC 197-11-340(2), a determination of

Amends Sec 2194

significance under WAC 197-11-360(3), an addendum to any existing environmental document or any existing environmental document as defined in section 11.03.320, the city shall give public notice as follows:

1. If public notice is required for a nonexempt action, the notice shall state whether a determination of significance or determination of nonsignificance or a mitigated determination of nonsignificance has been issued and that comments are due within ~~fourteen (14)~~ fifteen (15) days. Notice shall be given as follows:

- a. Posting the property for site specific proposals;
- b. Publishing notice in a newspaper of general circulation in the county, city or general area where the proposal is located; and
- c. Notifying all parties of record, any individual or group which has appeared at a City of Kent public hearing relating specifically to the issue of environmental review or submitted comments on a certain proposal.

2. If no public notice is required for the permit or approval, the city shall give notice of the determination of nonsignificance or determination of significance by as follows:

- a. Posting the property for site specific proposals;
- b. Publishing notice in a newspaper of general circulation in the county, city or general area where the proposal is located; and

c. Notifying all parties of record, any individual or group which has appeared at a City of Kent public hearing relating specifically to the issue of environmental review or submitted comments on a certain proposal.

3. Whenever the city issues a determination of significance under WAC 197-11-360(3), the city shall state the scoping procedure for the proposal in the determination of significance as required in WAC 197-11-408 and in the public notice.

B. Whenever the city issues a draft environmental impact statement under WAC 197-11-455(5) or a supplemental environmental impact statement under WAC 197-11-620, notice of the availability of those documents shall be given by:

1. Indicating the availability of the draft environmental impact statement in any public notice required for a nonexempt license, and the following additional methods:

a. Posting the property for site specific proposals;

b. Publishing notice in a newspaper of general circulation in the county, city or general area where the proposal is located; and

c. Notifying any party of record, any individual or group which has appeared at a City of Kent public hearing relating specifically to the issue of environmental review or have expressed interest in a certain proposal.

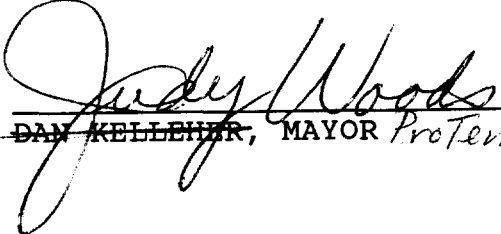
C. Whenever possible, the city shall integrate the public notice required under this section with existing notice

procedures for the city's nonexempt permits or approvals required for the proposal.

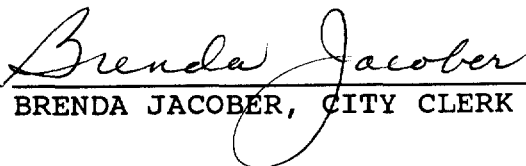
D. If any costs are incurred beyond the initial notice of the department's action, as provided in subsection A.2. above, the city may require an applicant to complete the public notice requirements for the applicant's proposal at his expense.

Section 2. Severability. The provisions of this ordinance are declared 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 circumstance shall not affect the validity of its application to other persons or circumstances.

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


~~DAN KELLEHER, MAYOR~~ *Pro Tem*

ATTEST:


BRENDA JACOBER, CITY CLERK

APPROVED AS TO FORM:

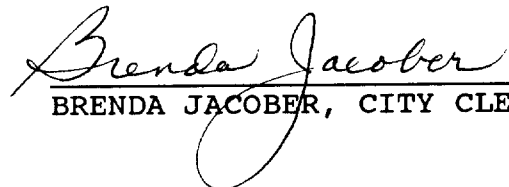

ROGER A. LUBOVICH, CITY ATTORNEY

PASSED the 2 day of November, 1993.

APPROVED the 3 day of November, 1993.

PUBLISHED the 5 day of November, 1993.

I hereby certify that this is a true copy of Ordinance No. 3141, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

 (SEAL)
BREND A JACOB ER, CITY CLERK