

# Ordinance No. 3760

(Amending or Repealing Ordinances)

CFN=131 – Zoning Codes

Passed – 9/6/2005

Rezone Application Process – Amend KCC 12 (Sec. 12.01.030)

Amends Ords. 3424;3574

Amended by Ord. 4044

**ORDINANCE NO. 3760**

**AN ORDINANCE** of the City Council of the city of Kent, Washington, amending Chapter 12 of Kent City Code regarding the processing of applications for rezone (#ZCA-2005-5).

**RECITALS**

A. In 1998 when the city adopted Chapter 12.01 of the Kent City Code, it was the city's intent to "allow" applicants to combine public hearings for all land use applications for a project; the intent was not to "require" a combined public hearing.

B. On July 20, 2005, the city sent the required notification under RCW 36.70A.106 to the state of Washington of the proposed amendment to the zoning code. The State granted expedited review and on August 4, 2005 notified the City it had met state notification requirements.

C. The SEPA Responsible Official determined the proposed amendments are procedural in nature and categorically exempt from environmental review.

D. On August 8, 2005, the Land Use & Planning Board held a public hearing on the issue allowing separate processes for non-project rezones and project permit applications. At the conclusion of the public hearing the Land Use &

Planning Board recommended approval. On August 15, 2005, the Planning & Economic Development Committee approved the proposed amendment and forwarded a recommendation to the full City Council. The City Council, on September 6, 2005, voted to amend Chapter 12 of the Kent City Code regarding the processing of applications for rezone.

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

**ORDINANCE**

**SECTION 1.** – **Amendment.** Section 12.01.030 of the Kent City Code entitled, “Application processes and classification.” is amended as follows:

**Sec. 12.01.030. Application processes and classification.**

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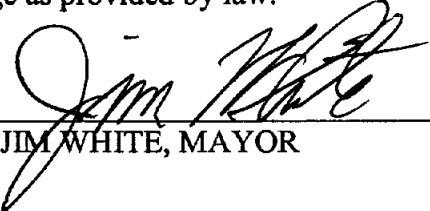
C. *Optional consolidated permit processing.* An application that involves two (2) or more process types may be treated collectively under the highest numbered process type required for any part of the application or treated individually under each process type identified by the chapter. An applicant may ask that his or her application be treated collectively or individually. If the application is administered under the individual process option, the highest numbered process procedure must be finalized prior to the subsequent lower numbered process being finalized. If the application is processed under the individual procedure option, there shall be no more than one (1) open record hearing and no more than one (1) closed record appeal for all application processes. Open record hearings and closed record appeals must be consolidated under the higher process type number. An application for rezone may be processed separately from an application for another project permit.

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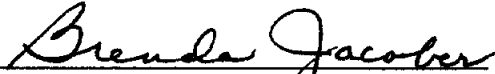
**SECTION 3. – Savings.** The existing sections of the Kent City Code, which are amended by this ordinance, shall remain in full force and effect until the effective date of this ordinance.

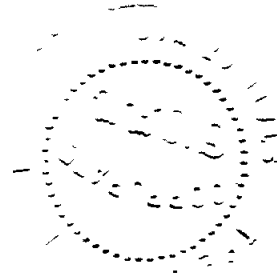
**SECTION 4. – Severability.** If any one or more section, subsections, or sentences of this ordinance are held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance and the same shall remain in full force and effect.

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

  
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JIM WHITE, MAYOR

ATTEST:

  
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BRENDA JACOB, CITY CLERK



APPROVED AS TO FORM:

  
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TOM BRUBAKER, CITY ATTORNEY

PASSED:              6   day of September, 2005.

APPROVED:          6   day of September, 2005.

PUBLISHED:       10  day of September, 2005.

I hereby certify that this is a true copy of Ordinance No. 3760  
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)  
BRENDA JACOBER, CITY CLERK

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