

Amends  
KCC  
12.12A.210

ORDINANCE NO. 2871

AN ORDINANCE of the City of Kent, Washington, relating to land use and environmental policies, amending Kent City Code 12.12A.210 adding a new section for threshold determination of significant traffic impacts.

WHEREAS, the City of Kent and Chamber of Commerce Environmental Mitigation Task Force Committee made certain recommendations in order to address the significant impacts of traffic throughout the City generated by development; and

WHEREAS, these recommendations included the suggestion that the Kent Environmental Policy Ordinance be amended to establish a minimum 10 peak hour trip generation threshold to insure that all new developments with significant traffic impacts that fall under the scope of the State and Kent Environmental Policy Acts participate in transportation improvement; and

WHEREAS, at its meeting on August 15, 1989, after considering the input of the public and all recommendations of the Task Force, the City Council accepted those recommendations and directed the staff to develop the steps necessary to implement such recommendations; and

WHEREAS, the City Council finds that based on local conditions of significant traffic congestion due to development, it is necessary to establish a threshold level for examination of significant traffic impacts on the City for those actions falling within the purview of Kent's Environmental Policy and the State Environmental Policy Act and implementing regulations; NOW, THEREFORE,

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

Section 1. Kent City Code 12.12A.210 is amended as follows:

12.12A.210. THRESHOLDS FOR CATEGORICAL EXEMPTIONS.

A. The City establishes the following exempt levels for minor new construction under WAC 197-11-800(1)(b) based on local conditions:

1. For residential dwelling units in WAC 197-11-800(1)(b)(i): 12 dwelling units or less.

2. For agricultural structures in WAC 197-11-800(1)(b)(ii): 30,000 square feet or less.

3. For office, school, commercial, recreational, service or storage buildings in WAC 197-11-800(1)(b)(iii): buildings of 12,000 sq. ft. or less and 40 or less parking spaces.

4. For parking lots in WAC 197-11-800(1)(b)(iv): 40 or less parking spaces.

5. For fill and excavations in WAC 197-11-800(1)(b)(v): 500 cubic yards or less.

6. For all development: less than 10 minimum peak hour traffic trips.

B. Whenever the City establishes new exempt levels under this section, it shall send them to the Department of Ecology, Headquarters Office, Olympia, Washington, under WAC 197-11-800(1)(c).


Section 2. No vested right shall be effected by the provisions of this ordinance.

Section 3. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality if any other section, sentence, clause or phrase of this ordinance.


Section 4. Effective Date. This ordinance shall take effect and be in force thirty (30) days from and after its passage, approval and publication as provided by law.

  
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DAN KELLEHER, MAYOR

ATTEST:

  
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MARIE JENSEN, CITY CLERK

APPROVED AS TO FORM:

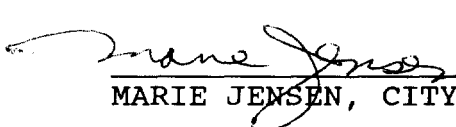
  
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SANDRA DRISCOLL, CITY ATTORNEY

PASSED the 19 day of Sept, 1989.

APPROVED the 20 day of Sept, 1989.

PUBLISHED the 22 day of Sept, 1989.

I hereby certify that this is a true copy of Ordinance No. 2871, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

  
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MARIE JENSEN, CITY CLERK

(SEAL)