

ORDINANCE NO. 4249

AN INTERIM ORDINANCE OF THE CITY OF KIRKLAND RELATING TO LAND USE AND ZONING, PROVIDING INTERIM OFFICIAL CONTROLS REGARDING THE ZONING REVIEW PROCESS FOR "SCHOOL OR DAY-CARE CENTER" AND "GOVERNMENT FACILITY/COMMUNITY FACILITY" USES IN THE RSA ZONE.

WHEREAS, the City of Kirkland ("City") is in the process of annexing portions of the Finn Hill, Kingsgate and North Juanita neighborhoods, the legal description of which is set forth in City of Kirkland Ordinance No. 4229 ("Annexation Area"); and

WHEREAS, the effective date of annexation of the Annexation Area is June 1, 2011; and

WHEREAS, the City has determined that it is appropriate and desirable to modify the zoning review process in the RSA Zone to exempt "School or Day-Care Center" and "Government Facility/Community Facility" uses from Process IIA and Process IIB review;

NOW THEREFORE, the City Council of the City of Kirkland do ordain as follows:

Section 1. Between the effective date of this Ordinance and June 1, 2011, the requirement of zoning review for "School or Day-Care Center" and "Government Facility/Community Facility" uses in the RSA Zone is hereby eliminated. Kirkland Zoning Code Sections 18.10.030 special regulation 2 and 18.10.080 special regulation 1 shall not apply to projects for which complete building permit applications are filed with the City between the effective date of this Ordinance and June 1, 2011.

Section 2. No vested rights shall accrue with respect to any building or grading permit filed with the City for "School or Day-Care Center" or "Government Facility/Community Facility" in the RSA Zone until June 1, 2011.

Section 3. Findings of Fact.

- A. The recitals set forth above are hereby adopted as findings of fact.
- B. The Annexation Area is currently governed by King County. Under current King County regulations, no zoning review process is required for schools or government/community facilities.
- C. Eliminating the City's Process IIA and Process IIB zoning review for "School or Day Care Center" or "Government/Community Facility" uses in the RSA Zone will

result in a review process similar to what currently exists under King County regulations.

- D. By having City staff review applications and administer permits for school and government facility projects, a more seamless transition between King County and City jurisdiction will occur when the annexation of the Annexation Area takes effect.

Section 4. The interim regulations adopted by this Ordinance shall continue in effect for a period of up to one hundred eighty (180) days from the effective date of this Ordinance, unless repealed, extended, or modified by the City Council. The Council may adopt extensions of this Ordinance after any required public hearing pursuant to RCW 35A.63.220 and RCW 36.70A.390.

Section 5. Severability. Should any provision of this Ordinance or its application to any person or circumstance be held invalid, the remainder of the ordinance or the application of the provision to any other persons or circumstances shall not be affected.

Section 6. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication, as required by law.

Passed by majority vote of the Kirkland City Council in open meeting this 6th day of July, 2010.


Signed in authentication thereof this 6th day of July, 2010.

  
 \_\_\_\_\_  
 MAYOR

Attest:

  
 \_\_\_\_\_  
 City Clerk

Approved as to Form:

  
 \_\_\_\_\_  
 City Attorney