

ORDINANCE NO. 4253

AN ORDINANCE OF THE CITY OF KIRKLAND ADOPTING MISCELLANEOUS AMENDMENTS TO THE KIRKLAND MUNICIPAL CODE TO MAKE THE KIRKLAND MUNICIPAL CODE COMPATIBLE WITH THE NEWLY ADOPTED SHORELINE MASTER PROGRAM UPDATE. FILE ZON06-00017.

WHEREAS, the Washington Shoreline Management Act (RCW 90.58, referred to herein as "SMA") recognizes that shorelines are among the most valuable and fragile resources of the state, and that state and local government must establish a coordinated planning program to address the types and effects of development occurring along shorelines of state-wide significance; and

WHEREAS, the City of Kirkland ("City") has, with the approval of the State Department of Ecology, updated its Shoreline Master Program ("SMP") pursuant to the SMA and WAC 173-26; and

WHEREAS, the Kirkland Municipal Code ("KMC") amendments contained in this Ordinance will make the KMC consistent with the newly adopted SMP; and

WHEREAS, the City Council has received recommendations from the Kirkland Planning Commission and Houghton Community Council to adopt the KMC amendments contained in this Ordinance, all as set forth in the recommendation of the Planning Commission dated June 24, 2010 and bearing Kirkland Department of Planning and Community Development File No. ZON06-00017.

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

Section 1. KMC Sections 22.08.054, 22.08.055, 22.08.056, 22.12.010 and 22.20.010 are hereby amended to read as follows:

As set forth in Attachment A attached to this Ordinance and incorporated herein by this reference.

Section 2. If any section, subsection, sentence, clause, phrase, part or portion of this Ordinance, including those parts adopted by reference, is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section 3. To the extent the subject matter of this ordinance pursuant to Ordinance 2001, is subject to the disapproval jurisdiction of the Houghton Community Council, this ordinance shall become effective within the Houghton Community Council Municipal Corporation only upon approval of the Houghton Community Council or the failure of said Community Council to disapprove this ordinance within 60 days of passage of this ordinance.

Section 4. This Ordinance shall be in full force and effect on August 4, 2010 and after its passage by the Kirkland City Council and shall be published pursuant to Kirkland Municipal Code 1.08.017, in the summary form attached to the original of this ordinance and by this reference approved by the City Council, as required by law.

Section 5. A complete copy of this Ordinance shall be certified by the City Clerk, who shall then forward the certified copy to the King County Department of Assessments.

Passed by majority vote of the Kirkland City Council in open meeting this 3rd day of August, 2010.

Signed in authentication thereof this 3rd day of August, 2010.

  
\_\_\_\_\_  
Mayor

Attest:

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

Approved as to Form:

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

**Chapter 22.08 –SUBDIVISION ORDINANCE  
AMENDMENTS**

**DEFINITIONS**

22.08.054 Class A streams.

~~For "Class A streams", see definition in Chapter 83 KZC for properties within jurisdiction of the Shoreline Management Act, otherwise see Chapter 90 KZC means stream that are used by salmonids. Class A streams generally correlate with Type 3 streams as defined in the Washington State Hydraulic Code. (Ord. 3705 § 2 (part), 1999)~~

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22.08.055 Class B streams.

~~For "Class B streams", see definition in Chapter 83 KZC for properties within jurisdiction of the Shoreline Management Act, otherwise see Chapter 90 KZC means perennial streams (during years of normal precipitation) that are not used by salmonids. Class B streams generally correlate with Type 4 streams as defined in the Washington State Hydraulic Code. (Ord. 3705 § 2 (part), 1999)~~

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22.08.056 Class C streams.

~~For "Class C streams", see definition in Chapter 83 KZC for properties within jurisdiction of the Shoreline Management Act, otherwise see Chapter 90 KZC means intermittent or ephemeral streams (during years of normal precipitation) not used by salmonids. Class C streams generally correlate with Type 5 streams as defined in the Washington State Hydraulic Code. (Ord. 3705 § 2 (part), 1999)~~

**Chapter 22.12**

**PRELIMINARY PLAT PROCEDURE**

22.12.010 Purpose.

- (a) The provisions of this chapter describe the procedure that the city will use to review and decide upon proposed subdivisions. Please refer to Chapters 22.28 and 22.32 for the substantive requirements that apply to subdivisions. ~~For properties within jurisdiction of the Shoreline Management Act, see Chapter 83 KZC.~~
- (b) Alterations and vacations of subdivisions shall follow the procedural requirements outlined in Chapter 22.26 of this code. (Ord. 3705 § 2 (part), 1999)

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**Chapter 22.20**  
**SHORT SUBDIVISIONS**

22.20.010 Purpose.

The provisions of this chapter describe the procedure that the city will use to review and decide upon proposed short subdivision. Please refer to Chapters 22.28 and 22.32 for the substantive requirements that apply to short subdivisions. For properties within the jurisdiction of the Shoreline Management Act, see Chapter 83 KZC. (Ord. 3705 § 2 (part), 1999)

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PUBLICATION SUMMARY  
OF ORDINANCE NO. 4253

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Section 1. Adopts amendments to Kirkland Municipal Code ("KMC") Sections 22.08.054, 22.08.055, 22.08.056, 22.12.010 and 22.20.010 relating to subdivision regulations.

Section 2. Provides a severability clause for the Ordinance.

Section 3. Provides that the Ordinance may be subject to the disapproval jurisdiction of the Houghton Community Council.

Section 4. Authorizes publication of the Ordinance by summary, which summary is approved by the City Council pursuant to Section 1.08.017 Kirkland Municipal Code and establishes the effective date as August 4, 2010.

Section 5. Provides that a certified copy of the Ordinance shall be provided to the King County Department of Assessments.

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the 3rd day of August, 2010.

I certify that the foregoing is a summary of Ordinance 4253 approved by the Kirkland City Council for summary publication.

  
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City Clerk