

ORDINANCE O-4409

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO MINOR KIRKLAND MUNICIPAL CODE AMENDMENTS IN CONNECTION WITH ZONING AND LAND USE UPDATES AND AMENDING SECTIONS 1.12.050, 3.30.010, and 24.02.038 OF THE KIRKLAND MUNICIPAL CODE, FILE NO. CAM13-00275.

The City Council of the City of Kirkland do ordain as follows:

Section 1. Kirkland Municipal Code ("KMC") subsection 1.12.050(e) is hereby amended to read as follows:

1.12.050 Hearing before the hearing examiner.

(e) Failure to Appear. If the person to whom the notice of civil violation was issued fails to appear at the scheduled hearing, the examiner will enter an order finding that the violation ~~appeared~~ occurred and assessing the appropriate monetary penalty. The city will carry out the hearing examiner's order and recover all related expenses, plus the cost of the hearing and any monetary penalty from that person.

Section 2. KMC Section 3.30.010 is hereby amended to read as follows:

3.30.010 Membership—Appointment—Compensation—Removal.

The design review board shall be composed of seven appointed members. ~~In addition, the director of planning and community development shall sit on the design review board ("DRB") as a nonvoting member for purposes of advising the board on regulatory and urban design issues.~~ Members shall be appointed by a majority vote of the city council, without regard to political affiliation. The members of the DRB shall serve without compensation. Each member shall be appointed to a four-year term; provided, that as to the two positions added in 2003, one new member's initial term shall expire March 31, 2005, and the other new member's initial term shall expire March 31, 2007. Any vacancy shall be filled for the remainder of the unexpired term of the vacant position. When a member misses three or more consecutive meetings not excused by a majority vote of the DRB, the DRB will consider recommending removal of that member. The board shall recommend removal if the absences have negatively affected the board's abilities to perform its duties. The recommendation will be forwarded to city council. Members finding themselves unable to attend regular meetings are expected to tender their resignations. A member may be removed by a majority vote of the city council.

Section 3. KMC Section 24.02.038(e) is hereby amended to read as follows:

24.02.038 SEPA policies.

(e) The Kirkland Municipal Code (KMC), including but not limited to Title 15 (Water and Sewage), Title 19 (Streets and Sidewalks), Title 21 (Buildings and Construction), Title 22 (Subdivisions), Title 24 (Environmental Procedures, ~~including the Shoreline Master Program~~), Title 25 (Concurrency Management), and Title 28 (Landmarks);

Section 4. 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 5. 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 21st day of May, 2013.


Signed in authentication thereof this 21st day of May, 2013.


MAYOR

Attest:


City Clerk

Approved as to Form:


City Attorney