

ORDINANCE 4496

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, COMPREHENSIVE PLANNING, LAND USE, AND DESIGN REVIEW AND AMENDING CHAPTERS 10 AND 142 OF THE KIRKLAND ZONING CODE, ORDINANCE 3719, AS AMENDED; AND AMENDING KIRKLAND MUNICIPAL CODE CHAPTER 3.30, "DESIGN REVIEW BOARD," SECTION 3.30.040, "DESIGN GUIDELINES ADOPTED BY REFERENCE," AS REQUIRED BY RCW 36.70A.130 TO ENSURE CONTINUED COMPLIANCE WITH THE GROWTH MANAGEMENT ACT AND APPROVING A SUMMARY ORDINANCE FOR PUBLICATION, FILE NO. CAM13-00465.

1 WHEREAS, the Growth Management Act (GMA), specifically
2 RCW 36.70A.130, mandates that the City of Kirkland take legislative
3 action to review, and if needed, revise its Comprehensive Plan and
4 development regulations to ensure continued compliance with GMA
5 (also known as "periodic review"); and
6

7 WHEREAS, the Kirkland Zoning Code and Kirkland Municipal
8 Code contain development regulations which implement the
9 Comprehensive Plan; and
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11 WHEREAS, the City has met the periodic review and update
12 requirements under the GMA, RCW 36.70A.130; including a process for
13 early and continuous public participation; and
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15 WHEREAS, the Planning Commission and Houghton Community
16 Council, following notice as required by RCW 35A.63.070, held a joint
17 public hearing on June 25, 2015, and the Planning Commission held an
18 additional public hearing on August 13, 2015, and considered the
19 comments received at the hearings; and
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21 WHEREAS, public open houses were held before the public
22 hearings on June 25, 2015, and August 13, 2015; and
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24 WHEREAS, the City Council has received a recommendation
25 from the Kirkland Planning Commission for certain amendments to the
26 Kirkland Zoning Code, and Kirkland Municipal Code, as set forth in the
27 report and recommendation of the Planning Commission dated
28 September 24, 2015, and bearing Kirkland Planning and Building
29 Department File No. CAM13-00465; and
30

31 WHEREAS, the City Council held a study session on October 6,
32 2015, to consider the proposed amendments, the recommendation from
33 the Planning Commission and public comments; and
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35 WHEREAS, pursuant to the State Environmental Policy Act
36 (SEPA), there has accompanied the legislative proposal and
37 recommendation through the entire consideration process, a scoped
38 Environmental Impact Statement, issued by the Responsible Official;
39 and

40 WHEREAS, in public meeting the City Council considered the
41 environmental documents received from the Responsible Official,
42 together with the recommendation from the Houghton Community
43 Council and the report and recommendation of the Planning
44 Commission.

45
46 NOW, THEREFORE, the City Council of the City of Kirkland do
47 ordain as follows:

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49 Section 1. The findings of fact included in Ordinance 4493,
50 Section 1 are incorporated by reference.

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52 Section 2. The Kirkland Zoning Code, Ordinance 3719, as
53 amended, is further amended as set forth in the following Exhibits 1 - 3
54 attached to this Ordinance and incorporated by reference.

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56 Exhibit 1: Zoning Code Section 10.20 Map Incorporation,
57 Corrections and Amendments

58 Exhibit 2: Zoning Code Section 10.35 Lake WA Zoning Boundary
59 Interpretation

60 Exhibit 3. Zoning Code Section 142.25 Administrative Design
61 Review and Section 142.35 Design Board Review (D.B.R.)
62 Process

63
64 Section 3. Chapter 3.30, Section 3.30.040, of the Kirkland
65 Municipal Code, is amended as set forth in the following Exhibits 4 - 6
66 attached to this Ordinance and incorporated by reference.

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68 Exhibit 4: Kirkland Municipal Code New Section 3.30.040(6)
69 Design Guidelines Adopted by Reference – "Design Guidelines
70 for Residential Development"

71 Exhibit 5: Kirkland Municipal Code Section 3.30.040(2) Design
72 Guidelines for Rose Hill Business District

73 Exhibit 6 Kirkland Municipal Code Section 3.30.040(6) Design
74 Guidelines for Residential Development

75
76 Section 4. If any section, subsection, sentence, clause, phrase,
77 part or portion of this Ordinance, including those parts adopted by
78 reference, is for any reason held to be invalid or unconstitutional by any
79 court of competent jurisdiction, such decision shall not affect the validity
80 of the remaining portions of this Ordinance.

81
82 Section 5. To the extent that the subject matter of this
83 Ordinance is subject to the disapproval jurisdiction of the Houghton
84 Community Council as created by Ordinance 2001, the Ordinance shall
85 become effective within the Houghton community either upon approval
86 of the Houghton Community Council, or upon failure of the Community
87 Council to disapprove this Ordinance within 60 days of its passage.

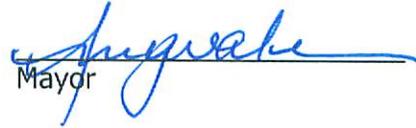
88
89 Section 6. Except as provided in Section 5, this Ordinance shall
90 be in full force and effect five days from and after its passage by the
91 Kirkland City Council and publication, pursuant to Kirkland Municipal
92 Code 1.08.017, in the summary form attached to the original of this

93 Ordinance and by this reference approved by the City Council, as
94 required by law.

95
96 Section 7. A complete copy of this Ordinance shall be certified
97 by the City Clerk, who shall then forward the certified copy to the King
98 County Department of Assessments.

99
100 Passed by majority vote of the Kirkland City Council in open
101 meeting this 8th day of December, 2015.

102
103 Signed in authentication thereof this 8th day of December,
104 2015.

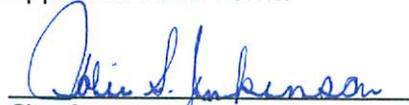

Mayor

Attest:


City Clerk

Approved as to Form:

Publication Date: December 14, 2015


City Attorney

PUBLICATION SUMMARY
OF ORDINANCE O-4496

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, COMPREHENSIVE PLANNING, LAND USE, AND DESIGN REVIEW AND AMENDING CHAPTERS 10 AND 142 OF THE KIRKLAND ZONING CODE, ORDINANCE 3719 AS AMENDED; AND AMENDING KIRKLAND MUNICIPAL CODE CHAPTER 3.30, "DESIGN REVIEW BOARD," SECTION 3.30.040, "DESIGN GUIDELINES ADOPTED BY REFERENCE," AS REQUIRED BY RCW 36.70A.130 TO ENSURE CONTINUED COMPLIANCE WITH THE GROWTH MANAGEMENT ACT AND APPROVING A SUMMARY ORDINANCE FOR PUBLICATION, FILE NO. CAM13-00465.

SECTION 1. Adopts findings of fact in Section 1 of Ordinance 4493 by reference.

SECTION 2. Amends Chapters 10 and 142 of the Kirkland Zoning Code.

SECTION 3. Amends Chapter 3.30 of the Kirkland Municipal Code, Section 3.30.040, relating to Design Review Guidelines.

SECTION 4. Provides a severability clause for the Ordinance.

SECTION 5. Establishes that this Ordinance, to the extent it is subject to disapproval jurisdiction, will be effective within the disapproval jurisdiction of the Houghton Community Council Municipal Corporation upon approval by the Houghton Community Council or the failure of said Community Council to disapprove this Ordinance within 60 days of the date of the passage of this Ordinance.

SECTION 6. Authorizes the 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 five days after publication of summary.

SECTION 7. Directs the City Clerk to certify and forward a complete certified copy of this Ordinance 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 8th day of December, 2015.

I certify that the foregoing is a summary of Ordinance 4496 approved by the Kirkland City Council for summary publication.


City Clerk