

ORDINANCE O-4625

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO COMPREHENSIVE PLANNING, ZONING AND LAND USE AS A RESULT OF THE ALAVI CITIZEN AMENDMENT REQUEST AND AMENDING THE COMPREHENSIVE PLAN ORDINANCE 3481, AS AMENDED, THE KIRKLAND ZONING CODE, ORDINANCE 3719 AS AMENDED, AND THE CITY OF KIRKLAND ZONING MAP, ORDINANCE 3710 AS AMENDED, TO ENSURE THE ZONING CODE AND ZONING MAP CONFORMS TO THE COMPREHENSIVE PLAN AND THE CITY COMPLIES WITH THE GROWTH MANAGEMENT ACT, AND APPROVING A SUMMARY FOR PUBLICATION, FILE NO. CAM16-02641.

1 WHEREAS, the City Council has received a recommendation
2 from the Kirkland Planning Commission to amend certain portions of the
3 Comprehensive Plan for the City, Ordinance 3481, as amended, a
4 portion of the Zoning Code, Ordinance 3719, and a portion of the Zoning
5 Map, Ordinance 3710, to ensure the zoning code and zoning map
6 conform to the Comprehensive Plan and the City complies with the
7 Growth Management Act, as set forth in the report(s) and
8 recommendation(s) of the Planning Commission dated November 30,
9 2017, and bearing Kirkland Planning and Building Department File No.
10 CAM16-02641 (hereinafter the "Alavi Amendment Request"); and

11
12 WHEREAS, prior to making the recommendation on the Alavi
13 Amendment Request the Planning Commission, following notice as
14 required by RCW 35A.63.070, held on October 19, 2017, a public
15 hearing, on the amendment proposal and considered the comments
16 received at the hearing; and

17
18 WHEREAS, pursuant to the State Environmental Policy Act
19 (SEPA), there has accompanied the legislative proposal (the Alavi
20 Amendment Request) and recommendation through the entire
21 consideration process, a SEPA addendum to Existing Environmental
22 Documents, issued by the responsible official pursuant to WAC
23 197-11-625; and

24
25 WHEREAS, in a public meeting on December 12, 2017, the City
26 Council considered the environmental documents received from the
27 responsible official, together with the report and recommendation of the
28 Planning Commission; and

29
30 WHEREAS, Council agreed that Alavi Amendment Request
31 should be granted only if the applicant agrees to first place the giant
32 Sequoia tree located on the property within a protective easement,
33 which shall be recorded and shall protect the Sequoia tree in perpetuity;
34 and

35
36 WHEREAS, Council directed the effective date to implement the
37 Alavi Amendment request be delayed until April 30, 2018, to provide

38 four months for the applicant to prepare and record a protection
39 easement to protect the Giant Sequoia in perpetuity; and
40

41 WHEREAS, the protection easement shall be in a form approved
42 by the City and shall be recorded with the King County Recorder's Office.
43 Land survey information shall be provided for this purpose in a format
44 approved by the Planning Official; and
45

46 WHEREAS, RCW 36.70A.130, requires the City to review all
47 amendments to the Comprehensive Plan concurrently and no more
48 frequently than once every year; and
49

50 WHEREAS, the Growth Management Act (GMA), RCW
51 36.70A.130, mandates that the City of Kirkland review, and if needed,
52 revise its official Zoning Map and its Zoning Code; and
53

54 WHEREAS, the Zoning Map and Zoning Code implement the
55 Comprehensive Plan (Ordinance 3481 as amended).
56

57 NOW, THEREFORE, the City Council of the City of Kirkland do
58 ordain as follows:
59

60 Section 1. Comprehensive Plan Figures amended. The
61 Comprehensive Plan figures in the Market Neighborhood and Market
62 Street Corridor Plans and Land Use Element are amended. The
63 Comprehensive Plan, Ordinance 3481, as amended, is amended in
64 accordance with Exhibit A attached to this Ordinance and incorporated
65 by reference.
66

67 Section 2. Zoning Code (Ordinance 3719 as amended)
68 Section 51.08 - General Regulations is hereby amended to add General
69 Regulations 5 and 6 to read as follows:
70

71 Use Zone Chart MSC-1, 4 Section 51.08 - General Regulations
72

73 5. The Giant Sequoia on the corner of 17th Avenue
74 West and Market Street shall be retained. Prior to
75 issuance of a development permit the Planning
76 Official may require site plan adjustments that
77 exceed the modifications otherwise authorized by
78 KZC 95.32 in order to protect the Giant Sequoia.
79

80 6. Development on parcels fronting the south side of
81 17th Avenue West shall be limited to detached or
82 duplex development.
83

84 Section 3. Zoning Map Amended: The official City of Kirkland
85 Zoning Map as adopted by Ordinance 3710, as amended, is amended in
86 accordance with Exhibit B attached to this Ordinance and incorporated
87 by reference.
88

89 Section 4. Official Map Change: The Director of the Planning
90 and Building Department is directed to amend the official City of Kirkland

91 Zoning Map to conform with this ordinance, indicating thereon the date
92 of the ordinance's passage.
93

94 Section 5. If any section, subsection, sentence, clause,
95 phrase, part or portion of this Ordinance, including those parts adopted
96 by reference, is for any reason held to be invalid or unconstitutional by
97 any court of competent jurisdiction, such decision shall not affect the
98 validity of the remaining portions of this Ordinance.
99

100 Section 6. Effective Date for Amendments and Map
101 Changes: The Comprehensive Plan and Zoning Map and Text
102 Amendments established in this ordinance shall go into effect as of April
103 30, 2018.
104

105 Section 7. This Ordinance shall be in full force and effect five
106 days from and after its passage by the City Council and publication,
107 pursuant to Section 1.08.017, Kirkland Municipal Code in the summary
108 form attached to the original of this Ordinance and by this reference
109 approved by the City Council.
110

111 Section 8. A complete copy of this Ordinance shall be
112 certified by the City Clerk, who shall then forward the certified copy to
113 the King County Department of Assessments.
114

115 Passed by majority vote of the Kirkland City Council in open
116 meeting this 12th day of December, 2017.
117

118 Signed in authentication thereof this 12th day of December,
119 2017.


Amy Walen, Mayor

Attest:


Kathi Anderson, City Clerk

Publication Date: December 18, 2017

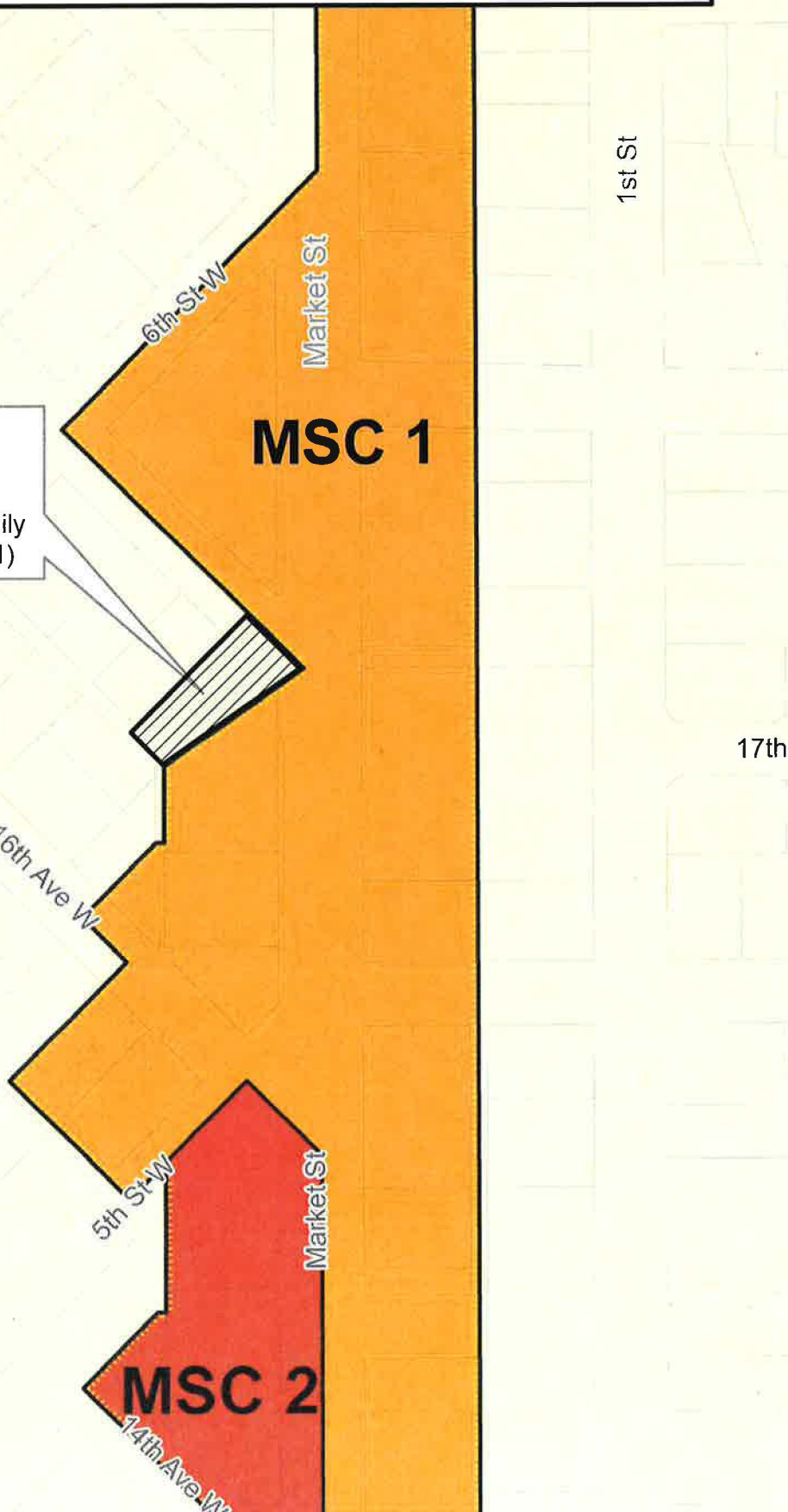
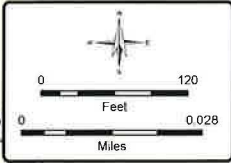
Approved as to Form:


Kevin Raymond, City Attorney

2017 Citizen Amendment Request (CAR) Phase II: Alavi (File No. CAM16-02641)

Address: 545 17th Avenue West
Request:
Change Comprehensive Plan and
Zoning from Low Density single family
(RS 7.2) to Office/Multifamily (MSC1)

-  Commercial
-  Industrial
-  Light Manufacturing Park
-  Transit Oriented Development
-  Office
-  High Density Residential
-  Medium Density Residential
-  Low Density Residential
-  Institutions
-  Park/Open Space
-  Overlay Boundaries
-  Design Districts
- Parcels
- City Limits



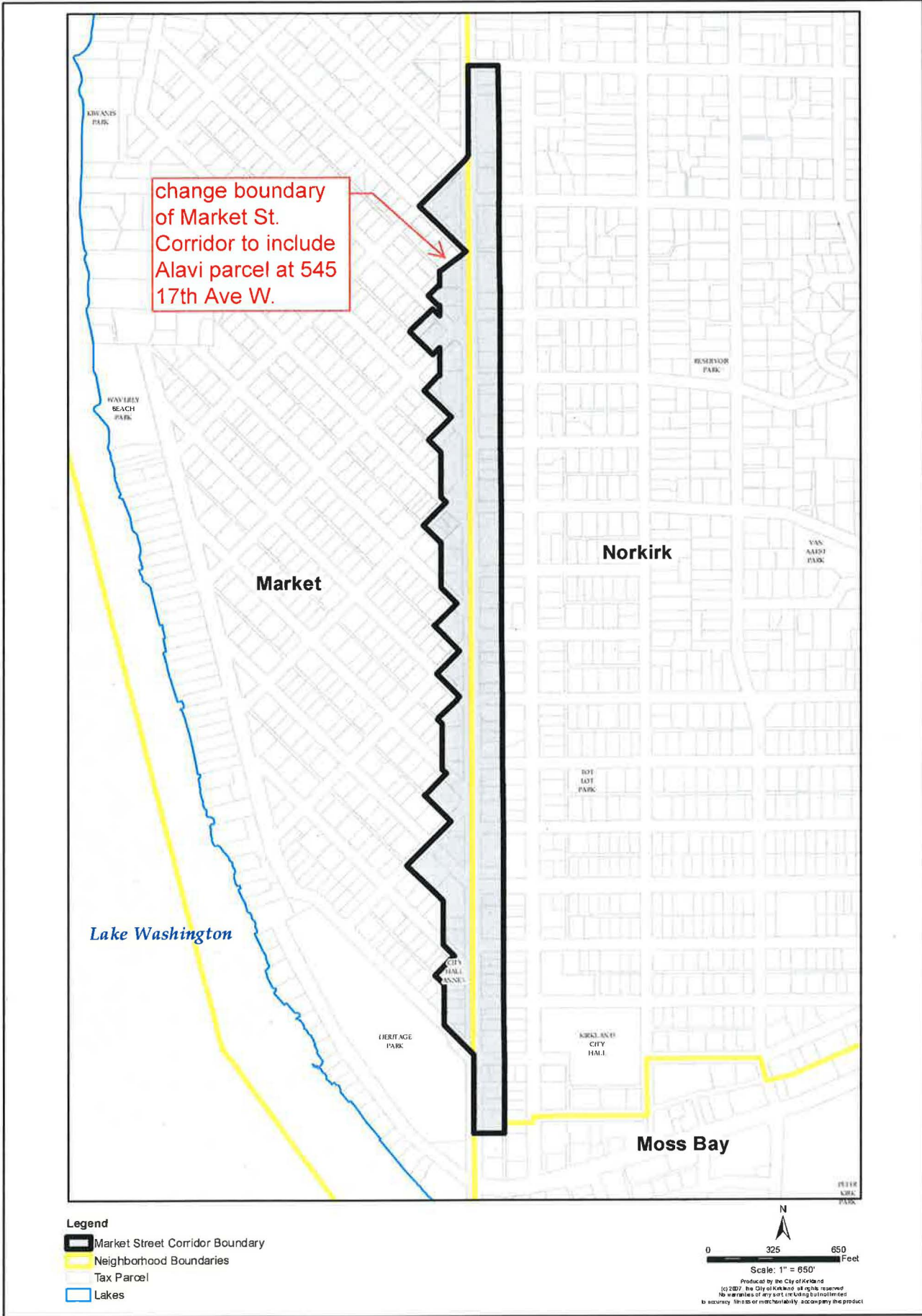
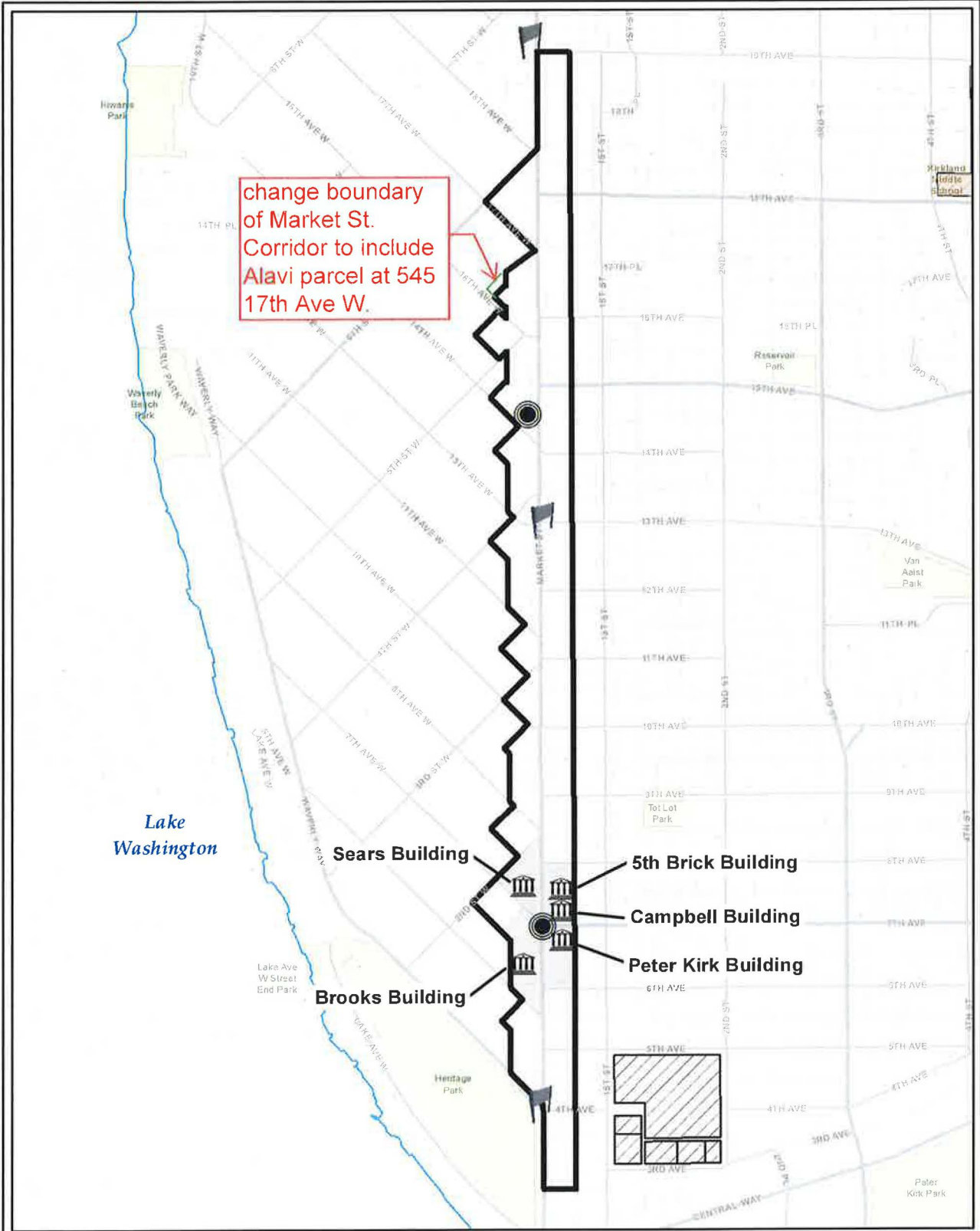


Figure MS-1: Market Street Corridor Boundary



change boundary
of Market St.
Corridor to include
Alavi parcel at 545
17th Ave W.

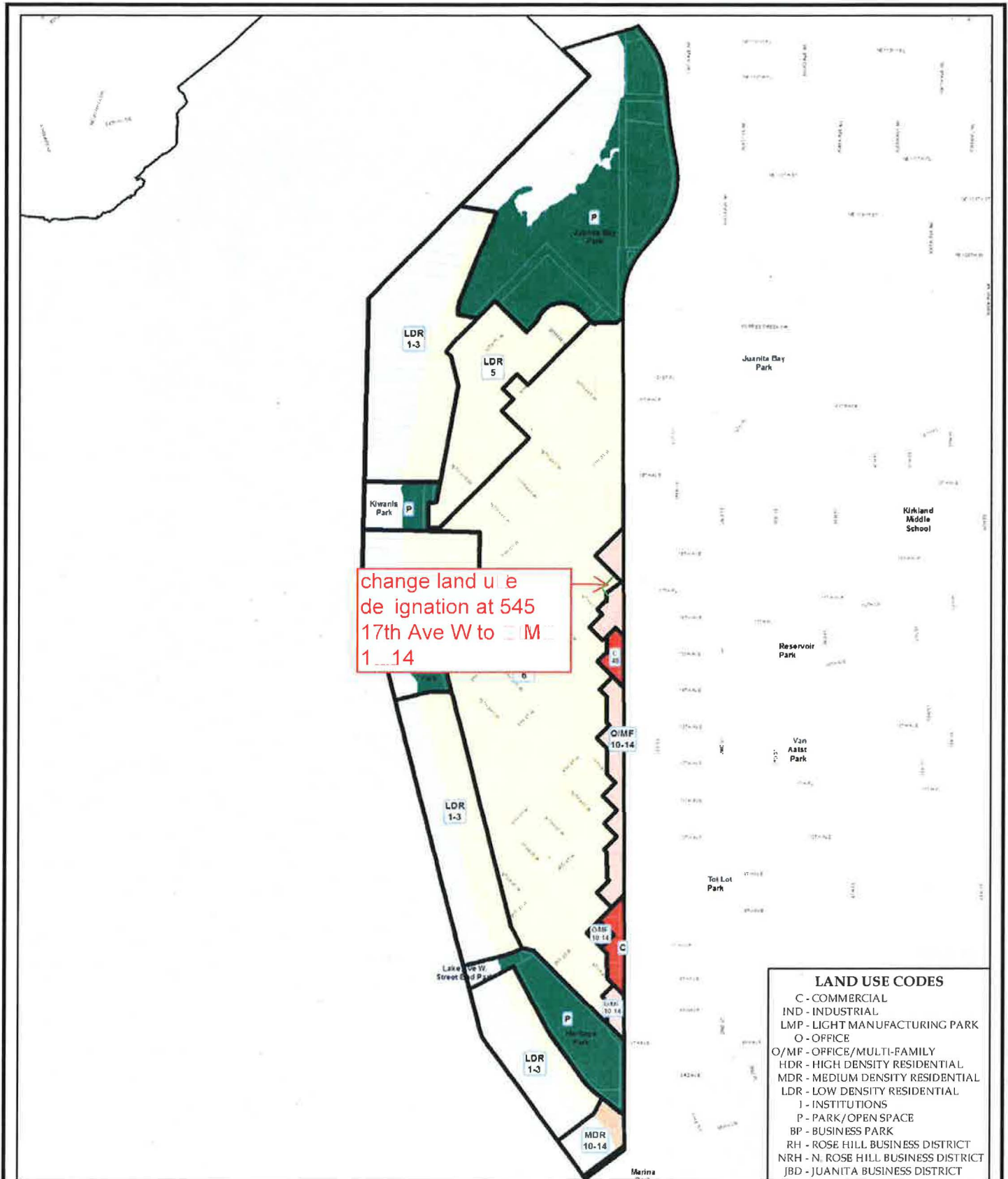
-  Historic Structure
-  Activity Node
-  Gateway
-  Market Street Corridor Boundary
-  Market Street Historic District
-  Public Facilities
-  Park
-  School
-  Interstate
-  Arterial / Collector
-  Neighborhood Access
-  Lakes
-  Parcel Boundaries



1 inch = 650 feet

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to accuracy, fitness or merchantability, accompany this product.

Figure MS-3: Market Street Corridor Urban Design Features



Market Neighborhood Land Use Map

ORDINANCE NO. 4494
 ADOPTED by the Kirkland City Council
 December 8, 2015

LAND USE BOUNDARIES	PARCEL BOUNDARIES
SUBAREA BOUNDARY	PLANNED AREA NUMBER
TOTEM CENTER	LAND USE CODE
PUBLIC FACILITIES	DENSITY (UNITS/ACRE)

NOTE: WHERE NOT SHOWN, NO DENSITY SPECIFIED
 INDICATES CLUSTERED LOW DENSITY

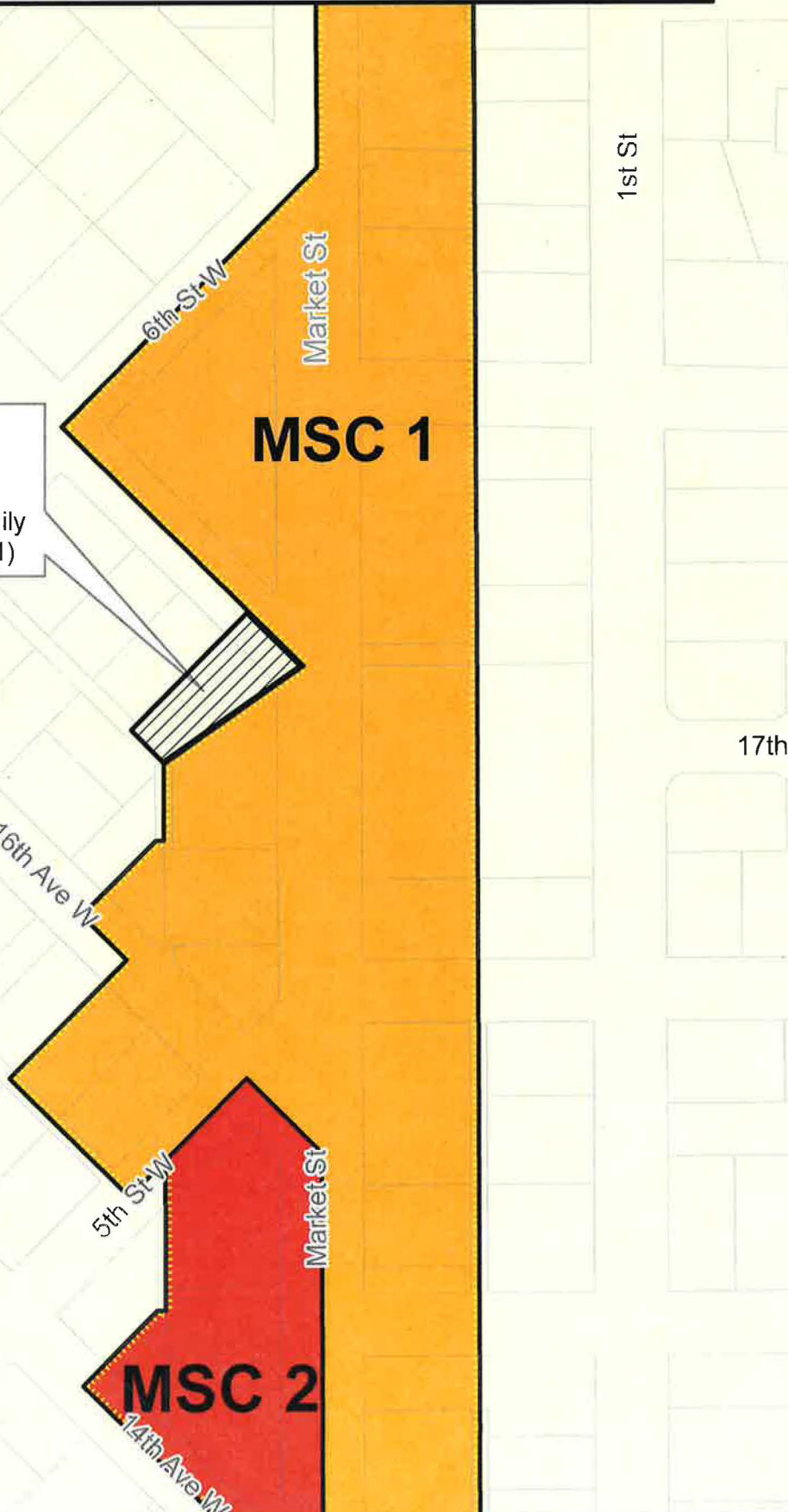
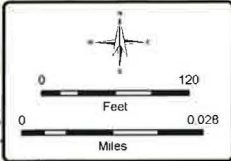


Maps produced December 21, 2015.
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-  Design Districts
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PUBLICATION SUMMARY
OF ORDINANCE O-4625

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SECTION 1. Provides amendments to the Comprehensive Plan Figures in the Market Street Corridor and Market Neighborhood Plans.

SECTION 2. Provides amendments to the Kirkland Zoning Code.

SECTION 3. Provides amendments to the Kirkland Zoning Map.

SECTION 4. Provides that the Director of the Planning and Building Department is directed to amend the Zoning Map.

SECTION 5. Provides a severability clause for the ordinance.


SECTION 6. Establishes the effective date of the Ordinance.

SECTION 7. 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.

SECTION 8. 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 12th day of December, 2017.

I certify that the foregoing is a summary of Ordinance O-4625 approved by the Kirkland City Council for summary publication.


Kathi Anderson, City Clerk