

ORDINANCE NO. 2173

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO THE PROTECTION AND PRESERVATION OF STRUCTURES HAVING HISTORIC, ARTISTIC OR CULTURAL SIGNIFICANCE, ESTABLISHING PROCEDURES AND REGULATIONS FOR THE DESIGNATION OF SUCH STRUCTURES, AND AMENDING ORDINANCE NO. 709 BY ADDING A NEW SECTION 4.18.

BE IT ORDAINED by the City Council of the City of Kirkland as follows:

Ordinance No. 709 (the Kirkland Zoning Ordinance) is hereby amended and supplemented by adding a new Section 4.18 to read as follows:

SECTION 4.18

HISTORIC, ARTISTIC AND CULTURAL ZONE (HAC)

- 4.18.01 Purpose
- 4.18.02 Initiation of HAC Designation
- 4.18.03 Standards Required to Qualify Structures
- 4.18.04 Procedure for Authorizing Zoning
- 4.18.05 Notice of Hearings
- 4.18.06 Further Requirements
- 4.18.07 Recognition of Structures of Merit
- 4.18.08 Stop Work Order
- 4.18.09 Rescinding Rights of City Council
- 4.18.10 Severability
- 4.18.11 Effective Date

4.18.01 Purpose: The purpose of the Historic, Artistic and Cultural designation (hereinafter referred to as HAC) is to promote the protection, enhancement, perpetuation and use of structures of historical, architectural or geographic significance. These should impart a distinctive and visible reminder of the historical and cultural heritage of the City. It is the judgment of the City Council that the economic, cultural and aesthetic values of the City of Kirkland cannot be maintained or enhanced by disregarding the historical, architectural and geographic heritage of the City and ignoring the destruction or defacement of such cultural assets.

4.18.02 Initiation of HAC Zone: Initiation of the designation of HAC shall be only by verified application of the owners of the property to be so designated. Applications shall include a verification of the specific ownership interest of the applicant. Name and

address of each person having a record interest not a party to the application shall be submitted to the Planning Department for notification in accordance with Section 4.18.05. Any such application shall be filed with the Planning Department upon forms provided by that department and shall be accompanied by all data required by the Planning Department.

Applications filed with the Planning Department shall be processed in accordance with Chapter 8 of this ordinance, provided, however:

- (a) Such reclassification shall not be subject to a 'Resolution of Intent to Reclassify';
- (b) Site plans and drawings, to be submitted with applications, shall be determined by the Planning Department on a case-by-case basis;
- (c) The Planning Commission may appoint an ad hoc advisory committee as provided in Section 4.18.04 prior to recommending a designation of HAC to the City Council;
- (d) Such reclassification shall be processed, in all other respects, in conformance with Chapter 8 of this ordinance.

4.18.03

Standards for Designation of Structures for HAC Zone: A structure may be designated for preservation by zoning it HAC, if it meets one or more of the following criteria:

- a. Historical Importance. The structure:
 - (1) Has character, interest or value, as part of the development, heritage or cultural characteristics of the City, State or Nation;
 - (2) Is the site of a historic event with an effect upon society;
 - (3) Is identified with a person or group of persons who had some influence on society;
 - (4) Exemplifies the cultural, political, economic, social or historic heritage of the community;
- b. Architectural Importance. The structure:
 - (1) Portrays the environment of a group of

people in an era of history characterized by a distinctive architectural style;

- (2) Embodies those distinguishing characteristics of an architectural-type specimen;
 - (3) Is the work of an architect or master builder whose individual work has influenced the development of Kirkland.
 - (4) Contains elements of architectural design, detail, materials or craftsmanship which represent a significant innovation.
- c. Geographic Importance: The structure, due to its unique location or singular physical characteristics, represents an established and familiar visual feature of the neighborhood, community, or city.

4.18.04 Procedure for Authorizing Construction, Reconstruction, Alterations to, or Demolition of Structures Designated HAC:

- a. No person shall carry out or cause to be carried out on a designated landmark site any exterior alteration, demolition, construction, reconstruction, restoration, remodeling, nor shall any person make any material change in the exterior appearance of any existing designated historic structure and site and no permit for same shall be issued except by approval by the Planning Commission. All applications for building or demolition permits involving designated historic structures shall be forwarded immediately to the Planning Commission.
- b. The Planning Commission may, at its own discretion, appoint an informal ad hoc committee of citizens in the community for the purpose of advising the Commission on the appropriateness of proposed changes or additions to designated structures as the Commission finds necessary from time to time.
- c. The Commission shall make no recommendations or requirements except for the purpose of preventing developments obviously incongruous to the historic aspects of the structure.
- d. In the event of a determination to deny the request for a proposed change the Commission shall consult with the owner within a period of 180

days to consider means of preservation that will fit within the intent of this ordinance. If at the end of this time an acceptable solution has not been achieved, the application shall be denied.

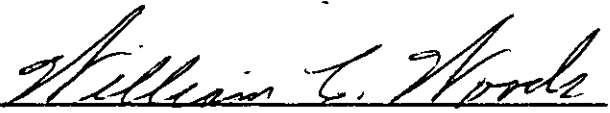
- 4.18.05 Notice of Hearings: Notice of all public hearings shall be in accordance with Section 8.04 of this ordinance.
- 4.18.06 Further Requirements by Applicant: All plans, elevations, specifications and sketches, architectural details, colors, building materials, signs, or other features subject to public view shall be made available to the Commission by the applicant or appropriate departments of the City of Kirkland, along with a copy of the application for building, modification or a demolition permit. The Commission shall also consider and make recommendations on all modifications or additions to public areas, including street furniture, lighting fixtures, and paving materials. The Commission may recommend that the City Council make appropriate provision for preservation or repair of such historic structures as may be endangered by neglect. The owner, lessee, or other person in actual charge of a landmark shall keep in good repair all of the exterior portions of such landmark or structure, all of the interior portions thereof when subject to control as specified in the designated ordinance, and all interior portions thereof whose maintenance is necessary to prevent deterioration and decay of any exterior portion.
- 4.18.07 Recognition of Structures of Merit: The Planning Commission may consider and approve a list of structures of historical, architectural or aesthetic merit which have not been designated as landmarks. The purpose of this list shall be to recognize and encourage the protection, enhancement, perpetuation and use of such structures. This shall in no way impose any regulations or controls upon such structures of merit included in said list.
- 4.18.08 Issuance of Stop Work Order: The Planning Department shall promptly stop any work attempted to be done on any structure in a HAC zone without or contrary to a permit issued under this ordinance.
- 4.18.09 Rescinding Rights: The City Council may amend or rescind at any time, subject to all of the procedures set forth in this ordinance, any HAC that is in violation of this ordinance.

4.18.10 Severability: In the event that any section, paragraph or part of this ordinance shall be for any reason declared invalid or held unconstitutional by any court of last resort, every other section, paragraph or part shall continue in full force and effect.

4.18.11 Effective Date: This ordinance shall be in full force and effect five days from and after its passage by the City Council and publication as required by law.

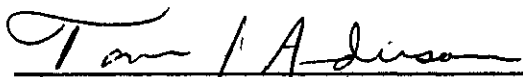
PASSED by the Kirkland City Council in regular meeting on the 17th day of January, 1972

SIGNED in authentication thereof on the 17th day of January, 1972



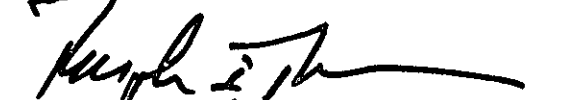
Mayor

Attest:



Director of Administration & Finance
(ex officio City Clerk)

Approved as to form:



City Attorney

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