

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO PLANNING AND LAND USE, REALLOCATING THE PLANNING AND LAND USE RESPONSIBILITIES BETWEEN THE DEVELOPMENT CODE COMMISSION AND THE PLANNING COMMISSION AND AMENDING CHAPTER 3.2 OF THE KIRKLAND MUNICIPAL CODE.

WHEREAS, under RCW Chapter 35A.63, relating to planning for code cities, the members of the Planning Commission and other planning and land use advisory bodies are citizen volunteers serving without compensation; and

WHEREAS, the current and foreseeable work load devolving upon these citizen advisory bodies, as they are now constituted within the City of Kirkland, imposes heavy burdens upon time and energy available on a public service volunteer basis; and

WHEREAS, the City Council of the City of Kirkland deems it necessary to make certain changes in the allocation of responsibilities between the Development Code Commission and the Planning Commission in order to permit some relief from the heavy work load imposed, while at the same time retaining the public advantage of volunteer citizen involvement.

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

Section 1. Section 3.32.015 of the Kirkland Municipal Code is hereby amended to read as follows:

"Section 3.32.015 Development Code Commission -- Membership -- Appointment -- Compensation. There is hereby created a Development Code Commission which shall be composed of ~~[the Kirkland Planning Commission and three to five additional persons]~~ not more than six nor less than four members. No more than three members of the Development Code Commission may also be members of the Planning Commission. ~~[These additional persons shall not be required to be residents of the City, but]~~ All members shall be appointed by the Mayor from among the residents of the Kirkland Planning Area, including the City of Kirkland. Their appointment shall be subject to approval by the City Council and they shall serve without compensation.

Section 2. Section 3.32.016 of the Kirkland Municipal Code is hereby amended to read as follows:

Section 3.32.016 Development Code Commission -- Powers and Duties.

A. The Development Code Commission shall, consistent with The Land Use Policies Plan (Ordinance No. 2346) and guidelines established by the City Council, prepare for submission to the City Council, proposed Ordinance modifications and a new Land Use Development Code. The Development Code

Commission shall have all of the powers and all of the duties granted to or devolving upon a Planning Commission, pursuant to all state and local laws, relating to the preparation of a new Land Use Development Code (zoning code) and other ordinance modifications regulating the use of land. Provided, however, that such powers and duties shall not include the review and recommendation of such proposed amendments to the Zoning Code and related land use regulatory ordinances as may be either requested or proposed to the City by a property owner or other interested party in connection with and primarily in order to facilitate approval of a specific development permit or proposed rezone.

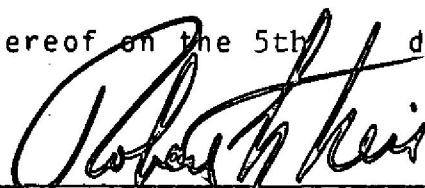
B. All other powers and duties normally performed by the Planning Commission, including all matters relating to the review of the Land Use Policies Plan, development permit actions and rezoning actions requested or proposed by a private applicant, shall remain with and continue to be exercised by the Planning Commission.

Section 3. The reallocation of powers and duties between the Development Code Commission and the Planning Commission herein provided for, shall become effective as of January 1, 1980, provided that nothing in this amendatory ordinance shall be deemed to effect any procedural or substantive rights as to any development permit or rezone application filed with the City prior to said effective date. However, all such applications shall be subject to review and recommendation consistent with the provisions of this ordinance.

Section 4. Except as herein provided, this ordinance shall be in force and effect five (5) 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 5th day of November , 1979.

SIGNED IN AUTHENTICATION thereof on the 5th day of November , 1979.



Mayor

ATTEST:



Director of Administration and Finance
(ex officio City Clerk)

APPROVED AS TO FORM:



City Attorney