

ORDINANCE NO. 2562

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO NOTICE REQUIREMENTS FOR PROPOSED ZONING MAP AND ZONING CODE CHANGES AND AMENDING SECTION 23.62.040 OF THE ZONING CODE, ORDINANCE NO. 2183 AS AMENDED.

WHEREAS, Notices of Public Hearings to consider proposed changes to the Zoning Map that are of general applicability should be published in the newspaper and posted in the area of the proposed change, and

WHEREAS, Notice of Public Hearings to consider proposed changes to the Zoning Map that are not of general applicability should be sent to each property owner in and around the area to be changed as well as published in the newspaper and posted in the area of the proposed change; and

WHEREAS, This action is categorically exempt from the requirements of the State Environmental Policies Act (RCW 43.21C) under WAC 197.10.170(11).

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

Section 1: Section 23.62.040 of Ordinance 2183 as amended, is amended to read as follows:

23.62.040 Notice to adjacent Property Owners: ~~The applicant for an amendment to the zoning map shall obtain from the King County Treasurer's Office, the names and addresses of all property owners of record within 300 feet of any exterior boundary of the property, as well as the names and addresses of the persons actually living immediately adjacent to the property and those across the street, and shall furnish these names to the City Planning Department. These property owners shall be notified by mail at least 10 days prior to the hearing of the zoning change requested and the time and place of the meeting at which the matter will be heard. Notice of public hearing, before the City Council or Planning Commission shall be posted near the property and shall also be made by publishing in the official publication for the City of Kirkland, at least seven days in advance of the public hearing.~~

~~The continuance of a public hearing, through verbal motion in regular meeting by either the City Council or Planning Commission shall be deemed as adequate notice to the public of such continuance.~~

(1) Notice of Public Hearings on Proposed Map Changes

a. Content

Notices of Public Hearings on Proposed Map Changes must contain the following information:

- i. The time and place of the Public Hearing.
- ii. A description in non-legal terms of the area proposed to be changed.
- iii. A summary of how the proposal would change the map.

b. Distribution

i. Notice of Public Hearings on proposed legislative changes to the Zoning Map shall be distributed as follows:

(a) By publication of the notice in the official newspaper of the City at least 10 days prior to the Hearing.

(b) By posting the notice in three or more conspicuous places in the area proposed to be changed at least 10 days prior to the Hearing.

ii. Notice of Public Hearings on proposed map changes, other than legislative map changes shall be distributed as follows:

(a) By mailing notice to each owner of property within the area proposed to be changed; to each owner of property within 300 feet of the area proposed to be changed; to each resident of property within the area proposed to be changed; and to each resident of property adjacent to or directly across the street from the area proposed to be changed. These notices must be mailed at least 10 days prior to the Hearing.

(b) By publication of the notice in the official newspaper of the City at least 10 days prior to the Hearing.

(c) By posting the notice in one or more conspicuous places in the area proposed to change at least 10 days prior to the Hearing.

c. Names and Address to be Submitted by Applicant

- i. The applicant for a proposed map change, other than a legislative map change, shall supply the City with address labels obtained from the King County Comptroller's office containing the names and addresses of the current owners of all property within the area proposed to be changed and within 300 feet of the area proposed to be changed. In addition, the applicant shall also supply the City with address labels containing the addresses of the properties adjacent to or directly across the street from the area proposed to be changed.
- ii. The applicant for a map change, other than a legislative map change, shall also submit to the City a copy of the King County Assessor's map keyed to the properties described in paragraph (4)(e) of this Section.

2. Notice of Public Hearings on Proposed Text Changes.

- a. Content. Notices of Public Hearings on proposed text change must contain the following information:
 - i. The time and place of the Public Hearing.
 - ii. A description of the proposed change.
- b. Distribution. Notice of Public Hearings on proposed text changes shall be distributed as follows:
 - i. By publication of the notice in the official newspaper of the City at least 10 days prior to the Hearing.
 - ii. By posting of the notice on the bulletin board at City Hall at least 10 days prior to the Hearing.

3. Continuations. A motion to continue a Public Hearing is sufficient notice for the continued hearing if the motion contains the time and place of the continued Public Hearing.

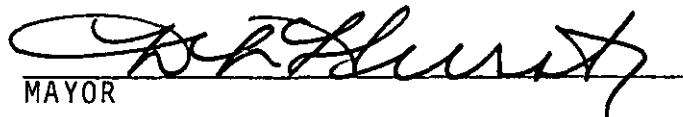
Section 2. If any section, subsection, sentence, clause, phrase, part or portion of this Ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section 3. To the extent that the subject matter and provisions of this Ordinance are within the disapproval jurisdiction of the Houghton Community Council, as created by Ordinance No. 2001, this Ordinance shall become effective within the Houghton Community either upon approval of the Houghton Community Council or failure of said Community Council to disapprove within sixty (60) days from the date of passage of this Ordinance.

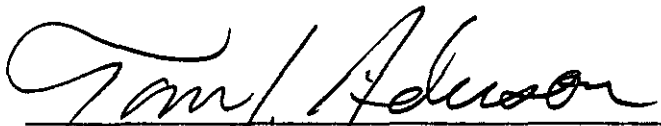
Section 4. Except as provided in Section 3, this Ordinance shall be in force and take effect five (5) days from and after its passage by the City Council and publication as required by law.

PASSED BY THE KIRKLAND CITY COUNCIL IN REGULAR MEETING on the 8th day of December, 1980.


SIGNED IN AUTHENTICATION thereof on the 8th day of December, 1980.


MAYOR

ATTEST:


Director of Administration and Finance
(ex officio City Clerk)

APPROVED AS TO FORM:


City Attorney

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