

ORDINANCE NO. 2624

AN ORDINANCE OF THE CITY OF KIRKLAND, RELATING TO LAND USE AND CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY FROM "P" to "CBD" AND AMENDING THE ZONING MAP.

WHEREAS, the Kirkland Development Code Commission held a public hearing on May 27, 1981 on File No. RZ-81-50 and based on that hearing has recommended that City Council rezone certain real property; and

WHEREAS, The City Council has concluded that this rezone is consistent with the Comprehensive Plan and is within the public interest; and

WHEREAS, an Environmental Checklist was prepared and a Final Declaration of Non-Significance was made pursuant to the requirements of the State Environmental Policy Act (RCW 43.21C; WAC 197-10; and Kirkland Ordinance No. 2473, as amended). This Checklist and Declaration of Non-Significance were available to the Development Code Commission at the public hearing held on this issue. The Development Code Commission considered this information in formulating its recommendation to City Council, and City Council considered this information in taking final action on this recommendation;

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

Section 1: The City Council hereby adopts the memorandum regarding File No. RZ-81-50 signed by the Chair of the Development Code Commission:

Section 2: The following real property within the City of Kirkland is hereby rezoned from Public Use (P) to Central Business District (CBD):


Property bounded on the north by the centerline of Central Way; on the east by the centerline of 3rd Street; on the south by the centerline of Park Lane (formerly Commercial Avenue); and on the west by the centerline of Main Street.

Section 3. The Director of the Department of Community Development is directed to amend the official Kirkland Zoning Map to conform with this ordinance, indicating thereon the date of ordinance adoption. Copies of this ordinance shall be filed with the Department of Community Development and the Office of the Director of Administration and Finance (ex officio City Clerk).


Section 4. This ordinance shall be in force and take effect five days from and after its passage and publication as required by law.

PASSED by majority vote of the Kirkland City Council in regular, open meeting this 17th day of August, 1981.

SIGNED IN AUTHENTICATION thereof this 17th day of August 1981.


MAYOR

ATTEST:


Director of Administration and Finance
(ex officio City Clerk)

APPROVED AS TO FORM:


City Attorney

6528A

DEPARTMENT OF COMMUNITY DEVELOPMENT

M E M O R A N D U M

August 13, 1981

To: City Council

From: Victor Sampson, Chairman *John Nordgren*
Development Code Commission *vice Chairman.*

Subject: Proposed Rezones From Public Use (P) Zoning
File Nos. RZ-81-42, RZ-81-43, RZ-81-46, RZ-81-47,
RZ-81-48, RZ-81-49, RZ-81-50

On May 27, 1981, the Development Code Commission held public hearings on seven proposed zoning map amendments as follows:

1. Proposed Rezone from Public Use (P) to Light Industrial (LI), File No. RZ-81-42
2. Proposed Rezone from Public Use (P) to Single Family Residential (RS) 8.5, File No. RZ-81-43
3. Proposed Rezone from Public Use (P) to Single Family Residential (RS) 7.2, File No. RZ-81-46
4. Proposed Rezone from Public Use (P) to Single Family Residential (RS) 12.5, File No. RZ-81-47
5. Proposed Rezone from Public Use (P) to Waterfront District (WD) II, File No. RZ-81-48
6. Proposed Rezone from Public Use (P) to Professional Residential (PR(RM 3600)), File No. RZ-81-49
7. Proposed Rezone from Public Use (P) to Central Business District (CBD), File No. RZ-81-50

Exhibit "A" contains a series of maps showing each of these proposed rezones. Exhibit "B" describes the location of each of these proposed rezones. Exhibit "C" shows the Land Use Policies Plan designation for each of these areas.

For the reasons summarized below, the Development Code Commission, after full public hearings, is recommending that City Council enact ordinances to effectuate the following rezones.

1. RZ-81-42 Proposed Rezone from Public Use (P) to Light Industrial (LI).

2. RZ-81-49 Proposed Rezone from Public Use (P) to Professional Residential (PR(RM 3600)).
3. RZ-81-50 Proposed Rezone from Public Use (P) to Central Business District (CBD).

The object of the Development Code Commission in initially proposing these seven rezones was to attempt to rectify a common misconception regarding the meaning of the (P) zoning designation. As most of the land zoned "P" is a public park, most people think the "P" zoning designation means park. However, there are a number of pieces of property in the City that are presently zoned "P" but which are not--and very likely never will be--a public park. To rectify the difference between the popular conception of the meaning of this "P" zoning designation and its actual use in the Code, the Development Code Commission was proposing to rezone all of the non-park land that is presently zoned as "P" into the zoning classification that surrounds each of these "P" zones, consistent with the Land Use Policies Plan. The rezones enumerated above would have rezoned all of the non-park land in the City from the "P" designation.

At the public hearings that the Development Code Commission conducted on these proposals, a number of persons came to speak regarding these proposed rezones. Many of these persons were concerned that, by rezoning these properties from the "P" designation, the City would be facilitating private development of these properties. This concern was especially acute with respect to the properties that were proposed to be rezoned to a residential classification. There appeared to be no concern regarding the pieces to be rezoned to industrial, commercial, or office designations.

While the DCC concluded that rezoning the properties from the "P" designation would not facilitate development of these properties, it might in some cases lead to confusion. This conclusion would be most acute with respect to the property that was proposed for a residential classification. As a result, the Development Code Commission voted to recommend that City Council enact ordinances to effectuate RZ-81-42, RZ-81-49, and RZ-81-50. The Development Code Commission voted to recommend that City Council not enact File Nos. RZ-81-43, RZ-81-46, RZ-81-47 and RZ-81-48. In lieu of these last four rezones, the DCC instructed staff to explore the possibility of creating a new zoning classification--perhaps a Government Use "GU" Zone--that could be applied to these non-park "P" zones in residential neighborhoods. This would avoid the present confusion regarding the meaning of the "P" designation, while making it clear that these properties are not available for development.

Memo to City Council
Proposed Rezones
August 13, 1981
Page 3

In summary, the Development Code Commission is recommending that City Council enact the attached ordinances to effect zoning map amendments from Public Use (P) to Light Industrial (LI), Professional Residential (PR(RM 3600)), and Central Business District (CBD) as embodied in File Nos. RZ-81-42, RZ-81-49, and RZ-81-50, respectively. The Development Code Commission concluded that these rezones will be in the public interest as they will rectify some of the confusion that presently exists regarding the meaning of the "P" designation and as these rezones will more clearly reflect the planned use of these lands. In addition, as shown on Exhibit "C", these proposed rezones are consistent with the Land Use Policies Plan. We are not recommending any other rezones at this time. Thank you very much for your consideration of these matters.

1n/6510A