

ORDINANCE 3481

AN ORDINANCE OF THE CITY OF KIRKLAND ADOPTING A COMPREHENSIVE PLAN AS REQUIRED BY CHAPTER 36.70A RCW AND PURSUANT TO CHAPTER 35A.63 RCW; AND REPEALING THE EXISTING COMPREHENSIVE PLAN.

WHEREAS, the Washington State Legislature adopted ESHB 2929 during the 1990 legislative session and RSHB 1025 during the 1991 legislative session, known collectively as the Growth Management Act, Chapter 36.70A RCW ("GMA"); and

WHEREAS, the Growth Management Act mandates that the City of Kirkland prepare a comprehensive plan to include certain required elements including land use, housing, capital facilities, utilities, and transportation; and

WHEREAS, the Kirkland Growth Management Commission was appointed by the Kirkland City Council in November 1991 to present a recommended, updated Comprehensive Plan to the City Council; and

WHEREAS, the Growth Management Commission presented a Draft Comprehensive Plan to the City Council on March 28, 1995; and

WHEREAS, the City in preparing the Comprehensive Plan established procedures for early and continuous public participation; and

WHEREAS, the City and Growth Management Commission held over 105 public meetings, 14 public workshops and open houses, and 5 public hearings on the Comprehensive Plan. The City received over 290 letters and written comments on the Comprehensive Plan. The City Council conducted a series of study sessions on the Comprehensive Plan and held a public hearing on June 27, 1995 for the purpose of obtaining community input prior to adoption; and

WHEREAS, the Comprehensive Plan adopted pursuant to the GMA must be coordinated with and consistent with comprehensive plans adopted by King County and other Cities which have common borders with Kirkland or which share related regional issues; and

WHEREAS, Kirkland has cooperated with King County and other suburban cities in the development and adoption by King County of county-wide planning policies;

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

Section 1. Declarations.

A. Pursuant to the State Environmental Policies Act (SEPA) a Draft Environmental Impact Statement (DEIS) was prepared and issued on July 18, 1994. The DEIS analyzed three alternative plans for the purpose of disclosing possible environmental impacts created by the Comprehensive Plan update. The DEIS went beyond normal SEPA requirements by also discussing specific GMA requirements and providing a broader range of information to choose a preferred alternative. The Final Environmental Impact was issued on March 9, 1994.

B. The City provided copies of the Draft Comprehensive Plan, the DEIS and the final EIS to surrounding jurisdictions, King County, the Puget Sound Regional Council and the Washington State Department of Community, Trade and Economic Development.

C. The Comprehensive Plan is consistent with the King County Countywide Planning Policies, the Multicounty Planning Policies and the Growth Management Act.

D. The proposed plan was transmitted to the Washington State Department of Community, Trade and Economic Development on April 28, 1995, which is at least 60 days prior to adoption.

Section 2. That certain Comprehensive Plan which has been filed with the City Clerk and which bears the date of July 11, 1995 is hereby adopted as the City of Kirkland's Comprehensive Plan. The City Council declares that the adoption of this Comprehensive Plan is intended to satisfy the mandates of Chapter 36.70A RCW (GMA) and also to be the adoption of the City of Kirkland's Comprehensive Plan pursuant to Chapter 35A.63 RCW (relating to land use planning and zoning).

Section 3. Implementation.

Hereafter, all ordinances of the City of Kirkland, policies, plans, and actions by the City of Kirkland, concerned with the development and welfare of the community and its people, shall be in compliance and consistent with the Comprehensive Plan and goals, policies, text and implementation strategies contained herein. The following instruments of official implementation as now or hereafter applied, adopted, amended or developed, shall be consistent with said plan:

- A. The use district or zoning ordinance.
- B. The subdivision ordinance.
- C. The fire safety and building codes and ordinances.
- D. Development approvals, actions or permits.

- E. Other policies, guidelines, controls, regulations, plans, programs, standards and actions, as may be deemed necessary to effectuate the goals, policies, text and strategies established in the plan herein adopted.

Section 4. Kirkland's Shoreline Master Program, including KMC Chapters 24.05 and 24.06, is hereby adopted as a part of Kirkland's Comprehensive Plan by this reference as though fully set forth herein.

Section 5. The existing Kirkland Comprehensive Plan, as amended through June 30, 1995 (Ordinance 2346, as amended), is hereby repealed. Repeal of the existing Kirkland Comprehensive Plan shall have no effect on, nor shall it invalidate, any action or pending action taken with regard to said Comprehensive Plan prior to the effective date of this ordinance.

Section 6. Severability. 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 7. This Ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication, as required by law.

Passed by majority vote of the Kirkland City Council in regular, open meeting this 11th day of July, 1995.

Signed in authentication thereof this 11th day of July, 1995.



MAYOR

Attest:

S. Cloney
Deputy City Clerk

Approved as to Form:

Gail Bond
City Attorney

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