

ORDINANCE NO. 3538

Repealed by 3710

AN ORDINANCE OF THE CITY OF KIRKLAND ADOPTING A
NEW ZONING MAP.

WHEREAS, the City of Kirkland on July 11, 1995, adopted a new land use map as part of a revised Comprehensive Plan; and

WHEREAS, adoption of the 1996 Zoning Map on file in the City Clerk's office brings the Zoning Map into consistency with the 1995 Comprehensive Plan as required by the Growth Management Act and with previous rezones not yet reflected on the Zoning Map; and

WHEREAS, the City Council has received from the Hearing Examiner a recommendation to change the Zoning Map in order to make it consistent with the 1995 Comprehensive Plan Land Use Map for the City of Kirkland, all as set forth in that certain report and recommendation of the Hearing Examiner dated March 14, 1996, and bearing Kirkland Department of Planning and Community Development File No. IV-95-100; and

WHEREAS, prior to making said recommendation, the Hearing Examiner, on December 6, 1995, January 3, 1996, January 24, 1996, January 31, 1996, and February 22, 1996, held public hearings on the amendment proposals and considered the comments received at said hearings; and

WHEREAS, pursuant to the State Environmental Policies Act there has accompanied the proposal and recommendation through the entire consideration process, a final determination of non-significance, including supporting environmental documents, issued by the responsible official pursuant to WAC 197-11-340 and WAC 197-11-390; and

WHEREAS, in regular public meeting the City Council considered the environmental documents received from the responsible official, together with the report and recommendation of the Hearing Examiner.

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

Section 1. The document entitled "City of Kirkland Zoning Map" on file in the City Clerk's office and attached here as Exhibit A is hereby incorporated by reference as though fully set forth herein and adopted as the official Zoning Map of the City of Kirkland to replace Ordinance No. 2699. This document here and above incorporated and adopted shall be endorsed with the title and number of this Ordinance and dated and signed by the Mayor and the City Clerk. A copy of this map shall be recorded in the office of the City Clerk as a part of this ordinance and a copy shall be filed with each of the following departments for the

use of the general public and the affected departments of the City: Department of Planning and Community Development, Department of Public Works, Department of Parks and Community Services, Police Department, and Fire and Building Department.

Section 2. For a zone that carries a suffix, the (1) suffix means that the appropriate neighborhood plan policies specifically applicable to this property contained in the 1995 Comprehensive Plan are hereby adopted by this reference, as though fully set forth herein, as a special regulation of the zone that carries the suffix. In addition, the development proposal must be approved under Process IIA whereby the applicant must demonstrate how the development complies with the adopted neighborhood plan policies in a public review process.

The (2) suffix means that the appropriate neighborhood plan policies specifically applicable to this property contained in the 1995 Comprehensive Plan are hereby adopted by this reference, as though fully set forth herein, as a special regulation of the zone that carries the suffix.

The (3) suffix means that the appropriate neighborhood plan policies specifically applicable to the property contained in the 1995 Comprehensive Plan are hereby adopted by this reference, as though fully set forth herein, as a special regulation of the zone that carries the suffix; except that the following supersedes the applicable text found in the neighborhood plan for the affected parcel. "For commercial development (not including offices), access to NE 85th Street and 124th Avenue NE must be shared with adjoining development in Subarea (A)."

The (4) suffix means that the appropriate neighborhood plan policies specifically applicable to this property contained in the 1995 Comprehensive Plan are hereby adopted by this reference, as though fully set forth herein, as a special regulation of the zone that carries the suffix; and the portion of any building fronting on 124th Avenue NE shall be occupied exclusively by office uses.

Section 3. The following previously approved quasi-judicial rezones are added to the map by this ordinance:

Highland Crest, S-IIB-92-80
Kirkland Close, IIB-89-153
Kelsey II, IIB-92-71

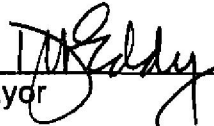
Section 4. If any section, subsection, sentence, clause, phrase, part or portion of this ordinance, including those parts adopted by reference, is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 5. To the extent that the subject matter of this ordinance is subject to the disapproval jurisdiction of the Houghton Community Council as created by Ordinance 2001, said plan shall become effective within the Houghton community either upon approval of the Houghton Community Council, or upon failure of said community council to disapprove this ordinance within 60 days of its passage.

Section 6. Except as provided in Section 4, 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 majority vote of the Kirkland City Council in regular, open meeting this 21st day of May, 1996.

SIGNED IN AUTHENTICATION thereof this 21st day of May, 1996.




Mayor

Attest:



Deputy City Clerk

Approved as to Form:



City Attorney

WOR95-100.MAY/5-13-96/JLB:ct