

ORDINANCE 3613

AN ORDINANCE OF THE CITY OF KIRKLAND AMENDING TITLE 3 OF THE KIRKLAND MUNICIPAL CODE.

WHEREAS, the City has added Process IVA as an additional zoning code procedure and, in turn, revision to Title 3 of the Kirkland Municipal Code is needed to reflect the existence of that alternative process.

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

Section 1. Title 3 of the Kirkland Municipal Code is hereby revised by amendment of KMC 3.32.020 which relates to the Planning Commission:

3.32.020 Powers and duties.

The planning commission shall be the principal planning advisory board for all matters relating to land use, comprehensive planning and zoning. Unless the city council assigns otherwise, ~~otherwise by ordinance assigned to the hearing examiner,~~ all public hearings required by Chapter 35A.63 RCW to be held in the course of the adoption or amendment of the text of the zoning code, adoption or amendment of the zoning map, or adoption or amendment of regulations for the subdivision of land, shall be held by the planning commission.

The planning commission shall perform such other advisory functions (including hearings on certain land use permit applications) as shall be assigned to it by the provisions of Ordinance 2740 (the zoning code) or as may be from time to time directed by resolution or motion of the city council.

Section 2. Title 3 of the Kirkland Municipal Code is hereby revised by amendment of KMC Section 3.34.060(d), which relates to the hearing examiner:

3.34.060 Expansion of hearing examiner's authority.

(d) The additional authority and jurisdiction herein granted to the hearing examiner shall not include any jurisdiction or authority to consider, recommend or approve an application or petition to amend any land use policies plan (comprehensive plan), or the text including development standards and regulations of the zoning code or subdivision ordinance. Any application which is coupled with or involves a pending application or petition for such legislative change or amendment to the comprehensive plan, zoning code or subdivision ordinance, ~~shall not be heard by the hearing examiner, but shall be processed and decided upon by the planning commission and the city~~

~~council, using the procedures established therefor in the zoning ordinance and subdivision ordinance as appropriate. The additional authority and jurisdiction herein granted to the hearing examiner shall expire April 1, 1988, provided that the hearing examiner shall retain jurisdiction to hear and decide all applications then pending before the hearing examiner on which the hearing examiner has commenced or held the required hearing prior to April 1, 1988.~~

Section 3. 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 9th day of December, 1997.

Signed in authentication thereof this 9th day of December, 1997.

T. Donald Eddy
MAYOR

Attest:

Juanita Perry
City Clerk

Approved as to Form:

Paul Howard
City Attorney
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