

ORDINANCE NO. O-4852

1 AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO  
2 ZONING AND LAND USE AND AMENDING THE CITY OF  
3 KIRKLAND'S WIRELESS SERVICE FACILITIES REGULATIONS,  
4 ZONING CODE, ORDINANCE 3719 AS AMENDED, BY REPEALING  
5 AND REENACTING CHAPTER 117 AND APPROVING A SUMMARY  
6 FOR PUBLICATION; FILE NO. CAM23-00041.  
7

8 WHEREAS, federal and state laws, rules and regulations  
9 regarding wireless services, facilities and infrastructure have changed  
10 over the past several years and staff determined that the City's wireless  
11 services code contained in the Kirkland Zoning Code, Ordinance 3719,  
12 as amended, should be repealed and replaced to ensure compliance  
13 with new federal and state mandates; and  
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15 WHEREAS, the City Council received a recommendation from  
16 the Kirkland Planning Commission to amend certain sections of the  
17 Kirkland Zoning Code, Ordinance 3719, as amended, by repealing and  
18 reenacting Chapter 117 as set forth in the staff report dated June 8,  
19 2023, and bearing Kirkland Planning and Building Department File No.  
20 CAM23-00041; and  
21

22 WHEREAS, prior to making the recommendation, the Planning  
23 Commission, following notice thereof as required by RCW 36.70A.035,  
24 held a public hearing on May 11, 2023, on the amendment proposals  
25 and considered the public testimony received for the hearing, and  
26 conducted deliberations; and  
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28 WHEREAS, pursuant to the State Environmental Policy Act  
29 (SEPA), there has been a SEPA Addendum to the 2015 Comprehensive  
30 Plan Update & Totem Lake Planned Action Ordinance Final  
31 Environmental Impact Statement issued on May 31, 2023 by the  
32 responsible official pursuant to WAC 197-11-625; and  
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34 WHEREAS, in a public meeting on June 20, 2023, the City  
35 Council considered the SEPA determination made by the responsible  
36 official, together with the staff report and recommendation of the  
37 Planning Commission; and  
38

39 NOW, THEREFORE, the City Council of the City of Kirkland do  
40 ordain as follows:  
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42 Section 1. Chapter 117 of the Kirkland Zoning Code is hereby  
43 repealed.  
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45 Section 2. A new Chapter 117 of the Kirkland Zoning Code,  
46 entitled "Wireless Service Facilities" is hereby adopted as set forth in  
47 Exhibit A.  
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49 Section 3. If any provision of this ordinance or its application to  
50 any person or circumstance is held invalid, the remainder of the

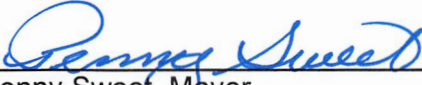
51 ordinance or the application of the provision to other persons or  
52 circumstances is not affected.  
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54 Section 4. This ordinance shall be in force and effect on January  
55 1, 2024, after its passage by the Kirkland City Council and publication  
56 pursuant to Section 1.08.017, Kirkland Municipal Code in the summary  
57 form attached to the original of this ordinance and by this reference  
58 approved by the City Council.  
59

60 Section 5. A complete copy of this ordinance shall be certified  
61 by the City Clerk, who shall then forward the certified copy to the King  
62 County Department of Assessments.  
63

64 Passed by majority vote of the Kirkland City Council in open  
65 meeting this 20<sup>th</sup> day of June, 2023.  
66

67 Signed in authentication thereof this 20<sup>th</sup> day of June, 2023.

  
Penny Sweet, Mayor

Attest:

  
Kathi Anderson, City Clerk

Publication Date: June 26, 2023

Approved as to Form:

  
Kevin Raymond, City Attorney

PUBLICATION SUMMARY  
OF ORDINANCE NO. O-4852

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING AND LAND USE AND AMENDING THE CITY OF KIRKLAND'S WIRELESS SERVICE FACILITIES REGULATIONS, ZONING CODE, ORDINANCE 3719 AS AMENDED, BY REPEALING AND REENACTING CHAPTER AND APPROVING A SUMMARY FOR PUBLICATION; FILE NO. CAM23-00041.

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SECTION 1. Repeals Chapter 117 of the Kirkland Zoning Code ("KZC").

SECTION 2. Adopts a new Chapter 117 of the KZC relating to the use of right of way for telecommunications purposes.

SECTION 3. Provides a severability clause for the ordinance.

SECTION 4. Authorizes the publication of the ordinance by summary, which summary is approved by the City Council pursuant to Section 1.08.017 Kirkland Municipal Code and establishes the effective date as January 1, 2024.

SECTION 5. Directs the City Clerk to certify and forward a complete certified copy of this ordinance to the King County Department of Assessments.

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the 20<sup>th</sup> day of June, 2023.

I certify that the foregoing is a summary of Ordinance O-4852 approved by the Kirkland City Council for summary publication.

  
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Kathi Anderson, City Clerk