

ORDINANCE O-4870

1 AN ORDINANCE OF THE CITY OF KIRKLAND IMPOSING A
2 MORATORIUM ON THE ACCEPTANCE OF APPLICATIONS FOR
3 THE REVIEW AND/OR ISSUANCE OF BUILDING PERMITS WITHIN
4 THE GOAT HILL AREA; DECLARING AN EMERGENCY AND
5 ESTABLISHING AN IMMEDIATE EFFECTIVE DATE.
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7 WHEREAS, the City Council has the authority to adopt
8 development moratoria pursuant to RCW 35A.63.220, RCW
9 36.70A.390, and KZC 135.30.1; and
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11 WHEREAS, City Council can adopt such a moratorium for up to
12 six months without prior notice and without a public hearing, provided
13 that a public hearing is thereafter conducted within 60 days of adoption
14 of the moratorium; and
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16 WHEREAS, the City Council has significant concerns about
17 development and growth on Goat Hill under current regulations in the
18 context of the significant environmentally sensitive areas in Goat Hill and
19 the existing infrastructure; and
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21 WHEREAS, the City Council finds that unless the City acts
22 immediately to preserve the status quo, there are likely to be adverse
23 impacts on the City's infrastructure, the environment, and the
24 community; and
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26 WHEREAS, based on these and related concerns, the City
27 Council requires additional time to review the City's development
28 regulations and policies to ensure that any adverse impacts related to
29 new growth and development in the unique area of Goat Hill are properly
30 mitigated through current development regulations, that new
31 development is consistent with the public health, safety and welfare, that
32 the City's vision and goals are being met to the Council's satisfaction,
33 and that any future development pays its fair share of the infrastructure
34 improvement costs; and
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36 WHEREAS, the City needs time to evaluate whether it should
37 implement regulatory changes to regulate construction and
38 development in the Goat Hill area, what those changes should be, and
39 to bring any recommended changes to the City Council for
40 consideration; and
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42 WHEREAS, in the event the City determines that such regulatory
43 changes should be made, implementing code amendments will require
44 discussions and public hearings; and
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46 WHEREAS, unless a moratorium on new development of
47 dwelling units is adopted, additional dwelling unit applications could
48 vest, thereby precluding the City from adopting meaningful land use and

49 construction alternatives that will protect the infrastructure and
50 significant environmentally sensitive areas in Goat Hill; and

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52 WHEREAS, a moratorium will promote the public good and is
53 necessary for the protection of public health, property, safety, and
54 welfare. A public emergency exists requiring that the City's moratorium
55 become effective immediately upon adoption.

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57 NOW, THEREFORE, the City Council of the City of Kirkland do
58 ordain as follows:

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60 **Section 1. Imposition of a Moratorium.** A moratorium is
61 imposed on the acceptance, processing, review, approval, and issuance
62 of permit applications related to the construction of new dwelling units,
63 including without limitation single-family dwelling units, apartments,
64 accessory dwelling units, cottages, carriage homes, duplexes, and
65 triplexes, in the Goat Hill area identified in KMC 24.02.065 – Goat Hill
66 Boundary and Zoning Map 24.02.065.

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68 **Section 2. Duration of Moratorium.** This moratorium shall
69 remain in effect for six months from the effective date of this ordinance
70 unless terminated earlier as provided by law.

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72 **Section 3. Public Hearing Date.** A public hearing shall be held
73 pursuant to RCW 35A.63.220 and RCW 36.70A.390 within 60 days of
74 the issuance of this moratorium.

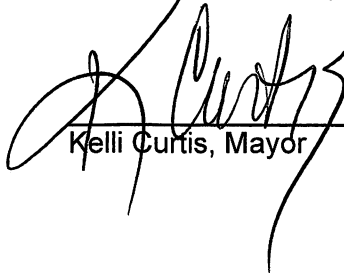
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76 **Section 4. Severability.** If any provision of this ordinance or its
77 application to any person or circumstance is held invalid, the remainder
78 of the ordinance or the application of the provision to other persons or
79 circumstances is not affected.

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81 **Section 5. Effective Date.** This ordinance is hereby declared
82 and designated a public emergency ordinance necessary for the
83 protection of public health and safety and shall be effective immediately
84 upon its passage by the City Council.

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86 **Section 6.** Publication shall be pursuant to KMC 1.08.017, in the
87 summary form attached to the original of this ordinance and by this
88 reference approved by the City Council.

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90 Passed by affirmative vote of at least 5 members of the Kirkland
91 City Council in open meeting this 6th day of February, 2024.

92
93 Signed in authentication thereof this 6th day of February, 2024.



Kelli Curtis, Mayor

Attest:

Kathi Anderson
Kathi Anderson, City Clerk

Approved as to Form:

Kevin Raymond
Kevin Raymond, City Attorney