

ORDINANCE NO. 3943

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING AND LAND USE AND AMENDING THE KIRKLAND ZONING MAP, ORDINANCE 3710 AS AMENDED, TO INCLUDE AN HISTORIC LANDMARK (HL) OVERLAY ZONE OVER A RM 3.6 ZONE.

WHEREAS, the City Council has received from the Hearing Examiner a recommendation to amend certain portions of the zoning map for the City of Kirkland, Ordinance 3710 as amended all as set forth in that certain report and recommendation of the Hearing Examiner dated April 13, 2004 and bearing Kirkland Department of Planning and Community Development File No. ZON04-00003; and

WHEREAS, pursuant to the City of Kirkland's Concurrency Management System, KMC Title 25, the responsible Public Works official determined that this action is exempt from the concurrency management process; and

WHEREAS, pursuant to the State Environmental Policy Act there has accompanied the proposal and recommendation through the entire consideration process, a 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, prior to making said recommendation the Hearing Examiner, following notice thereof as required by RCW 35A.63.070, on April 7, 2004, held a public hearing on the historic landmark overlay proposal and considered the comments received at said hearing; 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 Findings, Conclusions and Recommendations of the Hearing Examiner filed in the Planning and Community Development Department File No. ZON04-00003 are adopted by the Kirkland City Council as though fully set forth herein.

Section 2. The following specific portions of the Kirkland zoning map as adopted by Ordinance 3710 as amended, are amended to include a Historic Landmark (HL) Overlay Zone on the subject property, pursuant to Chapters 75 and 130 of the Kirkland Zoning Code, Ordinance 3719, as amended. A legal description of the subject property is attached to this ordinance and by this reference incorporated herein.

Section 3: The HL Overlay Zone applies only to the exterior of the house itself which may not be altered except as provided for in KZC 75.35 through 75.45.

Section 4. The code provisions for a RM 3.6 zone are modified to allow office use and bed and breakfast use within this HL Overlay zone.

Section 5. The Director of the Department of Planning and Community Development is hereby directed to amend the official Kirkland zoning map to conform with this ordinance, indicating thereon the date of ordinance adoption.

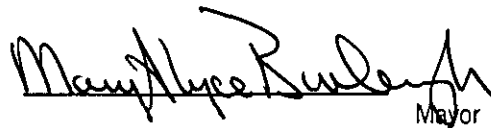
Section 6. If any section, subsection, sentence, clause, phrase, part or portion of this ordinance, including those parts adopted by reference, is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 7. This ordinance shall be in full force and effect five days from and after its passage by the City Council and publication, pursuant to Section 1.08.017, Kirkland Municipal Code in the summary form attached to the original of this ordinance and by this reference approved by the City Council.


Section 8. A complete copy of this ordinance, including Findings, Conclusions and Recommendations adopted by reference, shall be certified by the City Clerk, who shall then forward the certified copy to the King County Department of Assessments.

PASSED by majority vote of the Kirkland City Council in open meeting this 18th day of May, 2004.

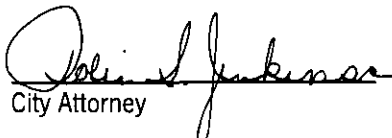
SIGNED IN AUTHENTICATION thereof this 18th day of May, 2004.


Mayor

Attest:


City Clerk

Approved as to Form:


City Attorney

Legal Description

Lot(s) 1 of King County Short Plat No. 783018 recorded under Recording No. 8310030688, being a portion of:

The West 426.73 feet of the West half of the Southwest quarter of the Northwest quarter of Section 29, Township 26 North, Range 6 East, W.M., in King County, Washington;
EXCEPT the South 1,180.00 feet thereof;

EXCEPT the North 30 feet thereof conveyed to King County by deed recorded under Recording No. 5580079;

AND EXCEPT the West 30 feet thereof as condemned for Bothell-Kirkland County Road No. 1091 (100th Avenue Northwest) under King County Superior Court Cause No. 122015;

ALSO the East 48.73 feet of the West 426.73 feet of the North 100.00 feet of the South 1,180 feet of the West half of the Southwest quarter of the Northwest quarter of said Section 29.

SITUATE in the County of King, State of Washington.

ABBREVIATED LEGAL

Lot(s) 1 of King County Short Plat No. 783018 recorded under Recording No. 8310030688.

Tax Account No. 292605-9104-08

PUBLICATION SUMMARY
OF ORDINANCE NO. 3943

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING AND LAND USE AND AMENDING THE KIRKLAND ZONING MAP, ORDINANCE 3710 AS AMENDED, TO INCLUDE AN HISTORIC LANDMARK (HL) OVERLAY ZONE OVER A RM 3.6 ZONE.

SECTION 1. Adopts Findings, Conclusions and Recommendations of the Hearing Examiner for File No. ZON04-00003.

SECTION 2. Amends Zoning Map to include HL overlay zone.

SECTION 3. Explains the extent of the HL zone.

SECTION 4. Explains additional uses to be allowed.

SECTION 5. Directs Planning Director to amend zoning map.

SECTION 6. Provides a severability clause for the ordinance.

SECTION 7. Provides that the effective date of the ordinance is five days after publication of summary.

SECTION 8. Establishes certification by City Clerk and notification of 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 18th day of May, 2004.

I certify that the foregoing is a summary of Ordinance 3943 approved by the Kirkland City Council for summary publication.


City Clerk