

ORDINANCE NO. 3975

AN ORDINANCE OF THE CITY OF KIRKLAND AND ITS SUMMARY ORDINANCE RELATING TO ZONING, PLANNING, AND LAND USE AND AMENDING CHAPTERS 135, 140 AND 160 OF ORDINANCE 3719 AS AMENDED, THE KIRKLAND ZONING ORDINANCE (TITLE 23 OF THE KIRKLAND MUNICIPAL CODE), AS REQUIRED BY RCW 36.70A.130 TO ENSURE CONTINUED COMPLIANCE WITH THE GROWTH MANAGEMENT ACT, FILE NO. IV-02-1.

WHEREAS, the Growth Management Act (GMA, RCW 36.70A.215) mandates that the City of Kirkland reviews, and if needed, revises its Zoning Code pursuant to RCW 36.70A.130; and

WHEREAS, the City Council in September 2002 did review the City's Review and Evaluation Report that identified revisions made and revisions needed to the Zoning Code to be consistent with the GMA. The City did send the evaluation report, dated September 2002, to the Washington State Department of Community, Trade and Economic Development; and

WHEREAS, the Zoning Code implements the Comprehensive Plan (Ordinance 3481 as amended) as revised and adopted in Ordinance No. 0-3974 on December 14, 2004; and

WHEREAS, the City in revising the Zoning Code established the same procedures and schedules for early and continuous public participation pursuant to RCW 36.70A.130 (2) and RCW 35A.63.070 as described in Ordinance 0-3974 for the revised Comprehensive Plan; and

WHEREAS, the Planning Commission and Houghton Community Council held four study sessions and one open house on the revisions, and

WHEREAS, the City did issue the revisions to the Zoning Code in conjunction with the revised Comprehensive Plan on July 1, 2004; and

WHEREAS, the Planning Commission held a public hearing on July 22, 2004 and a follow-up meeting on August 26, 2004 to prepare its recommendation to the City Council. The Houghton Community Council held a public courtesy hearing on July 19, 2004 and two follow-up meetings on August 23, 2004 and September 29, 2004 to prepare its recommendation to the City Council. The City Council conducted a series of study sessions prior to adoption; and

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

Section 1. Declarations.

A. Pursuant to the State Environmental Policies Act (SEPA) a scoped Draft Environmental Impact State (DEIS) was prepared and issued on July 1, 2004. The DEIS analyzed the revisions to the Zoning Code along with revisions to the Comprehensive Plan and the 2022 growth targets for the purpose of disclosing possible environmental impacts. The Responsible SEPA Official held

a public hearing on the DEIS on July 22, 2004. The Final Environmental Impact Statement (EIS) was issued on October 15, 2004.

B. The City provided copies of the revised Zoning Code along with the Draft Comprehensive Plan, the DEIS and the Final EIS to surrounding jurisdictions, King County, the Puget Sound Regional Council and Washington State Department of Community, Trade and Economic Development.

C. The Zoning Code is consistent with the King County Countywide Planning Policies, the Multicounty Planning Policies and the GMA.

D. The revisions to the Zoning Code were transmitted to the Washington State Department of Community, Trade and Economic Development on July 1, 2004, which is at least 60 days prior to adoption.

Section 2. Text amended: The following specific sections of the text in Chapters 135, 140 and 160 of the Kirkland Zoning Code, Ordinance 3719 as amended (Title 23 of the Kirkland Municipal Code), are amended as set forth in Attachment A which by this reference is incorporated herein:

Section 3. Severability: 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.

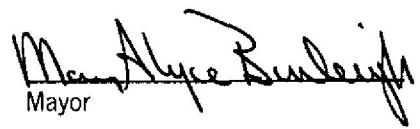
Section 4. Houghton Community Council: To the extent that the subject matter of this ordinance is subject to the disapproval jurisdiction of the Houghton Community Council as created by Ordinance 2001, said ordinance shall become effective within the Houghton community either upon approval of the Houghton Community Council, or upon failure of said community council to disapprove this ordinance within 60 days of its passage.

Section 5. Effective Date: 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, 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 as required by law.

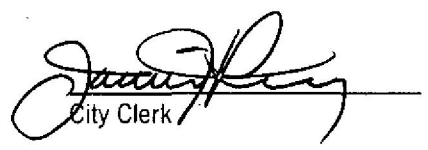
Section 6. Ordinance Copy: A complete copy of this ordinance shall be certified by the City Clerk, who shall then forward the certified copy to the King County Department of Assessments.

Passed by majority vote of the Kirkland City Council in open meeting this 14 day of December, 2004.

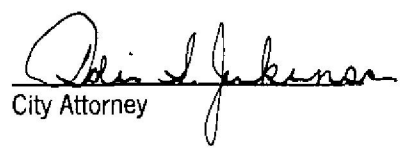
SIGNED IN AUTHENTICATION THEREOF this 14th day of
December, 2004.


Mayor

Attest:


City Clerk

Approved as to Form:


City Attorney

Chapter 135 – AMENDMENTS TO THE TEXT OF THE ZONING CODE

Sections:

- 135.05 User Guide
- 135.10 Applicable Process
- 135.15 Initiation of Proposals
- 135.20 Threshold Determination for Citizen-Initiated Proposals
- 135.25-135.15—Criteria for Amending the Text of the Zoning Code
- 135.30 Emergency Amendment
- 135.35 Response to a Court or the Growth Management Hearings Board Appeal or Decision

135.05

User Guide

This chapter establishes a mechanism for the City to amend the text of this code, the Zoning Code. If you are interested in proposing an amendment to this code, or if you want to participate in the decision on a proposed amendment, you should read this chapter.

135.10

Applicable Process

The City generally will use Process IV described in Chapter 160 KZC to review and decide upon a proposal to amend the text of this code. However, some minor Zoning Code amendments will be reviewed under an abbreviated process. The abbreviated Process IVA is described in Chapter 161 KZC. Process IVA is used for proposals which are not controversial and do not need extensive policy study.

135.15 Initiation of Proposals

An amendment to the Zoning Code may be initiated by the City or requested by the public through the comprehensive planning process.

135.20 Threshold Determination for Citizen-Initiated Proposals

Citizen-initiated proposals to amend the Zoning Code associated with a proposal to amend the Comprehensive Plan must follow the process described in KCZ 140.20.1 and 140.20.2, and meet KCZ 140.20.3 a. concerning City resources.

135.25-135.15

Criteria for Amending the Text of the Zoning Code

The City may amend the text of this code only if it finds that:

ATTACHMENT A

1. The proposed amendment is consistent with the applicable provisions of the Comprehensive Plan; and
2. The proposed amendment bears a substantial relation to public health, safety, or welfare; and
3. The proposed amendment is in the best interest of the residents of Kirkland.

135.30 Emergency Zoning Code Amendment

1. General - The City may initiate an emergency amendment to the Zoning Code. An emergency amendment is an amendment necessary for the immediate protection of public health, safety, property or peace.

2. Process -

a. The City Council shall hold a public hearing using the process described in KZC 160.40 for Notice; KZC 160.45 for Staff Report; KZC 160.55, 160.65 and 160.70 for Public Hearing; and KZC 160.90 for Publication and Effect.

b. The Planning Official shall notify the Planning Commission in writing about the proposed emergency amendment at least 14 days before the public hearing. If the amendment is within the jurisdiction of the Houghton Community, the Houghton Community Council shall also be notified.

c. If the proposed amendment is within the jurisdiction of the Houghton Community Council, the Houghton Community Council shall hold a joint hearing with the City Council.

d. The City Council shall adopt an emergency plan amendment by an appropriate resolution or ordinance that includes a statement of the facts justifying the emergency.

e. If the City Council approves a resolution or ordinance, it is not effective within the jurisdictional area of the Houghton Community Council until:

1.) A majority of the entire membership of the Houghton Community Council votes to approve it; or

2.) The Houghton Community Council fails to disapprove it, by majority vote of the entire membership, within 7 calendar days after City Council approves the resolution or ordinance.

135.35 Response to a Court or Growth Management Hearings Board Appeal or Decision

The City may use the process described in KZC 135.30 to make an amendment to the Zoning Code in response to a court or Growth Management Hearings Board appeal or decision.

Chapter 140 – AMENDMENTS TO THE COMPREHENSIVE PLAN

Sections:

- 140.05 User Guide
- 140.10 Applicable Process
- 140.15 Initiation of Proposals
- 140.20 Threshold Determination for Citizen Initiated Proposals
- 140.25 ~~140.15~~ Factors to Consider for Amendments to the Comprehensive Plan
- 140.30 ~~140.20~~ Criteria for Amending the Comprehensive Plan
- 140.25 ~~Responsibility to Review~~
- 140.35 Emergency Plan Amendment
- 140.40 Response to a Court or Growth Management Hearings Board Appeal or Decision
- 140.45 Responsibility to Review

140.05 User Guide

This chapter establishes a mechanism for the City to amend the Comprehensive Plan, Title 17 of the Kirkland Municipal Code. If you are interested in proposing an amendment to the Comprehensive Plan, or if you want to participate in the decision on a proposed amendment, you should read this chapter.

140.10 Applicable Process

The City will use Process IV described in Chapter 160 KZC to review and decide upon a proposal to amend the Comprehensive Plan.

140.15 Initiation of Proposals

An amendment to the Comprehensive Plan may be initiated by the City or by the public.

140.20 Threshold Determination for Citizen-Initiated Proposals

1. General - The Planning Department can establish a deadline for submitting citizen-initiated proposals. Applicants will be required to submit an application, a review fee and any other pertinent information determined necessary to consider the request. The citizen-initiated proposals shall only be considered in conjunction with the City's regular review of the Comprehensive Plan described in KZC 140.45.

2. Process – Citizen-initiated proposals require a two-step review process using Process IV described in Chapter 160 KZC:

- a.) A threshold review to determine those proposals that are eligible for further consideration;
- and
- b.) a final decision.

3. Criteria – The City shall use the following criteria in selecting proposals for further consideration. Proposals must meet 3a, and either 3b or 3c:

a. The City has the resources, including staff and budget, necessary to review the proposal; and

b. The proposal would correct an inconsistency within or make a clarification to a provision of the Comprehensive Plan; or

c. All of the following:

1.) The proposal demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan; and

2.) The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later neighborhood plan review or plan amendment process; and

(a.) The proposal is located in a neighborhood for which a neighborhood plan has not been recently adopted (generally not within two years); and

(b.) The proposal is located in a neighborhood for which a neighborhood plan will not be reviewed in the near future (generally not in the next two years).

140.25140.15 Factors to Consider for Consideration in Approving an Amendment to the Comprehensive Plan

For both City and citizen initiated amendments, The City shall take into consideration, but is not limited to, the following factors when considering approval of a proposed amendment to the Comprehensive Plan:

1. The effect upon the physical, natural, economic, and/or social environments.

~~2. The effect upon the economic, and social environment.~~

~~2. The effect upon the social environment.~~

~~4. The effect on open space, streams, and lakes.~~

5.2. The compatibility with and impact on adjacent land uses and surrounding neighborhoods.

~~6.3. The adequacy of and impact on public community facilities and services, including utilities, roads, public transportation, parks, recreation, and schools.~~

7.4. The quantity and location of land planned for the proposed land use type and density.

~~6. The current and projected population density in the area.~~

~~9.5. The effect, if any, upon other aspects of the Comprehensive Plan.~~

140.30+40.20 Criteria for Amending the Comprehensive Plan

The City may amend the Comprehensive Plan only if it finds that:

~~1. The proposed amendment bears a substantial relation to public health, safety and welfare.~~

1. The amendment must be consistent with the Growth Management Act.

2. The amendment must be consistent with the countywide planning policies.

3. The amendment must not be in conflict with other goals, policies, and provisions of the Kirkland Comprehensive Plan.

4. The amendment will result in long-term benefits to the community as a whole, and is in the best interest of the community.

140.35 Emergency Plan Amendment

1. General - The City may initiate an emergency plan amendment to the Comprehensive Plan outside of the annual plan amendment process. An emergency amendment is an amendment necessary for the immediate protection of public health, safety, property or peace.

2. Process -

a. The City Council shall hold a public hearing using the process described in KZC 160.40 for Notice; KZC 160.45 for Staff Report; KZC 160.55, 160.65 and 160.70 for Public Hearing; and KZC 160.90 for Publication and Effect.

b. The Planning Official shall notify the Planning Commission in writing about the proposed emergency amendment at least 14 days before the public hearing. If the amendment is within the jurisdiction of the Houghton Community, the Houghton Community Council shall also be notified.

c. If the proposed amendment is within the jurisdiction of the Houghton Community Council, the Houghton Community Council shall hold a joint hearing with the City Council.

d. The City Council shall adopt an emergency plan amendment by an appropriate resolution or ordinance that includes a statement of the facts justifying the emergency.

e. If the City Council approves a resolution or ordinance, it is not effective within the jurisdictional area of the Houghton Community Council until:

1.) A majority of the entire membership of the Houghton Community Council votes to approve it; or

2.) The Houghton Community Council fails to disapprove it, by majority vote of the entire membership, within 7 calendar days after the City Council approves the resolution or ordinance.

140.40 Response to a Court or Growth Management Hearings Board Appeal or Decision.

The City may use the process described in KZC 140.35 to make an amendment to the Comprehensive Plan in response to a court or Growth Management Hearings Board appeal or decision.

~~140.25~~ 140.45 Responsible Responsibility To Review

According to state law, the City shall review the Comprehensive Plan regularly to determine if any changes are desirable.

Chapter 160 – PROCESS IV

Sections:

- 160.05 User Guide
- 160.15 Initiation of Proposals
- 160.20 Compliance with SEPA
- 160.25 Threshold Review ~~City Council Review~~
- 160.35 Official File
- 160.40 Notice
- 160.45 Staff Report
- 160.50 Community Council Proceeding
- 160.55 Public Hearing
- 160.60 Material To Be Considered
- 160.65 Electronic Sound Recordings
- 160.70 Public Comments and Participation at the Hearing
- 160.75 Continuation of the Hearing
- 160.80 Planning Commission Action
- 160.85 Planning Commission Report to City Council
- 160.90 Publication and Effect
- 160.95 Jurisdiction of the Houghton Community Council

160.05

User Guide

Various places in this code indicate that certain proposals to amend the Zoning Map, this code, and the Comprehensive Plan must be reviewed and decided upon using Process IV. This chapter describes how Process IV works.

If you wish to participate in a decision that will be made using this process, you should read this chapter. However, this chapter applies only if another provision of this code specifically states that a decision on a proposed amendment will be made using Process IV.

160.15

Initiation of Proposals

A proposal that will be reviewed using this chapter may be initiated by the City Council or Planning Commission. In addition, the public may submit proposals to the City as part of the City's process to amend the comprehensive plan or this code.

160.20

Compliance with SEPA

The State Environmental Policies Act (Chapter 43.21C RCW) applies to some of the decisions that will be made using this chapter. The Planning Director shall evaluate each proposal and, where applicable, comply with SEPA and with state regulations and City ordinances issued under authority of SEPA.

160.25

Threshold Review City Council Review

1. ~~General – The City Council shall make a threshold review of each proposal to amend the Comprehensive Plan, and each to make a legislative rezone, proposal and to amend the Zoning Code and/or Zoning Map done in conjunction with the process to amend the comprehensive plan, initiated by the Planning Commission. The City Council may request the Planning Department, or any other department of the City, to provide any information or material on the proposal consistent with KZC 160.60.~~

2. Threshold Review -

a. The Planning Commission shall review each proposal and make a threshold recommendation to the City Council to determine those proposals eligible for further consideration. The recommendation shall be consistent with KZC 160.60 and based on the criteria described in Chapter 135 KZC for Zoning Code Amendments and in Chapter 140 KZC for Comprehensive Plan Amendments.

b. The Houghton Community Council may review any proposal within its jurisdiction and also make a recommendation to the Planning Commission and City Council.

c. The Planning Department shall provide the Planning Commission and Houghton Community Council with a staff report for the threshold review consistent with KZC 160.45 and include an analysis of the threshold criteria.

3. Threshold Decision - After consideration of the Planning Commission and Houghton Community Council recommendations, the City Council shall decide one of the following:

- a. The proposal has merit and shall be considered by the Planning Commission and City Council during the current year; or
- b. The proposal has merit, but should be considered at a subsequent amendment phase; or
- c. The proposal does not have merit and shall not be given further consideration.

~~2. Decision – Following its review, the City Council may decide that:~~

- ~~a. The proposal does not have merit and shall not be given further consideration; or~~
- ~~b. The proposal has merit and shall be considered by the Planning Commission at a public hearing; or~~
- ~~c. The proposal shall be tabled.~~

160.35

Official File

1. Contents – The Planning Official shall compile an official file containing all information and materials relevant to the proposal and to the City's consideration of the proposal.
2. Availability – The official file is a public record. It is available for inspection and copying in the Planning Department during regular business hours.

160.40

Notice

1. Contents – The Planning Official shall prepare a notice of hearing for each proposal for which a public hearing will be held. This notice shall contain the following information:
 - a. The citation of the provision that would be changed by the proposal along with a brief description of that provision.
 - b. A statement of how the proposal would change the affected provision.
 - c. A statement of what areas, zones or locations will be directly affected or changed by the proposal.
 - d. The time and place of the public hearing.
 - e. A statement of the availability of the official file.
 - f. A statement of the right of any person to submit written comments to the Planning Commission and to appear at the public hearing before the Planning Commission to give comments orally.
2. Distribution
 - a. The Planning Official shall distribute this notice at least 14 days before the public hearing as follows:
 - 1) A copy of the notice will be published in the official newspaper of the City.
 - 2) A copy of the notice will be posted on each of the official notification boards of the City.
 - b. Public Notice Signs – If the proposal is to reclassify land on the Zoning Map, the applicant shall provide for and erect public notice signs at least 14 calendar days before the public hearing as follows:

- 1) The signs shall be designed and constructed to City standards. A copy of the notice described in subsection (1) of this section and a vicinity map shall be attached to each sign.
- 2) The Department of Planning and Community Development is authorized to develop the standards for the public notice signs necessary for implementation of this section.
- 3) One sign shall be erected on or near the subject property facing each public right-of-way adjacent to the subject property and private easement or tract road providing primary vehicular access to the subject property and to any property that abuts the subject property. The Department of Planning and Community Development shall approve the location of each sign.
- 4) The signs shall be removed within seven calendar days after the final public hearing.

160.45

Staff Report

1. General – The Planning Official shall prepare a staff report containing:
 - a. An analysis of the proposal and a recommendation on the proposal; and
 - b. Any other information the Official determines is necessary for consideration of the proposal.
2. Distribution – The Planning Official shall distribute the staff report as follows:
 - a. A copy will be sent to each member of the Planning Commission prior to the hearing.
 - b. A copy will be sent promptly to any person requesting it.
 - c. If applicable, a copy will be sent to each member of the Houghton Community Council prior to their proceedings on the proposal.

160.50

Community Council Proceeding

1. General – If the proposal is within the disapproval jurisdiction of the Houghton Community Council, that Community Council may consider the proposal at a meeting or hold a public hearing on it. The Houghton Community Council and the Planning Commission may hold joint meetings or public hearings on the proposal.
2. Notice – If the Houghton Community Council holds a hearing, the Planning Official shall give public notice of that hearing as set forth in KZC 160.40.

3. Recommendation – The Houghton Community Council, by resolution approved by a majority vote of its entire membership, may make a recommendation on the proposal. The Planning Official shall present any recommendation of the Houghton Community Council to the Planning Commission before the Planning Commission takes a final vote on the proposal.

160.55

Public Hearing

1. General – The Planning Commission shall hold one or more public hearings on a proposal if:
 - a. It is initiated by the City Council; or
 - b. It is a proposal to amend the Comprehensive Plan or a legislative rezone proposal which is initiated by the Planning Commission and which the City Council has reviewed and decided shall be considered at a public hearing; or
 - c. It is any other proposal initiated by the Planning Commission.
2. Hearing Declared Open – The hearings of the Planning Commission and the Houghton Community Council are open to the public.
3. Effect – The hearing of the Planning Commission is the hearing for City Council. City Council need not hold another hearing on the proposal.

160.60

Material To Be Considered

1. General – The City Council, Planning Commission and Houghton Community Council shall use the decisional criteria established in the various provisions of this code, including 135 KZC and 140 KZC that describe the decisions that will be made using this process.
2. Exclusion
 - a. General – The City may not consider a specific proposal site plan or project in deciding whether or not a proposal should be approved through this process.
 - b. Exception for Environment Information – If a proposal that will be decided upon using this process is part of a specific development plan, the City may consider all information submitted under KZC 160.35 in deciding upon that proposal.

160.65

Electronic Sound Recordings

The Planning Commission and, if applicable, the Houghton Community Council shall make a complete electronic sound recording of each hearing on a proposal.

160.70

Public Comments and Participation at the Hearing

Any interested person may participate in the public hearing in either or both of the following ways:

1. By submitting written comments to the Planning Commission and, if applicable, the Houghton Community Council, either by delivering these comments to the Planning Department prior to the hearing or by giving them directly to the Planning Commission or Community Council at the hearing.
2. By appearing in person, or through a representative, at the hearing and making oral comments. The Planning Commission and the Houghton Community Council may reasonably limit the extent of the oral comments to facilitate the orderly and timely conduct of the hearing.

160.75

Continuation of the Hearing

The Planning Commission and Houghton Community Council may for any reason continue the hearing on the proposal. If, during the hearing, the Commission or Community Council announces the time and place of the next public hearing on the proposal, no further notice of that hearing need be given.

160.80

Planning Commission Action

1. General – Following the public hearing, the Planning Commission shall consider the proposal in light of all of the information submitted to it including the recommendation, if any, of the Houghton Community Council. The Planning Commission may modify the proposal in any way.
2. Modifications Requiring a Rehearing – If, following the public hearing, the Planning Commission fundamentally modifies the proposal, the Planning Commission shall hold a public hearing on the proposal as modified under the provisions of this chapter.
3. Recommendation – If the Planning Commission determines that the proposal meets the applicable decisional criteria established in KZC 160.60, it may, by majority vote of the entire membership, recommend that City Council give effect to the proposal by amending the appropriate text or Zoning Map. If the Planning Commission determines that the proposal does not meet the applicable criteria, it may, by a majority vote of the members present, recommend that City Council take no action. If the Planning Commission cannot take either of the actions described in this section, this fact will be included in the report to City Council under KZC 160.85.

160.85

Planning Commission Report to City Council

1. General – The Planning Official shall prepare a Planning Commission report on the proposal containing a copy of the proposal, along with any explanatory information, and the Planning Commission recommendation, if any, on the proposal.
2. Transmittal to City Council – The Planning Official shall transmit the Planning Commission report to the City Manager for consideration by City Council. The City Manager shall acknowledge receipt of the report and shall direct the clerk to certify on the report the date of receipt.
3. Distribution – The Planning Official shall promptly send a copy of the Planning Commission report to any person requesting it.
4. City Council Consideration – Within 60 days of receipt of the Planning Commission report by the City Manager, the City Council shall consider the proposal.
5. City Council Action – After consideration of the Planning Commission report, the City Council shall by majority vote of its total membership:
 - a. Approve the proposal by adopting an appropriate resolution or ordinance; or
 - b. Modify and approve the proposal by adopting an appropriate resolution or ordinance; or
 - c. Disapprove the proposal; or
 - d. Refer the proposal back to the Planning Commission for further proceedings. If this occurs, the City Council shall specify the time within which the Planning Commission shall report back to the City Council on the proposal.

160.90

Publication and Effect

1. Publication – If City Council adopts an ordinance, the City Clerk shall post or publish the ordinance as required by law.
2. Effect – Except as stated in KZC 160.95, the ordinance will be in effect from and after five days after it is posted or published as required by law.

160.95

Jurisdiction of the Houghton Community Council

1. General – If the City Council approves a resolution or ordinance within the disapproval jurisdiction of the Houghton Community Council, that ordinance is not effective within the Houghton Community until:
 - a. A majority of the entire membership of the Houghton Community Council votes to approve it; or

- b. The Houghton Community Council fails to disapprove it, by majority vote of the entire membership, within 60 days after City Council approves the resolution or ordinance.

PUBLICATION SUMMARY
OF ORDINANCE NO. 3975

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, PLANNING, AND LAND USE AND AMENDING THE PROCESS CHAPTERS 135, 140 AND 160 OF ORDINANCE 3719 AS AMENDED, THE KIRKLAND ZONING ORDINANCE (TITLE 23 OF THE KIRKLAND MUNICIPAL CODE) AS REQUIRED BY RCW 36.70A.130 TO ENSURE CONTINUED COMPLIANCE WITH THE GROWTH MANAGEMENT ACT, FILE NO. IV-02-1.

Section 1. Addresses issuance and distribution of the Draft and Final Environmental Impact Statement; consistency of the revised Kirkland Zoning Code with the King County Countywide Planning Policies, the Multicounty Planning Policies and the GMA; and transmittal of the revisions to the Zoning Code to the Washington State Department of Community, Trade and Economic Development at least 60 days prior to adoption.

Section 2. Amends the Kirkland Zoning Code as set forth in Attachment A.

Section 3. Addresses severability.

Section 4. Establishes that this ordinance will be effective within the disapproval jurisdiction of the Houghton community upon approval by the Houghton Community Council, or upon failure of said Community Council to disapprove this ordinance within 60 days of its passage.

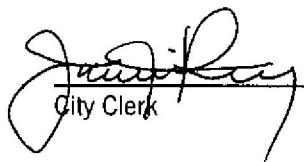
Section 5. Authorizes publication of the ordinance by summary, which summary is approved by the City Council pursuant to Section 1.08.017, Kirkland Municipal Code and establishes the effective date as five days after publication of said summary.

Section 6. 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 in open meeting on the 14th day of December, 2004.

I certify that the foregoing is a summary of Ordinance 3975 approved by the Kirkland City Council for summary publication.

Attest:



City Clerk