

ORDINANCE 4000

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO SIGHT DISTANCE AT INTERSECTIONS AND AMENDING KIRKLAND ZONING CODE SECTION 115.135 (FILE NO. ZON05-00012).

WHEREAS, the City Council has received a recommendation from the Kirkland Planning Commission to amend a section of the Kirkland Zoning Code, Ordinance 3719 as amended, all as set forth in that certain report and recommendation of the Planning Commission dated March 24, 2005, and bearing Kirkland Department of Planning and Community Development File No. ZON05-00012; and

WHEREAS, prior to making said recommendation, the Planning Commission, following notice thereof as required by RCW 35A.63.070, held a public hearing on March 24, 2005, concerning the amendment proposal; and

WHEREAS, pursuant to the State Environmental Policies Act, there has accompanied the legislative proposal and recommendation through the entire consideration process, an addendum to the Draft and Final Environmental Impact Statements for the 2004 Kirkland Comprehensive Plan and Zoning Code Amendments pursuant to WAC 197-11-600(4)(e), 197-11-706; and

WHEREAS, in regular public meeting the City Council considered the environmental document received from the responsible official, together with the report and recommendation of the Planning Commission.

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

Section 1. Subsection 115.135(1) of the Kirkland Zoning Code is hereby amended to read as follows:

115.135 Sight Distance at Intersections

1. General – This section establishes that areas around all intersections, including the entrance of driveways onto streets, must be kept clear of sight obstruction. The extent of these areas depends on a number of factors. ~~Listed in subsection (2) of this section are a number of types of intersections and the regulations applicable to each. Subsection (3) of this section establishes what may be in the area that is to be kept clear of sight obstructions. Refer to the Public Works Department's Pre-Approval Plan (operational policy standards) for the types of intersections and the regulations applicable to each intersection, and what may be in the area that is to be kept clear of sight obstructions.~~

Section 2. Subsection 115.135(2) of the Kirkland Zoning Code is hereby deleted:

Section 3. Subsection 115.135(3) of the Kirkland Zoning Code is hereby deleted:

Section 4. 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.

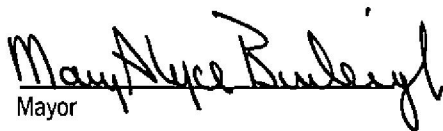
Section 5. Houghton Community Council: To the extent that the subject matter of this ordinance is subject to the disapproval jurisdiction of the Houghton Community Council as created by Ordinance 2001, said ordinance shall become effective within the Houghton community either upon approval of the Houghton Community Council, or upon failure of said Community Council to disapprove this ordinance within 60 days of its passage of this ordinance.

Section 6. Effective Date: Except as provided in Section 5, this ordinance shall be in full force and effect fourteen 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.

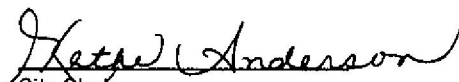
Section 7. Ordinance Copy: A complete copy of this ordinance shall be certified by the City Clerk, who shall then forward the certified copy to the King County Department of Assessments.

Passed by majority vote of the Kirkland City Council in open meeting this 4th day of October, 2005.


SIGNED IN AUTHENTICATION THEREOF this 4th day of October, 2005.

  
Mayor

Attest:

  
City Clerk

Approved as to Form:

  
City Attorney