

ORDINANCE NO. 4168

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO COMPREHENSIVE PLANNING AND LAND USE AND AMENDING THE COMPREHENSIVE PLAN, ORDINANCE 3481 AS AMENDED, AMENDING THE NE 85TH STREET SUBAREA PLAN POLICY NE-85-4.1B, AND APPROVING A SUMMARY FOR PUBLICATION, FILE NO. ZON07-00017

WHEREAS, the City Council has received a recommendation from the Kirkland Planning Commission to amend Policy NE85-4.1b of the Comprehensive Plan for the City, Ordinance 3481 as amended, all as set forth in the report and recommendation of the Planning Commission dated November 19, 2008, bearing Kirkland Department of Planning and Community Development File No. ZON07-00017; and

WHEREAS, prior to making said recommendation the Planning Commission, following notice thereof as required by RCW 35A.63.070, held on November 13, 2008, a public hearing, on the amendment proposals and considered the comments received at said hearing; and

WHEREAS, pursuant to the State Environmental Policy Act (SEPA), there has accompanied the legislative proposal and recommendation through the entire consideration process, a SEPA Addendum to the Existing Environmental Documents issued by the responsible official pursuant to WAC 197-11-600; and

WHEREAS, in regular public meeting the City Council considered the environmental documents received from the responsible official, together with the reports and recommendations of the Planning Commission at its regular public meeting on December 2, 2008; and

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

Section 1. Text amended: The following specific portions of the text of the Comprehensive Plan, Ordinance 3481 as amended, be hereby amended to read as follows:

Insert to Policy NE 85-4.1b: Area RH-1b:
Allow retail sale of fuel on the north side of NE 90th Street if ancillary to commercial development in RH 1A.

Section 2. 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.

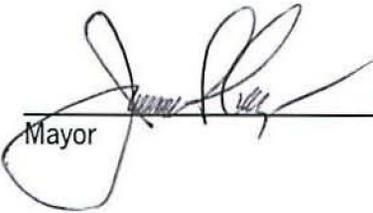
Section 3. This ordinance shall be in full force and effect five days from and after its passage by the City Council and publication pursuant to Kirkland Municipal Code 1.08.017, in the summary form

attached to the original of this ordinance and by this reference approved by the City Council as required by law.

Section 4. 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 16th day of December, 2008.

SIGNED IN AUTHENTICATION THEREOF this 16th day of December, 2008.



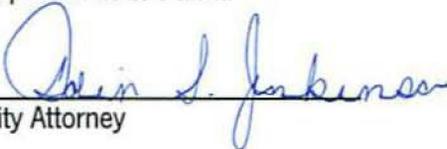
Mayor

Attest:



City Clerk

Approved as to Form:



City Attorney

PUBLICATION SUMMARY
OF ORDINANCE NO. 4168

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO COMPREHENSIVE PLANNING AND LAND USE AND AMENDING THE COMPREHENSIVE PLAN, ORDINANCE 3481 AS AMENDED, AMENDING THE NE 85TH STREET SUBAREA PLAN POLICY NE-85-4.1B, FILE NO. ZON07-00017.

SECTION 1. Amends the NE 85th Street Subarea Plan Chapter of the Comprehensive Plan Policy NE 85-4.1b to allow retail sale of fuel on the north side of NE 90th Street if ancillary to commercial development in RH 1a.

SECTION 2. Provides a severability clause for the ordinance.

SECTION 3. Authorizes publication of the ordinance by summary, which summary is approved by the City Council pursuant to Kirkland Municipal Code 1.08.017 and establishes the effective date as five days after publication of summary.

SECTION 4 Establishes certification by the 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 16th day of December, 2008.

I certify that the foregoing is a summary of Ordinance 4168 approved by the Kirkland City Council for summary publication.



City Clerk