

**ORDINANCE 4178**

**AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING AND LAND USE AND AMENDING THE CITY OF KIRKLAND ZONING MAP ORDINANCE NO. 3710, AS AMENDED, TO CONFORM TO THE COMPREHENSIVE PLAN AND TO ENSURE CONTINUED COMPLIANCE WITH THE GROWTH MANAGEMENT ACT, AND APPROVING A SUMMARY ORDINANCE FOR PUBLICATION, FILE NO. ZON08-00019.**

**WHEREAS, on October 21, 2008, the City Council passed Ordinance No. 4149 adopting interim regulations limiting the height of buildings with Central Business District (CBD) 1; and**

**WHEREAS, on October 21, 2008, the Kirkland City Council also passed Ordinance No. 4143, adopting an interim zoning regulation for the process by which amendments to the text of the Kirkland Zoning Code (KZC) initiated by the City Council for Central Business District Zone (CBD) 1, including KZC Ch. 142, Design Review, would be considered; and**

**WHEREAS, Ordinance No. 4143 recited that owing to the workload of the Planning Commission and the time sensitivity of the issues, it would be beneficial for the City Council conduct the review without receiving a recommendation and report from the Planning Commission; and**

**WHEREAS, Ordinance No. 4143 adopted findings and conclusions supporting its action adopting the interim regulation; and**

**WHEREAS, the City Council held study sessions on October 16, November 10, November 24, and December 16, 2008, to consider the issues, review solutions, and provide staff with draft regulations and guidelines; and**

**WHEREAS, at the request of the City Council, the Design Review Board held study sessions on November 17 and December 12, 2008, and January 5, 2009, to advise the City Council on Zoning Code and design issues; and**

**WHEREAS, on December 23, 2008, draft regulations were forwarded to the Washington State Department of Community, Trade and Economic Development, as required by RCW 36.70A.106, for expedited review; and**

**WHEREAS, in accordance with the State Environmental Policy Act (SEPA), a SEPA Addendum to Existing Environmental Documents issued by the responsible official as provided in WAC 197-11-600, has accompanied the legislative proposal through the consideration process; and**

**WHEREAS, on January 20, 2009, the City Council held a public hearing and considered the draft ordinance incorporating the Zoning Code amendments initiated by the City Council and the advice of the Design Review Board;**

**WHEREAS, the City Council identified a number of issues needing additional review and continued the public hearing to February 3 and again to February 17, 2009, for further Council consideration; and**

WHEREAS, the City Council continued the public hearing to March 3, 2009, to receive additional public comment;

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

Section 1. Map Amended. The official City of Kirkland Zoning Map as adopted by Ordinance No. 3710 is amended in accordance with Exhibit A attached to this ordinance.

Section 2. Official Map Change. The Director of the Department of Planning and Community Development is directed to amend the official City of Kirkland Zoning Map to conform with this ordinance, indicating thereon the date of the passage of the ordinance.

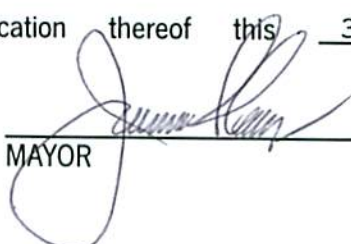
Section 3. Severability. If any section, subsection, sentence, clause, phrase, part or portion of this ordinance, including those parts adopted by reference, is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 4. Effective Date. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication, as required by law.

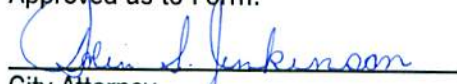
Section 5. Ordinance Copy. A complete copy of this ordinance shall be certified by the City Clerk, who shall then forward the certified copy to the King County Department of Assessments.

Passed by majority vote of the Kirkland City Council in open meeting this 3rd day of March, 2009.

Signed in authentication thereof this 3rd day of March, 2009.

  
\_\_\_\_\_  
MAYOR

Attest:  
  
\_\_\_\_\_  
City Clerk

Approved as to Form:  
  
\_\_\_\_\_  
City Attorney

PUBLICATION SUMMARY  
OF ORDINANCE NO. 4178

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING AND LAND USE AND AMENDING THE CITY OF KIRKLAND ZONING MAP ORDINANCE NO. 3710, AS AMENDED, TO CONFORM TO THE COMPREHENSIVE PLAN AND TO ENSURE CONTINUED COMPLIANCE WITH THE GROWTH MANAGEMENT ACT, AND APPROVING A SUMMARY ORDINANCE FOR PUBLICATION, FILE NO. ZON08-00019.

SECTION 1. Amends the Kirkland Zoning Code Map.

SECTION 2. Directs the Director of the Department of Planning and Community Development to amend the official City of Kirkland Zoning Map.

SECTION 3. Provides a severability clause for the ordinance.

SECTION 4. 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 summary.

SECTION 5. Directs the City Clerk to certify the Ordinance and forward 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 at its meeting on the 3rd day of March, 2009.

I certify that the foregoing is a summary of Ordinance 4178 approved by the Kirkland City Council for summary publication.

  
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City Clerk

