

ORDINANCE 4496

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, COMPREHENSIVE PLANNING, LAND USE, AND DESIGN REVIEW AND AMENDING CHAPTERS 10 AND 142 OF THE KIRKLAND ZONING CODE, ORDINANCE 3719, AS AMENDED; AND AMENDING KIRKLAND MUNICIPAL CODE CHAPTER 3.30, "DESIGN REVIEW BOARD," SECTION 3.30.040, "DESIGN GUIDELINES ADOPTED BY REFERENCE," AS REQUIRED BY RCW 36.70A.130 TO ENSURE CONTINUED COMPLIANCE WITH THE GROWTH MANAGEMENT ACT AND APPROVING A SUMMARY ORDINANCE FOR PUBLICATION, FILE NO. CAM13-00465.

1           WHEREAS, the Growth Management Act (GMA), specifically  
2 RCW 36.70A.130, mandates that the City of Kirkland take legislative  
3 action to review, and if needed, revise its Comprehensive Plan and  
4 development regulations to ensure continued compliance with GMA  
5 (also known as "periodic review"); and  
6

7           WHEREAS, the Kirkland Zoning Code and Kirkland Municipal  
8 Code contain development regulations which implement the  
9 Comprehensive Plan; and  
10

11           WHEREAS, the City has met the periodic review and update  
12 requirements under the GMA, RCW 36.70A.130; including a process for  
13 early and continuous public participation; and  
14

15           WHEREAS, the Planning Commission and Houghton Community  
16 Council, following notice as required by RCW 35A.63.070, held a joint  
17 public hearing on June 25, 2015, and the Planning Commission held an  
18 additional public hearing on August 13, 2015, and considered the  
19 comments received at the hearings; and  
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21           WHEREAS, public open houses were held before the public  
22 hearings on June 25, 2015, and August 13, 2015; and  
23

24           WHEREAS, the City Council has received a recommendation  
25 from the Kirkland Planning Commission for certain amendments to the  
26 Kirkland Zoning Code, and Kirkland Municipal Code, as set forth in the  
27 report and recommendation of the Planning Commission dated  
28 September 24, 2015, and bearing Kirkland Planning and Building  
29 Department File No. CAM13-00465; and  
30

31           WHEREAS, the City Council held a study session on October 6,  
32 2015, to consider the proposed amendments, the recommendation from  
33 the Planning Commission and public comments; and  
34

35           WHEREAS, pursuant to the State Environmental Policy Act  
36 (SEPA), there has accompanied the legislative proposal and  
37 recommendation through the entire consideration process, a scoped  
38 Environmental Impact Statement, issued by the Responsible Official;  
39 and

40 WHEREAS, in public meeting the City Council considered the  
41 environmental documents received from the Responsible Official,  
42 together with the recommendation from the Houghton Community  
43 Council and the report and recommendation of the Planning  
44 Commission.

45  
46 NOW, THEREFORE, the City Council of the City of Kirkland do  
47 ordain as follows:

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49 Section 1. The findings of fact included in Ordinance 4493,  
50 Section 1 are incorporated by reference.

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52 Section 2. The Kirkland Zoning Code, Ordinance 3719, as  
53 amended, is further amended as set forth in the following Exhibits 1 - 3  
54 attached to this Ordinance and incorporated by reference.

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56 Exhibit 1: Zoning Code Section 10.20 Map Incorporation,  
57 Corrections and Amendments

58 Exhibit 2: Zoning Code Section 10.35 Lake WA Zoning Boundary  
59 Interpretation

60 Exhibit 3. Zoning Code Section 142.25 Administrative Design  
61 Review and Section 142.35 Design Board Review (D.B.R.)  
62 Process

63  
64 Section 3. Chapter 3.30, Section 3.30.040, of the Kirkland  
65 Municipal Code, is amended as set forth in the following Exhibits 4 - 6  
66 attached to this Ordinance and incorporated by reference.

67  
68 Exhibit 4: Kirkland Municipal Code New Section 3.30.040(6)  
69 Design Guidelines Adopted by Reference – "Design Guidelines  
70 for Residential Development"

71 Exhibit 5: Kirkland Municipal Code Section 3.30.040(2) Design  
72 Guidelines for Rose Hill Business District

73 Exhibit 6 Kirkland Municipal Code Section 3.30.040(6) Design  
74 Guidelines for Residential Development

75  
76 Section 4. If any section, subsection, sentence, clause, phrase,  
77 part or portion of this Ordinance, including those parts adopted by  
78 reference, is for any reason held to be invalid or unconstitutional by any  
79 court of competent jurisdiction, such decision shall not affect the validity  
80 of the remaining portions of this Ordinance.

81  
82 Section 5. To the extent that the subject matter of this  
83 Ordinance is subject to the disapproval jurisdiction of the Houghton  
84 Community Council as created by Ordinance 2001, the Ordinance shall  
85 become effective within the Houghton community either upon approval  
86 of the Houghton Community Council, or upon failure of the Community  
87 Council to disapprove this Ordinance within 60 days of its passage.

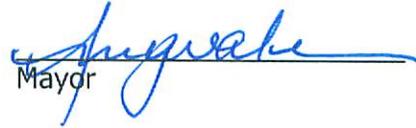
88  
89 Section 6. Except as provided in Section 5, this Ordinance shall  
90 be in full force and effect five days from and after its passage by the  
91 Kirkland City Council and publication, pursuant to Kirkland Municipal  
92 Code 1.08.017, in the summary form attached to the original of this

93 Ordinance and by this reference approved by the City Council, as  
94 required by law.

95  
96 Section 7. A complete copy of this Ordinance shall be certified  
97 by the City Clerk, who shall then forward the certified copy to the King  
98 County Department of Assessments.

99  
100 Passed by majority vote of the Kirkland City Council in open  
101 meeting this 8th day of December, 2015.

102  
103 Signed in authentication thereof this 8th day of December,  
104 2015.

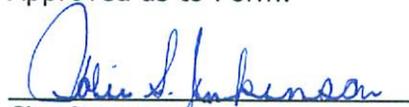
  
Mayor

Attest:

  
City Clerk

Approved as to Form:

Publication Date: December 14, 2015

  
City Attorney