

ORDINANCE O-4495

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO COMPREHENSIVE PLANNING, LAND USE, ZONING AND DESIGN REVIEW, AND AMENDING THE TOTEM LAKE NEIGHBORHOOD PLAN, TO BE TITLED THE TOTEM LAKE BUSINESS DISTRICT PLAN, OF THE COMPREHENSIVE PLAN, ORDINANCE 3481, AS AMENDED, AND AMENDING KIRKLAND MUNICIPAL CODE CHAPTER 3.30, "DESIGN REVIEW BOARD," SECTION 3.30.040, "DESIGN GUIDELINES ADOPTED BY REFERENCE," AND AMENDING CHAPTERS 10, 20, 55, 92, 95, 105, 110, 115, 142 AND 180 OF THE KIRKLAND ZONING CODE, ORDINANCE 3719, AS AMENDED, AND THE KIRKLAND ZONING MAP, ORDINANCE 3710, AS AMENDED, AS REQUIRED BY RCW 36.70A.130 TO ENSURE CONTINUED COMPLIANCE WITH THE GROWTH MANAGEMENT ACT AND APPROVING A SUMMARY FOR PUBLICATION, FILE NO. CAM13-00465.

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

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

WHEREAS, the amended Totem Lake Business District Plan satisfies the requirements for center plans for Regional Growth Centers established by the Puget Sound Regional Council, and the objectives for Urban Centers set forth in the 2012 King County Countywide Planning Policies; and

WHEREAS, the Planning Commission, following notice as required by RCW 35A.63.070, held a public hearing on August 13, 2015, on the Totem Lake Business District Plan and considered the comments received at the hearing; and

WHEREAS, a public open house was held before the public hearing on August 13, 2015; and

WHEREAS, the City Council has received a recommendation from the Kirkland Planning Commission for certain amendments to the Comprehensive Plan, the Municipal Code, the Zoning Code, and the Zoning Map, all related to the Totem Lake Business District Plan, as set forth in the reports and recommendations of the Planning Commission dated September 10, 2015, and bearing Kirkland Planning and Building Department File No. CAM13-00465; and

WHEREAS, the City Council held a study session on October 20, 2015, to consider the proposed amendments, the recommendation from the Planning Commission and public comments; and

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

WHEREAS, in public meeting the City Council considered the environmental documents received from the Responsible Official, together with the report and recommendation of the Planning Commission.

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

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

Section 2. Comprehensive Plan Text and Figures, Municipal Code and Zoning Code Text and Map amended: The Comprehensive Plan, Ordinance 3481, as amended, and Municipal Code, as amended, and Zoning Code, Ordinance 3719, as amended, and Zoning Map, Ordinance 3710, as amended, are further amended as set forth in the following Exhibits 1-3 attached to this Ordinance and incorporated by reference.

Exhibit 1: New Totem Lake Business District Plan replacing Totem Lake Neighborhood Plan

Exhibit 2: Zoning Code Chapters 10, 20, 55, 92, 95, 105, 110, 115, 142 and 180 and Municipal Code Section 3.30.040(3) Design Guidelines for Totem Lake Business District

Exhibit 3: Zoning Map

Section 3. The Director of the Department of Planning and Community Development is directed to amend the official City of Kirkland Zoning Map to conform to this Ordinance, indicating the date of passage.

Section 4. 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. 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 Section 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 6. 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 8th day of December, 2015.

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

Mayor

Attest:

City Clerk

Approved as to Form:

City Attorney