

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.

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 Kirkland Zoning Code and Kirkland Municipal Code contain development regulations which implement the Comprehensive Plan; 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 Planning Commission and Houghton Community Council, following notice as required by RCW 35A.63.070, held a joint public hearing on June 25, 2015, and the Planning Commission held an additional public hearing on August 13, 2015, and considered the comments received at the hearings; and

WHEREAS, public open houses were held before the public hearings on June 25, 2015, and August 13, 2015; and

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

WHEREAS, the City Council held a study session on October 6, 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 recommendation from the Houghton Community Council and 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. The Kirkland Zoning Code, Ordinance 3719, as amended, is further amended as set forth in the following Exhibits 1 - 3 attached to this Ordinance and incorporated by reference.

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

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

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

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

Exhibit 4: Kirkland Municipal Code New Section 3.30.040(6) Design Guidelines Adopted by Reference – “Design Guidelines for Residential Development”

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

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

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. 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, the Ordinance shall become effective within the Houghton community either upon approval of the Houghton Community Council, or upon failure of the Community Council to disapprove this Ordinance within 60 days of its passage.

Section 6. Except as provided in Section 5, this Ordinance shall be in full force and effect five days from and after its passage by the Kirkland 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 7. 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.

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Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to Form:

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City Attorney