

ORDINANCE O-4499

AN ORDINANCE OF THE CITY OF KIRKLAND FOR THE MRM AMENDMENT REQUEST, RELATING TO COMPREHENSIVE PLANNING, LAND USE AND ZONING, AND AMENDING THE KIRKLAND ZONING CODE, ORDINANCE 3719, 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. ZON11-00006 AND 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 Zoning Code 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 City Council has received a recommendation from the Kirkland Planning Commission for certain amendments to the Zoning Code, all related to the MRM proposal, as set forth in the report and recommendation of the Planning Commission dated September 10, 2015, and bearing Kirkland Planning and Building Department File No. ZON11-00006 and File No. CAM13-00465; and

WHEREAS, prior to making the recommendation the Planning Commission, following notice as required by RCW 35A.63.070, held a public hearing on June 25, 2015, to receive comments on the MRM proposal; and

WHEREAS, a public open house was held before the public hearing on June 25, 2015, and

WHEREAS, the City Council held study sessions on October 6, 2015, and October 20, 2015, to consider the proposed amendment, the recommendation from the Planning Commission and public comments, and

WHEREAS, pursuant to the State Environmental Policy Act (SEPA), a Supplemental Environmental Impact Statement and Addendum addressing the MRM Amendment Request and a scoped Environmental Impact Statement addressing the Comprehensive Plan were issued by the Responsible Official and have accompanied the MRM proposal through the entire consideration process; and

WHEREAS, in public meeting, the City Council considered the environmental documents received from the Responsible Official, together with the reports and recommendation of the Planning Commission on the MRM proposal; and

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. MRM Request - Zoning Code text amended: The Zoning Code, Ordinance 3719, as amended, is further amended as set forth in Exhibit 1 attached to this Ordinance and incorporated by reference.

Exhibit 1: Zoning Code CBD 5 regulations

Section 3. 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. 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 5. 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