

ORDINANCE O-4506

AN ORDINANCE OF THE CITY OF KIRKLAND FOR THE NELSON/CRUIKSHANK CITIZEN AMENDMENT REQUEST, RELATING TO COMPREHENSIVE PLANNING, LAND USE AND ZONING, AND AMENDING THE COMPREHENSIVE PLAN ORDINANCE 3481, AS AMENDED, 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, Zoning Code and official Zoning Map 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 Comprehensive Plan, the Zoning Code, and the Zoning Map, all related to the Nelson/Cruikshank Citizen Amendment Request (CAR) 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. 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 Citizen Amendment Request proposal; and

WHEREAS, the Planning Commission continued the public hearing to July 9, 2015, to receive comments, consider and deliberate upon the comments received at the hearings; and

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

WHEREAS, the City Council held public meetings on October 6, 2015, October 20, 2015, and November 4, 2015, to consider the proposed amendments, the recommendation from the Planning Commission and public comments, and

WHEREAS, pursuant to SEPA, a scoped Environmental Impact Statement addressing the CAR was issued by the Responsible Official and has accompanied the legislative proposal through the entire consideration process; and

WHEREAS, in public meetings the City Council considered the environmental documents received from the Responsible Official, together with the report and recommendation of the Planning Commission on the CAR; 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. Nelson/Cruikshank Citizen Amendment Request - Comprehensive Plan Map and Figure, and Zoning Code Text and Map amended: The Comprehensive Plan, Ordinance 3481, 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 1-4 attached to this Ordinance and incorporated by reference.

Exhibit 1: Comprehensive Plan Land Use Map

Exhibit 2: Moss Bay Neighborhood Plan

Exhibit 3: Zoning Code Definitions; Low Density Residential Zone; Medium Density Residential Zone; CBD 3 Zone and CBD 4 Zone regulations

Exhibit 4: Zoning Map

Section 3. Official Zoning Map Change: The Director of the Planning and Building Department 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