

ORDINANCE O-4870

1 AN ORDINANCE OF THE CITY OF KIRKLAND IMPOSING A  
2 MORATORIUM ON THE ACCEPTANCE OF APPLICATIONS FOR  
3 THE REVIEW AND/OR ISSUANCE OF BUILDING PERMITS WITHIN  
4 THE GOAT HILL AREA; DECLARING AN EMERGENCY AND  
5 ESTABLISHING AN IMMEDIATE EFFECTIVE DATE.  
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7 WHEREAS, the City Council has the authority to adopt  
8 development moratoria pursuant to RCW 35A.63.220, RCW  
9 36.70A.390, and KZC 135.30.1; and  
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11 WHEREAS, City Council can adopt such a moratorium for up to  
12 six months without prior notice and without a public hearing, provided  
13 that a public hearing is thereafter conducted within 60 days of adoption  
14 of the moratorium; and  
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16 WHEREAS, the City Council has significant concerns about  
17 development and growth on Goat Hill under current regulations in the  
18 context of the significant environmentally sensitive areas in Goat Hill and  
19 the existing infrastructure; and  
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21 WHEREAS, the City Council finds that unless the City acts  
22 immediately to preserve the status quo, there are likely to be adverse  
23 impacts on the City's infrastructure, the environment, and the  
24 community; and  
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26 WHEREAS, based on these and related concerns, the City  
27 Council requires additional time to review the City's development  
28 regulations and policies to ensure that any adverse impacts related to  
29 new growth and development in the unique area of Goat Hill are properly  
30 mitigated through current development regulations, that new  
31 development is consistent with the public health, safety and welfare, that  
32 the City's vision and goals are being met to the Council's satisfaction,  
33 and that any future development pays its fair share of the infrastructure  
34 improvement costs; and  
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36 WHEREAS, the City needs time to evaluate whether it should  
37 implement regulatory changes to regulate construction and  
38 development in the Goat Hill area, what those changes should be, and  
39 to bring any recommended changes to the City Council for  
40 consideration; and  
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42 WHEREAS, in the event the City determines that such regulatory  
43 changes should be made, implementing code amendments will require  
44 discussions and public hearings; and  
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46 WHEREAS, unless a moratorium on new development of  
47 dwelling units is adopted, additional dwelling unit applications could  
48 vest, thereby precluding the City from adopting meaningful land use and

49 construction alternatives that will protect the infrastructure and  
50 significant environmentally sensitive areas in Goat Hill; and

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52 WHEREAS, a moratorium will promote the public good and is  
53 necessary for the protection of public health, property, safety, and  
54 welfare. A public emergency exists requiring that the City's moratorium  
55 become effective immediately upon adoption.

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

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60 **Section 1. Imposition of a Moratorium.** A moratorium is  
61 imposed on the acceptance, processing, review, approval, and issuance  
62 of permit applications related to the construction of new dwelling units,  
63 including without limitation single-family dwelling units, apartments,  
64 accessory dwelling units, cottages, carriage homes, duplexes, and  
65 triplexes, in the Goat Hill area identified in KMC 24.02.065 – Goat Hill  
66 Boundary and Zoning Map 24.02.065.

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68 **Section 2. Duration of Moratorium.** This moratorium shall  
69 remain in effect for six months from the effective date of this ordinance  
70 unless terminated earlier as provided by law.

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72 **Section 3. Public Hearing Date.** A public hearing shall be held  
73 pursuant to RCW 35A.63.220 and RCW 36.70A.390 within 60 days of  
74 the issuance of this moratorium.

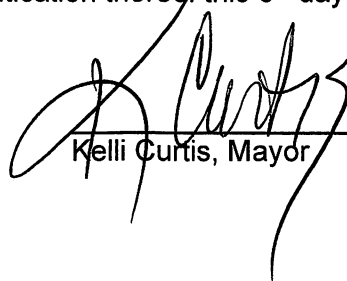
75  
76 **Section 4. Severability.** If any provision of this ordinance or its  
77 application to any person or circumstance is held invalid, the remainder  
78 of the ordinance or the application of the provision to other persons or  
79 circumstances is not affected.

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81 **Section 5. Effective Date.** This ordinance is hereby declared  
82 and designated a public emergency ordinance necessary for the  
83 protection of public health and safety and shall be effective immediately  
84 upon its passage by the City Council.

85  
86 **Section 6.** Publication shall be pursuant to KMC 1.08.017, in the  
87 summary form attached to the original of this ordinance and by this  
88 reference approved by the City Council.

89  
90 Passed by affirmative vote of at least 5 members of the Kirkland  
91 City Council in open meeting this 6th day of February, 2024.

92  
93 Signed in authentication thereof this 6<sup>th</sup> day of February, 2024.

  
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Kelli Curtis, Mayor

Attest:

Kathi Anderson  
Kathi Anderson, City Clerk

Approved as to Form:

Kevin Raymond  
Kevin Raymond, City Attorney