

AN ORDINANCE OF THE CITY OF KIRKLAND ADOPTING A COMPREHENSIVE PLAN AMENDMENT TO DESIGNATE LAND USE AND ESTABLISH POLICIES FOR A PORTION OF UNINCORPORATED KING COUNTY, INCLUDING THE AREA PROPOSED FOR ANNEXATION BY ROBERT COOK AND THE ADJACENT AREA LYING SOUTH OF N.E. 116TH STREET (File No. PA-81-61).

WHEREAS, annexation to the City of Kirkland of approximately 36 acres located in the vicinity of Juanita Bay has been proposed by Robert Cook, owner of over 10% of total assessed valuation of property within the proposed annexation area; and

WHEREAS, City Council Resolution No. R-2831 established that the area proposed for annexation if annexed would be subject to a "proposed zoning regulation"; and

WHEREAS, City Council Resolution No. R-2830 directed the Kirkland Planning Commission with the assistance of Department of Community Development to prepare "a Land Use Plan and Zoning Regulation to be consistent with and as an extension of the Kirkland Land Use Policies Plan ... and the Kirkland Zoning Ordinance" for "the area of unincorporated King County bounded on the south by N.E. 106th Street, on the east by 100th Avenue N.E., on the north by N.E. 116th Street, and on the west by Lake Washington."; and

WHEREAS, the Department of Community Development proposed to the Kirkland Planning Commission amendments to the Land Use Policies Plan for said unincorporated area; and

WHEREAS, a public hearing was held before the Kirkland Planning Commission on June 4, 1981 to consider the proposed amendments to the Land Use Policies Plan for said unincorporated area; and

WHEREAS, the Kirkland Planning Commission has transmitted to the Kirkland City Council recommended amendments to the Land Use Policies Plan for said unincorporated area as shown in Exhibits "EE", "FF" and "GG" of its Advisory Report (PA-81-61); and

WHEREAS, an Environmental Checklist was prepared and a Final Declaration of Non-Significance was issued by the Responsible Official pursuant to the requirements of the State Environmental Policy Act (RCW-43.21C and WAC Chapter 197-10) and Kirkland Ordinance No. 2319; and

WHEREAS, said environmental information and Final Declaration accompanied said proposed and recommended amendments to the Land Use Policies Plan and were available for consideration by the Kirkland Planning Commission and the Kirkland City Council during the entire review and consideration process.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Kirkland as follows:

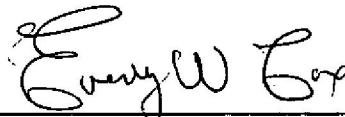
Section 1. The Neighborhood and Area Boundaries designated in Figure 38 on Page 354 of the Land Use Policies Plan shall be amended to conform to the designations in Attachment "A" attached hereto.

Section 2. The Land Use designated in Figure 39 on Page 355 of the Land Use Policies Plan shall be amended to include the land use designations shown in Attachment "B" attached hereto.

Section 3. The existing text on Page 407 of the Land Use Policies Plan shall be deleted and replaced with new text on pages 407 through 407D in accordance with Attachment "C" attached hereto.

Section 4. This Ordinance shall become effective five (5) days from and after its passage, approval and publication.

PASSED BY the City Council of the City of Kirkland and signed in authentication thereof by the Mayor at a regular meeting of said Council held this 20th day of July, 1981.




Mayor Pro Tem

ATTEST:



Director of Administration and Finance
Ex officio City Clerk

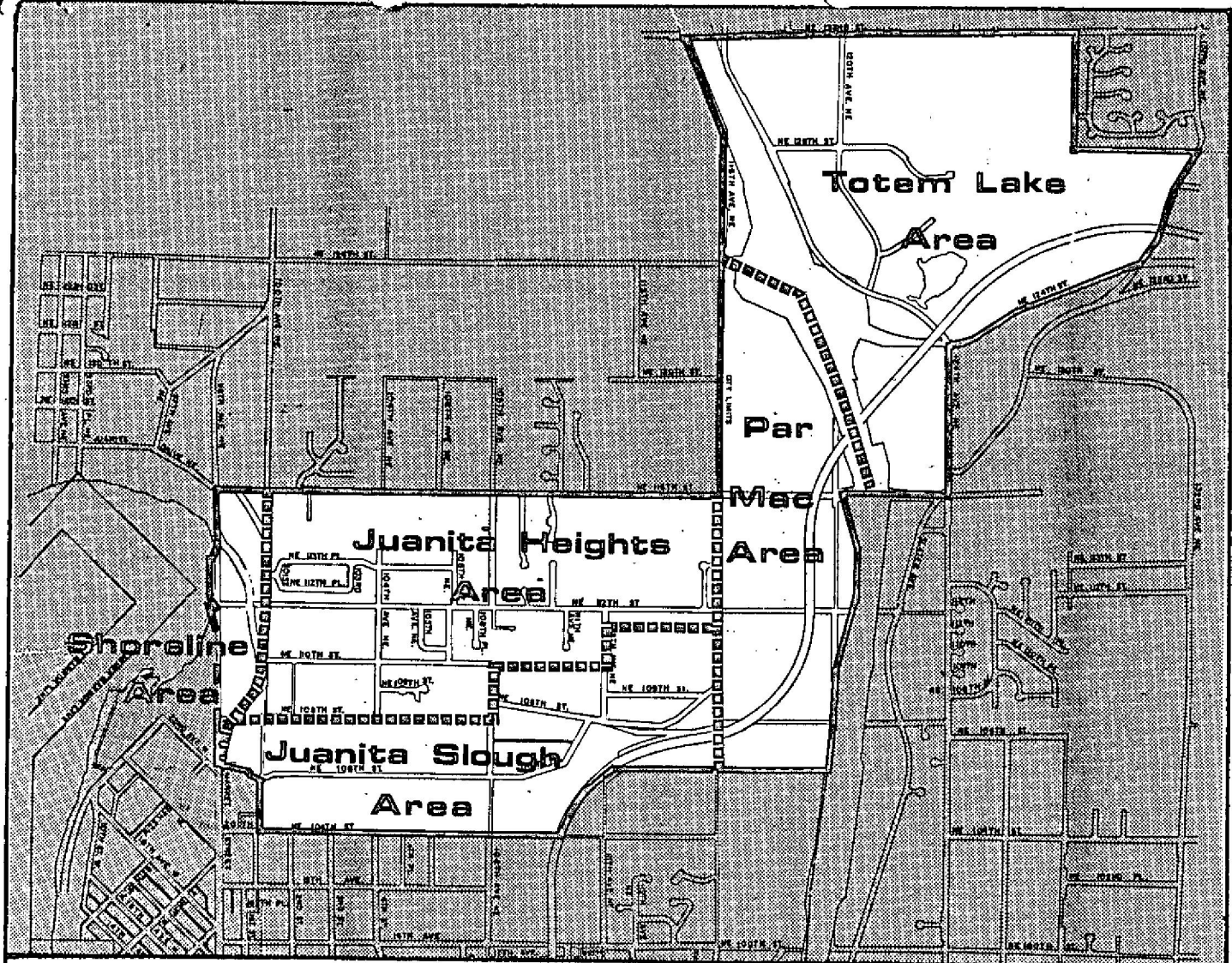
FORM APPROVED BY:





City Attorney

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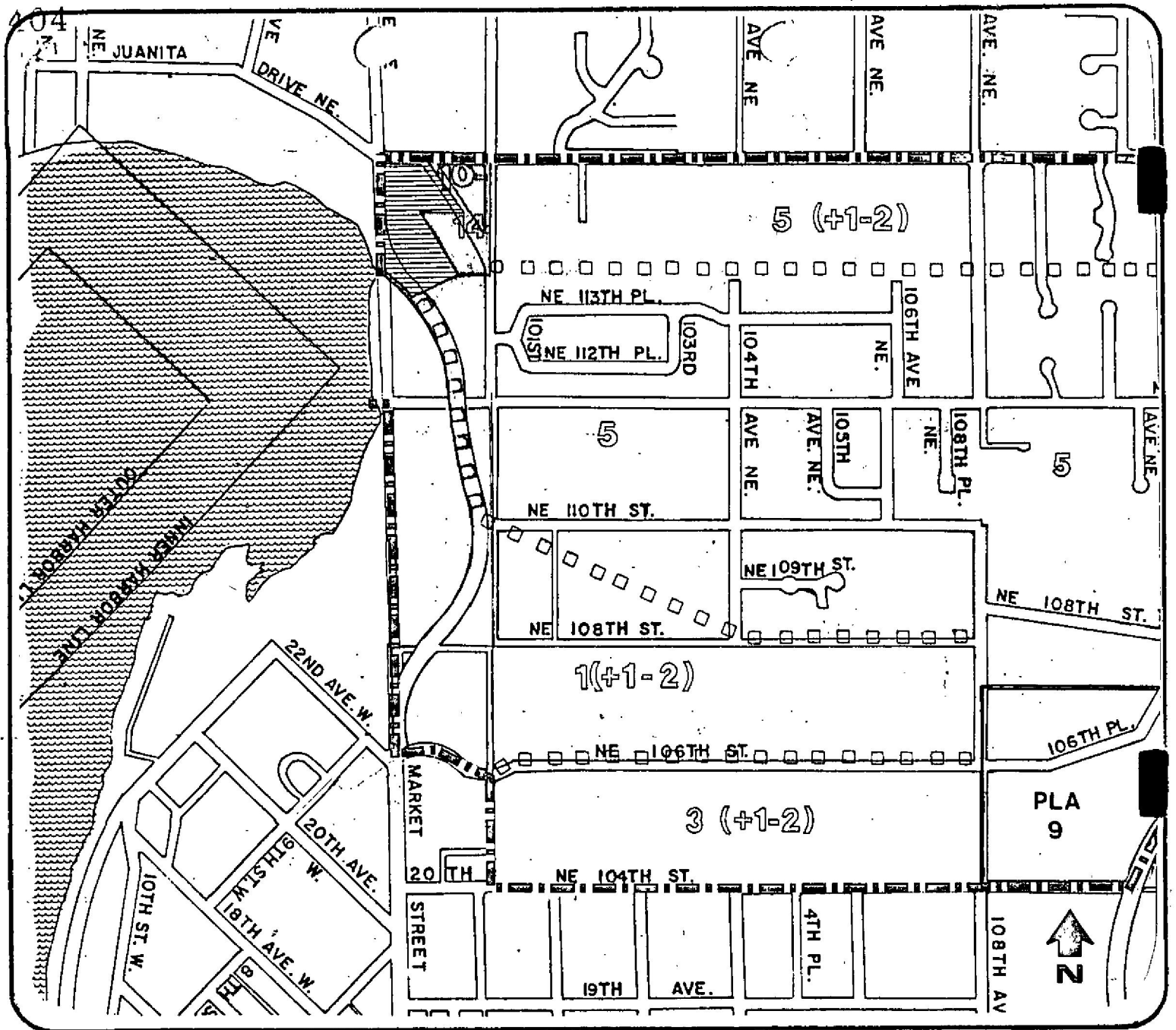
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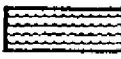


LEGEND

-  Neighborhood Boundary
-  Area Boundaries

ATTACHMENT "A"
 TO 0-
 AMENDED BOUNDARIES (REVISED)
 JUANITA/PARMAC/TOTEM LAKE



LEGEND

- | | | | |
|---|--|---|-----------------|
|  | Low Density Residential |  | Commercial |
|  | Medium and High Density Residential |  | Industrial |
|  | Maximum Density (in dwelling units/acre) |  | Bodies of water |
|  | Office/Multi-Family | | |
|  | Planned Area | | |

ATTACHMENT "B"
 TO O-
 AMENDED PLAN MAP (REVISED)
 JUANITA/PARMAC/TOTEM LAKE

JUANITA/PAR MAC/TOTEM LAKE SHORELINE AREA

~~According to State Department of Ecology designations, wetlands associated with Lake Washington extend beyond the normal two hundred foot limit up into Juanita Slough. These wetlands have been designated as a Conservancy Environment. As such, any development in this area will be subject to the provisions of the Shoreline Master Program. Future uses of this area are to conserve the unique and fragile characteristics of the area. Any proposed uses should provide public access to the shoreline.~~

~~The portion of the shoreline where the Juanita Golf Course is located has been defined as a Conservancy Environment in the Shoreline Master Program. This area contains wetlands associated with Lake Washington and is subject to drainage and uneven settlement problems (see Figure 41). Proposed development in this area must identify and mitigate problems related to differential settlement and drainage (see Natural Elements Policy 1.a.).~~

~~The Golf Course should remain as such, if possible, to help meet the growing recreational needs of the community. Park uses are also desirable at this location. If the Golf Course is redeveloped for residential use, clustered homes or common wall structures would be preferred to detached single family homes on individually subdivided lots. Overall density, however, should not exceed the density of nearby residential development (namely, up to three dwelling units per acre). Public access to and along the waterfront would also be required as part of cluster or common wall development.~~

~~The Shoreline area has been designated as a Conservancy Environment subject to special development standards.~~

~~Juanita Golf Course is a Conservancy Environment.~~

~~Uses recommended for the Golf Course are described.~~

ATTACHMENT "C"
TO O-
AMENDED TEXT (REVISED)
SHORELINE AREA

Introduction

The land area lying west of 100th Avenue N.E. is designated as the Shoreline Area. According to the State Department of Ecology, wetlands associated with Lake Washington extend beyond the normal 200 foot limit east and south of Juanita Bay. Most of the Shoreline Area west of 98th Avenue N.E. (relocated), therefore, is subject to the provisions of the Shoreline Management Act of 1971. Pursuant to this legislation, the City of Kirkland has adopted a Shoreline Master Program which contains goals, policies and land use regulations governing shoreline development. Land use within the associated wetlands must be consistent with the Master Program.

The specific land use designations for the Shoreline Area are illustrated in Figure 39. The designations are based on several factors including natural elements, adjacent uses, traffic patterns, land use inventories, public access, public services and other relevant concerns. For convenience, the following analysis of the Shoreline Area has been divided according to functional headings. The use of a particular piece of property is influenced by all applicable functional considerations (namely, natural elements, living environment, economic activities, open space and public services).

Natural Elements

Under the provisions of the Shoreline Master Program, the associated wetlands lying adjacent to Juanita Bay have been designated as a Conservancy Environment. This designation is intended to recognize and protect the unique and fragile physical characteristics of the wetlands. As such, shoreline development should maintain existing natural drainage, water quality, wetland vegetation and habitat areas (see also Natural Elements, Policy 2).

Kirkland's Shoreline Master Program applies to most of the Shoreline Area, including lands extending beyond the normal 200 feet limit.

Discussion of format for the analysis of the Shoreline Area.

In addition, development should be located and designed to provide protection from natural hazards. Figure 41 indicates areas subject to uneven settlement. Figure 40 indicates areas with potentially unstable slopes. Construction in or adjacent to these environmentally sensitive areas may cause or be subject to, settling, landslides, erosion, drainage or other problems. In order to ensure that shoreline developments are adequately protected from such natural hazards, every development should be subject to a thorough soils and geologic stability analysis, with development regulated accordingly (see Natural Elements Policies 1.a., 1.b. and 3.a.).

The unique and fragile characteristics of the wetland should be protected.

Living Environment

Under the provisions of the Shoreline Master Program, the preferred use of the Conservancy Environment would be as open space or a passive park (see Open Space/Parks below). Alternatively, however, low density residential uses which maintain the natural character of the wetlands are also permitted. Residential density within the Shoreline Area west of 98th Avenue N.E. (relocated), therefore, should be limited to one dwelling unit per acre, with up to three dwelling units per acre permitted if the following conditions are met:

Development should be located and designed to provide protection from natural hazards.

- (1) Development should be subject to discretionary review by obtaining approval of a Planned Unit Development.
- (2) Detached dwelling units distributed throughout the wetlands should not be permitted. Instead, dwelling units should be clustered outside of the wetlands on firm dry ground.
- (3) Development approval should be contingent upon the preparation of a soils and geologic stability analysis which demonstrates that

development will not cause or be subject to uneven settlement, landslides, erosion or slippage.

- (4) Existing watercourses, natural drainage, and natural wetland vegetation should be maintained.
- (5) In order to maintain compatibility with surrounding development, the height of all structures adjacent to any area designated for single family residential use should not exceed 25 feet. The height of all other structures should not exceed 30 feet.
- (6) Structures and parking areas should be setback and buffered from adjacent areas designated for single family residential use.
- (7) Direct access to 98th Avenue N.E. (relocated) should be limited. The preferable point of access would be in conjunction with the old Juanita golf course, at such time as it is developed, from Market Street at 22nd Avenue West (unimproved) where traffic movement can be coordinated with the movement to and from N.E. 106th Street. All developments should be subject to a traffic analysis, and where off-site improvements are determined to be necessary to accommodate anticipated traffic, contributions for such improvements should be required.
- (8) Public access should be provided to and along the waterfront. Development of such access should not disrupt the natural drainage and characteristics of the wetlands.
- (9) Development should be landscaped and designed to enhance the Juanita wetlands as an entrance to the City and as a natural open space separation between neighborhoods.

East of 98th Avenue N.E. (relocated), residential development is designated as shown in Figure 39 on Page 355. Low density residential development at 4 to 5 dwelling units per acre is appropriate in the area directly north of NE 112th Street. South of NE 116th Street and east of the commercial development associated with the Juanita Business District, residential development should be medium density at 10 to 14 dwelling units per acre.

ECONOMIC ACTIVITIES

The only Economic Activities appropriate in the Shoreline Area are in the northern portion, lying east of 98th Avenue NE and oriented to the Juanita Business District. This commercial area is identified as Juanita Village and is discussed on pages 439 through 442. The policies listed in the Economic Activities Chapter on pages 91 through 98 should also guide the development of this business area.

At some future date it may be appropriate to do a more comprehensive study and evaluation of the entire Juanita Village District. This could follow the precedent set in the Central Business District with the 1975 Economic and Design Evaluation which led to the subsequent adoption of the CBD Master Plan, both of which, in turn, contributed to a number of public and private programs and projects. The appropriate time for such an effort would most likely be when the City's jurisdiction and commitment of resources are made more imminent by the annexation of a substantial portion of the area.

Open Space/Parks

The shoreline represents a unique feature of the natural environment. It provides opportunities for active and passive recreation as well as significant visual open space. Under the provisions of the Shoreline Master Program, the preferred use of the Conservancy Environment would be for

Low density residential development permitted subject to standards.

open space or a passive park. In 1976, Kirkland voters approved the sale of bonds to purchase the old Juanita golf course, lying to the west of the Juanita Shoreline Area, in order to ensure its continued availability for public use. Although acquisition of the golf course to date has not been possible, other wetland properties within the Juanita Shoreline Area recently have been acquired. Accordingly, the City should continue to pursue acquisition of as much of the Juanita Bay wetlands as available funds permit. In accordance with the Shoreline Master Program, public use of the wetlands should be passive in nature and protect the natural wetland characteristics. Any residential development in the Shoreline Area west of 98th Avenue NE (relocated) should provide public access to and along the waterfront and maintain the natural characteristics and open space of the wetlands to the greatest extent possible. In addition, exclusive pedestrian and bicycle access to the old 98th Avenue bridge should be maintained.

Public Services/Facilities

The impact of automobiles generated by shoreline developments is a major concern. The Shoreline Area is bisected by 98th Avenue N.E. (relocated), a designated major arterial, which serves as an extension of Market Street. Traffic volumes and speeds and limited site distances on 98th Avenue N.E. are such that direct access to the Shoreline Area from this arterial would be extremely problematic and should be limited. West of 98th Avenue NE (relocated), the preferable point of access is in conjunction with the old Juanita golf course, at such time as it is developed, from Market Street at 22nd Avenue West (unimproved). This location is desirable since traffic movement could be controlled and coordinated with traffic movement to and from N.E. 106th Street, east of Market Street.

The preferred use of the Shoreline Area is for open space or a passive park. Public access to and along the waterfront should be provided.

Much of the Shoreline Area does not have any water, sewer, or drainage facilities. Prior to the occupancy of new developments, such facilities should be extended to meet the requirements of the designated land use. Septic tanks are prohibited (see Public Services/Facilities: Water/Sewage Systems Policy 1.a.).

The path/trail system shown in Figure 42 indicates only the major elements of the system. A public access trail to and along the Lake is a priority element which would serve both transportation and recreation functions. In this regard, exclusive use of the old 98th Avenue N.E. bridge for pedestrian and bicycle use should be maintained.

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Access to the Shoreline Area should be provided from Market Street at 22nd Avenue West (unimproved).

Adequate water and sewer facilities prior to occupancy should be provided.

Bicycle/pedestrian pathways are discussed.

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Ord. 2608