

ORDINANCE NO. 2865

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO COMPREHENSIVE PLANNING AND LAND USE AND AMENDING THE LAND USE POLICIES PLAN (COMPREHENSIVE PLAN) ORDINANCE 2346 AS AMENDED.

Whereas, the City Council has received from the Kirkland Planning Commission a recommendation to amend certain portions of the Land Use Policies Plan (Comprehensive Plan) for the City, Ordinance 2346 as amended, all as set forth in that certain report and recommendation of the Planning Commission dated April 8, 1985 and bearing Kirkland Department of Planning and Community Development File No. IV-84-68; and

Whereas, prior to making said recommendation the Planning Commission, following notice thereof as required by RCW 35A.63.070, held on April 4, 1985, a public hearing on the amendment proposals and considered the comments received at said hearing (as well as the recommendations made by the Houghton Community Council); and

Whereas, pursuant to the State Environmental Policies Act there has accompanied the legislative proposal and recommendation through the entire consideration process, a final declaration of non-significance (including supporting environmental documents) issued by the responsible official pursuant to WAC 197-11-340 and WAC 197-11-390; and

Whereas, in regular public meeting the City Council considered the report and recommendation of the Planning Commission, now, therefore,

Be it ordained by the City Council of the City of Kirkland as follows:

Section 1. Text amended: The following specific portions of the text of the Natural Environment Chapter of the Land Use Policies Plan, Ordinance 2346 as amended, be and they hereby are amended as set forth in Exhibit 1, attached to this ordinance and by this reference incorporated herein.

Section 2. Graphics amended: The following graphics or figures appearing on the identified pages of the Land Use Policies Plan, Ordinance 2346 as amended, be and they hereby are deleted as set forth in Exhibits 2 and 3 attached to this ordinance and by this reference incorporated herein.

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

Section 5. Except as provided in Section 4, this ordinance shall be in full force and effect five days from and after its passage by the City Council and publication or posting as required by law.

Passed by majority vote of the Kirkland City Council in regular, open meeting this 6th day of May 1985.

Signed in authentication thereof this 6th day of May, 1985.

Loris Cooper
MAYOR

ATTEST:

Tom J. Aderson
Director of Administration & Finance
(ex officio City Clerk)

APPROVED AS TO FORM:

Sail Bond
Acting City Attorney

CERTIFICATION OF POSTING

I hereby certify under penalty of perjury that the foregoing ordinance was posted on the 8th day of May, 1985 in accordance with the provisions of RCW 35A.12.160 and City of Kirkland Ordinance No. 2600.

Janice [Signature]
Clerk

9424B/131A

POLICIES

DISCUSSION

Policy 4.5

Protected greenbelts should be established to preserve existing natural vegetation.

Natural vegetation should be preserved on steep hillsides, along stream banks and where visual buffers between uses or activities are desirable. Natural vegetation on hillsides and along stream banks helps to maintain the stability of the soil, prevent erosion and intercept rainfall before it becomes surface runoff. Such vegetation also accentuates natural topography, contributes to scenic landscapes, provides habitat for wildlife, and creates a sense of visual unity for neighborhoods and the community.

Natural vegetation also provides buffers between incompatible uses and activities. Maintenance of such vegetation is a particularly effective way of minimizing the visual intrusion of new development into nearby less intensively developed areas.

One effective mechanism to protect natural vegetation is to record a greenbelt easement that runs as a covenant with the land. Recorded greenbelt easements alert property owners and potential property owners of the presence of a protected greenbelt area, thus helping prevent unauthorized destruction or removal of vegetation.

Policy 4.56

Site restoration should be required if land surface modification violates adopted policy or development does not ensue within a reasonable period of time.

Land surface modifications that violate the intent of the Goals and Policies should be corrected through site restoration. Developers should be required to restore the affected sites to a state which approximates the conditions that existed prior to the unwarranted modification. At

the very least, developers should be required to restore the site to a safe condition and revegetate areas where vegetation has been removed. To implement this Policy, a bond may be required in conjunction with the issuance of a grading permit.

Policy 4.67

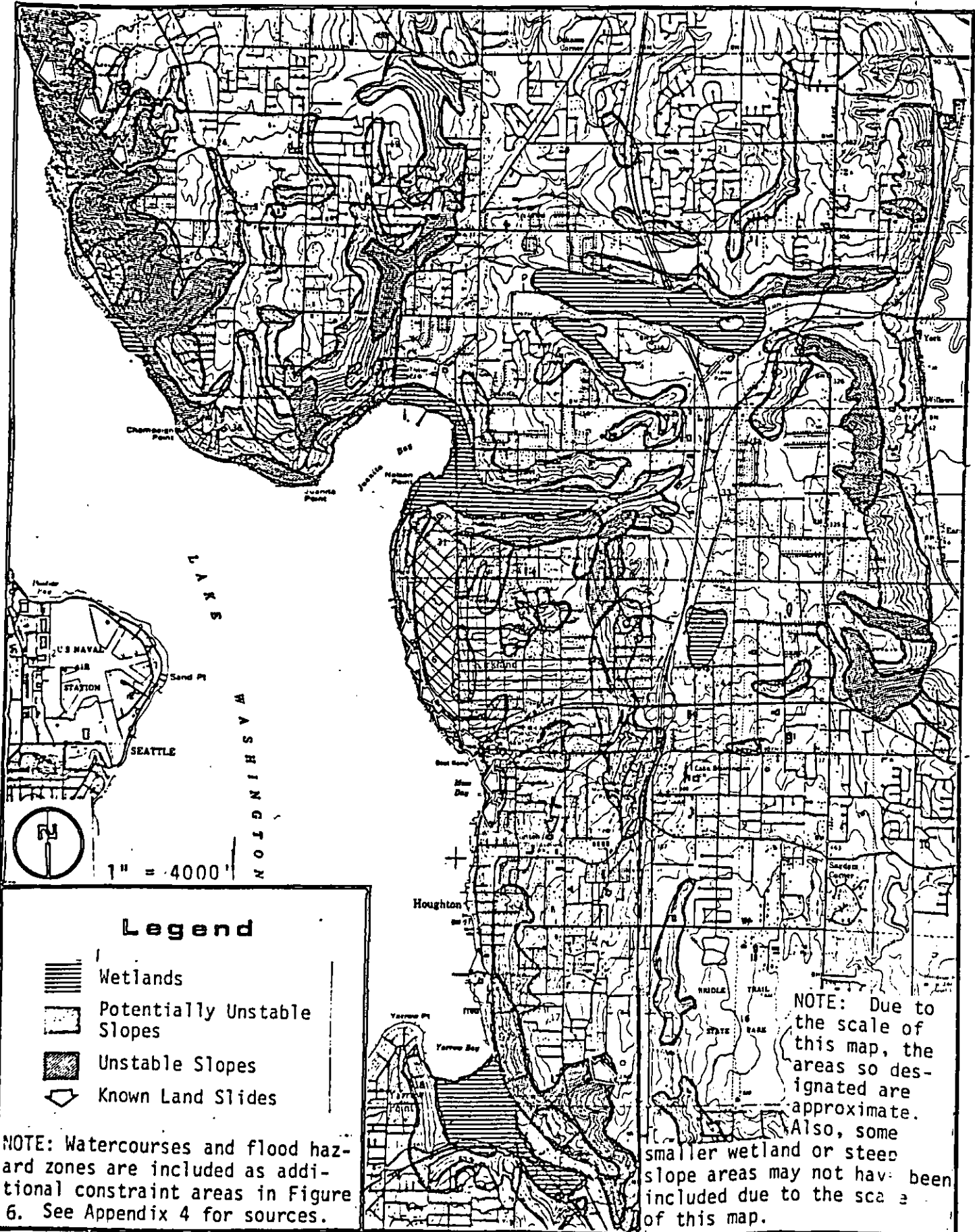
Commercial or governmental extraction of natural resources should be prohibited unless such operations are incidental to and necessary for other types of approved site development, and do not damage the natural environment.

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Kirkland has relatively few resource deposits of commercial significance, except for the possibility of peat and gravel. In the few cases where peat or gravel extraction may be profitable, removal of these materials is not desirable because: (1) residential development has already occurred in the area; or (2) extraction would have significant adverse effects on the natural environment.

Past experience indicates that extraction operations near residential neighborhoods interfere with the rights of residents to enjoy the clean, quiet privacy of their homes. This Policy does not prohibit owners of resource deposits from profitably using their land. Rather, it restricts owners of such land to uses which are compatible with desired community interests, and would not cause damage to the natural environment. This Policy is also intended to prohibit the creation of borrow pits.

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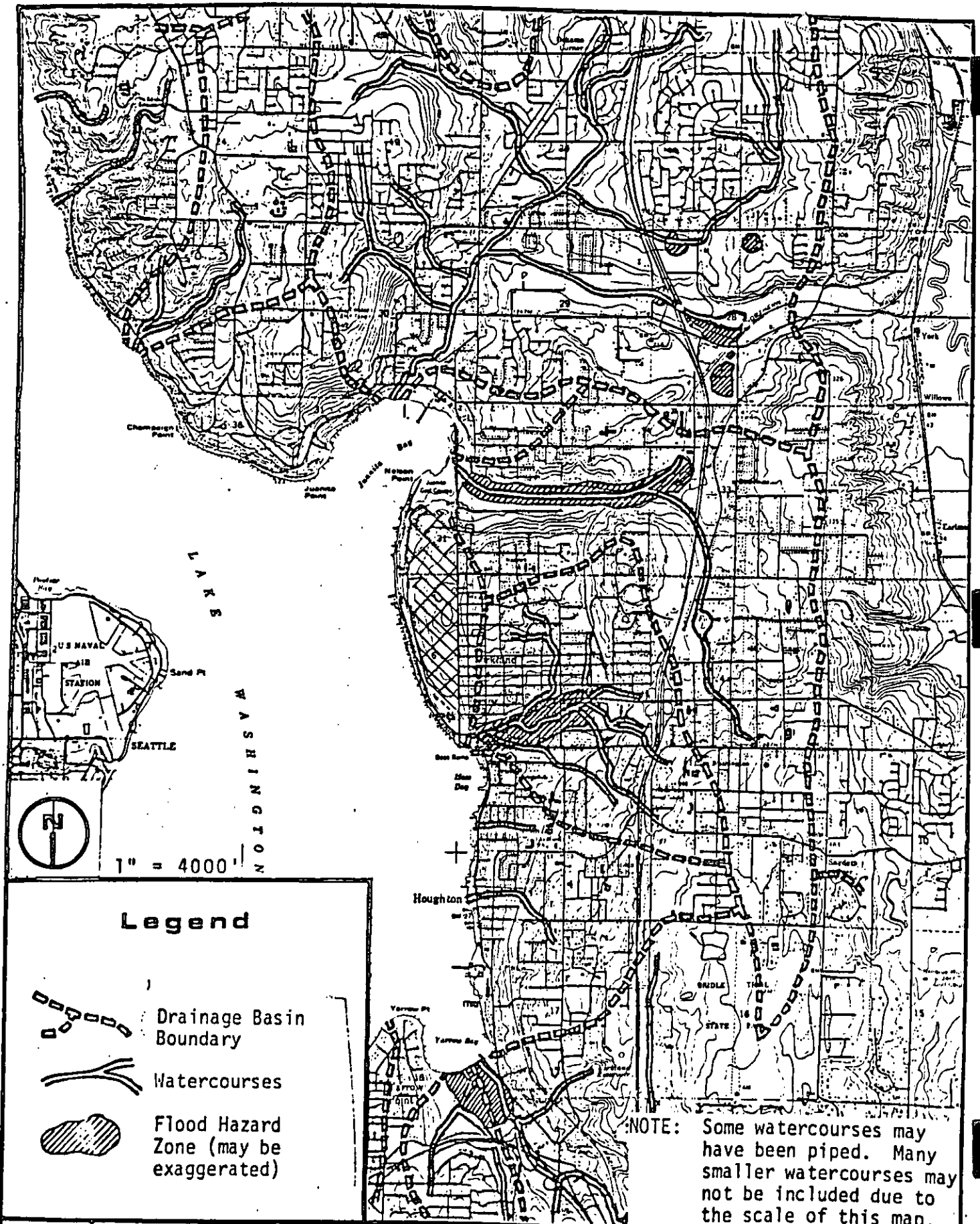


FIGURE 4

DRAINAGE BASINS AND WATERCOURSES