

ORDINANCE NO. 2958

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO LAND USE AND AMENDING THE ZONING MAP OF THE CITY OF KIRKLAND AS ADOPTED BY ORDINANCE NO. 2740 (FILE NO. IIB-86-22).

WHEREAS, there has heretofore been filed with the City of Kirkland an application for amendment to the official Zoning Map of the City of Kirkland as adopted by Ordinance No. 2740; and

WHEREAS, the application has been submitted to the Kirkland Hearing Examiner who held public hearing thereon at his regular meeting on May 8th, 1986; and

WHEREAS, pursuant to the State Environmental Policy Act, RCW 43.21C and the Administrative Guideline and local ordinance adopted to implement it, an environmental checklist has been submitted to the City of Kirkland, reviewed by the responsible official of the City of Kirkland, and a negative determination reached; and

WHEREAS, said environmental checklist and determination have been available and accompanied the application throughout the entire review process; and

WHEREAS, the Kirkland Hearing Examiner, after public hearing and consideration of the recommendations of the Department of Planning and Community Development, did adopt certain Findings, Conclusions and Recommendations, and did recommend approval of the proposed rezone; and

WHEREAS, thereafter the Kirkland City Council, in regular public meeting, did consider the environmental documents received from the responsible official, together with the report and recommendations of the Hearing Examiner, as well as a timely filed challenge of said recommendation.

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

Section 1. The Findings, Conclusions and Recommendations of the Kirkland Hearing Examiner, except for Conclusion A and Recommendation C.1, as signed by him and filed in Department of Planning and Community Development File No. IIB-86-22 are hereby adopted by the Kirkland City Council as though fully set forth herein.

Section 2. As a substitute for Hearing Examiner Conclusion A; Conclusion A, except the incorporation of Department of Planning and Community Development Conclusion D.6.

Section 3. In addition to the conditions of approval recommended by the Hearing Examiner, the following conditions shall apply:

1. Prior to issuance of a building permit, the applicant shall submit for approval by the Building Department a plan prepared by a professional engineer, setting forth proposed land surface modification, construction, and landscaping on all slopes greater than 15 percent.
2. All development activity on slopes greater than 15 percent on the subject property be undertaken as set forth in the plan and under the supervision of a professional engineer.
3. The applicant shall place no structure on the property closer than 20 feet from the eastern property line.
4. Prior to and during construction on the subject property all significant trees shall be retained, except for the 18-inch and 24-inch maple trees and the 24-inch Douglas Fir tree indicated to be removed on the map attached to the applicant's letter of challenge.

Section 4. The real property within the City of Kirkland described as follows is hereby reclassified (rezoned) from RS 12.5 to RS 8.5:

Legal Description:

Lot 14 except the west 40 feet thereof, and all of Lots 15 and 16 in Block 155 Burke Farrar's Division #30, as per Plat recorded in Volume 25 of Plats, Page 24, Records of King County; together with Portion vacated alley adjoining.

Section 5. The Director of the Department of Planning and Community Development is directed to amend the official Kirkland Zoning Map to conform with this Ordinance, indicating thereon the date of the adoption of this Ordinance and its identifying number. Copies of this Ordinance shall be filed with the Department of Planning and Community Development and the office of Director of Administration and Finance (ex officio City Clerk).

Section 6. Notwithstanding any recommendations heretofore given by the Houghton Community Council, the subject matter of this ordinance and the Rezone herein granted are, pursuant to Ordinance 2001, subject to the disapproval jurisdiction of the Houghton Community Council, and therefore, this ordinance shall become effective only upon approval of the Houghton Community Council or the failure of said Community Council to disapprove this ordinance within 60 days of the date of the passage of this ordinance.

Section 7. Except as provided in Section 4, this Ordinance shall be in full force and effect five days from and after its passage by the Kirkland City Council and publication, as required by law.

PASSED by the Kirkland City Council in regular meeting on the 16th day of June, 1986.

SIGNED IN AUTHENTICATION thereof on the 16th day of June, 1986.

Doreen Cooper
MAYOR

ATTEST:
[Signature]
Director of Administration & Finance
(ex officio City Clerk)

APPROVED AS TO FORM:
[Signature]
City Attorney

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