

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 not 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 Kirkland Planning Department dated October 19, 1988, and bearing Kirkland Department of Planning and Community Development File No. IV-87-105; and

Whereas, prior to making said recommendation the Planning Commission, following notice thereof as required by RCW 35A.63.070, held on October 27, 1988 and November 3, 1988, public hearings on the amendment proposals and considered the comments received at said hearings; and

Whereas, pursuant to the State Environmental Policies Act there has accompanied the legislative proposal and recommendation through the entire consideration process, an addendum to the Final Environmental Impact Statement, issued September 2, 1988, 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 environmental documents received from the responsible official, together with the report and recommendation of the Planning Commission, as well as a timely filed challenge of said recommendation; and

Whereas, the City Council determined certain amendments to the Comprehensive Plan are appropriate, notwithstanding the 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 contained on pages L-10 and L-11 of the Land Use Policies Plan, Ordinance 2346 as amended, be and they hereby are amended to read as follows:

PLA 2 contains the bulk of the Yarrow Bay Wetlands identified as a Conservancy Environment in the Shoreline Master Program as well as the upland area which is outside the shoreline boundary.

Under the umbrella of these shoreline policies, the preferred use of this the land defined as a

Conservancy Environment would be as open space or a passive park area. Additional policies indicate that the wetlands, as an area of aesthetic, biological, educational and anthropological value, should be preserved as such. In 1987, the majority of the wetlands area was dedicated to the City of Kirkland to ensure protection.

The wetlands have also been identified as an area subject to uneven settlement problems. If development does occur in the wetlands or the remaining area not discussed below, densities should be extremely limited (1 to 3 dwelling units per acre). Any development should undertake methods to prevent methane entrapment and settling of both structure and utilities systems.

The preferred use of the uplands portion of PLA 2, outside the shoreline boundary and adjacent to or with direct access to Points Drive, would be high density multifamily development (up to 12 dwelling units per acre), and up to six additional units per acre where such additional units per acre are dedicated to low-income senior housing. The uplands portion of PLA 2, adjacent to Points Drive provides an excellent opportunity for high-density residential because of it's close proximity to an employment center, access to transit facilities, and it's separation from adjacent low-density residential development. Such development should be designed to maintain adequate setbacks from the wetlands and to prevent settling of both structures and utility systems.

Section 2. 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 3. 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 4. Except as provided in Section 3, this ordinance shall be in full force and effect five days from and after its passage by the City Council and publication, as required by law.

Passed by majority vote of the Kirkland City Council in regular, open meeting this 17th day January, 1989.

Signed in authentication thereof this 17th day of January, 1989.

Toria Cooper
Mayor

ATTEST:

Jane Leary
City Clerk

APPROVED AS TO FORM:

[Signature]
City Attorney

0-3140-2.JAN