

RESOLUTION NO. R 2378

A RESOLUTION OF THE KIRKLAND CITY COUNCIL MODIFYING THE INTERIM LAND USE POLICY ADOPTED BY RESOLUTION NO. R-2249 AS AMENDED TO REFLECT LAND USE POLICIES EMERGING FROM THE STUDIES AND DELIBERATIONS OF THE LAND USE POLICY PLAN COMMISSION AND AMENDING RESOLUTION NO. R2249.

WHEREAS, the Comprehensive Plans still in existence for the City of Kirkland and the Houghton Community were adopted by the former Cities of Houghton and Kirkland prior to their consolidation and prior to the enactment of the Washington State Environmental Policy Act and City of Kirkland Resolution No. R-2181 relating to environmental policy, and

WHEREAS, it is necessary, as well as required by the State Environmental Policy Act to review the land use plans and planning processes of the City of Kirkland to assure that the land use plan, its goals and policies are consistent with the mandate of the Environmental Policy Act and the currently held values of the total community, and

WHEREAS, it is clear that the comprehensive plans and in some instances, present zoning for the former Cities of Kirkland and Houghton no longer entirely reflect currently held values of the community, its legislative body or the currently recognized state of the art of planning and community development, and

WHEREAS, after considerable study and deliberation by the Land Use Policy Plan Commission an emerging land use policies plan is being formulated based on current factors reflecting the present state of the art and the State Environmental Policy Act, and

WHEREAS, it is evident in some areas of the City in which predominant actual land use is inconsistent with existing zoning that some or all of the uses allowable under existing zoning may be detrimental to the best interest of the community and the policy and goals of the emerging land use policy plan, and

WHEREAS, said emerging land use policies establish the necessity for certain modifications in the interim land use policy adopted by Resolution No. R-2249,

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

Section 1. Section 2 of Resolution No. R-2249 as heretofore amended, be and it hereby is amended to read as follows:

"Section 2. The City Council further finds that such plans and in some instances present zoning are not related to clearly established goals and objectives for community development, nor is there present consensus or understanding about the consequences of the development actions based upon such plans."

Section 2. Section 4 of Resolution No. R-2249 as heretofore amended be and it hereby is amended to read as follows:

"Section 4. The City Council further declares that until such time as a new land use policy plan can be prepared and adopted, with the exception of the more recently adopted plans for the Totem Lake Annexation area and the Kirkland shoreline subject to the Shoreline Management Act, the following actions are found to be those which current land use plans do not adequately address with standards and criteria. There is not sufficient understanding and consensus of the consequences of such actions upon present community values and future goals and resources. Therefore, the City Council directs that no application requesting any of the following actions shall be accepted or processed by the city until completion and adoption of a new land use policy plan:

- "A. Single Family residential land use density increases greater than one increment and all changes increasing multi-family densities as found in the density classifications of Kirkland Zoning Ordinance No. 2181 as amended.
- "B. Land use changes.
- "C. Comprehensive Plan amendments.
- "D. Planned Unit Developments in areas zoned single family which propose an increase in density in excess of 10% of the underlying zone, or such Planned Unit Development where its bulk or character is inconsistent with an existing surrounding single family neighborhood.

"E. Those land use actions which, subsequent to the preparation of an Environmental Assessment or Environmental Impact Statement pursuant to the State Environmental Policy Act are found by the City Council to be:

"1. Precedent setting.

"2. Proposals where environmental effects are singularly insignificant, but many similar actions could have a sizable cumulative negative environmental effect.

"F. Proposals for land modifications as defined in the Uniform Building Code as amended or development actions which are located in a geographical area identified as a Class 2 or Class 3 slope as contained in the Hazardous Slope Map as provided in Resolution No. R-2241, unless such land modification is consistent with the land modification procedures of the Uniform Building Code, Ordinance No. 2193 as amended, and where located in a geographical area identified as a Class 2 or Class 3 slope, a geologic analysis prepared by a licensed professional soil engineer or engineering geologist has been submitted and approved pursuant to procedures of the Department of Community Development.

"G. Proposals for development actions which are served by inadequate water, sewer or storm drainage or transportation systems as determined by the Public Service Department and Department of Community Development, unless such action proposes the improvement of any deficient system to minimum City standards and at the expense of the private sponsor.

"H. Development actions including building permits where new development even though consistent with existing zoning would be severely detrimental in terms of the emerging land use policies plan.

For the purposes of this subsection, "severely detrimental" means those development actions where the emerging land use policy plan defines a different use than the uses permitted under

existing zoning. In addition to other actions this would include, for example, where multi-family dwellings are proposed and permitted under existing zoning in areas designated under the emerging land use plan to be maintained for single family dwellings or where actual uses are changing from one category to another.

Additionally, whenever there is uncertainty regarding the effect of a proposed development action upon the emerging land use policy plan the Department of Community Development is directed to bring such proposed development action to the City Council where it can be determined whether the proposed development may be severely detrimental to the area due to reasons other than land use changes."

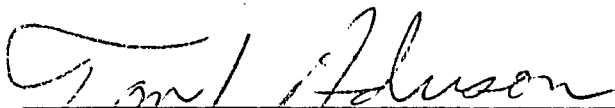
Section 3. The interim policies heretofore adopted by Resolution No. R-2249 as heretofore amended are in all other respects ratified and confirmed.

ADOPTED by a majority vote of the Kirkland City Council in regular meeting on the 6th day of July, 1976.



Mayor

ATTEST:



Director of Administration & Finance
(ex officio City Clerk)