

RESOLUTION NO. R- 2410

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AMENDING AND RE-ENACTING RESOLUTION NO. 2249 AS HERETOFORE AMENDED BY RESOLUTION NOS. R-2287, R-2302, R-2368, R-2378, AND R-2394.

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

The City Council of the City of Kirkland does hereby amend and re-enact Resolution No. R-2249 adopted May 20, 1974, and thereafter amended by Resolution No. R-2287 dated January 20, 1975; Resolution No. R-2302 dated May 19, 1975; Resolution No. R-2368 dated May 17, 1976; Resolution No. R-2378 dated July 6, 1976; and Resolution No. R-2394 dated September 20, 1976, to read as follows:

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND ACKNOWLEDGING THAT THE COMPREHENSIVE PLANS FOR THE FORMER CITIES OF KIRKLAND AND HOUGHTON NO LONGER REFLECT CURRENTLY HELD VALUES OF THE COMMUNITY IN REGARD TO PLANNING AND LAND USE DEVELOPMENT, RECOGNIZING THE NECESSITY OF ESTABLISHING A NEW LAND USE POLICY PLAN OR COMPREHENSIVE PLAN, AND DECLARING A PROPOSED INTERIM POLICY.

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 Ordinance No. 2319 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, the City Council believes that the impact upon the community of additional multi-family dwellings (~~requires further review and study and that during said review and study, no applications should be accepted by the City for development including building permits for multi-family dwelling structures at least for a period of ninety (90) days~~) could adversely affect many established residential areas and the road system,

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

Section 1. The City Council finds that the present land use plans (the comprehensive plans for the former cities of Houghton and Kirkland) which indicate public land use policy are no longer adequate to provide guidance for future decision making and land use management.

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 3. The City Council directs that all segments of the city, including the City Council, its advisory bodies and the administration work together toward the identification and establishment of goals and policies consistent with the environmental mandate contained in the Environmental Policy Act, and with the currently held values of the community in order that a new land use plan may be prepared and adopted for the entire consolidated City of Kirkland.

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. 2183 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)~~ development actions which ~~(subsequent to)~~ are found by the City to require 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)~~ identified as:

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 or any deficient system to minimum City standards and at the expense of the private sponsor.

H. Development actions including building permits for ~~(all)~~ multi-family structures exceeding the density as prescribed in the emerging land use policies plan. All other 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.

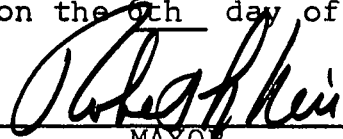
Section 5. Any proponent sponsor for an action identified in Section 4 above may appeal the provisions of this policy to the City Council and present evidence or other materials or findings to request a waiver of the provisions of this policy. The City Council shall consider such appeal for the purpose of determining whether to permit an application to be filed and processed with the appropriate city department or departments. The City Council will at such time consider only the question of whether or not there should be a waiver of the policy herein adopted. Such action by the City Council shall in no way prejudice the substantive merits of the proposed action. If it is determined necessary or advisable, the City Council may conduct a public hearing prior to reaching a decision on any waiver request as to the provisions of this resolution. Notice for a public hearing shall be given in a manner prescribed by Chapter 23.62 of the Kirkland Zoning Ordinance, Ordinance No. 2183 as amended.

Section 6. The City Clerk is directed to file a conformed copy of this resolution with every department and advisory or administrative board for the City of Kirkland.

Section 7. This Resolution and the policy herein adopted shall be brought before the City Council for its review and reconsideration ~~on or before the first regular meeting in January, 1977 or~~ at the first regular Council meeting following final adoption of the Land Use Policy Plan for the consolidated City of Kirkland and related amendments to Ordinance No. 2183 for the consolidated City of Kirkland ~~(whichever shall first occur).~~

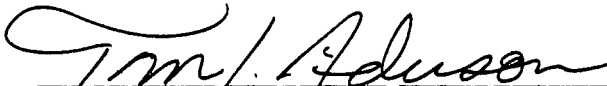
THIS AMENDMENT and re-enactment of Resolution No. 2249 first adopted by the Kirkland City Council on May 20, 1974, has been adopted by majority vote of the Kirkland City Council in regular meeting on the 6th day of December, 1976.

SIGNED IN AUTHENTICATION thereof on the 6th day of December, 1976.



MAYOR

Attest:



Director of Administration &
Finance
(ex officio City Clerk)