

ORDINANCE NO. 4173

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO COMPREHENSIVE PLANNING AND LAND USE AND AMENDING THE COMPREHENSIVE PLAN, ORDINANCE 3481 AS AMENDED, TO IMPLEMENT CHANGES TO THE PLANNED AREA 5 SECTION OF THE MOSS BAY NEIGHBORHOOD PLAN, AND THE MOSS BAY NEIGHBORHOOD LAND USE MAP, AND APPROVING A SUMMARY FOR PUBLICATION, FILE NO ZON07-00019.

WHEREAS, the City Council has received a recommendation from the Kirkland Planning Commission to amend certain portions of the Comprehensive Plan for the City, Ordinance 3481 as amended, all as set forth in that certain report and recommendation of the Planning Commission dated November 20, 2008 and bearing Kirkland Department of Planning and Community Development File No. ZON07-00019; and

WHEREAS, prior to making said recommendation the Planning Commission, following notice thereof as required by RCW 35A.63.070, held public hearings on April 24, 2008, June 12, 2008, and October 22, 2008 on the amendment proposals and considered the comments received at said hearings; and

WHEREAS, pursuant to the State Environmental Policy Act (SEPA), there has accompanied the legislative proposal and recommendation through the entire consideration process, a Planned Action Environmental Impact Statement. The Draft of which was issued on April 4, 2008 and the Final of which was issued on October 16, 2008 by the responsible official pursuant to WAC 197-11-400 through 197-11 560; 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; and

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

Section 1. Comprehensive Plan Text, Tables, and Graphics amended: The following specific portions of the text of the Comprehensive Plan, Ordinance 3481 as amended, be and they hereby are amended to read as follows:

- A. Section XV.D. Moss Bay Neighborhood Plan:
Amendments to Figure C-2: Moss Bay Area Land Use as set forth in **Exhibit A** attached to this ordinance and incorporated by reference.
- B. Section XV.D. Moss Bay Neighborhood Plan:
Amendments to 4. Perimeter Areas: C. Planned Area 5 as set forth in **Exhibit B** attached to this ordinance and incorporated by reference.

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. This ordinance shall be in full force and effect five days from and after its passage by the City Council and publication pursuant to Kirkland Municipal Code 1.08.017, in the summary form attached to the original of this ordinance and by this reference approved by the City Council as required by law.

Section 4. A complete copy of this ordinance shall be certified by the City Clerk, who shall then forward the certified copy to the King County Department of Assessments.

Passed by majority vote of the Kirkland City Council in open meeting this 16th day of December, 2008.

SIGNED IN AUTHENTICATION THEREOF this 16th day of December, 2008.



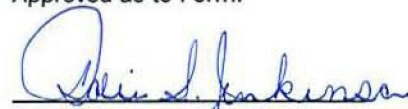
Mayor

Attest:



City Clerk

Approved as to Form:



City Attorney

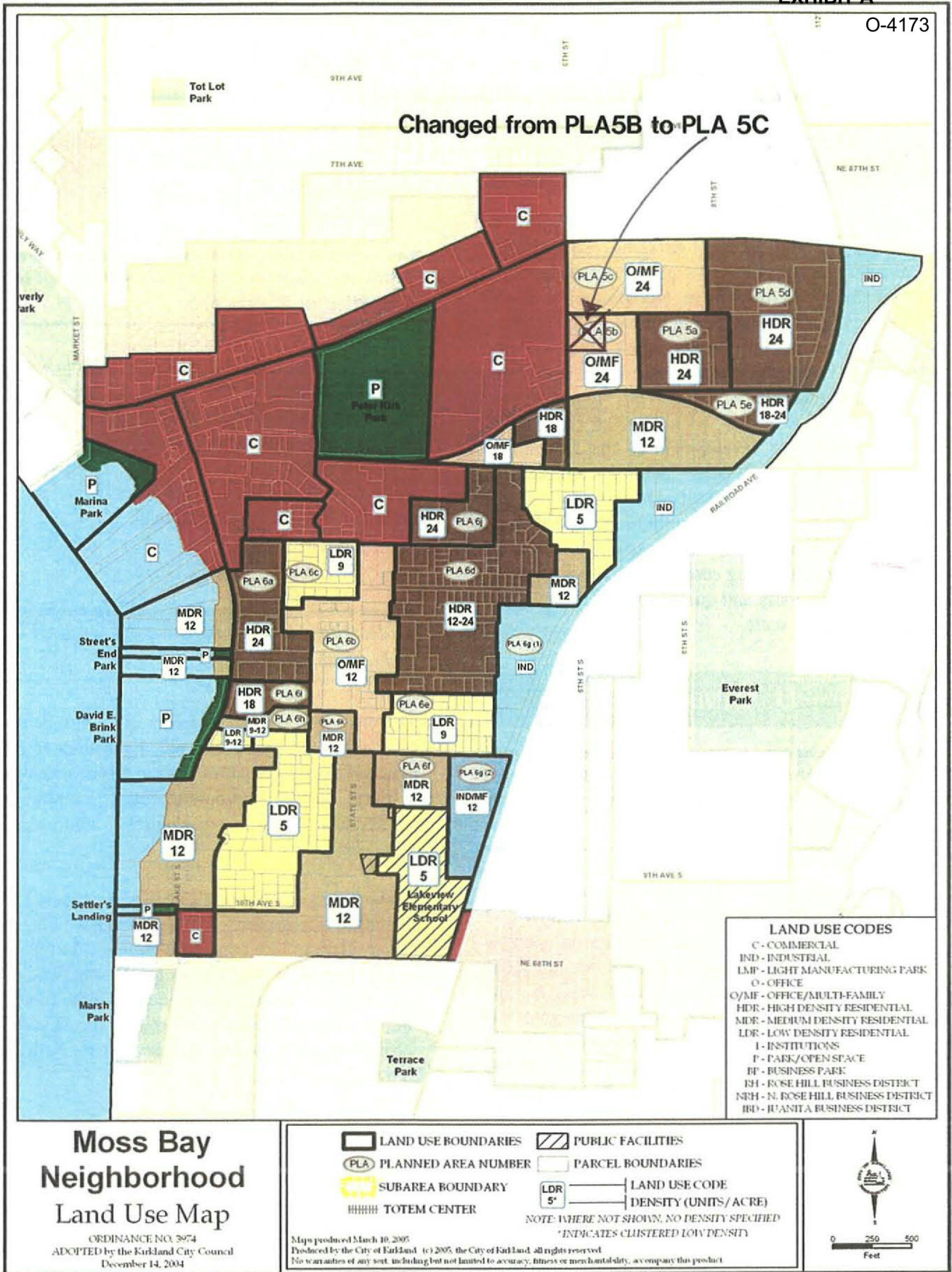


Figure C-2: Moss Bay Area Land Use

C. PLANNED AREA 5

High-density residential and office uses permitted in Planned Area 5.

The eastern portion of the Central Neighborhood has been designated as Planned Area 5. Due to topographic conditions and circulation patterns, land in Planned Area 5 is relatively secluded. The area has been designated for high-density residential and office uses because of the ability to buffer such high-density development from other uses in the area. The area is developed primarily in high-density residential development while limited office uses exist in the northeastern portion of the area. ~~In addition, a number of single-family homes as well as several parcels of vacant land remain in the area.~~ This planned area is divided into five subareas, based on the unique conditions for development within each area.

Central A Subarea

The Central A subarea of PLA 5 should be permitted to develop with high-density residential uses (up to 24 dwellings/acre). ~~Several single-family homes remain in the area, however, and should be protected from incompatible high density development. Adjacent to single family residential development, high density structures should be set back and limited in height and horizontal dimension.~~

West B Subarea

~~The southern portion of Subarea B is a~~Adjacent to 6th Street and ~~the entire subarea is~~ south of 4th Avenue. Subarea B is heavily impacted by traffic, as well as existing and future commercial uses and offices to the west. The noise and traffic make this area inappropriate for single-family use, while its ease of access and proximity to the Downtown makes it appropriate for both offices and multifamily uses at a density of up to 24 dwelling units per acre. New development in this subarea should minimize access points directly onto 6th Street. Access for offices, however, should be provided exclusively from 6th Street or 4th Avenue and precluded from Kirkland Way. Structures should be limited to three stories in height. ~~Greater height limitation, large setbacks, and limitation on horizontal dimensions should be required adjacent to single-family dwellings in Subarea A.~~

North C Subarea

Subarea C, located north of Subareas B and A, contains **office development and** the U.S. Post Office facility serving Greater Kirkland. Remaining land should develop as professional office or multifamily residential at a density of up to 24 dwelling units per acre. Structures up to five or six stories in height are appropriate here **for developments containing at least one acre.** ~~as t~~The adjacent steep hillside limits potential view obstruction from tall buildings. At the same time, taller than normal structures could themselves take advantage of views to the west while maintaining greater open area on site and enhancing the greenbelt spine. ~~Greater height limitation, large setbacks, and limitation of horizontal dimensions should be required adjacent to single-family dwellings in Subarea A.~~

East D Subarea

The easternmost third of PLA 5 is identified as Subarea D. This area has developed in high-density multifamily uses in recent years. Remaining developable land is limited to one parcel in the southeast portion of the subarea. Future development should be multifamily residential at a density of up to 24 dwelling units per acre. However, to minimize impacts of future development or redevelopment on remaining single-family dwellings in Subarea A, height limitations, large setbacks, and limitation of horizontal dimensions should be required where this development is adjacent to single-family homes.

South E Subarea

The most southerly subarea is the smallest and is somewhat isolated from the other subareas. Lying between 2nd Avenue and Kirkland Way, this area could develop with high-density multifamily residential (up to 24 units per acre). Due to sight distance problems on Kirkland Way, access to and from this area should be restricted to 2nd Avenue.

PUBLICATION SUMMARY
OF ORDINANCE NO. 4173

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SECTION 1. Amends the following specific portions of the Kirkland Comprehensive Plan:

- A. Amendments to Figure C-2: Moss Bay Area Land Use,
- B. Amendments to Perimeter Areas: C. Planned Area 5 in the Moss Bay Neighborhood Plan section.

SECTION 2. Provides a severability clause for the ordinance.

SECTION 3. Authorizes publication of the ordinance by summary, which summary is approved by the City Council pursuant to Kirkland Municipal Code 1.08.017 and establishes the effective date as five days after publication of summary.

SECTION 4. Establishes certification by City Clerk and notification of King County Department of Assessments.

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the 16th day of December, 2008.

I certify that the foregoing is a summary of Ordinance 4173
approved by the Kirkland City Council for summary publication.



City Clerk