

ORDINANCE O-4370

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, PLANNING, AND LAND USE AND AMENDING ORDINANCE 3719 AS AMENDED, THE KIRKLAND ZONING ORDINANCE: SECTIONS 60.180, 60.182 AND 115.20 RELATING TO ANIMALS IN RESIDENTIAL ZONES; AND REPEALING KIRKLAND MUNICIPAL CODE CHAPTER 8.08 RELATING TO FOWL AND APPROVING A SUMMARY ORDINANCE FOR PUBLICATION, FILE NO. ZON12-00002.

WHEREAS, the City Council has received a recommendation from the Kirkland Planning Commission to amend certain sections of the text of the Kirkland Zoning Code, Ordinance 3719 as amended, and certain sections of the text of the Kirkland Municipal Code, as amended, all as set forth in that certain report and recommendation of the Planning Commission dated July 26, 2012 and bearing Kirkland Department of Planning and Community Development File No. ZON12-00002; and

WHEREAS, prior to making said recommendation, the Kirkland Planning Commission and Houghton Community Council, following notice thereof as required by RCW 35A.63.070, on June 14, 2012, held a joint public hearing, on the amendment proposals and considered the comments received at said hearing; and

WHEREAS, pursuant to the State Environmental Policy Act (SEPA), there has accompanied the legislative proposal and recommendation through the entire consideration process, a final determination of nonsignificance, including supporting environmental documents, issued by the responsible official pursuant to WAC 197-11-340 and WAC 197-11-390 a SEPA Addendum to Existing Environmental Documents issued by the responsible official pursuant to WAC 197-11-625; 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.

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

Section 1. Kirkland Municipal Code Chapter 8.08 entitled "Fowl" is hereby repealed.

Section 2. Zoning text amended: The following specified sections of the text of Ordinance 3719 as amended, the Kirkland Zoning Ordinance, as set forth in Attachment A attached to this ordinance and incorporated by reference.

Section 3. 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 4. To the extent the subject matter of this ordinance, pursuant to Ordinance 2001, is subject to the disapproval jurisdiction of the Houghton Community Council, this ordinance shall become effective within the Houghton Community Municipal Corporation 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 5. Except as provided in Section 4, this ordinance shall be in full force and effect five days from its passage by the Kirkland 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 6. 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 7th day of August, 2012.

Signed in authentication thereof this 7th day of August, 2012.




Mayor

Attest:



City Clerk

Approved as to Form:



City Attorney

ATTACHMENT A
FILE NO. ZON12-00002
2012 MISCELLANEOUS CODE AMENDMENTS
KIRKLAND ZONING CODE
***- Subject to Houghton Community Council review**

How to read this document:

- New text is underlined
- Existing text to be deleted is covered by a ~~strike through~~
- *Italicized text identifies the amendment topic*
- Amendments are listed in code section order to the extent possible

*** Proposed Language For Animals in Residential Zones Section**
115.20 and PLA16

KZC CHAPTER 115 - MISCELLANEOUS USE DEVELOPMENT AND PERFORMANCE STANDARDS

115.20 Animals in Residential Zones

1. General –This section establishes special regulations that govern the keeping of animals as an accessory use, in zones where a dwelling unit is permitted.
2. ~~Types of Animals—Animals will be regulated according to the following categories:~~
 - a. ~~Household Pets—The following animals will be regulated as household pets:~~
 - 1) ~~Three (3) dogs or less per dwelling unit.~~
 - 2) ~~Three (3) cats or less per dwelling unit.~~
 - 3) ~~A total of four (4) dogs and cats per dwelling unit.~~
 - 4) ~~Four (4) rabbits or less per dwelling unit.~~
 - 5) ~~Gerbils.~~
 - 6) ~~Guinea pigs.~~
 - 7) ~~Hamsters.~~
 - 8) ~~Mice.~~
 - 9) ~~Cage birds.~~
 - 10) ~~Nonvenomous reptiles and amphibians.~~
 - 11) ~~Other animals normally associated with a dwelling unit, and which are generally housed within the dwelling unit.~~
 - b. ~~Small Domestic Animals—The following animals will be regulated as small domestic animals:~~
 - 1) ~~More than three (3) dogs per dwelling unit.~~
 - 2) ~~More than three (3) cats per dwelling unit.~~
 - 3) ~~More than a total of four (4) dogs and cats per dwelling unit.~~
 - 4) ~~More than four (4) rabbits per dwelling unit.~~
 - 5) ~~Fowl.~~
 - c. ~~Large Domestic Animals—The following animals will be regulated as large domestic animals:~~
 - 1) ~~Horses.~~
 - 2) ~~Cattle.~~

- ~~3) Sheep.~~
- ~~4) Pigs.~~
- ~~5) Goats.~~
- ~~6) Other grazing or foraging animals.~~
- ~~d. Bees~~

2. In addition to the maximum number of adult animals permitted, offspring from one (1) female are permitted at any given time until those offspring are able to survive independently.

3. Animal Waste – Measures must be taken to properly dispose of animal waste.

~~3.~~4. Other Regulations – Nothing in this section eliminates the need to comply with King County animal control regulations, state law regulating the keeping of animals, and any other ordinance of the City of Kirkland regulating the keeping of animals.

~~4.~~5. Minimum Requirements – The applicant shall comply with the following requirements contained within the chart at the end of this section regarding the keeping of animals in any zone where a dwelling unit is permitted.

a. Household Pets -

1. Types – The following animals will be regulated as household pets:

- ~~1)~~a. Three (3) dogs or less per dwelling unit.
- ~~2)~~b. Three (3) cats or less per dwelling unit.
- ~~3)~~c. A total of four (4) dogs and cats per dwelling unit.
- ~~4)~~d. Four (4) rabbits or less per dwelling unit.
- ~~5)~~e. Gerbils.
- ~~6)~~f. Guinea pigs.
- ~~7)~~g. Hamsters.
- ~~8)~~h. Mice.
- ~~9)~~i. Cage birds.
- ~~10)~~j. Nonvenomous reptiles and amphibians.
- ~~11)~~k. Other animals normally associated with a dwelling unit, and which are generally housed within the dwelling unit.

2. Required Review Process: None

3. Maximum Number of Adult Animals Per Dwelling Unit:

- a. Three (3) dogs or less per dwelling unit
- b. Three (3) cats or less per dwelling unit.
- c. A total of four (4) dogs and cats per dwelling unit
- d. Four (4) rabbits or less per dwelling unit.
- e. Other: No maximum

4. Minimum Lot Size: None

5. Minimum Setback: Structures and pens must be at least five (5) feet from each property line

6. Special Regulations:

- a. Dogs, cats, and rabbits may be housed either inside or outside the dwelling unit.

b. Other household pets must be housed within the dwelling unit. If housed outside of the dwelling unit they will be regulated as small domestic animals.

b. Small Domestic Animals –

1. The following animals will be regulated as small domestic animals:

1. a. More than three (3) dogs per dwelling unit.
2. b. More than three (3) cats per dwelling unit.
3. c. More than a total of four (4) dogs and cats per dwelling unit.
4. d. More than four (4) rabbits per dwelling unit.
5. e. Fowl.

2. Permitted locations: Low density zones.

3. Required Review Process: None

4. Maximum Number of Adult Animals Per Lot:

a. On lots with an area of less than 35,000 sq. ft.:

- 1) Three (3) Fowl, regardless of lot size
- 2) One (1) additional chicken for each 1000 sq. ft. of lot area above 5,000 sq. ft., up to a maximum of 20 chickens,
- 3) Roosters are prohibited except for those in RSA zones existing prior to August 15, 2012.

b. On lots with an area of 35,000 sq. ft. or more: 20, plus 1 additional for each 500 sq. ft. of lot area above 35,000 sq. ft.;

5. Minimum Setback:

a. Structures shall not be located in required yards except as allowed by KZC 115.115 and except for the following:

- 1) Mobile structures (chicken tractors) may be anywhere within a fenced yard.
- 2) Structures may be located within five feet of any property line provided that the property adjacent to the proposed location of the structure is either:
 - i. Occupied primarily by a non-residential use such as a church, school or park; or
 - ii. A permanently dedicated easement or tract that is at least 10 feet in width.

b. Structures larger than 100 square feet shall be at least 40 feet from each property line

6. Special Regulations

a. Must provide a suitable structure or pen to house the animals.

b. Must maintain structures and pens in a clean condition;

c. Fowl may forage or roam freely anywhere within a fenced yard, but adequate measures must be taken to provide safety for the fowl and prevent them from straying onto adjacent property.

c. Bees-

1. Required Review Process: None
2. Maximum Number of Bees Per Dwelling Unit:
 - a. Lots containing 15,000 sq. ft. or less - maximum two hives.
 - b. Lots containing more than 15,000 sq. ft. and less than 35,000 sq. ft. - maximum five hives
 - c. Lots containing 35,000 sq. ft. or more - maximum 15 hives
3. Minimum Lot Size: 7,200 sq. ft.
4. Minimum Setback: Hive must be at least 25' from any property line. See also Special Regulation 5.e.,
5. Special Regulations:
 - a. Colonies must be in movable frame hives.
 - b. Adequate space must be maintained in the hive to prevent overcrowding and swarming.
 - c. Colonies must be requeened following any swarming or aggressive behavior.
 - d. All colonies must be registered with the Wash. State Dept. of Agriculture, Plant Services Division, 406 General Administration Building, Olympia, WA 98504, prior to April of each year.
 - e. Hives may be located closer than 25' to any property line if:
 - 1) Situated eight (8) feet or more above adjacent ground level; or
 - 2) Situated less than six (6) feet above adjacent ground level and behind a solid fence or hedge six (6) feet in height parallel to any property line within 25 feet of the hive and extending at least 20 feet beyond the hive in both directions.
 - f. Bees living in trees, buildings, or any other space except in movable frame hives; abandoned colonies or diseased bees shall constitute a public nuisance.

d. Horses

1. Required Review Process:
 - a. PLA 16 zone, if part of a recorded master plan: none
 - b. All other zones, including in PLA 16 on lots which are not part of a recorded master plan:
 - 1) On lots 35,000 sq. ft. or greater: none.
 - 2) On lots less than 35,000 sq. ft. the City may approve up to two (2) horses, using Process I, Chapter 145 KZC, based on the following criteria:
 - a) Proximity to dwelling units both on and off the subject property; and
 - b) Lot size and isolation; and
 - c) Compatibility with surrounding uses; and
 - d) Potential noise impacts
2. Maximum Number of Adult Horses:
 - a. PLA 16 zone, if part of a recorded master plan: two (2) horses.

b. RS 35 and RSX 35 zones within the Bridle Trails neighborhood north and northeast of Bridle Trails State Park or residential lots in PLA 16 zone which are not part of a recorded master plan:

- 1) On lots of at least 35,000 sq. ft: two (2) horses per 35,000 sq. ft. of lot area and up to two (2) additional horses may be kept on a residential lot, providing that an additional 3,000 sq. ft. of paddock area is available for each additional horse. (See subsection 5. for minimum paddock standards)
- 2) On lots less than 35,000 sq. ft. the City may approve up to two (2) horses using Process I, Chapter 145 KZC; pursuant to subsection 1.b. 2) of this section.

c. All other zones:

- 1) Two (2) horses per 35,000 sq. ft. of lot area and 1 horse per each additional 17,500 sq. ft. of lot area.
- 2) If lot size is less than 35,000 sq. ft, the City may approve up to two (2) horses using Process I, Chapter 145 KZC; pursuant to subsection 1.b. 2) of this section.

d. In addition to the maximum number of adult horses permitted, offspring from one (1) female are permitted at any given time until those offspring are able to survive independently.

3. Minimum Lot Size

a. PLA 16 zone, if part of a recorded master plan: 26,000 sq. ft.

b. All other zones, including in PLA 16 on lots which are not part of a recorded master plan:

- 1) 35,000 sq. ft.
- 2) May be less than 35,000 sq. ft. if approved through Chapter 145 KZC, Process I, pursuant to subsection 1.b. 2) of this section.

4. Barn Size and Setback:

a. The applicant must provide a suitable barn to house the horses, and must maintain it in a clean condition

b. RS 35 and RSX 35 zones within the Bridle Trails neighborhood north and northeast of Bridle Trails State Park or residential lots in PLA 16 zone, which are not part of a recorded master plan:

- 1) Size: Barns within the designated paddock area may not exceed 1,200 square feet in footprint, excluding covered overhangs, and must be designed solely for housing of animals and storage of tack, feed, shavings or ancillary equipment.
- 2) Setbacks: Barns to house horses must be a minimum of 40 feet from habitable dwellings, both on and off the subject property.

c. All other zones, including in PLA 16 on lots that are part of a recorded master plan:

- 1) Size: Barns must not exceed 1,200 sq. ft., plus 10 percent of the lot area that exceeds 7,200 sq. ft. and must meet all other requirements of KZC Section 115.08; Accessory Structure.
- 2) Setbacks: Barns to house horses must be a minimum of 40 feet from each property line. The Ceity may permit barns to extend into the property line in common with the abutting property; provided that:
 - a) An abutting property owner files a signed and notarized statement with the City in support of the request; and
 - b) The barn complies with all other regulations pertaining to setbacks in that zone

4.5. Paddock Size and Setbacks

- a. RS 35 and RSX 35 Zones within the Bridle Trails neighborhood north and northeast of Bridle Trails State Park or residential lots in PLA 16 zone which are not part of a recorded master plan:
 - 1) Size: Each residential lot must contain an area of at least 10,000 permeable square feet for the purpose of accommodating two (2) horses, capable of being used for or easily converted to a paddock area and barn, and meeting the following standards:
 - a) The paddock must have a minimum width of 40 feet and configured in a contiguous and usable manner to accommodate the feed, storage and manure pile. "Configured in a contiguous and usable manner" shall mean an area, uninterrupted by non-paddock area, having a shape as close to square or rectangular as possible. While the minimum width allowed is 40 feet, the majority of the area must have a width of at least 80 feet.
 - b) The Planning Official is authorized to approve minor deviations from the required dimensions and/or shape of the paddock area due to pre-existing improvements and/or size, shape, or topography of the property.
 - 2) Setbacks:
 - a) The paddock areas must be set back five (5) feet from each property line which abuts a school use or a residential zone other than RS 35, RSX 35 or PLA 16, including part of a recorded master plan, otherwise there is no setback.
 - b) The paddock areas must be set back 10 feet from habitable dwellings and five (5) feet from significant improvements outside the paddock area, such as swimming pools, sports courts, decks and patios, both on and off the subject property.
 - 3) Additional Paddock Requirements
 - a) The area used or reserved for paddock area must be pervious and exclusive of any structures or improvements (except barns) such as storage sheds, residential units, carports, decks, patios, swimming pools, ponds, sports courts, rockeries, or paving, but may contain easily removed features such as children's play equipment, landscaping, trellises, and flagpoles, as long as such features are not embedded in concrete or otherwise permanently mounted. The area shall not be located over a septic tank, drain field, or reserve drain field. Paddock areas shall not be located on

steep slopes (over 15 percent grade) or in areas regulated under Chapter 90 KZC, Drainage Basins.

- b) Direct access to the paddock area must be available to deliver feed and pick up manure from an alley, an easement or an adjacent right-of-way across a side yard of the lot. The access route shall have a minimum unobstructed width of 15 feet and a grade no greater than 12 percent, except that for the first 15 feet in back of the existing or future curb line the grade shall not exceed six (6) percent. Any portion of an access route located within an adjacent equestrian trail easement shall not be paved, but may be surfaced with gravel up to 5/8-inch size.

a-b. All other zones, including in PLA 16 on lots which are part of a recorded master plan:

- 1) Size: Each lot must contain an area of at least 14,500 sq. ft. capable of being used as a horse paddock area and configured to meet the following standards:
 - a) The paddock must be designed in a contiguous and usable manner to accommodate the feed storage and manure pile for two (2) horses. This area must be exclusive of any structures, including storage sheds, barns, residential units and carports.
 - b) Direct access to this area must be available for trucks to deliver feed and pick up manure from an alley, easement, or an adjacent right-of-way across a side yard of the lot.
- 2) Setbacks: Paddocks must be a minimum of 20 feet from each property line. The City may permit horse paddocks to extend into the property line in common with the abutting property; provided that:
 - a) An abutting property owner files a signed and notarized statement with the City in support of the request; and
 - b) The paddock complies with all other regulations pertaining to setback in that zone.

6. Outdoor Manure Piles:

- a. PLA 16 zone: no outdoor manure pile may be placed closer than 65 feet to any adjacent residential structure.
- b. All other zones, no outdoor manure pile may be placed closer than a point equidistant to any adjacent residential structure.

f. Large Domestic Animals –

1. The following animals will be regulated as large domestic animals:

- ~~1) Horses.~~
- 2) a) Cattle.
- 3) b) Sheep.
- 4) c) Pigs.
- 5) d) Goats.
- 6) e) Other grazing or foraging animals.

2. Required Review Process:

- a) On lots 35,000 sq. ft and greater; none.
- b) If the lot size is less than 35, 000 sq. ft. the city will decide on the permitted number of large domestic animals using Process I, Chapter 145 KZC; based on the following criteria:
 - 1) Proximity to dwelling units both on and off the subject property; and
 - 2) Lot size and isolation; and
 - 3) Compatibility with surrounding uses; and
 - 4) Potential noise impacts

3. Maximum Number of Adult Animals:

- a. Two (2) per 35,000 sq. ft. of lot area and one (1) per each additional 17,500 sq. ft. of lot area.
- b. In addition to the maximum number of adult animals permitted, offspring from one (1) female are permitted at any given time until those offspring are able to survive independently.

4. Minimum Lot Size

- a. 35,000 sq. ft.
- b. May be less than 35,000 sq. ft. if approved through Chapter 145 KZC, Process I pursuant to subsection 2.b. of this section.

5. Structures, Barn and Pen Size and Setback:

- a. The applicant must provide a suitable barn or pen to house the animals, and must maintain that barn or pen in a clean condition.
- b. Size: Barns must not exceed 1,200 sq. ft., plus 10 percent of the lot area that exceeds 7,200 sq. ft. and must meet all other requirements of KZC Section 115.65; Assessorly Structure.
- c. Setbacks: ~~—structures~~ Barns and pens used to house animals must be ~~setback at least~~ a minimum of 40 feet from each property line. The city may permit barns and pens to extend into the property line in common with the abutting property; provided that:
 - 1) An abutting property owner files a signed and notarized statement in support of the request and,
 - 2) The barn or pen complies with all other regulations pertaining to setback in that zone.

6. Roaming and Grazing Areas:

Roaming and grazing areas must be at least 20 feet from each property line. The city may permit barns and pens to extend into the property line in common with the abutting property;

provided that an abutting property owner files a signed and notarized statement in support of the request

7. Outdoor Manure Piles:

- a. PLA 16 zone: no outdoor manure pile may be placed closer than 65 feet to any adjacent residential structure.
- b. All other zones, no outdoor manure pile may be placed closer than a point equidistant to any adjacent residential structure.

6. Bonds – The City may require a bond under Chapter 175 KZC to ensure that the subject property is maintained in a clean condition.

The following chart will be deleted:

TYPE OF ANIMAL ↓	REGULATIONS ↓	Required Review Process	MAXIMUM	MINIMUMS		Special Regulations
			Number of Adult Animals	Lot Size	Setback	
Household Pets		None	Per Dwelling Unit Dogs: 3 Cats: 3 Dogs and Cats: A total of 4 animals Rabbits: 4 Other: No maximum	As required for a dwelling unit in the zone in which the subject property is located.	Structures and pens must be at least 5' from each property line.	1. Household pets, excluding dogs, cats, and rabbits, must be housed within the dwelling unit. If housed outside of the dwelling units, household pets, excluding dogs, cats, and rabbits, will be regulated as small domestic animals.
Small Domestic Animals		None	20 per 35,000 sq. ft. of lot area and 1 per each additional 500 sq. ft. of lot area. Maximum of 3 fowl on lots less than 35,000 sq. ft. in RSA zones.	35,000 sq. ft. per dwelling unit. No minimum lot size for fowl in RSA zones.	Structures and pens used to house animals must be at least 40' from each property line, except structures and pens used to house 3 fowl or less must be at least 10' from	1. The City may limit the number of animals allowed to less than the maximum considering: a. Proximity to dwelling units both on and off the subject property; and

				each property line.	<p>b. Lot size and isolation; and</p> <p>c. Compatibility with surrounding uses; and</p> <p>d. Potential noise impacts.</p> <p>2. The applicant must provide a suitable structure or pen to house the animals, and must maintain that structure or pen in a clean condition.</p> <p>3. Roosters are prohibited on lots containing less than 35,000 sq. ft.</p>
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TYPE OF ANIMAL ↓	REGULATIONS ↓	Required Review Process	MAXIMUM	MINIMUMS		Special Regulations
			Number of Adult Animals	Lot Size	Setback	
Large Domestic Animals		<p>If lot size is less than 35,000 sq. ft., then Process I, Chapter 145-KZC</p> <p>Otherwise none</p>	<p>2 per 35,000 sq. ft. of lot area and 1 per each additional 17,500 sq. ft. of lot area</p> <p>If lot size is less than 35,000 sq. ft., then only 1 horse</p>	<p>35,000 sq. ft. per dwelling unit</p> <p>May be less if approved through Chapter 145-KZC, Process I</p>	<p>Structures and pens used to house animals must be at least 40' from each property line subject to Special Regulation 1.</p> <p>Roaming, grazing areas and horse paddock areas must</p>	<p>1. If an abutting property owner files a signed and notarized statement in support of the request, the City may permit areas for roaming or grazing, horse paddock areas and structures or pens to extend into the property line in common with the abutting property; provided, that the structure or pen complies with all other regulations pertaining to setback in that zone.</p>

				<p>be at least 20' from each property line, subject to Special Regulation 1.</p>	<p>2. The City may limit the number of animals allowed to less than the maximum considering:</p> <ul style="list-style-type: none">a. Proximity to dwelling units both on and off the subject property; andb. Lot size and isolation; andc. Compatibility with surrounding uses; andd. Potential noise impacts. <p>3. The applicant must provide a suitable structure or pen to house the animals, and must maintain that structure or pen in a clean condition.</p> <p>4. No outdoor manure pile may be placed closer than a point equidistant to any adjacent residential structure.</p> <p>5. For residential lots containing one (1) or more horses other than those regulated below in Special Regulation 6, each lot must contain an area of at least 14,500 sq. ft. capable of being used as a horse paddock area and configured in a contiguous and usable manner to accommodate the feed storage and manure pile for two (2) horses. This area must be exclusive of any</p>
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				<p>structures, including storage sheds, barns, residential units and carports. Direct access to this area must be available for trucks to deliver feed and pick up manure from an alley, easement, or an adjacent right-of-way across a side yard of the lot.</p> <p>6. For residential lots in RS 35 and RSX 35 Zones within the Bridle Trails neighborhood north and northeast of Bridle Trails State Park or residential lots in PLA 16 which are not part of a recorded master plan, the required review process shall be "None," and the maximum number of adult animals and minimum lot size and setback regulations shall not apply. Instead, the following regulations shall apply:</p> <p>a. Up to two (2) additional horses may be kept on a residential lot, providing that an additional 3,000 square feet of paddock area is available for each additional horse.</p> <p>(CONTINUED ON NEXT PAGE)</p>
<p>Large Domestic Animals (Continued)</p>				<p>b. Each residential lot must contain an area of at least 10,000 permeable square feet for the purpose of accommodating two (2) horses, capable of being used for or easily converted to a paddock</p>

				<p>area and barn, having a minimum width of 40 feet and configured in a contiguous and usable manner to accommodate the feed, storage and manure pile. "Configured in a contiguous and usable manner" shall mean an area, uninterrupted by non-paddock area, having a shape as close to square or rectangular as possible. While the minimum width allowed is 40 feet, the majority of the area must have a width of at least 80 feet. The Planning Official is authorized to approve minor deviations from the required dimensions and/or shape of the paddock area due to pre-existing improvements and/or size, shape, or topography of the property.</p> <p>c. The area used or reserved for paddock area must be pervious and exclusive of any structures or improvements (except livestock barns) such as storage sheds, residential units, carports, decks, patios, swimming pools, ponds, sports courts, rockeries, or paving, but may contain easily removed features such as children's play equipment, landscaping, trellises, and flagpoles, as long as such features are not embedded in concrete or otherwise permanently mounted.</p>
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				<p>The area shall not be located over a septic tank, drain field, or reserve drain field. Paddock areas shall not be located on steep slopes (over 15 percent grade) or in areas regulated under Chapter 90 KZC, Drainage Basins.</p> <p>d. Direct access to the paddock area must be available to deliver feed and pick up manure from an alley, an easement or an adjacent right-of-way across a side yard of the lot. The access route shall have a minimum unobstructed width of 15 feet and a grade no greater than 12 percent, except that for the first 15 feet in back of the existing or future curb line the grade shall not exceed six (6) percent. Any portion of an access route located within an adjacent equestrian trail easement shall not be paved, but may be surfaced with gravel up to 5/8-inch size.</p> <p>e. The paddock areas must be set back five (5) feet from each property line which abuts a school use or a residential zone other than RS 35, RSX 35 or PLA 16.</p> <p>(CONTINUED ON NEXT PAGE)</p>
<p>Large Domestic Animals (Continued)</p>				<p>f. The paddock areas must be set back 10 feet from habitable dwellings and five (5)</p>

<p>Bees</p>	<p>None</p>	<p>Lots containing 15,000 sq. ft. or less: Maximum of two (2) hives.</p> <p>Lots containing more than 15,000 sq. ft. but less than 35,000 sq. ft.: Maximum of 5 hives.</p>	<p>7,200 sq. ft.</p>	<p>Hive must be at least 25' from any property line. See also Special Regulation 5.</p>	<p>feet from significant improvements outside the paddock area, such as swimming pools, sports courts, decks and patios. Livestock barns must be set back 40 feet from habitable dwellings.</p> <p>g. Livestock barns permitted within the designated paddock area may not exceed 1,200 square feet in footprint, excluding covered overhangs, and must be designed solely for housing of animals and storage of tack, feed, shavings or ancillary equipment.</p> <p>h. Special Regulations 2, 3, and 4 also apply to these zones.</p> <p>i. Interpretations of the Zoning Code which directly or indirectly involve application of regulations about horse paddock areas shall be liberally construed in favor of an equestrian character for the neighborhood.</p> <p>1. Colonies shall be in movable frame hives.</p> <p>2. Adequate space shall be maintained in the hive to prevent overcrowding and swarming.</p> <p>3. Colonies shall be requeened following any swarming or aggressive behavior.</p> <p>4. All colonies shall be registered with the</p>
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		<p>Lots containing 35,000 sq. ft. or more: Maximum of 15 hives.</p>		<p>Wash. State Dept. of Agriculture, Plant Services Division, 406 General Administration Building, Olympia, WA 98504, prior to April of each year.</p> <p>5. Hives may be located closer than 25' to any property line if:</p> <p>a. Situated eight (8) feet or more above adjacent ground level; or</p> <p>b. Situated less than six (6) feet above adjacent ground level and behind a solid fence or hedge six (6) feet in height parallel to any property line within 25 feet of the hive and extending at least 20 feet beyond the hive in both directions.</p> <p>6. Bees living in trees, buildings, or any other space except in movable frame hives; abandoned colonies or diseased bees shall constitute a public nuisance.</p>
<p>In addition to the maximum number of adult animals permitted, offspring from one (1) female are permitted at any given time until these offspring are able to survive independently.</p>				

60.179 User Guide.

The charts in KZC [60.182](#) contain the basic zoning regulations that apply in Planned Area 16, including sub-zones. Use these charts by reading down the left hand column entitled Use. Once you locate the use in which you are interested, read across to find the regulations that apply to that use.

Section 60.180

A black triangle pointing to the right with the text "Zone PLA16" inside in white.

Zone
PLA16

Section 60.180 – GENERAL REGULATIONS

The following regulations apply to all uses in this zone unless otherwise noted:

1. Refer to Chapter [1](#) KZC to determine what other provisions of this code may apply to the subject property.
2. If any portion of a structure is adjoining a detached dwelling unit in a low density zone, then either:
 - a. The height of that portion of the structure shall not exceed 15 feet above average building elevation, or
 - b. The maximum horizontal facade shall not exceed 50 feet.

See KZC [115.30](#), Distance Between Structures/Adjacency to Institutional Use, for further details.

(Does not apply to Detached Dwelling Unit, Commercial Equestrian Facility, Commercial Recreation Area and Use and Mini-Day-Care Center or Day-Care Home uses).

- ~~3. Must provide an improved public equestrian access trail and appropriate public signage. The trail must be located and designed so as to allow for an eventual connection between N.E. 60th Street and the Bridle Trails State and King County Parks (does not apply to Detached Dwelling Unit, Commercial Equestrian Facility, Commercial Recreation Area and Use and Public Parks uses).~~

[lin](#)

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.182	USE REGULATIONS	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.010	Detached Dwelling Unit	If lot size is less than 35,000 sq. ft., then Process IIB, Chapter 152 KZC. Otherwise, None.	35,000 sq. ft. except as established under Special Regulation 7.	20' See Spec. Regs. 3 and 9.	5', but 2 side yards must equal at least 15'.	10'	50%	30' above average building elevation.	E	A	2.0 per dwelling unit.	<p>KZC 115.20.6.e for keeping of horses.</p> <ol style="list-style-type: none"> For this use, not more than one dwelling unit may be on each lot, regardless of the size of the lot. Floor Area Ratio (F.A.R.) allowed for the subject property is 20 percent of lot size. See KZC 115.42, Floor Area Ratio (F.A.R.) Calculation for Detached Dwelling Units in Low Density Residential Zones, for additional information. On corner lots with two required front yards, one may be reduced to the average of the front yards for the two adjoining properties fronting the same street as the front yard to be reduced. The applicant may select which front yard will be reduced (see Plate 24). Each lot may contain no more than two horses. Residential lots must contain a minimum area of 10,000 permeable square feet, which shall comply with Special Regulation 6 for large domestic animals in KZC 115.20(4) (chart). On each lot, no outdoor manure pile may be placed closer than 65 feet to any adjacent residential structure. This use may have a lot size of less than 35,000 square feet if all of the following standards are met: <ol style="list-style-type: none"> The property must contain at least 16 contiguous acres. A Master Plan shall be approved for the entire property. The minimum lot size allowed on the property shall be determined and approved as part of the Master Plan. In no case shall the minimum lot size be less than 26,000 square feet. A commercial equestrian facility, including an arena, stables and paddock areas, must be provided on the property. The facility must be available to the public and not exclusively for the residences within the Master Plan. The facility must meet requirements and special regulations as established for the use listing in this zone entitled "Commercial Equestrian Facility." An improved public equestrian access trail and appropriate public signing must be provided. The trail must be located and designed so as to allow for an eventual connection between N.E. 60th Street and the Bridle Trails State and King County Parks. A coordinated vehicular and pedestrian circulation system for the property as well as other properties in the vicinity shall be provided as part of the Master Site Plan. <p>REGULATIONS CONTINUED ON NEXT PAGE</p>

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5. If a Master Plan is approved for the property, this use may have a lot size of less than 35,000 sq. ft. and must meet the following standards:

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b. Residential lots must contain a minimum area of 14,500 sq. ft. capable of being used as a horse paddock area, which shall comply with KZC 115.20.6.e for keeping of horses.

e.

Section 60.182

Zone
PLA16

USE ZONE CHART

Section 60.182		DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS									
		Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage				
USE	REGULATIONS		Front	Side	Rear						
.010	Detached Dwelling Unit (continued)									<p>REGULATIONS CONTINUED FROM PREVIOUS PAGE</p> <p>6. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.</p> <p>7. Garages shall comply with the requirements of KZC 115.43, including required front yard. These requirements are not effective within the dis-approval jurisdiction of the Houghton Community Council.</p>	

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Section 60.182

Zone
PLA16

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 60.182	USE ↓ REGULATIONS ↑	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.020	Commercial Equestrian Facility See Special Regulation 1.	Process IIB	3 acres	20'	20'	20'	80%	See Special Regulation 4.	C	B	See KZC 105.25.	<ol style="list-style-type: none"> 1. This use may include arenas, stables, roaming and grazing areas, club house and ancillary equestrian facilities. 2. This use must comply with KZC 80.30 through 80.45. 3. An improved public equestrian access trail through the subject property and appropriate public signing must be provided. The trail must be located and designed to allow for an eventual connection between N.E. 60th Street and Bridle Trails State and King County Parks. 4. Structures exceeding 25 feet above average building elevation must have the ground floor placed below existing grade to the extent possible and screened by a vegetative earthen berm. 5. Existing natural vegetation must be maintained to the greatest extent possible.
.030	Commercial Recreation Area and Use See Special Regulation 1.		1 acre	20'	20'	20'		38' above average building elevation. See Special Regulation 3.				<ol style="list-style-type: none"> 1. This use may include activities such as: indoor and outdoor tennis courts, club house, swimming pool, other sport court games and ancillary commercial recreation activities. 2. Hours of operation may be limited to reduce adverse impacts on a residential neighborhood. 3. Structures exceeding 25 feet above average building elevation must have the ground floor placed below existing grade to the extent possible and screened by a vegetative earthen berm. Structures can be placed at existing grade if the structures are located on lower ground than adjacent properties and if the adjacent properties are developed and do not contain residential use. 4. A 20-foot wide sight-obscuring landscape buffer must be provided along the west and south perimeter of the property. 5. Existing natural vegetation must be maintained to the greatest extent possible. 6. Vehicular and pedestrian circulation to and from the property shall be coordinated with the other properties in the vicinity to the maximum extent possible.

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 60.182	USE ↓ REGULATIONS ↓	Required Review Process	Lot Size	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
				REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.040	Church	Process IIA, Chapter 150 KZC.	35,000 sq. ft.	20'	20' on each side	20'	70%	30' above average building elevation.	C	B	1 for every 4 people based on maximum occupancy load of any area of worship. See Special Regulation 1.	1. No parking is required for day-care or school ancillary to the use.
.050	School or Day-Care Center			If this use can accommodate 50 or more students or children, then: 50' 50' on each side 50' If this use can accommodate 13 to 49 students or children, then: 20' 20' on each side 20'				30' above average building elevation. See Spec. Reg. 9.	D	See KZC 105.25.	1. May locate on the subject property only if: a. It will serve the immediate neighborhood in which it is located; or b. It will not be detrimental to the character of the neighborhood in which it is located. 2. A six-foot-high fence is required only along the property lines adjacent to the outside play areas. 3. Hours of operation may be limited to reduce impacts on nearby residential uses. 4. Structured play areas must be setback from all property lines as follows: a. 20 feet if this use can accommodate 50 or more students or children. b. 10 feet if this use can accommodate 13 to 49 students or children. 5. An on-site passenger loading area must be provided. The City shall determine the appropriate size of the loading areas on a case-by-case basis, depending on the number of attendees and the extent of the abutting right-of-way improvements. Carpooling, staggered loading/unloading time, right-of-way improvements or other means may be required to reduce traffic impacts on any nearby residential uses. 6. May include accessory living facilities for staff persons. 7. The location of parking and passenger loading areas shall be designed to reduce impacts on any nearby residential uses. 8. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388). 9. For school use, structure height may be increased, up to 35 feet, if: a. The school can accommodate 200 or more students; and b. The required side and rear yards for the portions of the structure exceeding the basic maximum structure height are increased by one foot for each additional one foot of structure height; and c. The increased height is not specifically inconsistent with the applicable neighborhood plan provisions of the Comprehensive Plan. d. The increased height will not result in a structure that is incompatible with surrounding uses or improvements.	

Section 60.182

Zone
PLA16

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 60.182	USE ↓ REGULATIONS ↑	Required Review Process	Lot Size	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
				REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.060	Mini-Day-Care Center	None	35,000 sq. ft.	20'	5', but 2 side yards must equal at least 15'.	10'	50%	30' above average building elevation.	E	B	See KZC 105.25.	<ol style="list-style-type: none"> May locate on the subject property only if: <ol style="list-style-type: none"> It will serve the immediate neighborhood in which it is located; or It will not be detrimental to the character of the neighborhood in which it is located. A six-foot-high fence is required along the property lines adjacent to the outside play areas. Hours of operation may be limited by the City to reduce impacts on nearby residential uses. Structured play areas must be setback from all property lines by five feet. May include accessory living facilities for staff persons. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388). An on-site passenger loading area may be required depending on the number of attendees and the extent of the abutting right-of-way improvements. The location of parking and passenger loading areas shall be designed to reduce impacts on any nearby residential uses.
.070	Public Utility	Process IIA, Chapter 150 KZC.	None	20'	20' on each side	20'	70%	30' above average building elevation.	A			<ol style="list-style-type: none"> Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.
.080	Government Facility or Community Facility				10' on each side	10'			C See Spec. Reg. 1.			
.090	Public Park	Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.										

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PUBLICATION SUMMARY
OF ORDINANCE O-4370

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, PLANNING, AND LAND USE AND AMENDING ORDINANCE 3719 AS AMENDED, THE KIRKLAND ZONING ORDINANCE: SECTIONS 60.180, 60.182 AND 115.20 RELATING TO ANIMALS IN RESIDENTIAL ZONES; AND REPEALING KIRKLAND MUNICIPAL CODE CHAPTER 8.08 RELATING TO FOWL AND APPROVING A SUMMARY ORDINANCE FOR PUBLICATION, FILE NO. ZON12-00002.

SECTION 1. Repeals Kirkland Municipal Code Chapter 8.08.

SECTION 2. Amends Kirkland Zoning Ordinance Sections 60.180, 60.182 and 115.20 relating to animals in residential zones.

SECTION 3. Provides a severability clause for the ordinance.

SECTION 4. Provides that portions of the ordinance may be subject to the disapproval jurisdiction of the Houghton Community Council.

SECTION 5. 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 6. 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 7th day of August, 2012.

I certify that the foregoing is a summary of Ordinance O-4370 approved by the Kirkland City Council for summary publication.

City Clerk 