

ORDINANCE O-4417

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING AND LAND USE AND AMENDING THE KIRKLAND ZONING ORDINANCE 3719, AS AMENDED, TO ESTABLISH LIMITS ON THE NUMBER OF RESIDENTIAL SUITES UNITS ALLOWED IN THE CENTRAL BUSINESS DISTRICT AND ESTABLISHING MINIMUM REQUIRED COMMON LIVING AREA, FILE NO. CAM13-00178.

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, as set forth in the report and recommendation of the Planning Commission dated August 13, 2013, and bearing Kirkland Department of Planning and Community Development File No.; CAM13-00178 and

WHEREAS, prior to making the recommendation, the Kirkland Planning Commission, following notice as required by RCW 35A.63.070, on July 25, 2013, held a public hearing on the amendment proposals and considered the comments received at the hearing; and

WHEREAS, on August 9, 2013, draft regulations were forwarded to the Washington State Department of Commerce for review, as required by RCW 36.70A.106; and

WHEREAS, pursuant to the State Environmental Policy Act (SEPA), there has accompanied the legislative proposal and recommendation through the entire consideration process, a SEPA Addendum to Existing Environmental Documents issued by the responsible official pursuant to WAC 197-11-600 and 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; and.

NOW THEREFORE, the City Council of the City of Kirkland do ordain as follows:


Section 1. Zoning text amended: The following specified sections of the text of Ordinance No. 3719, as amended, the Kirkland Zoning Ordinance, are amended as set forth in Attachment A 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. Except as provided in Section 2, this ordinance shall be in full force and effect five days from and after its passage by the Kirkland City Council and publication, as required by law.

Passed by majority vote of the Kirkland City Council in open meeting this 3rd day of September, 2013.

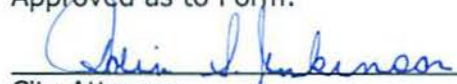
Signed in authentication thereof this 3rd day of September, 2013.

  
MAYOR

Attest:

  
City Clerk

Approved as to Form:

  
City Attorney

## KZC Amendments

### **KZC 50.68 Residential Suites Adjacency Restrictions within CBD Zones**

Within each of the Central Business District (CBD) zones where Residential Suites are an allowed use, no more than 240 Residential Suite living units are allowed. Within all CBD zones where the use is allowed, not more than a total of 500 Residential Suite living units are allowed. For purposes of administering these restrictions, the following rules are established for City acceptance of applications for projects containing Residential Suites living units:

1. The City will accept complete building permit applications and/or complete Design Response Conference applications for projects until the limit has been reached. At such time as the limit is reached, no additional projects containing Residential Suites living units are allowed and the City will not accept or process any additional applications that would exceed the limit.
2. For projects requiring Design Response Conference review, the applicant shall submit a complete application for a building permit for the approved D.B.R. development within 180 days of the final D.B.R. decision. After 180 days, any application pursuant to subsection 1 shall replace the subject Design Response Conference application.

This section shall terminate as of September 1, 2016.

### **Add the following Special Regulations**

#### CBD Zones

Developments containing this use shall provide common living area available to all residential suite residents. Common living area shall consist of areas such as shared kitchens, dining areas, and community rooms. Areas such as bathrooms, laundries, utility rooms, storage, stairwells, mailrooms, and hallways shall not be counted as common living area. The minimum amount of common living area for each project shall be 250 feet plus an additional 20 square feet per living unit.

50.12.085: new Special Regulation 5

50.17.095: new Special Regulation 7

50.27.075: new Special Regulation 7

50.32.085: new Special Regulation 7

50.47.125: new Special Regulation 6

50.52.115: new Special Regulation 8

#### TL Zones

Developments containing residential suites use shall provide common living area available to all residential suite residents. Common living area shall consist of areas such as shared kitchens, dining areas, and community rooms. Areas such as bathrooms, laundries, utility rooms, storage, stairwells, mailrooms, and hallways shall not be counted as common living area. The minimum amount of common living area for each project shall be 250 feet plus an additional 20 square feet per living unit.

55.09.040: new Special Regulation 8

55.15.020: new Special Regulation 9

55.21.060: new Special Regulation 5