

ORDINANCE NO. 2464

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO PARKING IN RESIDENTIAL AREAS AND AMENDING ORDINANCE 2183, AS AMENDED.

WHEREAS, it is desirable to regulate the parking and storage of recreational and non-residential types of vehicles within the residential areas of the City; and

WHEREAS, an Environmental Checklist was prepared and a Final Declaration of Non-Significance was made pursuant to the requirements of the State Environmental Policy Act (RCW 43.21c; WAC 197-10; and Kirkland Ordinance No. 2319, as amended). This Checklist and Declaration of Non-Significance were available to the Development Code Commission at the public hearing held on this issue. The Development Code Commission considered this information in formulating its recommendation to City Council, and City Council considered this information in taking final action on this recommendation.

THE CITY COUNCIL OF THE CITY OF KIRKLAND DO ORDAIN AS FOLLOWS:

Section 1. Section 23.34.090 of Ordinance 2183, as amended, is amended to read as follows:

23.34.090 Parking and Storage of Recreational Equipment:--For purposes of these regulations, major recreational equipment is defined as including boats and boat trailers, travel trailers, pick-up campers or coaches (designed to be mounted on automotive vehicles), motorized dwellings, tent trailers, and the like, and cases or boxes used for transporting recreational equipment, whether occupied by such equipment or not.--No major recreational equipment shall be parked or stored on any lot in a residential district except in a carport or enclosed building or behind the primary residential structure and obscured from the street, provided, however, that this provision may be modified by the Board of Adjustment under the following conditions:-

An application shall be filed before the Board of Adjustment indicating that:

- (1)--The strict application of this provision would exhibit a hardship in terms of the criteria of Section 23.60.010 of this Ordinance;
- (2)--The applicant would propose an alternative method of screening and landscaping where the recreational equipment will be parked which will demonstrate that the quality of the immediate neighborhood would be maintained.--(Reference provisions of Chapter 23.40 as a guide).

Such equipment may be parked anywhere on residential premises but not to exceed 24 hours.

- c. Vehicles of 25000 pounds gross weight, or more.
2. The restriction described in Paragraph 1 of this Section may be modified by the Development Review Committee pursuant to Ordinance 2386, as amended, under the following conditions:
- a. The hours of operation of the vehicle are restricted to prevent any adverse impact on any surrounding residential use.
 - b. The vehicle is significantly screened from any public right-of-way and from any surrounding residential use.
 - c. Noise from the vehicle may not exceed the limitation set forth in Section 23.36.060 and Section 23.36.070 of this Code.
 - d. The vehicle is owned by a resident of the subject property, and any work performed on the vehicle is done by the owner of the vehicle.
 - e. The required permit will have a maximum duration of one (1) year, and will be renewable on an annual basis. Any request for renewal must be accompanied by the renewal fee as established by the Director of the Department of Community Development.
3. Nothing in this Section will be construed to prohibit the active loading and unloading of any vehicle described in this Section for a period, not to exceed six (6) hours.

Section 3. If any section, subsection, sentence, clause, phrase, part or portion of this Ordinance 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 that the subject matter and provisions of this Ordinance are within the disapproval jurisdiction of the Houghton Community Council, as created by Ordinance No. 2001, this Ordinance shall become effective within the Houghton Community either upon approval of the Houghton Community Council, or failure of said Community Council to disapprove within sixty (60) days from the date of passage of this Ordinance.

Section 5. Except as provided in Section 4, this Ordinance shall be in force and take effect five (5) days from and after its passage by the City Council and publication as required by law.

"Parking and Storage of Recreational Equipment and Small Trailers:

1. Major recreational equipment and small trailers which are parked or stored on a lot where a residential use is a permitted use must be located in a carport, enclosed building or behind the primary residential structure, or must be reasonably obscured from the street.
 - a. For the purpose of this Section, major recreational equipment includes, but is not limited to, boats and boat trailers, travel trailers, pick-up campers or coaches designed to be mounted on automotive vehicles, motorized dwellings, and tent trailers.
 - b. For the purpose of this Section, small trailers includes trailers designed to carry a maximum of two (2) animals, and trailers of 2000 pounds gross weight or less.
2. The conditions for parking and storage described in Paragraph 1 of this Section may be modified by the Development Review Committee pursuant to Ordinance 2386, as amended, under the following conditions:
 - a. The applicant must prove that compliance with the requirements of Paragraph 1 of this Section cannot be achieved because of a limitation relating to size, shape, or topography of the subject property.
 - b. The applicant must propose an alternative method of screening and landscaping for the location of the recreational equipment or trailer, and must demonstrate that the quality of the immediate neighborhood will be maintained.
3. Recreational equipment and trailers defined by this Section may be parked anywhere on residential premises for a period, not to exceed 72 hours."

Section 2. Chapter 23.34 of Ordinance 2183, as amended, is amended by addition of a new Section to read as follows:

"23.34.095 Parking and Storage of Trailers, Truck Tractors and Large Vehicles.

1. The parking and storage of the following is prohibited on any lot where a residential use is a permitted use:
 - a. Recreational equipment and trailers not provided for in Section 23.34.090 of this Chapter.
 - b. Truck tractors as defined by Section 12.44.010 of the Kirkland Municipal Code.

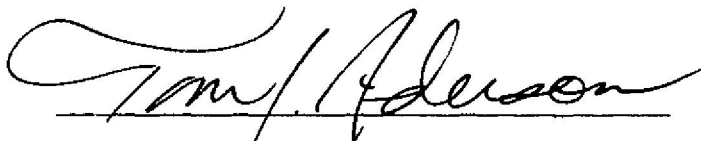
PASSED by the Kirkland City Council in regular meeting on
the 7th day of May, 1979.

SIGNED in authentication thereof on the 7th day
of May, 1979.



Mayor

ATTEST:



Director of Administration and Finance
(ex officio City Clerk)

Approved as to form:



City Attorney