

ORDINANCE NO. 2558

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO USES PERMITTED IN PLANNED AREAS AND AMENDING SECTION 23.27.020 OF ORDINANCE 2183 AS AMENDED.

WHEREAS, it is reasonable to allow public service type uses in all areas of the City; and

WHEREAS, public facilities, public utilities and publicly owned and operated parks are public service type uses; 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. 2473, as amended). This Checklist and Declaration of Non-Significance were available to the Development Code Commission and the Houghton Community Council at the public hearings held on this issue. The Development Code Commission and the Houghton Community Council considered this information in formulating their recommendations to City Council, and City Council considered this information in taking final action on this recommendation;

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

Section 1. Section 23.27.020 of Ordinance 2183, as amended, is amended to read as follows:

23.27.020 Planned Area Uses: The following table lists Planned Area uses corresponding to each specific Planned Area as defined in this Chapter and in the Land Use Policies Plan. In addition, Development Permit requirements, Specific Development Requirements and Special Conditions are listed for each Planned Area and Planned Area use:

<u>Planned Area</u>	<u>Planned Area Uses</u>	<u>Development Permit Required</u>	<u>Specific Development Requirements</u>	<u>Special Conditions</u>
<p>(NOTE: Each Planned Area is listed in this column in numerical order. For the specific location of each Planned Area, refer to the Zoning Map and Land Use Policies Plan)</p>	<p>(NOTE: Except as specified below, this column lists all permitted uses in each corresponding Planned Area. Permitted uses differ in each Planned Area according to the Land Use Policies Plan. While all uses herein listed are specifically permitted, each use may be unique in terms of Development Permit required or not required. Careful reference with the columns to the right is important to fully understand all provisions contained herein.</p> <p><u>In addition to the uses specifically listed in each Planned Area, the following uses may be approved in each Planned Area by the issuance of a Conditional Use Permit or Planned Unit Development Permit:</u></p>	<p>(NOTE: This column specifies whether a development permit is required and, if so required, which permit or permit option is available.</p> <p>Development permits for Planned Area uses, where required, shall either be a Conditional Use Permit (CUP) or Planned Unit Development (PUD). The CUP option is for those developments not meeting the minimum site area requirements in Planned Unit Development (Section 23.28.050). All proposed developments being processed as a CUP shall meet the specific development requirements and special conditions. For those developments meeting the minimum site area requirements in Section 23.28.050, or as otherwise provided in the Land Use Policies Plan, either a PUD or CUP is required. In the event a PUD option is selected, the specific development requirement conditions shall be used as a basis</p>	<p>(NOTE: This column contains those specific requirements which shall be met by all Planned Area uses. these requirements are intended to implement the performance standards and regulations of the Kirkland Zoning Ordinance No. 2183.)</p>	<p>(NOTE: This column contains those particular conditions unique to each Planned Area which shall be met as part of the granting of any permit. These special conditions are intended to implement the standards as defined in the Land Use Policies Plan.)</p>

Planned Area

Planned Area Use

1. Publicly owned and operated parks.
2. Public facilities.
3. Public utilities.

The City will use the applicable "Specific Development Requirements" and "Special Conditions" listed in a particular Planned Area as guidelines for considering the uses listed above in that Planned Area.)

Development Permit Required

for granting a planned unit development. Any deviations will be evaluated against the specific development requirements and special conditions and policies for the Planned Area.

In Planned Areas, where residential uses are designated, developments of three dwelling units or less may be exempt from the CUP or PUD permit unless otherwise required provided that such use meets the Planned Area density for the designated area, specific development requirements and special conditions.)

Specific Development Requirements

Special Conditions

Zoning

PLANNED AREAS

Section 2. 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 3. 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.

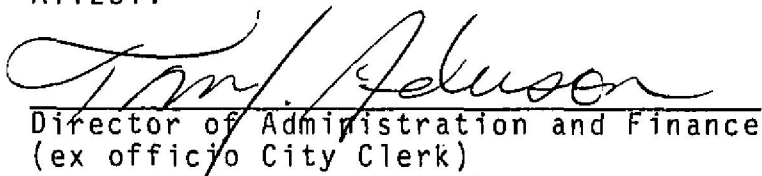
Section 4. Except as provided in Section 3, this Ordinance shall be in force and take effect five (5) days from and after its passage by the City Council and publication as required by law.

PASSED BY THE KIRKLAND CITY COUNCIL IN REGULAR MEETING on the 17th day of November, 1980.

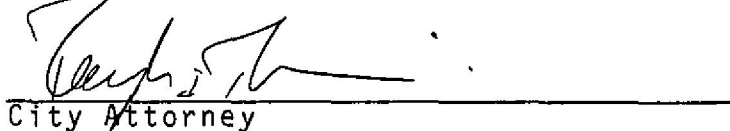
SIGNED IN AUTHENTICATIATION thereof on the 17th day of November, 1980.


MAYOR

ATTEST:


Director of Administration and Finance
(ex officio City Clerk)

APPROVED AS TO FORM


City Attorney

3094A