

ORDINANCE NO. 2930

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KIRKLAND RELATING TO LAND USE PLANNING AND ZONING, AMENDING ORDINANCE 2740 AS AMENDED, THE KIRKLAND ZONING ORDINANCE AND ADOPTING PURSUANT TO RCW 35A.14.330, A ZONING REGULATION FOR AN AREA LYING EAST OF THE CITY OF KIRKLAND WHICH SHALL BECOME EFFECTIVE AT SUCH TIME AS SAID AREA OR ANY PORTION THEREOF SHALL, BY ANNEXATION, BECOME A PART OF THE CITY OF KIRKLAND. (File IV-85-56)

Whereas, by Resolution R-3181, the preparation of an extended zoning regulation pursuant to RCW 35A.14.330 was directed to be prepared for the area designated therein; and

Whereas, thereafter said extended zoning regulation, including proposed amendments to Ordinance 2740, the zoning ordinance, were prepared by the Department of Planning and Community Development; and

Whereas, during public hearings held on July 2, September 5, September 19, October 3, and November 7, 1985, the Kirkland Planning Commission reviewed and considered said extended zoning regulation, and the comments thereon received; and

Whereas, the Kirkland Planning Commission has recommended to the City Council, adoption of an extended zoning regulation for said area; and

Whereas, subsequently the City Council, pursuant to RCW 35A.14.330 held public hearings on the proposed extended zoning regulation as recommended by the Planning Commission, with said public hearings being held on December 19, 1985 and January 20, 1986; and

Whereas, following said January 20, 1986 public hearing the City Council modified and then approved as modified the proposed extended zoning regulation; and

Whereas, pursuant to the State Environmental Policy Act there has accompanied the proposed extended zoning regulation through the entire consideration and review process, a final declaration of non-significance (including supporting environmental documents) issued by the responsible official pursuant to WAC 197-11-340 and WAC 197-11-390, now, therefore,

Be it ordained by the City Council of the City of Kirkland as follows:

Section 1. The extended zoning regulation as set forth in Exhibit 1 and 2 attached hereto and by this reference incorporated herein is hereby adopted.

Section 2. Ordinance 2740 as amended, the Kirkland zoning ordinance is hereby amended as set forth in Exhibit 2, provided that such amendments shall not have the force of land use regulations as to any real property which would otherwise be subject thereto, until such time as said real property lies within the corporate limits of the City of Kirkland as the result of subsequent annexation or otherwise.

Section 3. The Director of Planning and Community Development is hereby authorized and directed to amend the zoning map adopted by Ordinance 2699 to reflect the herein adopted extended zoning regulation subject nevertheless, to the proviso clause set forth in Section 2, above.

Section 4. 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 5. This ordinance shall be in full force and take effect five days from and after its passage by the City Council and publication as required by law.

PASSED by majority vote of the Kirkland City Council in regular, open meeting this 20th day of January, 1986.

SIGNED IN AUTHENTICATION thereof this 20th day of January, 1986.

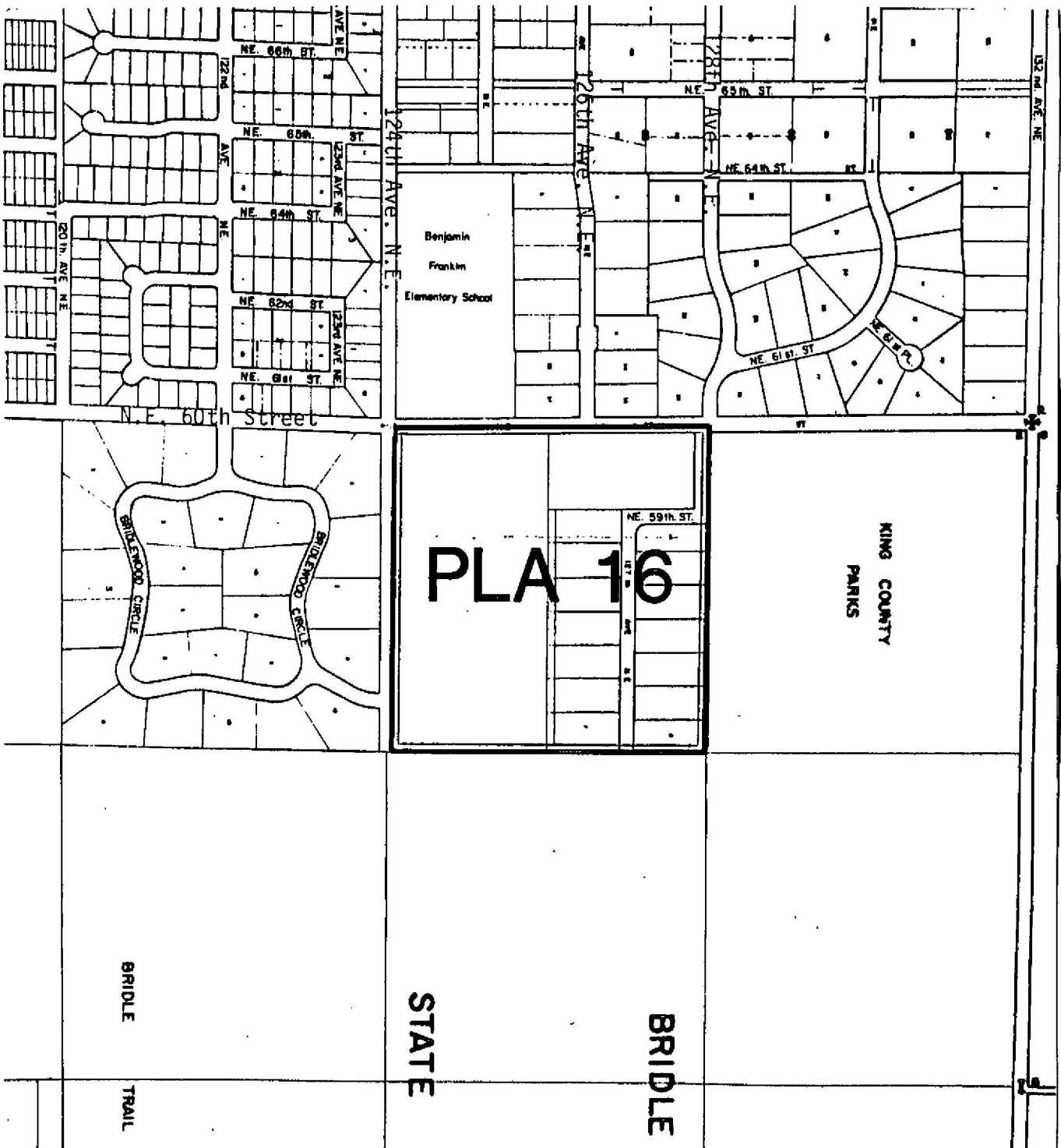
Donia Cooper
Mayor

Attest:

T. J. Aduse
Director of Administration & Finance
(ex officio City Clerk)

Approved as to Form:

Gail Gend
City Attorney
Acting



REGULATIONS USE	Directions: FIRST, read down to find USE... THEN, across for REGULATIONS.		USE ZONE CHART										Zone PLA 16		Section 60.85.a					
	REQUIRED REVIEW PROCESS	LOT SIZE	MINIMUMS REQUIRED YARDS			LOT COVERAGE	HEIGHT OF STRUCTURE	LANDSCAPE CATEGORY	SIGN CATEGORY	REQUIRED PARKING SPACES	SPECIAL REGULATIONS									
			FRONT	SIDE	REAR															
Detached Dwelling Unit otherwise none	If lot size is less than 35,000 sq. ft., then Process III Chapter 155 Special Regulation #5. otherwise none	35,000 sq. ft. except as established under Special Regulation #5.	20'	5' but 2 side yards must equal at least 15 feet	10'	50%	25' above average building elevation	E	A	2.0 per dwelling unit	<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. Each lot may contain no more than two horses. Each residential lot must contain an area of at least 14,500 square feet capable of being converted into a horse paddock area and configured in a contiguous and useable manner to accommodate the feed storage and manure pile for two horses. This area must be exclusive of any 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, an easement or an adjacent right-of-way across a side yard of the lot. 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. The configuration of any subdivision of land with this use category must be specifically reviewed and approved by the King County Health Department. 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. Chapter 115 contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. Refer to Chapter 1 to determine what other provisions of this Code may apply to the subject property. 									

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Footnotes

For other information about parking and parking areas, see Chapter 105.
 For details of the regulations in this category, see Chapter 100.
 For information of the regulations in this category, see Chapter 95.
 For details of what may exceed this height limit, see Chapter 115.
 For details regarding required yards, see Chapter 115.

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Directions: FIRST, read down to find USE... THEN, across for REGULATIONS.

USE ZONE CHART

Zone PLA 16	Section 60.85.b
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USE	REGULATIONS	REQUIRED REVIEW PROCESS	LOT SIZE	MINIMUMS			LOT COVERAGE	HEIGHT OF STRUCTURE	LANDSCAPE CATEGORY	SIGN CATEGORY	REQUIRED PARKING SPACES	SPECIAL REGULATIONS
				REQUIRED YARDS								
				FRONT	SIDE	REAR						
Commercial Equestrian Facility See Special Regulation #1	Process IIB	3 acre	20' See	20' Special Regulation #2	20'	80%	See Special Regulation #4	C	B	See Section 105.25	<ol style="list-style-type: none"> This use may include arenas, stables, roaming and grazing areas, club house and ancillary equestrian activities. This use must comply with Sections 80.30 through .45. 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. Structures exceeding 25 ft. above average building elevation must have the ground floor placed below existing grade to the extent possible and screened by a vegetative earthen berm. Existing natural vegetation must be maintained to the greatest extent possible. Refer to Chapter 1 to determine what other provisions of this code may apply to the subject property. 	
Commercial Recreation Area and Use See Special Regulation #1	Process IIB	1 acre	20'	20'	20'	80%	38' above average building elevation. See Special Regulation #3	C	B	See Section 105.25	<ol style="list-style-type: none"> 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. Hours of operations may be limited to reduce adverse impacts on a residential neighborhood. Structures exceeding 25 ft. 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. A 20-foot wide site obscuring landscape buffer must be provided along the west and south perimeter of the property. Existing natural vegetation must be maintained to the greatest extent possible. Refer to Chapter 1 to determine what other provisions of this code may apply to the subject property. Vehicular and pedestrian circulation to and from the property shall be coordinated with the other properties in the vicinity to the maximum extent possible. 	
Noncommercial Recreation Area or Club House Exh. 2, P. 2	Process IIA Chapter 150	35,000 sq. ft.	20'	5' but 2 side yards must equal at least 15 feet	10'	50%	25' above average building elevation	C	B	See Section 105.25	<ol style="list-style-type: none"> May be permitted only if it will not adversely impact any residential area that it does not serve. Must provide pedestrian access from locations served by the area or clubhouse. Location and site design must minimize the need for parking. Hours of operation may be limited to reduce adverse impact on a residential neighborhood. Must provide an improved public equestrian access trail and appropriate public signing. 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. Any structure's horizontal dimension that is parallel to and within 100 feet of a low density use may not exceed 50 feet if any part of that structure within 100 feet of the low density use exceeds 15 feet above average building elevation. See the Section in Chapter 115 entitled <u>Distance Between Structures Regarding Maximum Horizontal Facade Regulations</u> for further details. Refer to Chapter 1 to determine what other provision of this Code may apply to the subject property. 	

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For other information about parking and parking areas, see Chapter 105.
 For details of the regulations in this category, see Chapter 100.
 For information of the regulations in this category, see Chapter 95.
 For details of what may exceed this height limit, see Chapter 115.
 For details regarding required yards, see Chapter 115.

Footnotes

Directions:

FIRST, read down to find USE... THEN, across for REGULATIONS.

USE ZONE

CHART

Zone PLA 16	Section 60.85.c
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USE	REGULATIONS	REQUIRED REVIEW PROCESS	LOT SIZE	MINIMUMS			MAXIMUMS				
				REQUIRED YARDS			LOT COVERAGE	HEIGHT OF STRUCTURE	LANDSCAPE CATEGORY	SIGN CATEGORY	REQUIRED PARKING SPACES
				FRONT	SIDE	REAR					
Church		Process IIA Chapter 150	35,000 sq. ft.	20'	20' on each side	20'	70%	25' above average building elevation	C	B	See Section 105.25
School or Day Care Center		Process IIB Chapter 152 See Special Regulation #10	35,000 sq. ft.	20'	If this use can accommodate 50 or more students or children, then-- 50' on each side	50'	70%	25' above average building elevation	D	B	Section 105.25
				20'	If this use can accommodate 13 to 49 students or children, then-- 20' on each side	20'					
				20'	Otherwise-- 5', but 2 side yards must equal at least 15 feet.	10'					

SPECIAL REGULATIONS

- Traffic cannot significantly impact any residential neighborhood.
 - Noise cannot exceed that normally associated with a residential neighborhood.
 - Scale and placement of the structure must be in harmony with the residential setting.
 - Any structure's horizontal dimension that is parallel to and within 100 feet of a low density use may not exceed 50 feet if any part of that structure within 100 feet of the low density use exceeds 15 feet above average building elevation. See the Section in Chapter 115 entitled Distance Between Structures Regarding Maximum Horizontal Facade Regulations for further details.
 - Refer to Chapter 1 to determine what other provision of this Code may apply to the subject property.
 - 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.
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- May locate on the subject property only if--
 - 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 6' high fence along the side and rear property lines is required.
 - Hours of operation may be limited to reduce impacts on nearby residential uses.
 - Structured play areas must be setback from all property lines as follows:
 - 20' if this use can accommodate 50 or more students or children.
 - 10' if this use can accommodate 13 to 49 students or children.
 - Otherwise, 5'.
 - An on-site passenger loading area must be provided if this use can accommodate more than 50 students or children.
 - Any structure's horizontal dimension that is parallel to and within 100 feet of a low density use may not exceed 50 feet if any part of that structure within 100 feet of the low density use exceeds 15 feet above average building elevation. See the Section in Chapter 115 entitled Distance Between Structures Regarding Maximum Horizontal Facade Regulations for further details.
 - May include accessory living facilities for staff persons.
 - Refer to Chapter 1 to determine what other provision of this Code may apply to the subject property.
 - No required review process is necessary for up to two portable classrooms per site provided that those classrooms are ancillary to an established school use and that they do not exceed 12 consecutive months duration.
 - 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.

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Footnotes

- For other information about parking and parking areas, see Chapter 105.
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Zone
PLA 16
 Section
60.85.d

REGULATIONS USE	Directions: FIRST, read down to find USE... THEN, across for REGULATIONS.		USE ZONE CHART										SPECIAL REGULATIONS	
	REQUIRED REVIEW PROCESS	LOT SIZE	MINIMUMS			MAXIMUMS			LANDSCAPE CATEGORY	SIGN CATEGORY	REQUIRED PARKING SPACES			
			REQUIRED YARDS			LOT COVERAGE	HEIGHT OF STRUCTURE							
			FRONT	SIDE	REAR									
Mini-Day Care Center (7-12 children) ----- Day Care Home (6 children or less)	Process I Chapter 145	35,000 sq. ft.	20'	5' but 2 side yards must equal at least 15'	10'	50%	25'	E	B	See Section 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 6' high fence is required along the property line adjacent to the outside play areas for mini-day care centers only. 3. Hours of operation may be limited by the City to reduce impacts on nearby residential uses. 4. Structured play areas must be setback from all property lines by 5'. 5. May include accessory living facilities for staff persons. 6. Refer to Chapter 1 to determine what other provision of this Code may apply to the subject property. 7. These uses are subject to the requirements established by the Department of Social and Health Services (WAC 388-73) and Section 115.90 of this ordinance. 8. 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.			
Public Utility	Process IIA Chapter 150	None	20'	20' on each side	20'	70%	25' above average building elevation	A	B	See Section 105.25	1. May be permitted only if locating this use in the immediate area of the subject property is necessary to permit effective service to the area or the "City" as a whole. 2. Any building's horizontal dimension that is parallel to and within 100 feet of a low density use may not exceed 50 feet if any part of that structure within 100 feet of the low density use exceeds 15 feet above average building elevation. See the Section in Chapter 115 entitled <u>Distance Between Structures Regarding Maximum Horizontal Facade Regulations</u> for further details. 3. Traffic cannot significantly impact any residential neighborhood. 4. Refer to Chapter 1 to determine what other provision of this Code may apply to the subject property.			
Government Facility	Process IIA Chapter 150	None	20'	10' on each side	10'	70%	25' above average building elevation	D	B	See Section 105.25	5. 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.			
Public Transit Shelter	None	None	None	None	None	100%	15' above average building elevation	--	See Spc. Regs. #2	None	1. May be permitted only if it will not unreasonably impede pedestrian movement or create traffic safety problems. 2. May install transit route and information signs and markers.			
Public Park Exh. 2, P. 4	If one acre or more, then Process IIA Chapter 150 ----- Otherwise, none	None	Will be determined on a case-by case basis				25' above average building elevation	--	B	See Section 105.25	1. The design of the park must serve the needs of the area in which it is located. 2. Refer to Chapter 1 to determine what other provision of this Code may apply to the subject property. 3. Any structure's horizontal dimension that is parallel to and within 100 feet of a low density use may not exceed 50 feet if any part of that structure within 100 feet of the low density use exceeds 15 feet above average building elevation. See the Section in Chapter 115 entitled <u>Distance Between Structures Regarding Maximum Horizontal Facade Regulations</u> for further details. 4. 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. 997C/284A			

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