

ORDINANCE NO. 3055

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, PLANNING AND LAND USE AND AMENDING ORDINANCE 2740 AS AMENDED, THE KIRKLAND ZONING ORDINANCE (FILE NO. IV-87-42)

Whereas, the City Council has received from the Kirkland Planning Commission a recommendation to amend certain sections of the text of the Kirkland Zoning Code, Ordinance 2740 as amended, all as set forth in that certain report and recommendation of the Planning Commission dated September 17, 1987 and bearing Kirkland Department of Planning and Community Development File No. IV-87-42; and

Whereas, prior to making said recommendation the Planning Commission, following notice thereof as required by RCW 35A.63.070, on September 17, 1987, held a public hearing on the amendment proposals and considered the comments received at said hearing; and

Whereas, pursuant to the State Environmental Policies Act there has accompanied the legislative proposal and recommendation through the entire consideration process, a final determination of non-significance, including supporting environmental documents, issued by the responsible official pursuant to WAC 197-11-340 and WAC 197-11-390; 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, as well as a timely filed challenge of said recommendation.

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

Section 1: Zoning text amended: The following specified sections of the text of Ordinance 2740 as amended, the Kirkland Zoning Ordinance, be and they hereby are amended to read as follows:

As set forth in Attachment A which by this reference is incorporated herein.

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: The subject matter of this ordinance and the permit herein granted, pursuant to Ordinance 2001, is subject to the disapproval jurisdiction of the Houghton Community Council, and therefore, this ordinance shall become effective within the Houghton 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 4: Except as provided in Section 3, this ordinance shall be in full force and effect five days from and after its passage by the Kirkland City Council and publication pursuant to Section 1.08.017, Kirkland Municipal Code in the summary form attached to the original of this ordinance and by this reference approved by the City Council, as required by law.

Passed by majority vote of the Kirkland City Council in regular, open meeting this 5th day of October, 1987.

Signed in authentication thereof this 5th day of October, 1987.

Everly W. Cox
MAYOR PRO TEM

ATTEST:

Janice Perry
City Clerk

APPROVED AS TO FORM:

Raymond S. Turner
City Attorney

8217C/288A/TS:cw

180. Cross Section (Drawing) - A visual representation of a vertical cut through a structure or any other three-dimensional form.
185. Culvert - An open-ended cylindrical structure generally used for the conveyance of storm waters.
190. Curb-Cut - The connection of an access drive or a driveway with a street which may entail a structural alteration to the curb by lowering the height of part of the curb.
- 5.192. Day-Care Center - In RS Zones, A a Day-Care operation with thirteen (13) or more children-attendees at any one time, not including immediate family members who reside in the center. For all other zones, see Day-Care Operation.
193. Day-Care Home - A Day-Care operation with no more than six (6) children-attendees at any one time, not including immediate family members who reside in the home.
194. Day-Care Operation - The temporary care of children persons in a residence or structure on a regular recurring basis for pay or other valuable consideration, including but not limited to the furnishing of shelter, sustenance, supervision, education or other supportive services.
195. Dedication - The deliberate appropriation of land by an owner for public use or purpose, reserving no other rights than those that are compatible with the full exercise and enjoyment of the public uses or purpose to which the property has been devoted.
200. Deleterious Material - Any substance which may cause harm to existing lifeforms with which it comes into contact. Substances used for gardening such as fertilizers or weed control, when applied as directed, are not considered to be deleterious in this Code.
205. Detention of Storm Water - The physical entrapment of water occurring as a result of precipitation and the mechanically controlled release of the entrapped waters into the public storm drainage systems or into a stream or lake.
210. Development Activity - Any work, condition or activity which requires a permit or approval under this Code or the Uniform Building Code.
215. Development Permit - Any permit or approval under this Code or the Uniform Building Code that must be issued before initiating a use or development activity.

500. Marquee Sign - Any sign which forms part of, or is integrated into, a marquee or canopy and which does not extend horizontally beyond the limits of such marquee or canopy.
505. Master Plan - A complete development plan for the subject property showing: placement, dimensions and uses of all structures as well as streets and other areas used for vehicular circulation.
- 5.510. Maximum Lot Coverage - The maximum percentage of the surface of the subject property that may be covered with structures, other than outdoor swimming pools, or any other materials which will not allow for the percolation of water into the underlying soils. Wood decks may be excluded if constructed with gaps between the boards and if there is pervious surface below the decks. If the subject property contains more than one use, the maximum lot coverage requirements for the predominant use will apply to the entire development.
515. Medium Density Use - Detached, attached, or stacked dwelling units on a subject property which contains at least 3,600 square feet per unit but not more than 7,199 square feet per unit.
520. Medium Density Zones - The following zones: RS-5.0; RM 5.0; RM 3.6; WD-1; WD-III; PLA 3; PLA 6 E, F, G, J; and PLA 7 A.
525. Mean Sea Level - The level of Puget Sound at zero tide as established by the US Army Corps of Engineers.
527. Mini-Day-Care Center - A Day-Care operation with seven (7) to twelve (12) children-attendees at any one time, not including immediate family members who reside in the center.
528. Mini-School - A school operation with seven (7) to twelve (12) attendees at any one time, not including immediate family members who reside in the school.
530. Minor Lake - Any lake shown on the Environmentally Sensitive Areas Map, as adopted by the City Council and on file in the Planning Department, other than Lake Washington.
537. Modify - As used in Chapters 75, 122 and 125, the word modify means to allow or require a deviation from the provisions of this Code.

Directions: FIRST, read down to find USE... THEN, across for REGULATIONS.										USE ZONE CHART		Zone Section	
USE	REGULATIONS	REQUIRED REVIEW PROCESS	LOT SIZE	MINIMUMS			MAXIMUMS			LANDSCAPE SIGN CATEGORY	REQUIRED PARKING SPACES	SPECIAL REGULATIONS	Zone Section
				REQUIRED YARDS			LOT COVERAGE	HEIGHT OF STRUCTURE	LANDSCAPE SIGN CATEGORY				
				FRONT	SIDE	REAR							
Detached Dwelling Unit	None	As established on the Zoning Map. See Special Regulation #1.	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"> Minimum lot size per dwelling unit is as follows: <ol style="list-style-type: none"> In RS 35 Zones, the minimum lot size is 35,000 square feet. In RS 12.5 Zones, the minimum lot size is 12,500 square feet. In RS 8.5 Zones, the minimum lot size is 8,500 square feet. In RS 7.2 Zones, the minimum lot size is 7,200 square feet. In RS 5.0 Zones, the minimum lot size is 5,000 square feet. In RS 35, 12.5, 8.5, and 7.2, and 5.0 Zones, not more than one dwelling unit may be on each lot, regardless of the size of the lot. 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 provision of this Code may apply to the subject property. 	15.10.a.	
Attached Dwelling Unit. This use is only permitted in an RS-5.0 zone.	Process IIB Chapter 152	5,000-sq-ft	20'	5', but 2 side yards must equal at least 15 feet.	10'	50%	25' above average building elevation.	D	A	1.7 per dwelling unit.	<ol style="list-style-type: none"> This use is not allowed at these locations where it is specifically inconsistent with the comprehensive plan. Chapter 115 contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. Any structure's horizontal dimension that is parallel to and within 100 feet of a low density zone may not exceed 50 feet if any part of that structure within 100 feet of the low density zone exceeds 15 feet above average building elevation. See the Section in Chapter 115 entitled Distance Between Structures Regarding Maximum Horizontal Facade Regulation for further details. Refer to Chapter 1 to determine what other provision of this Code may apply to the subject property. 		
Non-Commercial Recreation Area or Club House	Process IIA Chapter 150	As established on the Zoning Map. See Special Regulation #1.	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"> Minimum lot size per dwelling unit is as follows: <ol style="list-style-type: none"> In RS 35 Zones, the minimum lot size is 35,000 square feet. In RS 12.5 Zones, the minimum lot size is 12,500 square feet. In RS 8.5 Zones, the minimum lot size is 8,500 square feet. In RS 7.2 Zones, the minimum lot size is 7,200 square feet. In RS 5.0 Zones, the minimum lot size is 5,000 square feet. 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. 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. If any portion of a structure is adjoining a low density zone, then either: <ol style="list-style-type: none"> The height of that portion of the structure shall not exceed 15 feet above average building elevation, or The horizontal length of any facade of that portion of the structure which is parallel to the boundary of the low density zone shall not exceed 50 feet in width. 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. 		

6836C/233A(5390A/83A)5-20-07/TS:rk

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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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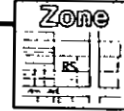
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REGULATIONS		USE ZONE CHART										Zone		Section		
		MINIMUMS										MAXIMUMS		15.10.b.		
USE	REQUIRED REVIEW PROCESS	LOT SIZE	REQUIRED YARDS			LOT COVERAGE	HEIGHT OF STRUCTURE	LANDSCAPE CATEGORY	SIGN CATEGORY	REQUIRED PARKING SPACES	SPECIAL REGULATIONS					
			FRONT	SIDE	REAR											
Church	Process-11A Chapter-150 See Special Regulation #4	As established on the Zoning Map. See Special Regulation #1.	20'	20' on each side	20'	70%	25' above average building elevation	C	B	See Section 105.25-1 for every 4 people based on maximum occupancy load of any area of worship See Spec. Reg. #5.	<ol style="list-style-type: none"> Minimum lot size per dwelling unit is as follows: <ol style="list-style-type: none"> In RS 35 Zones, the minimum lot size is 35,000 square feet. In RS 12.5 Zones, the minimum lot size is 12,500 square feet. In RS 8.5 Zones, the minimum lot size is 8,500 square feet. In RS 7.2 Zones, the minimum lot size is 7,200 square feet. In RS 5.0 Zones, the minimum lot size is 5,000 square feet. 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. The property must be served by a collector or arterial street. 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. If any portion of a structure is adjoining a low density zone, then either: <ol style="list-style-type: none"> The height of that portion of the structure shall not exceed 15 feet above average building elevation, or The horizontal length of any facade of that portion of the structure which is parallel to the boundary of the low density zone shall not exceed 50 feet in width. <p>See the Section in Chapter 115 entitled Distance Between Structures Regarding Maximum Horizontal Facade Regulations for further details.</p>					
School or Day Care Center	Process-11B Chapter-152 See Special Regulation #11	As established on the Zoning Map. See Special Regulation #1.	If this use can accommodate 50 or more students or children, then-- 50' 50' on each side 50'			70%	25' above average building elevation	D	B	See Sec. 109.18	<ol style="list-style-type: none"> Section 105.25 		<ol style="list-style-type: none"> The required review process is as follows: <ol style="list-style-type: none"> If the subject property, including all contiguous property owned by the applicant and held by others for future use by the applicant, is less than five acres, the required review process is Process 11A, Chapter 150. If the subject property, including all contiguous property owned by the applicant and held by others for future use by the applicant, is five or more acres, a Master Plan, approved through Process 11B, Chapter 152, is required. The Master Plan must show building placement, building dimensions, roadways, utility locations, land uses within the Master Plan area, parking location, buffering, and landscaping. No parking is required for day-care or school ancillary to the use. Refer to Chapter 1 to determine what other provision 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.

CHART



Section
15.10.b.

SPECIAL REGULATIONS

- 5. Structured play areas must be setback from all property lines as follows:
 - a. 20' if this use can accommodate 50 or more students or children.
 - b. 10' if this use can accommodate 13 to 49 students or children.
 - c. Otherwise, 5'.
- 6. An on-site passenger loading area must be provided. The City shall determine the appropriate size of the loading area 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 nearby residential uses, if this use can accommodate more than 50 students or children.
- 7. The location of parking and passenger loading areas shall be designed to reduce impacts on nearby residential uses.
- 8. Electrical lighted signs shall not be permitted.
- 9. 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. If any portion of a structure is adjoining 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 horizontal length of any facade of that portion of the structure which is parallel to the boundary of the low density zone shall not exceed 50 feet in width.
 See the Section in Chapter 115 entitled Distance Between Structures Regarding Maximum Horizontal Facade Regulations for further details.
- 10. May include accessory living facilities for staff persons.
- 11. The required review process is as follows:
 - a. If the subject property, including all contiguous property owned by the applicant and held by others for future use by the applicant, is less than five acres, the required review process is Process IIA, Chapter 150.
 - b. If the subject property, including all contiguous property owned by the applicant and held by others for future use by the applicant, is five or more acres, a Master Plan, approved through Process IIB, Chapter 152, is required. The Master Plan must show building placement, building dimensions, roadways, utility locations, land uses within the Master Plan area, parking location, buffering, and landscaping.
- 12. Refer to Chapter 1 to determine what other provision of this Code may apply to the subject property.
- 13. These uses are subject to the requirements established by the Department of Social and Health Services (WAC 388-73).
- 10. 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.

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REGULATIONS		USE ZONE CHART										Zone		Section		
		MINIMUMS										MAXIMUMS		15.10.c.		
USE	REQUIRED REVIEW PROCESS	LOT SIZE	REQUIRED YARDS			LOT COVERAGE	HEIGHT OF STRUCTURE	LANDSCAPE SIGN CATEGORY	REQUIREMENT CATEGORY	REQUIRED PARKING SPACES	SPECIAL REGULATIONS		RS		15.10.c.	
			FRONT	SIDE	REAR											
Mini-school or Mini-Day Care Center (7-12 children attendees) ----- Day Care Home (6 children attendees or less)	Process I Chapter 145 ----- None	As established on the Zoning Map See Special Regulation #1	20'	5' but 2 side yards must equal at least 15'	10'	50%	25' above average building elevation	E	B See Section 105.25 Spc Reg #8	<ol style="list-style-type: none"> Minimum lot size per dwelling unit is as follows: <ol style="list-style-type: none"> In RS 35 Zones, the minimum lot size is 35,000 square feet. In RS 12.5 Zones, the minimum lot size is 12,500 square feet. In RS 8.5 Zones, the minimum lot size is 8,500 square feet. In RS 7.2 Zones, the minimum lot size is 7,200 square feet. In RS 5.0 Zones, the minimum lot size is 5,000 square feet. 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 6' high fence is required along the property lines adjacent to the outside play areas for mini-schools and mini-day care centers only. Hours of operation and maximum number of attendees may be limited by the City to reduce impacts on nearby residential uses. Structured play areas must be setback from all property lines by 5'. 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 nearby residential uses. Electrical lighted signs shall not be permitted. Size of signs may be limited to be compatible with nearby residential uses. 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. These uses are subject to the requirements established by the Department of Social and Health Services (WAC 388-73), and Section 116.90 of this ordinance. 						
Public Park	If one acre or more, then Process IA Chapter 150 ----- Otherwise, none	None		Will be determined on a case-by case basis			25' above average building elevation.	--	B See Section 105.25	<ol style="list-style-type: none"> The design of the park must serve the needs of the area in which it is located. Refer to Chapter 1 to determine what other provision of this Code may apply to the subject property. 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 16 feet above average building elevation. If any portion of a structure is adjoining a low density zone, then either: <ol style="list-style-type: none"> The height of that portion of the structure shall not exceed 15 feet above average building elevation, or The horizontal length of any facade of that portion of the structure which is parallel to the boundary of the low density zone shall not exceed 50 feet in width. See the Section in Chapter 115 entitled Distance Between Structures Regarding Maximum Horizontal Facade Regulations for further details.						

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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.

REGULATIONS		Directions: FIRST, read down to find USE... THEN, across for REGULATIONS.										USE ZONE CHART		Zone		Section	
		REQUIRED REVIEW PROCESS	LOT SIZE	MINIMUMS REQUIRED YARDS			MAXIMUMS			LANDSCAPE SIGN CATEGORY	REQUIRED PARKING SPACES	SPECIAL REGULATIONS		RS	15.10.d.		
USE			FRONT	SIDE	REAR	LOT COVERAGE	HEIGHT OF STRUCTURE										
Golf Course	Process IIA Chapter 150	1 acre	50'	50' on each side	50'	50%	25' above average building elevation.	E	B	See Section 105.25	1. Site design must minimize adverse impacts on surrounding residential neighborhoods. 2. May not include miniature golf. 3. The following accessory uses are specifically permitted as part of this use. a. Equipment storage facilities. b. Retail sales and rental of golf equipment and accessories. c. A restaurant. 4. 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. If any portion of a structure is adjoining 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 horizontal length of any facade of that portion of the structure which is parallel to the boundary of the low density zone shall not exceed 50 feet in width. See the Section in Chapter 115 entitled Distance Between Structures Regarding Maximum Horizontal Facade Regulations for further details. 5. Traffic cannot significantly impact any residential neighborhood. 6.5 Refer to Chapter 1 to determine what other provision of this Code may apply to the subject property.						
Public Utility	Process IIA Chapter 150 See Special Regulation #3	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. If any portion of a structure is adjoining 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 horizontal length of any facade of that portion of the structure which is parallel to the boundary of the low density zone shall not exceed 50 feet in width. See the Section in Chapter 115 entitled Distance Between Structures Regarding Maximum Horizontal Facade Regulations for further details. 3. Traffic cannot significantly impact any residential neighborhood. 4. The required review process is as follows: a. If the subject property, including all contiguous property owned by the applicant and held by others for future use by the applicant, is less than five acres, the required review process is Process IIA, Chapter 150 b. If the subject property, including all contiguous property owned by the applicant and held by others for future use by the applicant, is five or more acres, a Master Plan, approved through Process IIB, Chapter 152, is required. The Master Plan must show building placement, building dimensions, roadways, utility locations, land uses within the Master Plan area, parking location, buffering, and landscaping. 5. Refer to Chapter 1 to determine what other provision of this Code may apply to the subject property.						
Government Facility	Process IIA Chapter 150 See Special Regulation #3	None	20'	10' on each side	10'	70%	25' above average building elevation.	D	B	See Section 105.25	1. Refer to Chapter 1 to determine what other provision of this Code may apply to the subject property. 2. For a Government Facility use, Landscape Category A, B, or C may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.						

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REGULATIONS FOR THIS USE CONTINUED ON THE NEXT PAGE

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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.

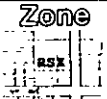
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Directions: FIRST, read down to find USE... THEN, across for REGULATIONS.										USE ZONE CHART		Zone	Section	
USE	REGULATIONS	REQUIRED REVIEW PROCESS	LOT SIZE	MINIMUMS			MAXIMUMS				SPECIAL REGULATIONS	Zone	Section	
				REQUIRED YARDS			LOT COVERAGE	HEIGHT OF STRUCTURE	LANDSCAPE SIGN CATEGORY	REQUIRED PARKING SPACES				
			FRONT	SIDE	REAR								15.10.d.	
Public Transit Shelter		None	None	None	None	100%	15' above average building elevation.	see spec. reg. 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.				
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Footnotes														
<ul style="list-style-type: none"> _____ 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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USE		REGULATIONS		USE ZONE CHART										Zone		Section	
				MINIMUMS										MAXIMUMS		RSK	
Directions: FIRST, read down to find USE... THEN, across for REGULATIONS.		REQUIRED REVIEW PROCESS	LOT SIZE	REQUIRED YARDS			LOT COVERAGE		HEIGHT OF STRUCTURE	LANDSCAPE CATEGORY	RSK CATEGORY	REQUIRED PARKING SPACES	SPECIAL REGULATIONS				
			FRONT	SIDE	REAR												
Detached Dwelling Unit	None	As established on the Zoning Map. See Special Regulation #1.	20'	5' each side	10'	50%	30' above average building elevation.	E	A	2.0 per dwelling unit.	<ol style="list-style-type: none"> Minimum lot size per dwelling unit is as follows: <ol style="list-style-type: none"> In RSK 35 Zones, the minimum lot size is 35,000 square feet. In RSK 8.5 Zones, the minimum lot size is 8,500 square feet. In RSK 7.2 Zones, the minimum lot size is 7,200 square feet. In RSK 35, 8.5, and 7.2 Zones, not more than one dwelling unit may be on each lot, regardless of the size of the lot. 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 provision of this Code may apply to the subject property. 						
Non-Commercial Recreation Area or Club House	Process 11A Chapter 150	As established on the Zoning Map. See Special Regulation #1.	20'	5' but 2 side yards must equal at least 15 feet	10'	50%	30' above average building elevation	C	B	See Section 105.25	<ol style="list-style-type: none"> Minimum lot size per dwelling unit is as follows: <ol style="list-style-type: none"> In RSK 35 Zones, the minimum lot size is 35,000 square feet. In RSK 8.5 Zones, the minimum lot size is 8,500 square feet. In RSK 7.2 Zones, the minimum lot size is 7,200 square feet. 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. 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. If any portion of a structure is adjoining a low density zone, then either: <ol style="list-style-type: none"> The height of that portion of the structure shall not exceed 15 feet above average building elevation; or The horizontal length of any facade of that portion of the structure which is parallel to the boundary of the low density zone shall not exceed 50 feet in width. 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. 						
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Footnotes												Page					
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REGULATIONS	Directions: FIRST, read down to find USE... THEN, across for REGULATIONS.										Zone	Section	
	USE	REQUIRED REVIEW PROCESS	MINIMUMS			MAXIMUMS				LANDSCAPE SITE CATEGORY			REQUIRED PARKING SPACES
			REQUIRED YARDS			LOT COVERAGE	HEIGHT OF STRUCTURE	CATEGORY	CATEGORY				
		LOT SIZE	FRONT	SIDE	REAR								

Zone



Section

17.10.b.

Church	See Special Regulation #1	As established on the Zoning Map. See Special Regulation #1 & 2	20'	20' on each side	20'	70%	30' above average building elevation	C	B	See Section 105.25. 1 for every 4 people based on maximum occupancy load of any area of work-ship. See Special Reg. #5
School or Day Care Center	See Special Regulations #1 and 11.	As established on the Zoning Map. See Special Regulation #1 & 2	50'	50' on each side	50'	70%	30' above average building elevation	D	B	Section 105.25. See Special Reg. #11

SPECIAL REGULATIONS

- The required review process is as follows:
 - If the subject property, including all contiguous property owned by the applicant and held by others for future use by the applicant, is less than five acres, the required review process is Process IIA, Chapter 150.
 - If the subject property, including all contiguous property owned by the applicant and held by others for future use by the applicant, is five or more acres, a Master Plan, approved through Process IIB, Chapter 152, is required. The Master Plan must show building placement, building dimensions, roadways, utility locations, land uses within the Master Plan area, parking location, buffering, and landscaping.
- Minimum lot size per dwelling unit is as follows:
 - In RSX 35 Zones, the minimum lot size is 35,000 square feet.
 - In RSX 8.5 Zones, the minimum lot size is 8,500 square feet.
 - In RSX 7.2 Zones, the minimum lot size is 7,200 square feet.
- Traffic cannot significantly impact any residential neighborhood.
- The property must be served by a collector or arterial street.
- Noise cannot exceed that normally associated with a residential neighborhood.
- Scale and placement of all structures 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 60 feet if any part of that structure within 100 feet of the low density use exceeds 15 feet above average building elevation. If any portion of a structure is adjoining a low density zone, then either:
 - The height of that portion of the structure shall not exceed 15 feet above average building elevation, or
 - The horizontal length of any facade of that portion of the structure which is parallel to the boundary of the low density zone shall not exceed 50 feet in width.
- See the Section in Chapter 115 entitled Distance Between Structures Regarding Maximum Horizontal Facade Regulations for further details.
- No parking is required for day-care or school ancillary to the use.
- Refer to Chapter 1 to determine what other provision of this Code may apply to the subject property.

1. The required review process is as follows:

- If the subject property, including all contiguous property owned by the applicant and held by others for future use by the applicant, is less than five acres, the required review process is Process IIA, Chapter 150.
- If the subject property, including all contiguous property owned by the applicant and held by others for future use by the applicant, is five or more acres, a Master Plan, approved through Process IIB, Chapter 152, is required. The Master Plan must show building placement, building dimensions, roadways, utility locations, land uses within the Master Plan area, parking location, buffering, and landscaping.

2. Minimum lot size per dwelling unit is as follows:

- In RSX 35 Zones, the minimum lot size is 35,000 square feet.
- In RSX 8.5 Zones, the minimum lot size is 8,500 square feet.
- In RSX 7.2 Zones, the minimum lot size is 7,200 square feet.

3. 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.
- The property is served by a collector or arterial street.

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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.

REGULATIONS FOR THIS USE CONTINUED ON THE NEXT PAGE

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Page

CHART

Zone	Section
RSX	17.10.b.

SPECIAL REGULATIONS

REGULATIONS FOR THIS USE CONTINUED FROM PREVIOUS PAGE

4. A 6' high fence along the side and rear property lines is required only along the property lines adjacent to the outside play areas.
5. Hours of operation and maximum number of attendees at one time may be limited to reduce impacts on nearby residential uses.
6. Structured play areas must be setback from all property lines as follows:
 - a. 20' if this use can accommodate 50 or more students or children.
 - b. 10' if this use can accommodate 13 to 49 students or children.
 - c. Otherwise, 5'.
7. An on-site passenger loading area must be provided, if this use can accommodate more than 50 students or children. The City shall determine the appropriate size of the loading area 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 nearby residential uses.
8. The location of parking and passenger loading areas shall be designed to reduce impacts on nearby residential uses.
9. Electrical lighted signs shall not be permitted.
10. ~~9.~~ 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. If any portion of a structure is adjoining a low density zone, either:
 - a. The height of that portion of the structure shall not exceed 15 feet above average building elevation; or
 - b. The horizontal length of any facade of that portion of the structure which is parallel to the boundary of the low density zone shall not exceed 50 feet in width.See the Section in Chapter 115 entitled Distance Between Structures Regarding Maximum Horizontal Facade Regulations for further details.
11. ~~9.~~ May include accessory living facilities for staff persons.
12. These uses are subject to the requirements established by Department of Social and Health Services (MAL 388-73).
13. ~~10.~~ Refer to Chapter 1 to determine what other provision of this Code may apply to the subject property.
11. ~~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.~~

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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.

Page

REGULATIONS		USE ZONE CHART										Zone	Section	
USE	REQUIRED REVIEW PROCESS	LOT SIZE	MINIMUMS			MAXIMUMS				LANDSCAPE CATEGORY	REQUIRED PARKING SPACES	SPECIAL REGULATIONS	RSX	17.10.b.
			REQUIRED YARDS			LOT COVERAGE	HEIGHT OF STRUCTURE	SIGN CATEGORY	REQUIREMENTS					
			FRONT	SIDE	REAR									
Mini-School or Mini-Day-Care Center (7-12 children attendees) Day-Care Home (6 children attendees or less)	Process 1 Chapter 145 None	As established on the Zoning Map See Special Regulation #1	20'	5' but 2 side yards must equal at least 15'	10'	50%	30' above average building elevation	E	See Spec Reg #1	See Section 105.25	<ol style="list-style-type: none"> Minimum lot size per dwelling unit is as follows: <ol style="list-style-type: none"> In RSX 35 Zones, the minimum lot size is 35,000 square feet. In RSX 8.5 Zones, the minimum lot size is 8,500 square feet. In RSX 7.2 Zones, the minimum lot size is 7,200 square feet. 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 6' high fence is required along the property line adjacent to the outside play areas for mini-school and mini-day care centers only. Hours of operation and the maximum number of attendees may be limited by the City to reduce impacts on nearby residential uses. Structured play areas must be setback from all property lines by 5'. 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 nearby residential uses. Electrical lighted signs shall not be permitted. Size of signs may be limited to be compatible with nearby residential uses. 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. These uses are subject to the requirements established by the Department of Social and Health Services (MAC 388-73), and Section 115.90 of this ordinance. 		17.10.b.	

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8207C/308A/Pg.11/10-6-87/TS:rk

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 uses, see Chapter 115.

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

USE ZONE CHART

Zone	Section
17.10.c	

USE	REGULATIONS	REQUIRED REVIEW PROCESS	LOT SIZE	MINIMUMS			MAXIMUMS			LANDSCAPE CATEGORY	SIGN CATEGORY	REQUIRED PARKING SPACES
				REQUIRED YARDS			LOT COVERAGE	HEIGHT OF STRUCTURE	LANDSCAPE CATEGORY			
				FRONT	SIDE	REAR						
Golf Course	Process IIA Chapter 150	1 acre	50'	50' on each side	50'	50%	30' above average building elevation.	E	B	See Section 105.25		
Public Utility	Process IIA Chapter 150 See Special Regulation #3	None	20'	20' on each side	20'	70%	30' above average building elevation.	A	B	See Section 105.25		
Government Facility	Process IIA Chapter 150 See Special Regulation #3	None	20'	10' on each side	10'	70%	30' above average building elevation.	D See Spec Reg #5	B	See Section 105.25		

SPECIAL REGULATIONS

- Site design must minimize adverse impacts on surrounding residential neighborhoods.
- May not include miniature golf.
- The following accessory uses are specifically permitted as part of this use.
 - Equipment storage facilities.
 - Retail sales and rental of golf equipment and accessories.
 - A restaurant.
- 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. If any portion of a structure is adjoining a low density zone, then either:
 - The height of that portion of the structure shall not exceed 15 feet above average building elevation; or
 - The horizontal length of any facade of that portion of the structure which is parallel to the boundary of the low density zone shall not exceed 50 feet in width.
 See the Section in Chapter 115 entitled Distance Between Structures Regarding Maximum Horizontal Facade Regulations for further details.
- Traffic cannot significantly impact any residential neighborhood.
- Refer to Chapter 1 to determine what other provision of this Code may apply to the subject property.

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

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REGULATIONS		USE ZONE CHART										Zone		Section	
		Directions: FIRST, read down to find USE... THEN, across for REGULATIONS.										RSK		17.10.c.	
		USE	REQUIRED REVIEW PROCESS	MINIMUMS			MAXIMUMS				LANDSCAPE CATEGORY	SIGN CATEGORY	REQUIRED PARKING SPACES	SPECIAL REGULATIONS	
LOT SIZE	REQUIRED YARDS			LOT COVERAGE	HEIGHT OF STRUCTURE										
			FRONT	SIDE	REAR										
Public Transit Shelter	None	None	None	None	None	100%	15' above average building elevation.	--	See Spc. Regs #2	None	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	If one acre or more, then Process IIA Chapter 150 Otherwise, none	None	Will be determined on a case-by case basis				30' 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. If any portion of a structure is adjoining a low density zone, then either: <u>a. The height of that portion of the structure shall not exceed 15 feet above average building elevation; or</u> <u>b. The horizontal length of any facade of that portion of the structure which is parallel to the boundary of the low density zone shall not exceed 50 feet in width.</u> See the Section in Chapter 115 entitled <u>Distance Between Structures Regarding Maximum Horizontal Facade Regulations</u> for further details.			
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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	Section
PC-1	35.10.b

USE	REGULATIONS	REQUIRED REVIEW PROCESS	MINIMUMS				MAXIMUMS				SPECIAL REGULATIONS
			REQUIRED YARDS				HEIGHT OF STRUCTURE	LANDSCAPE CATEGORY	SIGN CATEGORY	REQUIRED PARKING SPACES	
			LOT SIZE	FRONT	SIDE	REAR					
A retail establishment selling groceries and related items		None	20'	0'	0'	80%	30' above average building elevation	A	F	1 per each 300 sq. ft. of gross floor area	<ol style="list-style-type: none"> Gross floor area for this use may not exceed 18,000. Any structure's horizontal dimension that is parallel to and within 100 feet of a low density zone may not exceed 50 feet if any part of that structure within 100 feet of the low density zone exceeds 15 feet above average building elevation. See the Section in Chapter 115 entitled <u>Distance Between Structures Regarding Maximum Horizontal Facade Regulation</u> for further details. Refer to Chapter 1 to determine what other provision of this Code may apply to the subject property.
Any retail establishment, other than those listed in this zone providing goods and services to the freeway traveler. See Special Regulation #1		Process 118 Chapter 152	Will be determined on a case-by-case basis based on the nature and impacts of the proposed use. The City will use the requirements of other uses in this zone as a guide.							See Section 105.25	<ol style="list-style-type: none"> A particular use or development may be approved under this listing if-- <ol style="list-style-type: none"> The use or development is principally geared towards serving the freeway traveler; and It is reasonable to anticipate that the use or development will be patronized by sufficient freeway travelers to support it. Any structure's horizontal dimension that is parallel to and within 100 feet of a low density zone may not exceed 50 feet if any part of that structure within 100 feet of the low density zone exceeds 15 feet above average building elevation. See the Section in Chapter 115 entitled <u>Distance Between Structures Regarding Maximum Horizontal Facade Regulation</u> for further details. Refer to Chapter 1 to determine what other provision of this Code may apply to the subject property.
Public Utility		None	20'	0'	0'	70%	30' above average building elevation	A	B	See Section 105.25	<ol style="list-style-type: none"> 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. Any building's horizontal dimension that is parallel to and within 100 feet of a low density zone may not exceed 50 feet if any part of that structure within 100 feet of the low density zone exceeds 15 feet above average building elevation. See the Section in Chapter 115 entitled <u>Distance Between Structures Regarding Maximum Horizontal Facade Regulation</u> for further details. Refer to Chapter 1 to determine what other provision of this Code may apply to the subject property.
Government Service		None	20'	0'	0'	70%	30' above average building elevation	C	B	See Section 105.25	<ol style="list-style-type: none"> Refer to Chapter 1 to determine what other provision of this Code may apply to the subject property.
Public Transit Shelter		None	0'	0'	0'	100%	15' above average building elevation	--	See Spc. Reg. #2	None	<ol style="list-style-type: none"> May be permitted only if it will not unreasonably impede pedestrian movement or create traffic safety problems. May install transit route and information signs and markers.
Public Park		If one acre or more, then Process 11A Chapter 150 otherwise, none	Will be determined on a case-by-case basis.				30' above average building elevation	--	B	See Section 105.25	<ol style="list-style-type: none"> The design of the park must serve the needs of the area in which it is located. Any structure's horizontal dimension that is parallel to and within 100 feet of a low density zone may not exceed 50 feet if any part of that structure within 100 feet of the low density zone exceeds 15 feet above average building elevation. See the Section in Chapter 115 entitled <u>Distance Between Structures Regarding Maximum Horizontal Facade Regulation</u> for further details. Refer to Chapter 1 to determine what other provision of this Code may apply to the subject property.

Footnotes

For other information about parking and parking areas, see Chapter 105.
 For details of the regulations in this category, see Chapter 100.
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SUMMARY OF ORDINANCE No. 3055

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, PLANNING AND LAND USE, AND AMENDING ORDINANCE 2740 AS AMENDED, THE KIRKLAND ZONING ORDINANCE (FILE NO. IV-87-42).

Section 1. Makes certain changes to provisions of the Kirkland Zoning Ordinance, Ordinance 2740 as amended, as follows:

A. Amends Sections 5.192, 5.193, 5.194, 5.527 and 5.528, which define "day care", "mini day care" and "mini school" by adding the term "mini school" as a permitted use and substituting the word "attendees" for the word "children" in order to allow inclusion of day care and mini school centers for senior citizens and other special interest groups.

B. Amends Section 5.510, definition for "maximum lot coverage" to incorporate existing zoning code administrative interpretation no. 87-18, which excludes wood decks from being calculated as part of the maximum lot coverage requirement.

C. Amends Section 5.520, definition of "medium density" to include the RM 5.0 classification and to delete the RS 5.0 classification.

D. Amends Section 15.10.a-RS Zone Use Chart to remove attached dwellings as a permitted use in the RS 5.0 Zone and to clarify the special regulation relating to horizontal dimensions for structures in an RS Zone.

E. Amends Sections 15.10.b through 15.10.d, inclusive - RS Use Zone Charts to add "mini school" as a permissible use in an RS Zone. Adopts a new special regulation with respect to church, school, or day care center, public utility or government facility use within an RS Zone, requiring a master plan to be approved through process IIB chapter 152, if the subject property, including all contiguous property owned by the applicant and held by others for future use by the applicant, is five or more acres in size.

F. Amends Sections 15.10b through 15.10d, inclusive, Use Zone Charts for RS Zone and section 17.10.a through 17.10.c, Use Zone Charts for RSX Zone by amending or modifying special use regulations for

the RS and RSX Zones, with regard to off-street-parking requirements for churches, landscaping requirements for government facilities and special review criteria for school, mini school, and day care centers in RS and RSX Zones. Also deletes special regulations 2, 3, and 4, relating to noise, traffic and scale of buildings as to golf courses, public utilities, government facilities and churches, within RS and RSX Zones. Adds "mini school" as a permitted use in RSX Zones, and clarifies the horizontal dimension regulations for structures within RS and RSX Zones.

G. Amends Section 35.10b, Use Zone Chart for FC 1 Zone to delete there from a special regulation which limited gross floor area of commercial uses within this Zone to 18,000 square feet or less.

Section 2. Is a savings clause which provides for the validity of all other provisions of the Ordinance should any one part be determined to be invalid.

Section 3. Provides that the effective date of the Ordinance is affected by the disapproval jurisdiction of the Houghton Community Council.

Section 4. Authorizes publication of the Ordinance by summary, which summary is approved by the City Council pursuant to Section 1.08.17 Kirkland Municipal Code and establishes the effective date as five days after publication of summary, except as provided in Section 3.

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 regular meeting on the 5th day of October 1987.

I certify that the foregoing is a summary of Ordinance 3055 approved by the Kirkland City Council for summary publication.


City Clerk