

ORDINANCE NO. 3073

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-87-112).

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 December 15, 1987, and bearing Kirkland Department of Planning and Community Development File No. IV-87-112; and

Whereas, prior to making said recommendation the Planning Commission, following notice thereof as required by RCW 35A.63.070, on December 3, 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 21st day of December, 1987.

Signed in authentication thereof this 21st day of December, 1987.

Doris Cooper
MAYOR

ATTEST:

Jane Perry
City Clerk

APPROVED AS TO FORM:

Rayner
City Attorney

CHAPTER 75 - HISTORIC LANDMARK OVERLAY ZONE

75.05	User Guide
75.10	Designation - Required Review
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75.05 User Guide

This Chapter establishes a mechanism for designating certain areas or improvements in the City as historic landmarks. This Chapter also contains regulations that govern the use and alteration of any area or improvement that has been designated as an Historic Landmark.

Various places on the Zoning Map contain an "HL" within a dashed line. This indicates that this area, has been designated as an Historic Landmark Overlay Zone where special regulations apply. These special regulations add to and in some cases supersede the other regulations of this Code.

If you are interested in proposing that an area or structure be designated as an "Historic Landmark" or if you wish to participate in the City's decision on a proposed designation you should read Section 10 through 25 of this Chapter.

If you are interested in conducting a use or altering the appearance of an area or structure that has been designated as an Historic Landmark or if you wish to participate in the City's decision on a proposed use or alteration of a designated historic landmark, you should read Section 30 through 50 of this Chapter.

75.10 Designation - Required Review

The City will review and decide upon each proposal to designate an area as an Historic Landmark Overlay Zone on the Zoning Map using the Non-Project Quasi-Judicial Rezone provisions of Chapter 130 of this Code.

75.15

Designation - Who May Apply/Special Fee Provision.75.15
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~~Only the City, or the person holding fee title to the subject property, or any member of the general public or that person's designated agent may apply to designate a that property as an Historic Landmark Overlay Zone.~~ To the extent that these provisions are inconsistent with the provisions of Chapters 130 or 155 of this Code, the provisions of this Section govern.

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Designation - Criteria.

The City may approve the designation of an area as an Historic Landmark Overlay Zone only if it finds that--

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1. The applicable criteria of Chapter 130 of this Code are met, and

2. Either--

a. The property contains an object, improvement, or site that is more than forty years old, and that possesses integrity of location, design, setting, materials, workmanship, feeling and association, and:

(1) Is associated with events that have made a significant contribution to the broad patterns of national, state or local history; or

(2) Is associated with the lives of persons significant in national, state or local history; or

(3) Embodies the distinctive characteristics of a type, period, style or method of design or construction, or that represents a significant and distinguishable entity whose components may lack individual distinction; or

(4) Has yielded or may be likely to yield, information important in prehistory or history; or

(5) is an outstanding work of a designer or builder who has made a substantial contribution to the art; or

b. The property contains an object, improvement or site which does not meet the criteria listed in Paragraph 2 of this Section but which is--

- (1) A religious property deriving primary significance from architectural or artistic distinction or historic importance; or
- (2) A building or structure removed from its original location but which is significant primarily for its architectural value, or which is the surviving structure most importantly associated with an historic person or event; or
- (3) A birthplace, grave or residence of an historic figure of outstanding importance if there is no other appropriate site or building directly associated with his/her productive life; or
- (4) A cemetery that derives its primary significance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events; or
- (5) A reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived; or
- (6) A property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own historic significance; or
- (7) A property achieving significance within the past forty years if it is of exceptional importance.

NOTE: The criteria listed in Paragraph 2 of this Section are, with slight modification, the criteria used in evaluating entries to the National Register under the National Historic Preservation Act of 1966.

- c. This Paragraph applies only to those areas annexed to the City on January 1, 1988, by Ordinance 3062, 3063, and 3064, (known as the Lower Juanita, North Rose Hill and South Rose Hill areas):

For a twelve (12) month period beginning January 1, 1988, and ending December 31, 1988, the City shall approve the designation of an area as an historic landmark overlay zone if the site has been proposed by the King County Landmarks Commission subject to the conditions of Chapter 130.

75.25 Designation - Required Elements of Recommendation

If City Council adopts an ordinance designating an area as an Historic Landmark Overlay Zone on the zoning map, this ordinance must include the following information:

1. The boundaries of the area and description of the improvement, object, or site of significance, sufficient to identify its location.

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USE	REGULATIONS	Directions: FIRST, read down to find USE... THEN, across for REGULATIONS.										USE ZON	
		REQUIRED REVIEW PROCESS	LOT SIZE	MINIMUMS			MAXIMUMS			LANDSCAPE CATEGORY	SIGN CATEGORY		REQUIRED PARKING
				FRONT	SIDE	REAR	LOT COVERAGE	HEIGHT OF STRUCTURE	STRUCTURE				
Any retail establishment, other than those specifically listed in this zone, selling goods or providing services including banking and related financial services (see Special Regulation #1)	None	None	20'	0'	0'	80%	If adjoining a low density zone, then 25' above average building elevation. Otherwise, none	B	E	1 per each 300 sq.ft. of gross floor area			
A multiuse complex or mixed use building containing 7 or more retail establishments, restaurants, taverns, or fast food restaurants	Process IIA Chapter 150	None	20'	0'	0'	80%	If adjoining a low density zone, then 25' above average building elevation. Otherwise, none	B	E	See Section 105.25			

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CHART

Zone	Section
BCX	

SPECIAL REGULATIONS

- This use specifically excludes vehicle or boat sales or vehicle or boat service or repair.
- 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.
- If the subject property is located between Juanita Drive and Lake Washington or 98th Avenue NE and Lake Washington, the following regulations apply:
 - Must provide a required yard of 15 feet or 15 percent of average parcel depth, measured from the high waterline. To the extent that this provision is inconsistent with other required yard dimensions identified in this Chapter, this provision shall govern.
 - Must provide public pedestrian access from the right-of-way to and along the entire waterfront of the subject property within the high waterline yard. Access to the waterfront may be waived by the City if public access along the waterfront of the subject property can be reached from adjoining property. In addition, the City may require that part or all of the high waterline yard be developed as a public use area. The City shall require signs designated the Public Pedestrian Access and Public Use areas.
 - A view corridor must be maintained across 30 percent of the average parcel width. The view corridor must be in one contiguous piece. Within the view corridor, structures, parking areas and landscaping will be allowed, provided they do not obscure the view from Juanita Drive or 98th Avenue NE to and beyond Lake Washington. This corridor must be adjacent to either of the side property lines, whichever will result in the widest view corridor given development on adjacent properties.
- The applicant may develop the subject property under this use listing or under individual use listings in this zone.
- Access and traffic circulation must be designed to minimize adverse impacts on residential areas and to minimize arterial congestion.
- 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.
- If the subject property is located between Juanita Drive and Lake Washington or 98th Avenue NE and Lake Washington, the following regulations apply:
 - Must provide a required yard of 15 feet or 15 percent of average parcel depth, measured from the high waterline. To the extent that this provision is inconsistent with other required yard dimensions identified in this Chapter, this provision shall govern.
 - Must provide public pedestrian access from the right-of-way to and along the entire waterfront of the subject property within the high waterline yard. Access to the waterfront may be waived by the City if public access along the waterfront of the subject property can be reached from adjoining property. In addition, the City may require that part or all of the high waterline yard be developed as a public use area. The City shall require signs designated the Public Pedestrian Access and Public Use areas.

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- or 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.

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

REGULATIONS USE	REQUIRED REVIEW PROCESS	LOT SIZE	MINIMUMS			LOT COVERAGE	MAXIMUMS			LANDSCAPE CATEGORY	SIGN CATEGORY	REQUIRED PARKING SPACING
			REQUIRED YARDS				HEIGHT OF STRUCTURE	LANDSCAPE CATEGORY	SIGN CATEGORY			
			FRONT	SIDE	REAR							
Public Utility	None	None	20'	0'	0'	80%	If adjoining a low density zone, then 25' above average building elevation. Otherwise, none	A	B	See Section 105.25		
Government Facility	None	None	20'	0'	0'	80%	If adjoining a low density zone, then 25' above average building elevation. Otherwise, none	C	B	See Section 105.25		
Public Transit Shelter	None	None	0	0	0	100%	15' above average building elevation.	See Sp. Reg. 42	None			

USE CHART

Zone
BCX

Section

SPECIAL REGULATIONS

- Any building's horizontal dimension that is parallel to land 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.
- If the subject property is located between Juanita Drive and Lake Washington or 98th Avenue NE and Lake Washington, the following regulations apply:
 - Must provide a required yard of 15 feet or 15 percent of average parcel depth, measured from the high waterline. To the extent that this provision is inconsistent with other required yard dimensions identified in this Chapter, this provision shall govern.
 - Must provide public pedestrian access from the right-of-way to and along the entire waterfront of the subject property within the high waterline yard. Access to the waterfront may be waived by the City if public access along the waterfront of the subject property can be reached from adjoining property. In addition, the City may require that part or all of the high waterline yard be developed as a public use area. The City shall require signs designated the Public Pedestrian Access and Public Use areas.
 - A view corridor must be maintained across 30 percent of the average parcel width. The view corridor must be in one contiguous piece. Within the view corridor, structures, parking areas and landscaping will be allowed, provided they do not obscure the view from Juanita Drive or 98th Avenue NE to and beyond Lake Washington. This corridor must be adjacent to either of the side property lines, whichever will result in the widest view corridor given development on adjacent properties.

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or 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

Page

REGULATIONS USE	REQUIRED REVIEW PROCESS	LOT SIZE	MINIMUMS			REAR	LOT COVERAGE	MAXIMUMS			LANDSCAPE CATEGORY	SIGN CATEGORY	REQUIRED PARKING SPACES
			REQUIRED YARDS					HEIGHT OF STRUCTURE	LANDSCAPE CATEGORY	SIGN CATEGORY			
			FRONT	SIDE	REAR								
Office Use	None	None	0'	0'	0'	70%	If adjoining a low density zone, then 5' above average building elevation. Otherwise, none	11' per each 200 sq.ft. of gross floor area	11' per each 300 sq.ft. of gross floor area	D	1	a	medical, dental or veterinary office, per each 200 sq.ft. of gross floor area

SPECIAL REGULATIONS

c. A view corridor must be maintained across 30 percent of the average parcel width. The view corridor must be in one contiguous piece. Within the view corridor, structures, parking areas and landscaping will be allowed, provided they do not obscure the view from Juanita Drive or 98th Avenue NE to and beyond Lake Washington. This corridor must be adjacent to either of the side property lines, whichever will result in the widest view corridor given development on adjacent properties.

- 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.
- The following regulations apply to veterinary office only:
 - May only treat small animals on the subject property.
 - Outside runs and other outside facilities for the animals are not permitted.
 - Site must be designed so that noise from this use will not be audible off the subject property. A certification to this effect, signed by an Acoustical Engineer, must be submitted with the development permit application.
- If the subject property is located between Juanita Drive and Lake Washington or 98th Avenue NE and Lake Washington, the following regulations apply:
 - Must provide a required yard of 15 feet or 15 percent of average parcel depth, measured from the high waterline. To the extent that this provision is inconsistent with other required yard dimensions identified in this Chapter, this provision shall govern.
 - Must provide public pedestrian access from the right-of-way to and along the entire waterfront of the subject property within the high waterline yard. Access to the waterfront may be waived by the City if public access along the waterfront of the subject property can be reached from adjoining property. In addition, the City may require that part or all of the high waterline yard be developed as a public use area. The City shall require signs designated the Public Pedestrian Access and Public Use areas.
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Conditions: FIRST, read down to find USE... THEN, across for REGULATIONS.

USE ZONING CHART

Zone BOX Section

USE	REQUIRED REVIEW PROCESS	LOT SIZE	MINIMUMS			MAXIMUMS			LANDSCAPE CATEGORY	SIGN CATEGORY	REQUIRED PARKING SPACING
			REQUIRED YARDS			LOT COVERAGE	HEIGHT OF STRUCTURE	LANDSCAPE CATEGORY			
			FRONT	SIDE	REAR						
Vehicle Service Station	Process IIA Chapter 150	22,500 sq. ft.	40'	15' on each side	15'	80%	If adjoining a low density zone, then 25' above average building elevation. Otherwise, none	A		See Section 105.25	
Restaurant - Tavern	None	None	20'	0'	0'	80%	If adjoining a low density zone, then 25' above average building elevation. Otherwise, none	B	E	1 per each 100 sq. ft. of gross floor area	

SPECIAL REGULATIONS

- May not be more than 2 vehicle service stations at any intersection.
- Gas pump islands may extend 20 feet into the front yard. Canopies or covers over gas pump islands may not be closer than 10 feet to any property line. Outdoor parking and service areas may not be closer than 10 feet to any property line. See the Section in Chapter 115 entitled Outdoor Use, Activity and Storage for further regulations.
- 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.
- If the subject property is located between Juanita Drive and Lake Washington or 98th Avenue NE and Lake Washington, the following regulations apply:
 - Must provide a required yard of 15 feet or 15 percent of average parcel depth, measured from the high waterline. To the extent that this provision is inconsistent with other required yard dimensions identified in this Chapter, this provision shall govern.
 - Must provide public pedestrian access from the right-of-way to and along the entire waterfront of the subject property within the high waterline yard. Access to the waterfront may be waived by the City if public access along the waterfront of the subject property can be reached from adjoining property. In addition, the City may require that part or all of the high waterline yard be developed as a public use area. The City shall require signs designated the Public Pedestrian Access and Public Use areas.
 - A view corridor must be maintained across 30 percent of the average parcel width. The view corridor must be in one contiguous piece. Within the view corridor, structures, parking areas and landscaping will be allowed, provided they do not obscure the view from Juanita Drive or 98th Avenue NE to and beyond Lake Washington. This corridor must be adjacent to either of the side property lines, whichever will result in the widest view corridor given development on adjacent properties.

- 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.
- If the subject property is located between Juanita Drive and Lake Washington or 98th Avenue NE and Lake Washington, the following regulations apply:
 - Must provide a required yard of 15 feet or 15 percent of average parcel depth, measured from the high waterline. To the extent that this provision is inconsistent with other required yard dimensions identified in this Chapter, this provision shall govern.
 - Must provide public pedestrian access from the right-of-way to and along the entire waterfront of the subject property within the high waterline yard. Access to the waterfront may be waived by the City if public access along the waterfront of the subject property can be reached from adjoining property. In addition, the City may require that part or all of the high waterline yard be developed as a public use area. The City shall require signs designated the Public Pedestrian Access and Public Use areas.

Footnotes

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 or 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.

USE ZONE CHART

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

REGULATIONS	REQUIRED REVIEW PROCESS	LOT SIZE	MINIMUMS			MAXIMUMS			LANDSCAPE CATEGORY	SIGN CATEGORY	REQUIRED PARKING
			REQUIRED YARDS			LOT COVERAGE	HEIGHT OF STRUCTURE	A			
			FRONT	SIDE	REAR						
USE	None	None	20'	0'	0'	80%	f adjoining a low density zone, then 25' above average building elevation. Otherwise, none	A	E	1 per each 50 sq.ft. of gross floor area	
Fast Food Restaurant	None	None	Each of these yards of a structure must be increased 1' for each 1' that structure exceeds 30' above average building elevation.								

- SPECIAL REGULATIONS**
- c. A view corridor must be maintained across 90 percent of the average parcel width. The view corridor must be in one contiguous piece. Within the view corridor, structures, parking areas and landscaping will be allowed, provided they do not obscure the view from Juanita Drive or 98th Avenue NE to and beyond Lake Washington. This corridor must be adjacent to either of the side property lines, whichever will result in the widest view corridor given development on adjacent properties.
 1. Must provide one outdoor waste receptacle for every 8 parking stalls.
 2. Access for drive through facilities must be approved by the Public Services Department.
 3. 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.
 4. Refer to Chapter 1 to determine what other provision of this Code may apply to the subject property.
 5. If the subject property is located between Juanita Drive and Lake Washington or 98th Avenue NE and Lake Washington, the following regulations apply:
 - a. Must provide a required yard of 15 feet or 15 percent of average parcel depth, measured from the high waterline. To the extent that this provision is inconsistent with other required yard dimensions identified in this Chapter, this provision shall govern.
 - b. Must provide public pedestrian access from the right-of-way to and along the entire waterfront of the subject property within the high waterline yard. Access to the waterfront may be waived by the City if public access along the waterfront of the subject property can be reached from adjoining property. In addition, the City may require that part or all of the high waterline yard be developed as a public use area. The City shall require signs designated the Public Pedestrian Access and Public Use areas.
 - c. A view corridor must be maintained across 30 percent of the average parcel width. The view corridor must be in one contiguous piece. Within the view corridor, structures, parking areas and landscaping will be allowed, provided they do not obscure the view from Juanita Drive or 98th Avenue NE to and beyond Lake Washington. This corridor must be adjacent to either of the side property lines, whichever will result in the widest view corridor given development on adjacent properties.

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Footnotes

- or 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 USE	REQUIRED REVIEW PROCESS	LOT SIZE	MINIMUMS			MAXIMUMS			LANDSCAPE CATEGORY	SIGN CATEGORY	REQUIRED PARKING
			REQUIRED YARDS			LOT COVERAGE	HEIGHT OF STRUCTURE	PERCENT OF GROSS FLOOR AREA			
			FRONT	SIDE	REAR						
Private Lodge or Club	None	None	20'	0'	0'	0%	If adjoining a low density zone, then 25' above average building elevation. Otherwise, none	3	B	per each 100 sq.ft of gross floor area	
Stacked Dwelling Unit. See Special Regulation #1	None	None	Same as these Regulations for the ground floor use. See Special Regulation #1					A		1.7 per unit	

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Zone BCX
Section

SPECIAL REGULATIONS

- 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.
- If the subject property is located between Juanita Drive and Lake Washington or 98th Avenue NE and Lake Washington, the following regulations apply:
 - Must provide a required yard of 15 feet or 15 percent of average parcel depth, measured from the high waterline. To the extent that this provision is inconsistent with other required yard dimensions identified in this Chapter, this provision shall govern.
 - Must provide public pedestrian access from the right-of-way to and along the entire waterfront of the subject property within the high waterline yard. Access to the waterfront may be waived by the City if public access along the waterfront of the subject property can be reached from adjoining property. In addition, the City may require that part or all of the high waterline yard be developed as a public use area. The City shall require signs designated the Public Pedestrian Access and Public Use areas.
 - A view corridor must be maintained across 30 percent of the average parcel width. The view corridor must be in one contiguous piece. Within the view corridor, structures, parking areas and landscaping will be allowed, provided they do not obscure the view from Juanita Drive or 98th Avenue NE to and beyond Lake Washington. This corridor must be adjacent to either of the side property lines, whichever will result in the widest view corridor given development on adjacent properties.
- This use may not be located on the ground floor of a structure.
- 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.
- If the subject property is located between Juanita Drive and Lake Washington or 98th Avenue NE and Lake Washington, the following regulations apply:
 - Must provide a required yard of 15 feet or 15 percent of average parcel depth, measured from the high waterline. To the extent that this provision is inconsistent with other required yard dimensions identified in this Chapter, this provision shall govern.
 - Must provide public pedestrian access from the right-of-way to and along the entire waterfront of the subject property within the high waterline yard. Access to the waterfront may be waived by the City if public access along the waterfront of the subject property can be reached from adjoining property. In addition, the City may require that part or all of the high waterline yard be developed as a public use area. The City shall require signs designated the Public Pedestrian Access and Public Use areas.

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Footnotes

- or other information about parking and parking areas, see Chapter 105.
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- 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.

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

USE ZONING CHART

Zone	Section
BCX	

USE	REGULATIONS	REQUIRED REVIEW PROCESS	MINIMUMS			MAXIMUMS					
			LOT SIZE	REQUIRED YARDS			LOT COVERAGE	HEIGHT OF STRUCTURE	LANDSCAPE CATEGORY	SIGN CATEGORY	REQUIRED PARKING
				FRONT	SIDE	REAR					
Church		one	one	20'	0'	0'	0%	If adjoining a low density zone, then 25' above average building elevation. Otherwise, none	B	see Section 05.25	

SPECIAL REGULATIONS

c. A view corridor must be maintained across 30 percent of the average parcel width. The view corridor must be in one contiguous piece. Within the view corridor, structures, parking areas and landscaping will be allowed, provided they do not obscure the view from Juanita Drive or 98th Avenue NE to and beyond Lake Washington. This corridor must be adjacent to either of the side property lines, whichever will result in the widest view corridor given development on adjacent properties.

- May include accessory living facilities for staff persons.
- 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.
- If the subject property is located between Juanita Drive and Lake Washington or 98th Avenue NE and Lake Washington, the following regulations apply:
 - Must provide a required yard of 15 feet or 15 percent of average parcel depth, measured from the high waterline. To the extent that this provision is inconsistent with other required yard dimensions identified in this Chapter, this provision shall govern.
 - Must provide public pedestrian access from the right-of-way to and along the entire waterfront of the subject property within the high waterline yard. Access to the waterfront may be waived by the City if public access along the waterfront of the subject property can be reached from adjoining property. In addition, the City may require that part or all of the high waterline yard be developed as a public use area. The City shall require signs designated the Public Pedestrian Access and Public Use areas.
 - A view corridor must be maintained across 30 percent of the average parcel width. The view corridor must be in one contiguous piece. Within the view corridor, structures, parking areas and landscaping will be allowed, provided they do not obscure the view from Juanita Drive or 98th Avenue NE to and beyond Lake Washington. This corridor must be adjacent to either of the side property lines, whichever will result in the widest view corridor given development on adjacent properties.

24C/353A(6249/308A)DM:np/11-18-87/p.11

8724C/353A(6249C/308A)DM:np/11-18-87/p.12

Footnotes

- or 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.

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

USE CHART

Zone	Section
BCX	

USE	REGULATIONS	REQUIRED REVIEW PROCESS	MINIMUMS			MAXIMUMS				REQUIRED PARKING SPACES
			REQUIRED YARDS			LOT COVERAGE	HEIGHT OF STRUCTURE	LANDSCAPE CATEGORY	SIGN CATEGORY	
			FRONT	SIDE	REAR					
Public Parks		If one acre or more then Process IIA Chapter 150 ----- Otherwise, none	None	Will be determined on a case-by-case basis		If adjoining a low density zone, then 25' above average building elevation. ----- Otherwise, none		B	See Section 105.25	

SPECIAL REGULATIONS

b. Must provide public pedestrian access from the right-of-way to and along the entire waterfront of the subject property within the high waterline yard. Access to the waterfront may be waived by the City if public access along the waterfront of the subject property can be reached from adjoining property. In addition, the City may require that part or all of the high waterline yard be developed as a public use area. The City shall require signs designated the Public Pedestrian Access and Public Use areas.

c. A view corridor must be maintained across 30 percent of the average parcel width. The view corridor must be in one contiguous piece. Within the view corridor, structures, parking areas and landscaping will be allowed, provided they do not obscure the view from Juanita Drive or 98th Avenue NE to and beyond Lake Washington. This corridor must be adjacent to either of the side property lines, whichever will result in the widest view corridor given development on adjacent properties.

1. The design of the park must serve the needs of the area in which it is located.
 2. 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 low density zone exceeds 15 feet above average building elevation. See the Section Chapter 115 entitled Distance Between Structures Regarding Maximum Horizontal Facade Regulation for further details.
 3. Refer to Chapter 1 to determine what other provision of this Code may apply to the subject property.
 4. If the subject property is located between Juanita Drive and Lake Washington or 98th Avenue NE and Lake Washington, the following regulations apply:
 a. Must provide a required yard of 15 feet or 15 percent of average parcel depth, measured from the high waterline. To the extent that this provision is inconsistent with other required yard dimensions identified in this Chapter, this provision shall govern.
 b. Must provide public pedestrian access from the right-of-way to and along the entire waterfront of the subject property within the high waterline yard. Access to the waterfront may be waived by the City if public access along the waterfront of the subject property can be reached from adjoining property. In addition, the City may require that part or all of the high waterline yard be developed as a public use area. The City shall require signs designated the Public Pedestrian Access and Public Use areas.
 c. A view corridor must be maintained across 30 percent of the average parcel width. The view corridor must be in one contiguous piece. Within the view corridor, structures, parking areas and landscaping will be allowed, provided they do not obscure the view from Juanita Drive or 98th Avenue NE to and beyond Lake Washington. This corridor must be adjacent to either of the side property lines, whichever will result in the widest view corridor given development on adjacent properties.

8724C/353A(6249C/308A)DM:np/11-18-87/p.15

8724C/353A(6249C/308A)DM:np/11-18-87/p.16

Footnotes

- or 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.

SUMMARY OF ORDINANCE 3073

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 IV-87-112).

Section 1. Amends the following Sections of the Kirkland Zoning Ordinance, Ordinance 2740 as amended, which pertain to the Historic Landmark Overlay Zone (Chapter 75) and the BCX Zone (Chapter 47) as follows:

A. Amends Section 75.15 to permit any member of the general public to initiate an Historic Landmark Overlay Rezone by filing an application therefore.

B. Amends Section 75.20 by adding a new subsection (2-C) to provide that the King County Landmarks Commission may, during the year 1988, propose historic sites within the annexation areas North Rose Hill, South Rose Hill, and Lower Juanita for historic landmark designation and overlay rezone.

C. Amends the Use Zone Charts for the BCX Zone (Chapter 47) to establish yard, setback, public access, and view corridor regulations consistent with these regulations in other waterfront district zones.

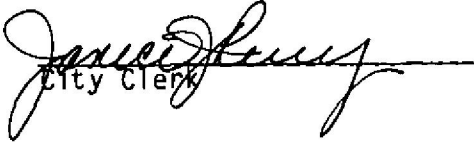
Section 2. Is a savings clause which provides for the validity of all other provisions of the Ordinance should any one part be determined to be invalid.

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 summary of 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 21st day of December 1987.

I certify that the foregoing is a summary of Ordinance 3073 approved by the Kirkland City Council for summary publication.


City Clerk