

ORDINANCE NO. 3118

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-88-106).

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 August 10, 1988 and bearing Kirkland Department of Planning and Community Development File No. IV-88-106; and

Whereas, prior to making said recommendation the Planning Commission, following notice thereof as required by RCW 35A.63.070, on August 4, 1988, 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.

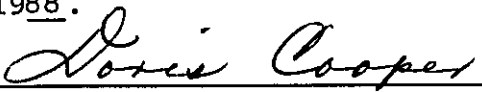
Section 2. If any section, subsection, sentence, clause, phrase, part or portion of this ordinance, including those parts adopted by reference, is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 3. To the extent the subject matter of this ordinance, pursuant to Ordinance 2001, is subject to the disapproval jurisdiction of the Houghton Community Council, 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 adopted by the City Council, as required by law.

Passed by majority vote of the Kirkland City Council in regular, open meeting this 6th day of September, 1988.


Signed in authentication thereof this 6th day of September, 1988.


 Mayor

ATTEST:


 City Clerk

APPROVED AS TO FORM:


 City Attorney

Chapter 5 Definitions Added

5.10.247. Duplex: A structure containing not more than two attached dwelling units.

5.10.720 Property Line - Those lines enclosing a lot and those lines defining a recorded vehicular access easement. The following are two categories of property lines:

1. Front property line is any property line that is adjacent to a street or vehicular access easement or tract more than ~~20~~ 21 feet in width, except that neither Burlington Northern right-of-way nor the I-405 right-of-way shall be considered front property lines.
2. Rear property line is any property line that is farther from and essentially parallel to a front property line except on a lot which contains two or more front property lines; or any property line that is adjacent to a street, alley or vehicular access easement or tract easement ~~20~~ 21 feet or less in width.
3. Side property line is any property line other than a front property line or a rear property line.
4. North property line is the property line running essentially east to west at the northern end of the lot.
5. South property line is the property line running essentially east to west at the southern end of the lot.
6. High Waterline - this term is defined separately in this Chapter.

105.10 Vehicular Access Easement or Tract Standards

1. Roadway Widths - For vehicular access easements or tracts, minimum standards for widths are established as follows:
 - a. ~~For 1-4 detached dwelling units or 1-2 duplex structures attached dwelling units, provided that no structure contains more than 2 units; served by an easement or tract: the minimum standard is 16 feet of paved surface in a 20-foot wide easement or tract. For easements or tracts less than 100 feet in length, the Public Works Department may reduce the standard to 10 feet of pavement in a 15-foot wide easement or tract if the easement or tract and abutting driveways are located to allow for safe ingress and egress.~~
 - 1) Vehicular access easement or tract 100' in length or less: 12-foot wide paved surface in a 15-foot wide easement.
 - 2) Vehicular access easement or tract greater than 100' in length: 16-foot wide paved surface in a 20-foot wide easement.

- b. ~~For 5 or more dwelling units in detached dwelling units, and/or attached structures, a~~ dedicated and improved public right-of-way is required. See Chapter 110 of the Code for the required improvements.
- c. ~~For all other uses, Uses other than detached and two attached units,~~ the minimum standard is 20 feet of paved surface with vertical cast in place curbs and gutters within a 24 20 foot wide easement or tract.
- d. A greater pavement width and/or easement or tract width may be required by the Departments of Public Works, or Fire or Planning as determined on a case-by-case basis.

2. General

- a. For paragraph 1.a. above, a dwelling unit that meets the following criteria shall not be counted as a "served dwelling unit" on a vehicular access easement or tract (see Plate 21):
 - 1. The dwelling unit is on a lot that abuts and has vehicular access rights to the improved public right-of-way that joins the vehicular access easement or tract; and
 - 2. The Fire Department determines that fire apparatus can service the lot containing the dwelling unit from the abutting improved public right-of-way.
- b. For Paragraph 1.a. above, the length of the easement or tract shall be measured from the serving improved public right-of-way to the to the front property line of the furthest lot at the end of the easement or tract.
- c. Vehicular access rights for each lot served by the easement or tract shall be established either by segregating the roadway into a separate tract in which each lot served has an undivided ownership interest and recording the tract document, or by recording a vehicular access easement document. The recorded documents must establish equal maintenance responsibilities for the owners of all lots served by the roadway and require the owners to erect and maintain a sign where the easement or tract joins the serving improved public right-of-way to identify the roadway as "private."
- d. The paved surface in an easement or tract shall have a minimum of 2 inches of asphalt concrete over a suitably prepared base which has a minimum thickness of 4 inches of crushed rock or 3 inches of asphalt treated base. The Department of Public Works is authorized to modify the standards for a paved surface on a case-by-case basis.

- e. A minimum unobstructed vertical clearance of 13 feet, 6 inches shall be provided in the easement or tract. The easement or tract shall remain unobstructed at all times. No parking, structures or vegetation, with the exception of grass, shall be permitted in the easement or tract.
- f. The paved surface in the easement or tract shall be set back at least 5 feet from any adjacent property which does not receive access from that easement or tract.
- g. See Section 105.20 for providing adequate guest parking spaces.

105.20 Number of Spaces - Minimum

The number of parking spaces required for a use is the minimum required. The applicant shall provide at least that number of spaces, consistent with the provisions of this Chapter.

For residential uses, the City may require guest parking spaces in excess of the required parking spaces if there is inadequate guest parking on the subject property.

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