

ORDINANCE NO. 3125

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-88-8 (RM Zones)).

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 July 14, 1988 and bearing Kirkland Department of Planning and Community Development File No. IV-88-8 (RM Zones); and

Whereas, prior to making said recommendation the Planning Commission, following notice thereof as required by RCW 35A.63.070, on June 16 and July 7, 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 4th day of October, 1988.

Signed in authentication thereof this 4th day of October, 1988.



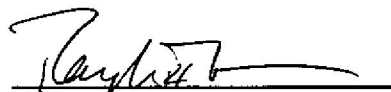
 Mayor

ATTEST:



 City Clerk

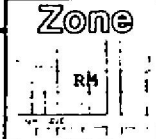
APPROVED AS TO FORM:



 City Attorney

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

USE ZONE CHART

Zone 	Section 20.10.a
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USE	REGULATIONS	REQUIRED REVIEW PROCESS	LOT SIZE	MINIMUMS			MAXIMUMS				SPECIAL REGULATIONS	
				REQUIRED YARDS			LOT COVERAGE	HEIGHT OF STRUCTURE	LANDSCAPE CATEGORY	SIGN CATEGORY		REQUIRED PARKING SPACES
				FRONT	SIDE	REAR						
Detached Dwelling Units		None	5,000 sq. ft. in an RM 5.0 otherwise 3,600 sq. ft.	20'	5' but, 2 side yards must equal at least 15'	10'	60%	If adjoining a low density zone, then 25' above average building elevation. ----- Otherwise, 30' above average building elevation.	E	A	2.0 per unit	<ol style="list-style-type: none"> For this use, only 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. Any required yard abutting Lake Washington Blvd. or Lake Street South must be increased 2 feet for each 1 foot the structure exceeds 25 feet above average building elevation. Refer to Chapter 1 to determine what other provision of this Code may apply to the subject property.
Attached or Stacked Dwelling Units Stacked Dwelling Units are not permitted in RM 5.0		None	3,600 sq. ft. with a density as established on the Zoning Map. See Special Regulation #1	20'	5' but, 2 side yards must equal at least 15'	10'	60%	If adjoining a low density zone, then 25' above average building elevation. ----- Otherwise, 30' above average building elevation.	D	A	1.7 per unit	<ol style="list-style-type: none"> Minimum amount of lot area per dwelling unit is as follows: <ol style="list-style-type: none"> In RM 5.0 zones the minimum lot area per unit is 5,000 sq. ft. In RM 3.6 Zones the minimum lot area per unit is 3,600 sq. ft. In RM 2.4 Zones the minimum lot area per unit is 2,400 sq. ft. In RM 1.8 Zones the minimum lot area per unit is 1,800 sq. ft. Chapter 115 contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. If the subject property contains four or more units, then it must contain at least 200 sq. ft. per unit of common recreational open space usable for many activities. This required common recreational open space must have the following minimum dimensions: <ol style="list-style-type: none"> For 4 to 20 units, the open space must be in one or more pieces each having at least 800 sq. ft. and having a length and width of at least 25 feet. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet. The required common recreational open space may be reduced to 150 sq. ft. per unit if permanent outdoor furniture, pool, cooking facilities, playground equipment and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced, based on the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area. <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 <u>Distance Between Structures Regarding Maximum Horizontal Facade Regulations</u> for further details. Any required yard abutting Lake Washington Blvd. or Lake Street South must be increased 2 feet for each 1 foot the structure exceeds 25 feet above average building elevation. Refer to Chapter 1 to determine what other provision of this Code may apply to the subject property.

CONTINUED ON FOLLOWING PAGE

583D/303A/JLB:(505A/71A:TS)4-29-88/p.1:dc

583D/303A(p.3)JLB:dc(505A/71A:TS)4-29-88

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.

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

USE ZONE CHART

Zone RM	Section 20.10.b
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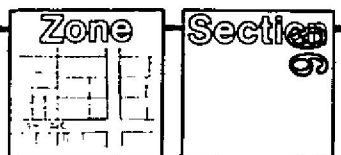
USE	REGULATIONS	REQUIRED REVIEW PROCESS	MINIMUMS						MAXIMUMS				SPECIAL REGULATIONS
			LOT SIZE	REQUIRED YARDS			LOT COVERAGE	HEIGHT OF STRUCTURE	LANDSCAPE CATEGORY	SIGN CATEGORY	REQUIRED PARKING SPACES		
				FRONT	SIDE	REAR							
Attached or Stacked Dwelling Units Stacked Dwelling Units are not permitted in RM 5.0		None	3,600 sq.ft. with a density as established on the Zoning Map. See Special Regulation #1	20'	5' but, 2 side yards must equal at least 15'	10'	60%	If adjoining a low density zone, then 25' above average building elevation. ----- Otherwise, 30' above building elevation. -----	D	A	1.7 per unit	7. 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 designating 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.	
583D/303A (p.2)		JLB:br(5505A/71A:TS)4-29-88										583D/303A (p.4) JLB:br(5505A/71A:TS)4-29-88	

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.

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

USE ZONE CHART



USE	REGULATIONS	REQUIRED REVIEW PROCESS	MINIMUMS				MAXIMUMS				SPECIAL REGULATIONS	
			LOT SIZE	REQUIRED YARDS			LOT COVERAGE	HEIGHT OF STRUCTURE	LANDSCAPE CATEGORY	SIGN CATEGORY		REQUIRED PARKING SPACES
				FRONT	NORTH PROPERTY LINE	SOUTH PROPERTY LINE						
General Moorage Facility	Process IIA Chapter 150	None, but must have at least 100' of frontage on Lake Washington	Landward of the High Waterline 30'	The greater of-- a. 15' or b. 1-1/2 times the height of the primary structure above average building elevation minus 10'	10' for moorage structure. 0' For other structures, the greater of-- a. 15' or b. 15% of the average parcel depth.	50%	Landward of the High Waterline 30' above average building elevation.	B	B	<ol style="list-style-type: none"> Moorage may only be used by residents of the dwelling units on the subject property, or their guests. Except as permitted by Special Regulation #18, no structures, other than moorage structures or public access piers or boardwalks, or may be waterward of the high waterline. For regulations regarding public access piers, see the specific listing in this zone. 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 designating the public pedestrian access and public use areas. The required 30' front yard may be reduced 1' for each 1' of this yard that is developed as a public use area if-- <ol style="list-style-type: none"> Within 30' of the front property line, each portion of a structure is set back from the front property line by a distance greater than or equal to the height of that portion above the front property line; and Substantially, the entire width of this yard, from north to south property lines, is developed as a public use area; and The design of the public use area is specifically approved by the city. A view corridor must be in one continuous piece. Within the view corridor, structures, parking areas and landscaping will be allowed, provided that they do not obscure the view from Lake Washington Blvd. to and beyond Lake Washington. This corridor must be adjacent to either the north or south property line, whichever will result in the widest view corridor given development on adjacent properties. 7. The design of the site must be compatible with the scenic nature of the waterfront. If the development will result in the isolation of a detached dwelling unit, site design, building design and landscaping must mitigate the impacts of that isolation. 8. The City will determine the maximum allowable number of moorages based on the following factors: <ol style="list-style-type: none"> The ability of the land landward of the high waterline to accommodate the necessary support facilities. The potential for traffic congestion. The number of moorages shall not exceed the number of dwelling units on the subject property. 		

REGULATIONS FOR THIS USE CONTINUED ON NEXT PAGE

REGULATIONS FOR USE CONTINUED ON THE NEXT PAGE

PL 197 (PL 14C/82A) 10-06-88/JLB:rn:np/p.1/RM

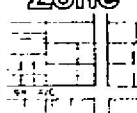

PL 197 (PL 14C/82A) 10-06-88/JLB:rn:np/p.1/RM

For information about parking and parking areas, see Chapter 105.
 For details of the regulations in this category, see Chapter 100.
 For details 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.
 This development may also be regulated under the City's Shoreline Master Program; consult that document.
 May not use lands waterward of the high waterline to determine lot size or to calculate allowable density.

Footnotes

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

USE ZONE CHART

Zone	Section
	

USE	REGULATIONS	REQUIRED REVIEW PROCESS	MINIMUMS					MAXIMUMS					SPECIAL REGULATIONS
			LOT SIZE	REQUIRED YARDS				LOT COVERAGE	HEIGHT OF STRUCTURE	LANDSCAPE CATEGORY	SIGN CATEGORY	REQUIRED PARKING SPACES	
				FRONT	NORTH PROPERTY LINE	SOUTH PROPERTY LINE	HIGH WATER LINE						
General Moorage Facility				c. Closer to a lot containing a detached dwelling unit than a line that starts where the high water line of the lot intersects the side property line of the lot closest to the moorage structure and runs waterward toward the moorage structure at a 30° angle from that side property line. This setback applies whether or not the subject property abuts the lot, but does not extend beyond any intervening over water structure; or d. Within 25' of another moorage structure not on the subject property.								REGULATIONS FOR THIS USE CONTINUED FROM THE PREVIOUS PAGE	
				The minimum dimension of any yard other than those listed, is 5'. see previous page for the rest of this column)								<p>8.9* Moorage structures may not be larger than is necessary to provide safe and reasonable moorage for the boats moored. The City will specifically review the size and configuration of moorage structures to insure that--</p> <p>a. The moorage structures do not extend waterward of the point necessary to provide reasonable draft for the boats to be moored, but not beyond the outer harbor line; and</p> <p>b. The moorage structures are not larger than is necessary to moor the specified number of boats; and</p> <p>c. The moorage structures will not interfere with the public use and enjoyment of the water or create a hazard to navigation; and</p> <p>d. The moorage structures will not adversely affect nearby uses; and</p> <p>e. The moorage structures will not have a significant long-term adverse effect on aquatic habitats.</p> <p>9.10 If the moorage structures will extend waterward of the Inner Harbor Line, the applicant must obtain a lease from the Washington State Department of Natural Resources prior to submittal of a Building Permit for this use.</p> <p>10.11 May not treat moorage structure with creosote, oil base or toxic substance.</p> <p>11.12 Must provide at least 2 covered and secured waste receptacles.</p> <p>12.13 All utility and service lines must be below the pier deck and, where feasible, underground.</p> <p>13.14 Piers must be adequately lit. The source of the light must not be visible from neighboring properties.</p> <p>14.15 Moorage structures must display the street address of the subject property. The address must be oriented to the Lake with letters and numbers at least 4" high.</p> <p>15.16 Covered moorage is not permitted.</p> <p>16.17 Aircraft moorage is not permitted.</p> <p>17.18 At least one pump out facility shall be provided.</p> <p>18.19 See Section 11 of this Chapter for regulations regarding bulkheads and land surface modification. In addition, refer to Chapter 1 to determine what other provision of this Code may apply to the subject property.</p>	

PL107(PL314C/82A)10-06-88/JLB:rk:np/p.4/TM


PL107(PL314C/82A)10-06-88/JLB:rk:np/p.3/TM

Footnotes

- For other information about parking and parking areas, see Chapter 105.
- For details of the regulations in this category, see Chapter 100.
- For details 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.
- This development may also be regulated under the City's Shoreline Master Program; consult that document.
- May not use lands waterward of the high waterline to determine lot size or to calculate allowable density.

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

USE ZONE CHART

Zone 	Section 20.10.e
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REGULATIONS USE	REQUIRED REVIEW PROCESS	MINIMUMS						MAXIMUMS				SPECIAL REGULATIONS
		LOT SIZE	REQUIRED YARDS			LOT COVERAGE	HEIGHT OF STRUCTURE	LANDSCAPE CATEGORY	SIGN CATEGORY	REQUIRED PARKING SPACES		
			FRONT	SIDE	REAR							
Church	Process 11A Chapter 150	7,200 sq ft	20'	5' but 2 side yards must equal at least 15'	20'	70%	If adjoining a low density zone, then 25' above average building elevation. Otherwise, 30' above average building elevation.	C	B	1 for every 4 people based on maximum occupancy load of any area of worship. See Spec. Reg. #4	<ol style="list-style-type: none"> Site must abut and be accessible from at least one roadway having at least 2 moving traffic lanes. 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. Any required yard abutting Lake Washington Blvd. or Lake Street South must be increased 2 feet for each 1 foot the structure exceeds 25 feet above average building elevation. 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. If the subject property is located between Juanita Drive and Lake Washington or 98th Avenue NE and Lake Washington, the following regulations apply: <ol style="list-style-type: none"> 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 designating 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. 	

583D/303A(p.5)JLB:br(5505A/71A:TS)4-29-88

583D/303A/JLB:br(p.6)(5505A/71A:TS)4-29-88

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.

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

USE ZONE CHART

Zone	Section
RM	20.10.F

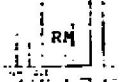
USE	REGULATIONS	REQUIRED REVIEW PROCESS	MINIMUMS			MAXIMUMS				SPECIAL REGULATIONS	
			REQUIRED YARDS			LOT COVERAGE	HEIGHT OF STRUCTURE	LANDSCAPE CATEGORY	SIGN CATEGORY		REQUIRED PARKING SPACES
			FRONT	SIDE	REAR						
School or Day Care Center	Process 114 Chapter 150	7,200 sq ft	If this use can accommodate 50 or more students or children, then 50' on each side	50'	50'	70%	If adjoining a low density zone, then 25' above average building elevation. Otherwise, 30' above average building elevation.	D	B	See Section 105.25	<ol style="list-style-type: none"> 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 foot high fence is required only along the property lines adjacent to the outside play areas. Hours of operation may be limited to reduce impacts on nearby residential uses. Structured play areas must be set back from all property lines as follows: <ol style="list-style-type: none"> 20 feet if this use can accommodate 50 or more students or children. 10 feet if this use can accommodate 13 to 49 students or children. Otherwise, 5 feet. An on-site passenger loading area must be provided. The City shall determine the appropriate size of the loading areas 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 any nearby residential uses. May include accessory living facilities for staff persons. 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 <u>Distance Between Structures Regarding Maximum Horizontal Facade Regulations</u> for further details.</p> Any required yard abutting Lake Washington Blvd. or Lake Street South must be increased 2 feet for each 1 foot the structure exceeds 25 feet above average building elevation. Refer to Chapter 1 to determine what other provision of this Code may apply to the subject property. The location of parking and passenger loading areas shall be designed to reduce impacts on any nearby residential uses. These uses are subject to the requirements established by the Department of Social and Health Services (WAC 388-73). If the subject property is located between Juanita Drive and Lake Washington or 98th Avenue NE and Lake Washington, the following regulations apply: <ol style="list-style-type: none"> 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 designating 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.
583D/303A/JLB:04-29-88 p.6:dc (505A/71A/p.6):TS			If this use can accommodate 13 to 49 students or children, then 20' on each side	20'	20'						
			Otherwise-- 5', but 2 side yards must equal at least 15'	10'							

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.

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

USE ZONE CHART

Zone 	Section 102 20.10.g
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USE	REGULATIONS	REQUIRED REVIEW PROCESS	MINIMUMS			MAXIMUMS				SPECIAL REGULATIONS		
			LOT SIZE	REQUIRED YARDS			LOT COVERAGE	HEIGHT OF STRUCTURE	LANDSCAPE CATEGORY		SIGN CATEGORY	REQUIRED PARKING SPACES
				FRONT	SIDE	REAR						
Mini-school or mini-day-care (7-12 attendees) or Day-Care Home (6 or less attendees)		None	3,600 sq. ft	20'	5' but 2 side yards must equal at least 15'	10'	60%	If adjoining a low density zone, then 25' above average building elevation. Otherwise 30' above average building elevation.	D	B	See Section 105.25	<p>SPECIAL REGULATIONS</p> <ol style="list-style-type: none"> 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 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. 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). 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 <u>Distance Between Structures Regarding Maximum Horizontal Facade Regulations</u> for further details. Any required yard abutting Lake Washington Blvd. or Lake Street South must be increased 2 feet for each 1 foot the structure exceeds 25 feet above average building elevation. If the subject property is located between Juanita Drive and Lake Washington or 98th Avenue NE and Lake Washington, the following regulations apply: <ol style="list-style-type: none"> 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 designating 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.
Grocery Store, Drug Store, Laundromat, Dry Cleaners, Barber Shop, Beauty Shop, or Shoe Repair Shop	Process IIA Chapter 150	7,200 sq. ft	20'	5' but 2 side yards must equal at least 15'	10'	60%	If adjoining a low density zone, then 25' above average building elevation.	B	C	1 per each 300 sq. ft. of gross floor area.	<ol style="list-style-type: none"> This use may be permitted only if it is specifically consistent with the comprehensive plan in the proposed location. May only be permitted if placement, orientation, and scale indicate this use is primarily intended to serve the immediate residential area. Must be located on a collector arterial or higher volume right-of-way. Placement and scale must indicate pedestrian orientation. Must mitigate traffic impacts on residential neighborhood. Gross floor area may not exceed 3000 sq. ft. 	

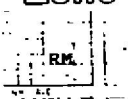
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583D/303A/JLB:dc(p.11)(5505A/71A:TS)5-5-88

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

Footnotes

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

USE ZONE CHART

Zone 	Section 20.10.h
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USE

REGULATIONS

REQUIRED REVIEW PROCESS	MINIMUMS			MAXIMUMS				
	REQUIRED YARDS			LOT COVERAGE	HEIGHT OF STRUCTURE	LANDSCAPE CATEGORY	SIGN CATEGORY	REQUIRED PARKING SPACES
	FRONT	SIDE	REAR					

REGULATIONS CONTINUED FROM PREVIOUS PAGE

Otherwise, 30' above average building elevation.

SPECIAL REGULATIONS

REGULATIONS CONTINUED FROM PREVIOUS PAGE

7. May not be located above the ground floor of a structure.
8. Hours of operation may be limited to reduce impacts on nearby residential uses.
9. 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. Any required yard abutting Lake Washington Blvd. or Lake Street South must be increased 2 feet for each 1 foot the structure exceeds 25 feet above average building elevation.
11. Refer to Chapter 1 to determine what other provision of this Code may apply to the subject property.
12. 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 designating 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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5505A/71A/p.10:TS

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 20.10.i
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USE	REGULATIONS	REQUIRED REVIEW PROCESS	LOT SIZE	MINIMUMS			MAXIMUMS			LANDSCAPE CATEGORY	SIGN CATEGORY	REQUIRED PARKING SPACES	SPECIAL REGULATIONS
				REQUIRED YARDS			LOT COVERAGE	HEIGHT OF STRUCTURE	REAR				
				FRONT	SIDE	REAR							
Convalescent Center or Nursing Home		Process II Chapter 150	7,200 sq ft	20'	10' on each side	10'	70%	If adjoining a low density zone, then 25' above average building elevation. ----- Otherwise, 30' above average building elevation.	C	B	1 for each bed	<ol style="list-style-type: none"> 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 <u>Distance Between Structures Regarding Maximum Horizontal Facade Regulations</u> for further details. The required yard of a structure abutting Lake Washington Blvd. or Lake Street South must be increased 2 feet for each 1 foot that structure exceeds 25 feet above average building elevation. 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: <ol style="list-style-type: none"> 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 designating 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. 	
Public Utility		Process IIA Chapter 150	None	20'	5', but 2 side yards must equal at least 15'	20'	70%	If adjoining a low density zone, then 25' above average building elevation. ----- Otherwise, 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. 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 <u>Distance Between Structures Regarding Maximum Horizontal Facade Regulations</u> for further details. Any required yard abutting Lake Washington Blvd. or Lake Street South must be increased 2 feet for each 1 foot the structure exceeds 25 feet above average building elevation. Refer to Chapter 1 to determine what other provision of this Code may apply to the subject property. For a Government Facility use, landscape Category A or B may be required depending on the type of use on the subject property and impacts associated with the use on the nearby uses. If the subject property is located between Juanita Drive and Lake Washington or 98th Avenue NE and Lake Washington, the following regulations apply: <ol style="list-style-type: none"> 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. 	
Government Facility		Process IIA Chapter 150	None	10'	5', but 2 side yards must equal at least 15'	10'	70%	Otherwise, 30' above average building elevation.	C See Spc. Reg. #5	B	See Section 105.25	<ol style="list-style-type: none"> For a Government Facility use, landscape Category A or B may be required depending on the type of use on the subject property and impacts associated with the use on the nearby uses. If the subject property is located between Juanita Drive and Lake Washington or 98th Avenue NE and Lake Washington, the following regulations apply: <ol style="list-style-type: none"> 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. 	

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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 CONTINUED ON FOLLOWING PAGE

CHART

Zone

Section

RM

20.10-j

SPECIAL REGULATIONS

CONTINUED FROM PREVIOUS PAGE

- 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 designating 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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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 20.10.k
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USE

REGULATIONS

REQUIRED REVIEW PROCESS	MINIMUMS			MAXIMUMS					
	LOT SIZE	REQUIRED YARDS			LOT COVERAGE	HEIGHT OF STRUCTURE	LANDSCAPE CATEGORY	SIGN CATEGORY	REQUIRED PARKING SPACES
		FRONT	SIDE	REAR					

SPECIAL REGULATIONS

Public Transit Shelter	None	None	None	None	None	100%	15' above average building elevation.	--	See Spd. Reg. #2	None
Public Park	See Spec. Reg. #2 and #3	None	Will be determined on a case-by-case basis							

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.
-
1. 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.
 2. Development and use of a park does not require a development permit under this Code if--
 - a. A master plan for that park has been approved for that park has been approved by the City and the proposed development and use is consistent with the master plan; or
 - b. The proposed use and development--
 - 1) Will not involve lighting for outdoor nighttime activities; and
 - 2) Will not involve the construction of any building of more than 4,000 square feet; and
 - 3) Will not involve the construction of more than 20 parking stalls; and
 - 4) Will not involve the development of any structured sports or activity areas.
 3. Any development or use of a park that does not meet the requirements of Special Regulation #2 #2 must be approved through the Process III, Chapter 155. The City will use the following factors in determining what facilities and uses will be permitted:
 - a. Ease of access to the park.
 - b. Character of the neighborhood.
 - c. Size, nature and topography of the subject property.
 4. Refer to Chapter 1 to determine what other provision of this Code may apply to the subject property.
 5. This section may include a public access pier or boardwalk and general moorage facilities. See Section 20.10.d. through e. for regulations regarding these uses.

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PL583D(5505A/71A)/7-7-88/JLB:rk:np/p.2/RM

Footnotes

- For other information about parking and parking areas, see Chapter 105.
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SUMMARY OF ORDINANCE 3125

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-88-8, RM ZONE).

Section 1. Amends the following Sections (text and Use Zone Charts) of Ordinance 2740, as amended, the Kirkland Zoning Ordinance, including regulations relating to set backs, high water line yards, public access, and private moorage, to provide consistency between the Zoning Code, the amended Kirkland Shoreline Master Program, and the Kirkland Land Use Policies Plan (comprehensive plan), to correct certain clerical mistakes, and in some instances to provide more simplified procedural requirements:

- RM Zone Sections: 20.10.a
- RM Zone Sections: 20.10.b.
- RM Zone Sections: 20.10.c.
- RM Zone Sections: 20.10.d.
- RM Zone Sections: 20.10.e.
- RM Zone Sections: 20.10.f.
- RM Zone Sections: 20.10.g.
- RM Zone Sections: 20.10.h.
- RM Zone Sections: 20.10.i.
- RM Zone Sections: 20.10.j.
- RM Zone Sections: 20.10.k.

Section 2. Contains a Savings Clause.

Section 3. Authorizes publication of the Ordinance by Summary, which summary is approved by the City Council pursuant to Section 1.08.017 Kirkland Municipal Code, and establishes, except as provided in Section 3, the effective date to be 5 days after publication of this Summary.

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. This Ordinance was passed by the Kirkland City Council at its regular meeting on the 4th day of October, 1988.

I certify that the foregoing is a summary of Ordinance 3125, approved by the Kirkland City Council for Summary Publication.


City Clerk