

ORDINANCE NO. 3129

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-88-58).

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 October 7, 1988, and bearing Kirkland Department of Planning and Community Development File No. IV-88-58; and

Whereas, prior to making said recommendation, the Planning Commission, following notice thereof as required by RCW 35A.63.070, on September 15, 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 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.

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.

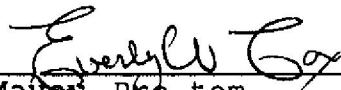
Section 2. If any section, subsection, sentence, clause, phrase, part or portion of this ordinance, including those parts adopted by reference, is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining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

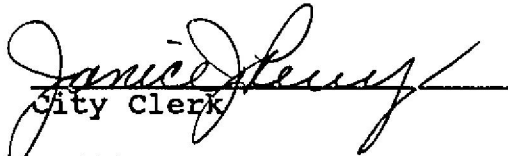
Passed by majority vote of the Kirkland City Council in regular, open meeting this 18th day of October, 1988.

Signed in authentication thereof this 18th day of October, 1988.



Mayor Pro tem

ATTEST:



City Clerk

APPROVED AS TO FORM:



City Attorney

PL887/NC:rk

- 5.351. Hazardous Waste - All dangerous and extremely hazardous waste, including substances composed of radioactive and hazardous components (See RCW 70.105.010(15)).
352. Hazardous Waste Storage - The holding of dangerous waste for a temporary period (See WAC 173-303-040(85)).
353. Hazardous Waste Treatment - The physical, chemical, or biological processing of dangerous wastes to make such wastes nondangerous or less dangerous, safer for transport, amenable for energy or material resource recovery, amenable for storage, or reduced in volume (See WAC 173-303-040(97)).
607. On site Hazardous Waste Treatment and Storage Facilities - Facilities which treat and store hazardous wastes generated on the same lot, geographically contiguous, or bordering property. Travel between two properties divided by a public right-of-way, and owned, operated, or controlled by the same person, shall be considered on-site travel if: (a) The travel crosses the right-of-way at a perpendicular intersection or, (b) the right-of-way is controlled by the property owner and is inaccessible to the public (See WAC 173-303-040(59)).

115.10 Accessory Uses, Facilities and Activities

1. General - Accessory uses, facilities and activities normally associated with a use listed as a permitted use in a zone are permitted as part of that permitted use. The accessory use, facility or activity must be clearly secondary to the permitted use.
2. Authority of the Planning Director - The Planning Director is specifically authorized to determine if a particular accessory use, facility or activity is normally associated with a particular permitted use and if a particular accessory use, facility or activity is clearly secondary to the permitted use.
3. Exceptions and Limitations - This Code establishes specific limitations and regulations for some accessory uses and facilities for some uses in some zones. Where applicable, those specific regulations supercede the general statement of paragraph 1 of this Section.
4. On-Site Hazardous Waste Treatment and Storage - Pursuant to Chapter 70.105 RCW, on-site hazardous waste treatment and storage facilities are considered accessory facilities in all zones, except residential, that allow the processing or handling of hazardous substances. These facilities must comply with the state siting criteria as adopted in accordance with RCW 70.105.210, and/or all applicable DOE standards.

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

USE ZONE CHART

Zone	Section
LI	55.10

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							
Hazardous waste treatment and storage facilities	None	None	30'	0'	0'	90%	30' above average building elevation. See also Special Regulation #4.	A	C	1 per each 1,000 sq. ft. of gross floor area	<ol style="list-style-type: none"> Must comply with the state siting criteria as adopted in accordance with RCW 70.105.210. Refer to Chapter 1 to determine what other provision of this Code may apply to the subject property. The required yard of any portion of the structure must be increased one foot for each foot that any portion of the structure exceeds 30 feet above average building elevation. Structure height may be increased above 30 feet in height through a Process 11A, Chapter 150, if: <ol style="list-style-type: none"> It will not block local or territorial views designated in the Comprehensive Plan; and The increased height is not specifically inconsistent with the applicable neighborhood plan provisions of the Comprehensive Plan; and The need for an increase in height is directly related to the hazardous waste treatment and/or storage activity. 	

0680D/284A(5548A/83A)/NC:np

Footnot

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

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

USE ZONE CHART

Zone PLA 6C	Section 60.35.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						
Hazardous waste treatment and storage facilities	None	None	30'	0'	0'	90%	30' above average building elevation. See also Special Regulation #4.	A	C	1 per each 1,000 sq. ft. of gross floor area	<ol style="list-style-type: none"> 1. Must comply with the state siting criteria as adopted in accordance with RCW 70.105.210. 2. Refer to Chapter 1 to determine what other provision of this Code may apply to the subject property. 3. The required yard of any portion of the structure must be increased one foot for each foot that any portion of the structure exceeds 30 feet above average building elevation. 4. Structure height may be increased above 30 feet in height through a Process IIA, Chapter 150, if: <ol style="list-style-type: none"> a. It will not block local or territorial views designated in the Comprehensive Plan; and b. The increased height is not specifically inconsistent with the applicable neighborhood plan provisions of the Comprehensive Plan; and c. The need for an increase in height is directly related to the hazardous waste treatment and/or storage activity.

06800/284A(5548A/83A)/NC:np

Footnot

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

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

USE ZONE CHART

Zone PLA 11	Section 60.60
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REGULATIONS USE	REQUIRED REVIEW PROCESS	MINIMUMS			MAXIMUMS			LANDSCAPE CATEGORY	SIGN CATEGORY	REQUIRED PARKING SPACES	SPECIAL REGULATIONS
		REQUIRED YARDS			LOT COVERAGE	HEIGHT OF STRUCTURE	REAR				
		FRONT	SIDE	REAR							
Hazardous waste treatment and storage facilities	None	None	30'	0'	0'	90%	30' above average building elevation. See also Special Regulation # 3.	A	C	1 per each 1,000 sq. ft. of gross floor area	<ol style="list-style-type: none"> Must comply with the state siting criteria as adopted in accordance with RCW 70.105.210. Refer to Chapter 1 to determine what other provision of this Code may apply to the subject property. The required yard of any portion of the structure must be increased one foot for each foot that any portion of the structure exceeds 30 feet above average building elevation. Structure height may be increased above 30 feet in height through a Process IIA, Chapter 150, if: <ol style="list-style-type: none"> It will not block local or territorial views designated in the Comprehensive Plan; and The increased height is not specifically inconsistent with the applicable neighborhood plan provisions of the Comprehensive Plan; and The need for an increase in height is directly related to the hazardous waste treatment and/or storage activity.

06800/284A(5548A/83A)/NC:np

Footnote

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 11.
 For details regarding required yards, see Chapter 11.

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