

ORDINANCE NO. 3154

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-88-169).

WHEREAS, the City Council has received from the Kirkland Planning Commission a recommendation of denial 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 January 26, 1989 and bearing Kirkland Department of Planning and Community Development File No. IV-88-169; and

WHEREAS, prior to making said recommendation, the Planning Commission, following notice thereof as required by RCW 35A.63.070, on January 19, 1989, held a public hearing on the amendment proposals and considered the comments received at said hearing; and

WHEREAS, the City Council has received from the Houghton Community Council a recommendation to amend certain sections of the text of the Kirkland Zoning Code, Ordinance 2740 as amended, all as set forth in the minutes of the courtesy hearing on the amendment proposals on December 19, 1988; 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 nonsignificance, 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.



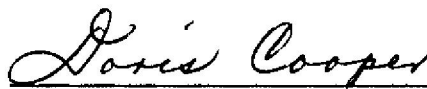
Section 2. If any section, subsection, sentence, clause, phrase, part or portion of this ordinance, including those parts adopted by reference, is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining 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 7th day of February, 1989.

SIGNED IN AUTHENTICATION thereof this 7th day of February, 1989.

  
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 Mayor

  
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 City Clerk

APPROVED AS TO FORM:

  
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 City Attorney



# USE ZONING CHART

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

<b>Zone</b>	<b>Section</b>
RS	15.10.a

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						
USE ↓											
Detached Dwelling Unit	None	As established on the Zoning Map. See Special Regulation #1	20'	5', but 2 side yards must equal at least 15 feet.	10'	50%	25' above average building elevation.	E	A	2.0 per dwelling unit	<ol style="list-style-type: none"> <li>1. Minimum lot size per dwelling unit is as follows:                             <ol style="list-style-type: none"> <li>a. In RS 35 Zones, the minimum lot size is 35,000 square feet.</li> <li>b. In RS 12.5 Zones, the minimum lot size is 12,500 square feet.</li> <li>c. In RS 8.5 Zones, the minimum lot size is 8,500 square feet.</li> <li>d. In RS 7.2 Zones, the minimum lot size is 7,200 square feet.</li> <li>e. In RS 5.0 Zones, the minimum lot size is 5,000 square feet.</li> </ol> </li> <li>In RS 35, 12.5, 8.5, 7.2, and 5.0 zones, not more than one dwelling unit may be on each lot, regardless of the size of the lot.</li> <li>2. Chapter 115 contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.</li> <li>3. Refer to Chapter 1 to determine what other provision of this Code may apply to the subject property.</li> </ol>
Church	See Special Regulation #4	As established on the Zoning Map. See Special Regulation #1	20'	20' on each side	20'	70%	25' above average building elevation	C	B	1 for every 4 people based on maximum occupancy load of any area of worship. See Spec. Reg. #5	<ol style="list-style-type: none"> <li>1. Minimum lot size per dwelling unit is as follows:                             <ol style="list-style-type: none"> <li>a. In RS 35 Zones, the minimum lot size is 35,000 square feet.</li> <li>b. In RS 12.5 Zones, the minimum lot size is 12,500 square feet.</li> <li>c. In RS 8.5 Zones, the minimum lot size is 8,500 square feet.</li> <li>d. In RS 7.2 Zones, the minimum lot size is 7,200 square feet.</li> <li>e. In RS 5.0 Zones, the minimum lot size is 5,000 square feet.</li> </ol> </li> <li>2. The property must be served by a collector or arterial street.</li> <li>3. If any portion of a structure is adjoining a low density zone, then either:                             <ol style="list-style-type: none"> <li>a. The height of that portion of the structure shall not exceed 15 feet above average building elevation, or</li> <li>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.</li> </ol> </li> <li>See the Section in Chapter 115 entitled <u>Distance Between Structures Regarding Maximum Horizontal Facade Regulation</u> for further details.</li> <li>4. The required review process is as follows:                             <ol style="list-style-type: none"> <li>a. If the subject property, including all contiguous property owned by the applicant and held by others for future use by the applicant, is less than five acres, the required review process is Process IIA, Chapter 150; <u>provided, however, that within the jurisdiction of the Houghton Municipal Corporation, the required review process is Process IIB, Chapter 152.</u></li> <li>b. If the subject property, including all contiguous property owned by the applicant and held by others for future use by the applicant, is five or more acres, a Master Plan, approved through Process III, Chapter 155, is required. The Master Plan must show building placement, building dimensions, roadways, utility locations, land uses within the Master Plan area, parking location, buffering, and landscaping.</li> </ol> </li> <li>5. No parking is required for day-care or school ancillary to the use.</li> <li>6. Refer to Chapter 1 to determine what other provision of this Code may apply to the subject property.</li> </ol>

Ordinance No. 3154  
Attachment A

RS 15.10.a (page 27) 9-1-88/TS:rw

R-RS 15.10.a (page 27) 12-5-88/TS:rw

### 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 RS	Section 15.10.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						
School or Day Care Center		See Special Regulation #11	As established on the Zoning Map. See Special Regulation #1	If this use can accommodate 50 or more students or children, then -- 50' 50' on each side	50'	70%	25' above average building elevation	D	B See Spec Reg #8	Section 105.25	<ol style="list-style-type: none"> <li>Minimum lot size per dwelling unit is as follows:               <ol style="list-style-type: none"> <li>In RS 35 Zones, the minimum lot size is 35,000 square feet.</li> <li>In RS 12.5 Zones, the minimum lot size is 12,500 square feet.</li> <li>In RS 8.5 Zones, the minimum lot size is 8,500 square feet.</li> <li>In RS 7.2 Zones, the minimum lot size is 7,200 square feet.</li> <li>In RS 5.0 Zones, the minimum lot size is 5,000 square feet.</li> </ol> </li> <li>May locate on the subject property only if--               <ol style="list-style-type: none"> <li>It will serve the immediate neighborhood in which it is located;</li> <li>It will not be detrimental to the character of the neighborhood in which it is located; or</li> <li>The property is served by a collector or arterial street.</li> </ol> </li> <li>A 6-foot high fence along the side and rear property lines is required only along the property lines adjacent to the outside play areas.</li> <li>Hours of operation and maximum number of attendees at one time may be limited to reduce impacts on nearby residential uses.</li> <li>Structured play areas must be setback from all property lines as follows:               <ol style="list-style-type: none"> <li>20 feet if this use can accommodate 50 or more students or children.</li> <li>10 feet if this use can accommodate 13 to 49 students or children.</li> <li>Otherwise, 5 feet.</li> </ol> </li> <li>An on-site passenger loading area must be provided. The City shall determine the appropriate size of the loading area on a case-by-case basis, depending on the number of attendees and the extent of the abutting right-of-way improvements. Carpooling, staggered loading/unloading time, right-of-way improvements or other means may be required to reduce traffic impacts on nearby residential uses.</li> <li>The location of parking and passenger loading areas shall be designed to reduce impacts on nearby residential uses.</li> <li>Electrical signs shall not be permitted.</li> <li>If any portion of a structure is adjoining a low density zone, then either:               <ol style="list-style-type: none"> <li>The height of that portion of the structure shall not exceed 15 feet above average building elevation, or</li> <li>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.</li> </ol> <p>See the Section in Chapter 115 entitled <u>Distance Between Structures Regarding Maximum Horizontal Facade Regulation</u> for further details.</p> </li> <li>May include accessory living facilities for staff persons.</li> <li>The required review process is as follows:               <ol style="list-style-type: none"> <li>If the subject property, including all contiguous property owned by the applicant and held by others for future use by the applicant, is less than five acres, the required review process is Process IA, Chapter 150; provided, however, that within the jurisdiction of the Houghton Municipal Corporation, the required review process is Process IIB, Chapter 152.</li> <li>If the subject property, including all contiguous property owned by the applicant and held by others for future use by the applicant, is five or more acres, a Master Plan, approved through Process III, Chapter 155, is required. The Master Plan must show building placement, building dimensions, roadways, utility locations, land uses within the Master Plan area, parking location, buffering, and landscaping.</li> </ol> </li> <li>Refer to Chapter 1 to determine what other provision of this Code may apply to the subject property.</li> <li>These uses are subject to the requirements established by the Department of Social and Health Services (WAC 388-73).</li> </ol>	

L-RS 15 10b (page 33) 1-88/TS:cv

R-RS 15.10.b (page 28) 12-5-88/TS:rk

Footnotes

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

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

# USE ZONE CHART

Zone	Section
RS	15.10.d

USE	REGULATIONS	REQUIRED REVIEW PROCESS	MINIMUMS			MAXIMUMS			LANDSCAPE CATEGORY	SIGN CATEGORY	REQUIRED PARKING SPACES
			REQUIRED YARDS			LOT COVERAGE	HEIGHT OF STRUCTURE	REAR			
			FRONT	SIDE	REAR						
Public Utility		See Special Regulation #3.	None	20'	20' on each side	20'	70%	25' above average building elevation.	A	B	See Section 105.25
Government Facility		See Special Regulation #3.	None	20'	10' on each side	10'	70%	25' above average building elevation.	C See Spc. Reg. #5.	B	See Section 105.25
Public Transit Shelter		None	None	None	None	None	100%	15' above average building elevation.	-	See Spc Reg #2.	None
Public Park		See Special Regulation #1 and #2.	None	Will be determined on a case-by-case basis			-	-	-	B	See Section 105.25

## SPECIAL REGULATIONS

- 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:
    - 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 Regulation for further details.
  - The required review process is as follows:
    - If the subject property, including all contiguous property owned by the applicant and held by others for future use by the applicant, is less than five acres, the required review process is Process IIA, Chapter 150; provided however that within the jurisdiction of the Houghton Municipal Corporation, the required review process is Process IIB, Chapter 152.
    - If the subject property, including all contiguous property owned by the applicant and held by others for future use by the applicant, is five or more acres, a Master Plan, approved through Process III, Chapter 155, is required. The Master Plan must show building placement, building dimensions, roadways, utility locations, land uses within the Master Plan area, parking location, buffering, and landscaping.
  - 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 the impacts associated with the use on the nearby uses.
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- May be permitted only if it will not unreasonably impede pedestrian movement or create traffic safety problems.
  - May install transit route and information signs and markers.
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- Development and use of a park does not require a development permit under this Code if:
    - A master plan for that park has been approved by the City and the proposed development and use is consistent with the master plan; or
    - The proposed use and development:
      - will not involve lighting for outdoor nighttime activities; and
      - will not involve the construction of any building of more than 4,000 square feet; and
      - will not involve the construction of more than 20 parking stalls; and
      - will not involve the development of any structured sports or activity areas.
  - Any development or use of a park that does not meet the requirements of Special Regulation #1 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:
    - Ease of access to the park.
    - Character of the neighborhood.
    - Size, nature and topography of the subject property.
  - If any portion of a structure is adjoining a low density zone, then either:
    - The height of that portion of the structure shall not exceed 15 feet above average building elevation, or
    - The horizontal length of any facade of that portion of the structure which is parallel to the boundary of the low density zone shall not exceed 50 feet in width.
 See the Section in Chapter 115 entitled Distance Between Structures Regarding Maximum Horizontal Facade Regulation for further details.
  - Refer to Chapter 1 to determine what other provision of this Code may apply to the subject property.

R-RS1.WRK 15.10.d (page 30) 9-1-88/TJS cw

L-RS 15.10.d (page 35) 9-1-88/TS:cw

### Footnotes

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