

ORDINANCE NO. 3156

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. III-88-92).

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 January 8, 1989, and bearing Kirkland Department of Planning and Community Development File No. III-88-92; and

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

Loris Cooper
Mayor

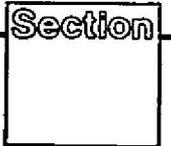
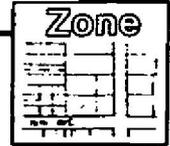
James Perry
City Clerk

APPROVED AS TO FORM:

Ruey E. [Signature]
City Attorney

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

USE ZONE CHART



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							
A retail establishment providing new vehicle or-boat sales or vehicle or-boat service or repair.	None Process II Chapter 152	None	20' See Spec. Reg. #5	0'	0'	80%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above average building elevation. See also Spec. Reg. #6	A	E	See Section 105.25	<ol style="list-style-type: none"> Outdoor vehicle or boat parking or storage areas must be buffered as required for a parking area in Chapter 105. See also the Section Chapter 115 entitled <u>Outdoor Use, Activity and Storage</u> for further regulations. Vehicle and-boat-rental and used vehicles-or-boat sales are allowed as part of this use. 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 Regul</u> for further details. 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. Except if adjoining a low density zone, structure height may be increased above 30 feet in height through a Process IA, 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. Use of loudspeakers shall be prohibited. Development for all uses must retain and maintain seventy-five percent (75%) of the significant trees on the hill form. Supplemental plantings may be required. Access for all uses must be directly from 120th Avenue NE, or must be coordinated with commercial development to the west and must be from NE 124th Street. 	
L-BC.WRK/Section 45.10.a/Page 89/1-18-89/TS:rk	None Process II Chapter 152	None	20' See Spec. Reg. #4	0'	0'	80%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above average building elevation. See also Spec. Reg. #5	B	E	1 per each 300 sq. ft. of gross floor area	<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 Regulation</u> for further details. Refer to Chapter 1 to determine what other provision of this Code may apply to the subject property. Ancillary assembly and manufacture of goods on the premise of this use are permitted only if: <ol style="list-style-type: none"> The assembled or manufactured goods are directly related to and are dependent upon this use, and are available for purchase and removal from the premise. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other retail uses. 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. Except if adjoining a low density zone, structure height may be increased above 30 feet in height through a Process IA, 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. Access from drive-through facilities shall be prohibited. Drive-through facilities must be approved by the Public Works Department. Drive-through facilities must be designed so that vehicles will not block traffic in the right-of-way while waiting in line to be served. A deli/caterer, bakery, or other similar use may include, as part of the use, accessory seating if: <ol style="list-style-type: none"> The seating and associated circulation area does not exceed more than 10 percent of the gross floor area of the use; and It can be demonstrated to the City that the floor plan is designed to preclude the seating area from being expanded. 	

REGULATIONS FOR THIS USE CONTINUED ON THE FOLLOWING PAGE
 R-BC.WRK/Section 45.10.c/Page 90A/1-18-89/TS:rk
 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.

Directions: FIRST, read down to find USE...
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USE ZONE CHART

Zone	Section
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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						
Any retail establishment other than those specifically listed in this zone, selling goods, or providing services including banking and related financial services		REGULATIONS CONTINUED FROM THE PREVIOUS PAGE							<p>REGULATIONS FOR THIS USE CONTINUED FROM THE PREVIOUS PAGE</p> <p>8. Use of loudspeakers shall be prohibited.</p> <p>9. Development for all uses must retain and maintain seventy-five percent (75%) of the significant trees on the lot. Supplemental plantings may be required.</p> <p>10. Access for all uses must be directly from 120th Avenue NE, or must be coordinated with commercial development to the west and must be from NE 124th Street.</p> <p>s-BC, WZ/Section 45.10.c/Page 90A/1-18-09/TS:rk</p>		

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.