

ORDINANCE NO. 3175

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-89-51).

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 June 26, 1989, and bearing Kirkland Department of Planning and Community Development File No. IV-89-51; and

WHEREAS, prior to making said recommendation, the Planning Commission, following notice thereof as required by RCW 35A.63.070, on June 1, 1989, 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 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, 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 5th day of July, 1989.

SIGNED IN AUTHENTICATION thereof this 5th day of July, 1989.

Doris Cooper  
Mayor

Janet Perry  
City Clerk

APPROVED AS TO FORM:

Harold  
City Attorney

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

USE ZONE CHART

Zone <b>PLA 8</b>	Section <b>60.45.a</b>
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USE	REGULATIONS	REQUIRED REVIEW PROCESS	MINIMUMS			MAXIMUMS			LANDSCAPE CATEGORY	SIGN CATEGORY	REQUIRED PARKING SPACES
			LOT SIZE	REQUIRED YARDS			LOT COVERAGE	HEIGHT OF STRUCTURE			
				FRONT	SIDE	REAR					
Retail Establishment Selling Groceries and Related Items.		None	7,200 sq. ft.	20'	10' on each side.	10'	70%	20' above average building elevation.	B See also Spe. Reg. #5.	E	1 per each 300 sq. ft. of gross floor area.
Retail Establishment selling drugs, books, flowers, liquor, hardware supplies, garden supplies or works of art.		None	7,200 sq. ft.	20'	10' on each side.	10'	70%	20' above average building elevation.	B See also Spe. Reg. #5.	E	1 per each 300 sq. ft. of gross floor area.
Retail Variety or Department Store		None	7,200 sq. ft.	20'	10' on each side.	10'	70%	20' above average building elevation.	B See also Spe. Reg. #5.	E	1 per each 300 sq. ft. of gross floor area.
Retail Establishment providing banking and related financial service.		None	7,200 sq. ft.	20'	10' on each side.	10'	70%	20' above average building elevation.	B See also Spe. Reg. #6.	E	1 per each 300 sq. ft. of gross floor area.
Retail Establishment providing laundry, dry cleaning, barber, beauty or shoe repair services. Any retail establishment other than those specifically listed in this zone, selling goods or providing services, including banking and related financial services. See also Special Regulation #1		None	7,200 sq. ft. None	20'	10' on each side.	10'	70%	30' above average building elevation.	B See also Spe. Reg. #65.	E	1 per each 300 sq. ft. of gross floor area.

SPECIAL REGULATIONS

1. Development must emphasize Totem Lake as the focal point of this zone.
  2. No grading, filling or other development activity may occur below the 120 foot contour line, based on the King County datum point.
  3. Refer to Chapter 90 regarding restriction on development in and around Totem Lake and wetland areas.
  4. Shared access points must be used to the maximum extent possible. Curb cuts must be limited to minimize traffic congestion.
  5. Must install a landscape berm on the subject property adjacent to 120th Avenue N.E. and Totem Lake Way consistent with existing landscaped berms along these rights-of-way.
  6. Gross floor area for this use may not exceed 10,000 square feet.
  7. Refer to Chapter 1 to determine what other provision of this Code may apply to the subject property.
  8. A delicatessen, bakery, or other similar use may include, as part of the use, accessory seating if:
    - a. The seating and associated circulation area does not exceed more than 10% of the gross floor area of the use; and
    - b. It can be demonstrated to the City that the floor plan is designed to preclude the seating area from being expanded.
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1. The following uses are not allowed: vehicle or boat sales or repair, vehicle service station, storage services.
  2. Development must emphasize Totem Lake as the focal point of this zone.
  3. No grading, filling or other development activity may occur below the 120 foot contour line, based on the King County datum point.
  4. Refer to Chapter 90 regarding restriction on development and around Totem Lake and wetland areas.
  5. Shared access points must be used to the maximum extent possible. Curb cuts must be limited to minimize traffic congestion.
  6. Must install a landscape berm on the subject property adjacent to 120th Avenue N.E. and Totem Lake Way consistent with existing landscaped berms along these rights-of-way.
  7. Refer to Chapter 1 to determine what other provision of this Code may apply to the subject property.
  8. Ancillary assembly and manufactured goods on the premise of this use are permitted only if:
    - a. 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.
    - b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other retail uses.
  9. A delicatessen, bakery, or other similar use may include, as part of the use, accessory seating if:
    - a. The seating and associated circulation area does not exceed more than 10% of the gross floor area of the use; and
    - b. It can be demonstrated to the City that the floor plan is designed to preclude the seating area from being expanded.
  10. Access from 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.
  11. Outdoor storage and drive through facilities are not permitted.
  12. Required parking spaces for a hotel or motel excludes parking for ancillary meeting or convention facilities. Additional parking requirements for these ancillary uses shall be determined on a case-by-case basis.

R-PLA8.WRK 60.45.a (page 197) 6-5-89/TS:cw

or 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.

EXHIBITS First, read down to find USE... THEN, across for REGULATIONS.

USE ZC

CHART

Zone PLA 8	Section 60.45.b
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REGULATIONS USE	REQUIRED REVIEW PROCESS	LOT SIZE	MINIMUMS			LOT COVERAGE	MAXIMUMS			LANDSCAPE CATEGORY	SIGN CATEGORY	REQUIRED PARKING SPACES
			REQUIRED YARDS				HEIGHT OF STRUCTURE	LANDSCAPE CATEGORY	SIGN CATEGORY			
			FRONT	SIDE	REAR							
Hotel or Motel	None	None	20'	10' on each side	10'	70%	30' above average building elevation.	B See also Spec. Reg. #6.	E	1 per each room. See also Spec. Reg. 12.		
A retail establishment providing entertainment or recreational activity	None	None	20'	10' on each side	10'	70%	30' above average building elevation.	B See also Spec. Reg. #6.	E	1 per every four fixed seats.		
Athletic, exercise or health club/facility	None	None	20'	10' on each side	10'	70%	30' above average building elevation.	B See also Spec. Reg. #6.	E	1 per each 250 sq. ft. of gross floor area.		
Restaurant or Tavern	None	2,000 sq. ft. None	20'	10' on each side	10'	70%	30' above average building elevation.	B See Spec. Reg. #5 & 6.	E	1 per each 100 sq. ft. of gross floor area.		

L-PLAB.WRK 60.45.a (page 197) 6-5-89/TS:cm

SPECIAL REGULATIONS

- The following uses are not allowed: vehicle or boat sales or repair, vehicle service station, fast food restaurant, storage services.
  - Development must emphasize Totem Lake as the focal point of this zone.
  - No grading, filling or other development activity may occur below the 120 foot contour line, based on the King County datum point.
  - Refer to Chapter 90 regarding restriction on development and around Totem Lake and wetland areas.
  - Shared access points must be used to the maximum extent possible. Curb cuts must be limited to minimize traffic congestion.
  - Must install a landscape berm on the subject property adjacent to 120th Avenue N.E. and Totem Lake Way consistent with existing landscaped berms along these rights-of-way.
  - Gross floor area for this use may not exceed 10,000 square feet.
  - Refer to Chapter 1 to determine what other provision of this Code may apply to the subject property.
  - Ancillary assembly and manufactured goods on the premise of this use are permitted only if:
    - 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.
  - A delicatessen, bakery, or other similar use may include, as part of the use, accessory seating if:
    - The seating and associated circulation area does not exceed more than 10% 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.
  - ~~Access from 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.~~
  - ~~Outdoor storage and drive through facilities are not permitted.~~
  - ~~Required parking spaces for a hotel or motel excludes parking for ancillary meeting or convention facilities. Additional parking requirements for these ancillary uses shall be determined on a case-by-case basis.~~
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