

ORDINANCE NO. 3640

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING PERMIT REVIEW PROCESSES AND AMENDING ORDINANCE 2740 AS AMENDED, THE KIRKLAND ZONING ORDINANCE, FOR THE AREA OF THE HOUGHTON MUNICIPAL CORPORATION (FILE NO. IV-97-68).

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 December 18, 1997 and bearing Kirkland Department of Planning and Community Development File No. IV-97-68; and

WHEREAS, prior to making said recommendation, the Planning Commission, following notice thereof as required by RCW 35A.63.070, on November 6, 1997, 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.

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 for the area of the Houghton Municipal Corporation 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

USE	REGULATIONS	Directions: FIRST, read down to find USE... THEN, across for REGULATIONS.										USE ZONE CHART		Zone	Section
		REQUIRED REVIEW PROCESS	LOT SIZE	MINIMUMS			MAXIMUMS			LANDSCAPE SIGN CATEGORY	REQUIRED PARKING SPACES	SPECIAL REGULATIONS		PO	27.10.b
				REQUIRED YARDS			LOT COVERAGE	HEIGHT OF STRUCTURE	REAR						
				FRONT	SIDE	REAR									
Church	Process Chapter 145 None	None	20'	20' on each side.	20'	70%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above average building elevation.	C	B	1 for every 4 people based on maximum occupant load of any area of worship. See Spec. Reg. #3.	<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. <ol style="list-style-type: none"> Refer to Chapter 1 to determine what other provision of this Code may apply to the subject property. No parking is required for day-care or school ancillary to the use. 				
School or Day Care Center	Process Chapter 145 None	None	If this use can accommodate 50 or more students or children, then— 50' 50' on each side If this use can accommodate 13 to 49 students or children, then— 20' 20' on each side Otherwise, 20' 5', but 2 side yards must equal at least 15'.	70%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above average building elevation.	D	B	See Section 105.25	<ol style="list-style-type: none"> 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. See the Section in Chapter 115 entitled <u>Distance Between Structures Regarding Maximum Horizontal Facade Regulation</u> for further details. <ol style="list-style-type: none"> 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 368-73). 						

1-PO 27.10.b (page 47) 8-22-88/18:cm

R-PO 27.10.b (page 47) 8-22-88/18:do

June 1988 (Ordinance 3100)
Feb. 1988 (Ordinance 3077)

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.

USE ZONE CHART		Zone		Section	
Directions: first, read down to find USE... THEN, across for REGULATIONS		WDI		30.10.a	
USE REGULATIONS	REVIEW PROCESS	LOT SIZE	MINIMUMS REQUIRED YARDS		REQUIREMENTS
			FRONT	REAR	
USE REGULATIONS	REVIEW PROCESS	LOT SIZE	MAXIMUMS		REQUIREMENTS
			HEIGHT OF STRUCTURE	LANDSCAPE SIGN CATEGORY	
USE REGULATIONS	REVIEW PROCESS	LOT SIZE	SPECIAL REGULATIONS		REQUIREMENTS
			REAR	REAR	
Detached Dwelling Unit	None	3,600 sq. ft.	30'	30'	<p>1. No structures, other than moorage structures or public access piers, may be waterward of the high waterline. For the regulation regarding moorage and public access piers, see the specific listings in this zone.</p> <p>2. The required 30' front yard may be reduced 1' for each 1' of this yard that is developed as a public use area I-.</p> <p>3. 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</p> <p>4. Substantially, the entire width of this yard (from north to south property lines) is developed as a public use area; and</p> <p>5. The design of the public use area is specifically approved by the City.</p> <p>6. A view corridor must be maintained across 30% of the average parcel width. The 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 existing view from Lake Washington Boulevard 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.</p> <p>7. Chapter 115 contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.</p> <p>8. See Section 11 of this Chapter for regulations regarding setbacks 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>
Attached or Stacked Dwelling Units	Process via Chapter 145	3,600 sq. ft. per unit	30'	30'	<p>1. No structures, other than moorage structures or public access piers, may be waterward of the high waterline. For the regulations regarding moorage and public access piers, see the specific listings in this zone.</p> <p>2. 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. The City shall require signs designating the public pedestrian access and public use areas.</p> <p>3. The required 30' front yard may be reduced 1' for each 1' of this yard that is developed as a public use area I-.</p> <p>4. 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</p> <p>5. Substantially the entire width of this yard, from north to south property lines, is developed as a public use area; and</p> <p>6. The design of the public use area is specifically approved by the City.</p> <p>7. A view corridor must be maintained across 30% of the average parcel width. The 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 Boulevard 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.</p> <p>8. Structure height may be increased to 35' above average building elevation if the increase does not impair views of the lake from properties east of Lake Washington Boulevard; and</p> <p>9. The increase is offset by a view corridor that is superior to that required by special regulation #4; or</p> <p>10. The increase is offset by maintaining comparable portions of the structure lower than 30' above average building elevation.</p>

REGULATIONS FOR THIS USE CONTINUED ON THE NEXT PAGE

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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 the regulations in this category, 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.

USE ZONE CHART										Zone	Section	
REGULATIONS	REQUIRE REVIEW PROCESS	LOT SIZE	MINIMUMS			MAXIMUMS			SPECIAL REGULATIONS	REQUIRED PARKING SPACES	REQUIRED SIGN CATEGORY	REQUIRED LANDSCAPE CATEGORY
			FRONT	NORTH PROPERTY LINE	SOUTH PROPERTY LINE	LOT COVERAGE	HEIGHT OF STRUCTURE	REQUIRED SIGN CATEGORY				
Public Access Pier or Boardwalk	Requires Chapter 145 Process Chapter 145	None	Waterward of the High Waterline See also Special Regulation # 8	Waterward of the High Waterline 10'	10'	Pier decks may not be more than 24' above mean sea level. Diving boards and similar features may not be more than 3' above the deck.	See Section 105.25	1. No accessory uses, buildings, or activities are permitted as part of this use. 2. If a structure 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. 3. May not treat a structure with creosote, oil base or toxic substances. 4. Must provide at least one covered and secured waste receptacle. 5. All utility lines must be below the pier deck and, where feasible, underground. 6. Piers must be adequately lit; the source of the light must not be visible from neighboring properties. 7. 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 inches high, and visible from the lake. 8. North and South Property line yards may be decreased for over-water public use facilities which connect with waterfront public access on adjacent property. 9. See Section 11 of this Chapter for regulations regarding bulkheads and land surface modification. In addition, refer to Chapter 1 to determine what other provisions of this Code may apply to the subject property.	See Section 105.25	None	None	
Moorage Facility for 1 or 2 boats	None	None	Waterward of the High Waterline In addition, no moorage structure may be within: a. 25 ft of a public park or b. 25 ft of another moorage structure not on the subject property. The minimum dimension of any yard, other than those listed, is 5'	Waterward of the High Waterline 10'	10'	Pier decks may not be more than 24' above mean sea level. Diving boards and similar features may not be more than 3' above the deck.	See Spc. Reg. # 8	1. 1 per each 2 slips 2. Oilbowies 3. None if the moorage is reserved for the exclusive use of an adjoining residential development. 4. 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. 5. May not treat moorage structure with creosote, oil base or toxic substances. 6. Must provide at least one covered and secured waste receptacle. 7. All utility lines must be below the pier deck and, where feasible, underground. 8. Piers must be adequately lit; the source of the light must not be visible from neighboring properties. 9. Moorage structures must display the street address of the subject property. 10. Covered moorage is not permitted. 11. Aircraft moorage is not permitted. See Section 11 of this Chapter for regulations regarding bulkheads and land surface modification. In addition, refer to Chapter 1 to determine what other provisions of this Code may apply to the subject property.	1 per each 2 slips Oilbowies None if the moorage is reserved for the exclusive use of an adjoining residential development.	None		

REVISED 2/88

R-WDI/Section 30.10.c./Page 52/4-16-90/TS:rk

L-WDI/4-9-90/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 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.

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USE	REGULATIONS	USE ZONE CHART										SPECIAL REGULATIONS		
		Directions: FIRST, read down to find USE... THEN, across for REGULATIONS		MINIMUMS REQUIRED YARDS					MAXIMUMS				Zone	Section
		REQUIRED REVIEW PROCESS	LOT SIZE	FRONT	NORTH PROPERTY LINE	SOUTH PROPERTY LINE	HIGH WATER LINE	LOT COVERAGE	HEIGHT OF STRUCTURE	LANDSCAPE CATEGORY	SIGN CATEGORY		REQUIRED PARKING SPACES	WDI
Public Access Pier or Boardwalk	Process 1A - Chapter 145 Process 1 Chapter 145	None	Waterward of the High Water Line	10'	10'	---	---	Pier decks may not be more than 24' above mean sea level. Diving boards and similar features may not be more than 3' above the deck.	---	See Spc. Reg. #7	See Section 105.25	<ol style="list-style-type: none"> No accessory uses, buildings, or activities are permitted as part of this use. If a structure 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. May not treat a structure with creosote, oil base or toxic substances. Must provide at least one covered and secured waste receptacle. All utility lines must be below the pier deck and, where feasible, underground. Piers must be adequately lit; the source of the light must not be visible from neighboring properties. 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 inches high, and visible from the Lake. North and south property line yards may be decreased for over-water public use facilities which connect with waterfront public access or adjacent property. See Section 21 of this Chapter for regulations regarding bulkheads and land surface modification. In addition, refer to Chapter 1 to determine what other provisions of this Code may apply to the subject property. 		
Moorage Facility for 1 or 2 boats. See also Special Regulation # 1.	None	None	Waterward of the High Water Line	10'	10'	---	80%	Pier decks may not be more than 24' above mean sea level. Diving boards and similar features may not be more than 3' above the deck.	---	See Spc. Reg. #8	None	<ol style="list-style-type: none"> Moorage must be for the exclusive use of the residents of the subject property. Renting moorage space is not permitted. No accessory uses, buildings, or activities are permitted as part of this use. Various accessory components are permitted as part of a General Moorage Facility. See that listing in this zone. Moorage structures may not extend waterward beyond a point 150 feet from the high waterline. In addition, piers and docks may not be wider than is reasonably necessary to provide safe access to the boats, but not more than 8 feet in width. 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. May not treat moorage structure with creosote, oil base or toxic substances. Must provide at least one covered and secured waste receptacle. All utility lines must be below the pier deck and, where feasible, underground. Piers must be adequately lit; the source of the light must not be visible from neighboring properties. 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 inches high, and visible from the Lake. Covered moorage is not permitted. Aircraft moorage is not permitted. See Section 21 of this Chapter for regulations regarding bulkheads and land surface modification. In addition, refer to Chapter 1 to determine what other provisions of this Code may apply to the subject property. Live-aboard boats are prohibited. 		

L-WDIII/Section 30.20.c/Page 69C/1-23-89/TS:rk

R-WDIII/Section 30.20.c/Page 69C/1-23-89/TS:rk

Revised 11/88

Footnotes

- For other information about parking and parking areas, see Chapter 105.
- For details of the regulations in this category, see Chapter 100.
- For 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.

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O-3640

USE ZONE CHART										
REGULATIONS	DIRECTIONS FIRST, read down to find USE... THEN, across for REQUIREMENTS.	MINIMUMS			MAXIMUMS			LANDSCAPE CATEGORY	SIGN CATEGORY	REQUIRED PARKING SPACES
		FRONT	REAR	LOT COVERAGE	HEIGHT OF STRUCTURE	LOT COVERAGE	HEIGHT OF STRUCTURE			
<p>Vehicle Service Station</p> <p>Process 1 Chapter 115</p>	<p>Process 1 Chapter 115</p>	40'	15'	80%	If adjoining a low density zone other than RSX, then 25' above average building elevation.	A	E	See Section 105.25	1. Access points onto Lake Washington Blvd. and Northup Way must be maintained to prevent arterial congestion and traffic safety hazards. Shared access points must be utilized where feasible. 2. Must improve nearby rights-of-way and intersections to accommodate traffic generated from the subject property. 3. City entry way design must be provided on the subject property adjacent to Lake Washington Blvd. as follows: a. An earthen berm, 12' wide and with a uniform height of 3' at the center. b. Lawn covering the berm. c. London Plane at least 2" in diameter, planted 30' on center along the berm. 4. May include as accessory uses, a dry cleaners and a drug store. The gross floor area of these accessory retail uses may not exceed 20% of the gross floor area of the development. 5. 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 Height for further details. 6. 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. 7. Refer to Chapter 1 to determine what other provisions of this Code may apply to the subject property. 8. The following regulation applies to vehicle service stations only: a. May not be more than 2 vehicle service stations at any intersection. b. Gas pump islands may extend 20 feet into the front yard. Canopies or covers over gas pump islands may not be closer than 10 feet to any property line. Outdoor parking and service areas may not be closer than 10 feet to any property line. See the Section in Chapter 115 entitled Outdoor Use, Activity and Signage for further regulations.	
<p>Restaurant or Tavern</p>	<p>None</p>	20'	10' on each side	80%	If adjoining a low density zone other than RSX, then 25' above average building elevation.	B	E	1 per each 100 sq ft. of gross floor area.		

June 1988 (Ordinance 3100)
Feb. 1988 (Ordinance 3077)

RFCA (pg. 1) 18-22-80/75-11

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.

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS

USE REGULATIONS

Vehicle Service Station

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→

Zone BC

Section 45.10.a

SPECIAL REGULATIONS

REQUIRED REVIEW PROCESS	MINIMUMS			MAXIMUMS		LANDSCAPE CATEGORY	SIGN CATEGORY	REQUIRED PARKING SPACES	SPECIAL REGULATIONS
	LOT SIZE	FRONT	SIDE	REAR	LOT COVERAGE				
Process #146 Chapter 115	22,500 sq. ft.	40'	15' on each side See Spec. Regs. 2 and #5	15'	80%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above average elevation. See also Spec. Reg. #6.	A	See Section 105.25	1. May not be more than two vehicle service stations at any intersection. 2. Gas pump islands may extend 20 feet into the front yard. Canopies or covers over gas pump islands may not be closer than 10 feet to any property line. Outdoor parking and service areas may not be closer than 10 feet to any property line. See the section in Chapter 115 entitled Outdoor Use, Activity and Storage for further regulations. 3. 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 Regulation for further details. 4. Refer to Chapter 1 to determine what other provision of this Code may apply to the subject property. 5. 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. 6. Except if adjoining a low density zone, structure height may be increased above 30 feet in height through a Process II, Chapter 150, if: 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.
None	None	20'	See Spec. Reg. #5	0'	80%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above average elevation. See also Spec. Reg. #6.	A	See Section 105.25	1. 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 Outdoor Use, Activity and Storage for further regulations. 2. Vehicle and boat rental and used vehicles or boat sales are allowed as part of this use. 3. 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 Regulation for further details. 4. Refer to Chapter 1 to determine what other provision of this Code may apply to the subject property. 5. 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. 6. Except if adjoining a low density zone, structure height may be increased above 30 feet in height through a Process II, Chapter 150, if: 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.

ZC-4510A-25-96

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

USE ZONE CHART											
DIRECTIONS FIRST, READ DOWN TO FIND USE, THEN, ACROSS FOR REGULATIONS.	MINIMUMS			MAXIMUMS			LANDSCAPE CATEGORY	SIGN CATEGORY	REQUIRED PARKING SPACES	Section	
	REQUIRED REVIEW PROCESS	LOT SIZE	FRONT	SIDE	REAR	LOT COVERAGE					HEIGHT OF STRUCTURE
<p>Attached or Stacked Dwelling Units</p> <p>USE ↑</p> <p>REGULATIONS ↑</p>	<p>Process III Chapter 11B Chapter 152</p>	<p>35,000 sq. ft. per unit</p>	<p>20'</p>	<p>5', but 2 side yards must equal at least 15'</p>	<p>10'</p>	<p>60%</p>	<p>25' above average building elevation See also Special Regulation #7</p>	<p>0</p>	<p>A</p>	<p>1.7 per unit</p>	<p>Zone PLA2</p> <p>Section 60.15.a</p> <p>SPECIAL REGULATIONS</p> <ol style="list-style-type: none"> This development may also be regulated under the City's Shoreline Master Program; consult that document. Development in parts of this zone may be limited by Chapter 90, regarding development near streams, lakes and wetlands. In addition, the site must be designed to concentrate development away from, and to minimize impact on, the wetlands. No structure may be waterward of the high waterline. May not use lands waterward of the high waterline to determine lot size or to calculate allowable density. No structure may be within 50 feet of the high waterline of the canal. No structure may be within 100 feet of the high waterline of the remainder of Lake Washington. If the development includes portions of Planned Area 2, the applicant may propose and the City may require that part or all of the density allowed in Planned Area 2 be developed in Planned Area 3. The height of a structure may be increased as long as neither of the following maximums is exceeded: <ol style="list-style-type: none"> The structure may not exceed 60 feet above average building elevation. The structure may not exceed a plane that starts 3.5 feet above the outside waterbound lane of SR 520 and ends at the high waterline of Lake Washington in the zone, excluding the canal. The structure may not exceed 60 feet above average building elevation. Chapter 115 contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. See Section 18 of this Chapter for Regulations regarding bulkheads and land surface modifications. In addition, refer to Chapter 1 to determine what other provision of this Code may apply to the subject property.
<p>Lived School or Mini Day Care (12 attendees)</p> <p>Day-Care Home (9 or less attendees)</p> <p>None</p>	<p>Process III Chapter 155</p>	<p>35,000 sq. ft.</p>	<p>20'</p>	<p>5', but 2 side yards must equal at least 15'</p>	<p>10'</p>	<p>60%</p>	<p>25' above average building elevation. See also Special Regulation #7.</p>	<p>0</p>	<p>0</p>	<p>See Section 105.25</p>	<ol style="list-style-type: none"> This development may also be regulated under the City's Shoreline Master Program; consult that document. Development in parts of this zone may be limited by Chapter 90 regarding development near streams, lakes and wetlands. In addition, the site must be designed to concentrate development away from and to minimize impacts on the wetlands. No structure may be waterward of the high waterline. May not use lands waterward of the high waterline to determine lot size or to calculate allowable density. No structure may be within 50 feet of the high waterline of the canal. No structure may be within 100 feet of the high waterline of the remainder of Lake Washington. If the development includes portions of Planned Area 2, the applicant may propose and the City may require that part or all of the density allowed in Planned Area 2 be developed in Planned Area 3. The height of a structure may be increased as long as neither of the following maximums is exceeded: <ol style="list-style-type: none"> The structure may not exceed 60 feet above average building elevation. The structure may not exceed a plane that starts 3.5 feet above the outside waterbound lane of SR 520 and ends at the high waterline of Lake Washington in the zone, excluding the canal. See Section 18 of this Chapter for Regulations regarding bulkheads and land surface modifications. May locate on the subject property only: <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 local light 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. Structural play areas must be setback from all property lines by 5 feet. An on-site passenger loading area may be required depending on the number of attendees and the extent of the abating 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 358.73).
<p>L-PLA2/Section 60.15 a /pp 128/12-16 05/TS:ik</p>	<p>None</p>	<p>35,000 sq. ft.</p>	<p>20'</p>	<p>5', but 2 side yards must equal at least 15'</p>	<p>10'</p>	<p>60%</p>	<p>25' above average building elevation. See also Special Regulation #7.</p>	<p>0</p>	<p>0</p>	<p>See Section 105.25</p>	<p>R PLA2/Section 60.15 a /pp 128/12-16 05/TS:ik</p> <p>Feb. 1988 (Ordinance 3077)</p>

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

USE ZONE CHART													
REGULATIONS	MINIMUMS			MAXIMUMS			REAR YARDS	LOT COVERAGE	HEIGHT OF STRUCTURE	LANDSCAPE CATEGORY	SIGN CATEGORY	REQUIRED PARKING SPACES	Section 60.20.a1
	REQUIRED REVIEW PROCESS	FRONT	SIDE	FRONT	REAR	HEIGHT							
<p>USE</p> <p>Attached Dwelling Unit</p>	None	20'	5', but 2 side yards must equal at least 15'	10'	70%	30' above average building elevation	E	A	2.0 per unit	<p>SPECIAL REGULATIONS</p> <p>1. This development may also be regulated under the City's Shoreline Master Program; consult that document. 2. Development in parts of this zone may be limited by Chapter 50, regarding development near streams, lakes and wetlands. 3. Access points onto Lake Washington Boulevard must be minimized to prevent arterial congestion and traffic safety hazards. 4. Shared access points must be utilized where feasible. 5. City driveway design must be provided on the subject property adjacent to Lake Washington Boulevard as follows: a. An earthen berm, 12 feet wide and with a uniform height of 3 feet at the center. b. Lawn covering the berm. c. London Plane at least 2 inches in diameter, planted 30 feet on center along the berm. 6. Chapter 115 contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 7. The required yard of a structure abutting Lake Washington Boulevard or Lake Street South must be increased 2 feet for each foot that structure exceeds 25 feet above average building elevation. 8. Refer to Chapter 1 to determine what other provision of this Code may apply to the subject property. 9. This development may also be regulated under the City's Shoreline Master Program; consult that document. 10. Development in parts of this zone may be limited by Chapter 50 regarding development near streams, lakes and wetlands. In addition, the site must be designed to minimize development away from and to minimize impacts on the wetland. 11. Vehicular circulation on the subject property must be designed to minimize traffic impacts on Lake Washington Boulevard and at the SR-520 interchange. The City may limit access points onto Lake Washington Boulevard and Parks Drive and require traffic control devices and right-of-way realignment. 12. If the development includes portions of Planned Area 2, the applicant may propose and the City may require that part or all of the density allowed in Planned Area 2 be developed in Planned Area 2. 13. The height of structures may be increased if: a. The structure does not exceed 60' above average building elevation. b. The amount of pervious surface on the subject property in this zone significantly exceeds 50%, and c. The site is designed to the maximum extent feasible to provide views through the subject property from Lake Washington Boulevard and Bellevue Way while complying with Special Regulation # 1. 14. City driveway design must be provided on the subject property adjacent to Lake Washington Boulevard as follows: a. An earthen berm, 12 feet wide and with a uniform height of 3 feet at the center. b. Lawn covering the berm. c. London Plane at least 2 inches in diameter, planted 30 feet on center along the berm. 15. Chapter 115 contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 16. The required yard of a structure abutting Lake Washington Boulevard or Lake Street South must be increased 2 feet for each foot that structure exceeds 25 feet above average building elevation. 17. Refer to Chapter 1 to determine what other provision of this Code may apply to the subject property.</p>			
<p>Attached or Stacked Dwelling Units</p>	<p>Refer to Chapter 115 Process 115 Chapter 152</p>	20'	5', but 2 side yards must equal at least 15'	10'	70%	30' above average building elevation. See Special Regulation # 6	D	A	1.7 per unit	<p>1. This development may also be regulated under the City's Shoreline Master Program; consult that document. 2. Development in parts of this zone may be limited by Chapter 50 regarding development near streams, lakes and wetlands. In addition, the site must be designed to minimize development away from and to minimize impacts on the wetland. 3. Vehicular circulation on the subject property must be designed to minimize traffic impacts on Lake Washington Boulevard and at the SR-520 interchange. The City may limit access points onto Lake Washington Boulevard and Parks Drive and require traffic control devices and right-of-way realignment. 4. If the development includes portions of Planned Area 2, the applicant may propose and the City may require that part or all of the density allowed in Planned Area 2 be developed in Planned Area 2. 5. The height of structures may be increased if: a. The structure does not exceed 60' above average building elevation. b. The amount of pervious surface on the subject property in this zone significantly exceeds 50%, and c. The site is designed to the maximum extent feasible to provide views through the subject property from Lake Washington Boulevard and Bellevue Way while complying with Special Regulation # 1. 6. City driveway design must be provided on the subject property adjacent to Lake Washington Boulevard as follows: a. An earthen berm, 12 feet wide and with a uniform height of 3 feet at the center. b. Lawn covering the berm. c. London Plane at least 2 inches in diameter, planted 30 feet on center along the berm. 7. Chapter 115 contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 8. The required yard of a structure abutting Lake Washington Boulevard or Lake Street South must be increased 2 feet for each foot that structure exceeds 25 feet above average building elevation. 9. Refer to Chapter 1 to determine what other provision of this Code may apply to the subject property.</p>			

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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.

Directions		USE ZONE CHART										Zone	Section	
USE REGULATIONS	Required Review Process	MINIMUMS			MAXIMUMS			LANDSCAPE CATEGORY	SIGN CATEGORY	REQUIRED PAVING SPACES	SPECIAL REGULATIONS		Zone	Section
		FRONT	SIDE	REAR	LOT COVERAGE	HEIGHT OF STRUCTURE	LOT SIZE							
Office Uses	Chapter 115, Process 115, Chapter 152	20'	5', but 2 side yards must equal at least 15'	10'	70%	30' above average building elevation. See Special Regulation # 5.	0	0	1 if a Med. cal. Gen'l. or veter. nary Office, then 1 each 200 sq. ft. of gross floor area.	1. This development may also be regulated under the City's Shoreline Master Program; consult that document. 2. Development in parts of this zone may be limited by Chapter 50 regarding development near streams, lakes and wetlands. In addition, the site must be designed to concentrate development away from and to minimize impacts on the wetlands. 3. Vehicular circulation on the subject property must be designed to minimize traffic impacts on Lake Washington Boulevard and at the SR-520 interchange. The City may limit access points onto Lake Washington Boulevard and Police Drive and require traffic control devices and right-of-way reassignment. 4. If the development includes portions of Planned Area 2, the applicant may propose and/or the City may require that part or all of the density allowed in Planned Area 2 be developed in Planned Area 2. 5. The height of structures may be increased if: a. The structure does not exceed 60' above average building elevation. b. The amount of pervious surface on the subject property in this zone is significantly increased 50%, and c. The site is designed to the maximum extent feasible to provide views through the subject property from Lake Washington Boulevard and Bellevue Way while complying with Special Regulation # 1. 6. City entryway design must be provided on the subject property adjacent to Lake Washington Boulevard as follows: a. An earthen berm, 12 feet wide and with a uniform height of 3 feet at the center. b. Lawn covering the berm. c. London Plane at least 2 inches in diameter, planted 30 feet on center along the berm. 7. The required yard of a structure abutting Lake Washington Boulevard or Lake Street South must be increased 2 feet for each foot that structure exceeds 25 feet above average building elevation. 8. The minimum lot size for this use is 7200 square feet if the subject property has storage on Lake Washington Boulevard. 9. Refer to Chapter 1 to determine what other provisions of this Code may apply to the subject property. 10. The following regulations apply to veterinary offices only: a. May only treat small animals on the subject property. b. Outside runs and other outside facilities for the animals are not permitted. c. Site must be designed so that noise from this use will not be audible off the subject property. A certification to this effect, signed by an Acoustical Engineer, must be submitted with the development permit application. 11. Ancillary assembly and manufacture of goods on the premise of this use are permitted only if: a. The ancillary assembly or manufactured goods are subordinate to and dependent on this use. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.	PLA3A	60.20.a2		
LPLA3/Section 60.20.b / Page 131A/B/31-89/TS:ik		RPLA3/Section 60.20.b / Page 131A/B/31-89/TS:ik										Revised 1/89	Page 132	
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.												

USE ZONE CHART

Directions: First, read down to find USE... then, across for REGULATIONS.

Zone
PLA3A

Section
60.20.a3

USE	REGULATIONS	MINIMUMS			MAXIMUMS			REQUIREMENTS	REQUIREMENTS	REQUIREMENTS	REQUIREMENTS	REQUIREMENTS
		FRONT	SIDE	REAR	LOT COVERAGE	HEIGHT OF STRUCTURE	LANDSCAPE CATEGORY					
Development Containing Attached or Stacked Dwelling Units and Office Units. See Special Regulation #1.	Process with Chapter 118, Chapter 119, Chapter 152 Process 118 Chapter 152	20'	5', but 2 side yards must equal at least 15'	10'	70%	30' above average building elevation. See Special Regulation #8	C	D	See Section 105.25	See Section 105.25	1. This development may also be regulated under the City's Shoreline Master Program; consult that document. 2. A veterinary office is not permitted in any development containing dwelling units. 3. Development in parts of this zone may be limited by Chapter 90 regarding development near streams, lakes and wetlands. In addition, the site must be designed to concentrate development away from and to minimize impacts on the wetlands. 4. Vehicular circulation on the subject property must be designed to minimize traffic impacts on Lake Washington Boulevard and at the SR-520 interchange. The City may limit access points onto Lake Washington Boulevard and Points Drive and require traffic control devices and light-of-way realignment. 5. If the development includes portions of Planned Area 2, the applicant may propose and/or the City may require that part of the development be developed in Planned Area 3. 6. The height of structures may be increased if: a. The structure does not exceed 60 feet above average building elevation. b. The amount of pervious surfaces on the subject property in this zone significantly exceeds 50 percent, and c. The site is designed to the maximum extent feasible to provide views through the subject property from Lake Washington Boulevard and Bellevue Way complying with Special Regulation #2. 7. City entryway design must be provided on the subject property adjacent to Lake Washington Boulevard as follows: a. An earthen berm, 12 feet wide and with a uniform height of 3 feet at the center. b. Lawn covering the berm. c. London Plane at least 2 inches in diameter, planted 30 feet on center along the berm. 8. Chapter 115 contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 9. The required yard of a structure abutting Lake Washington Boulevard or Lake Street South must be increased 2 feet for each foot that structure exceeds 25 feet above average building elevation. 10. Refer to Chapter 110 to determine what other provision of this Code may apply to the subject property. 11. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The ancillary assembly or manufacture of goods are subordinate to and dependent on this use. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.	
School or Day Care Center	Process with Chapter 118, Chapter 119, Chapter 152 Process 118 Chapter 152	20'	5', but 2 side yards must equal at least 15'	10'	70%	30' above average building elevation. See Special Regulation #8	C	D	See Section 105.25	See Section 105.25	1. This development may also be regulated under the City's Shoreline Master Program; consult that document. 2. Development in parts of this zone may be limited by Chapter 90 regarding development near streams, lakes and wetlands. In addition, the site must be designed to concentrate development away from and to minimize impacts on the wetlands. 3. Vehicular circulation on the subject property must be designed to minimize traffic impacts on Lake Washington Boulevard and at the SR-520 interchange. The City may limit access points onto Lake Washington Boulevard and Points Drive and require traffic control devices and light-of-way realignment. 4. If the development includes portions of Planned Area 2, the applicant may propose and/or the City may require that part of the development be developed in Planned Area 3. 5. The height of structures may be increased if: a. The structure does not exceed 60 feet above average building elevation. b. The amount of pervious surfaces on the subject property in this zone significantly exceeds 50 percent, and c. The site is designed to the maximum extent feasible to provide views through the subject property from Lake Washington Boulevard and Bellevue Way complying with Special Regulation #2. 6. City entryway design must be provided on the subject property adjacent to Lake Washington Boulevard as follows: a. An earthen berm, 12 feet wide and with a uniform height of 3 feet at the center. b. Lawn covering the berm. c. London Plane at least 2 inches in diameter, planted 30 feet on center along the berm. 7. The required yard of a structure abutting Lake Washington Boulevard or Lake Street South must be increased 2 feet for each foot that structure exceeds 25 feet above average building elevation.	

REGULATIONS CONTINUED ON NEXT PAGE

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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.

Footnotes

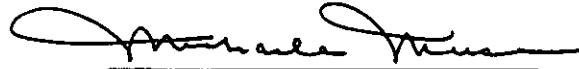
ordinance shall become effective within the Houghton Community Municipal Corporation only upon approval of the Houghton Community Council or the failure of said Community Council to disapprove this ordinance within 60 days of the date of the passage of this ordinance.

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 approved by the City Council, as required by law.

Section 5. A complete copy of this ordinance, including Findings, Conclusions and Recommendations adopted by reference, shall be certified by the City Clerk, who shall then forward the certified copy to the King County Department of Assessments.


PASSED by majority vote of the Kirkland City Council in regular, open meeting this 23rd day of June, 1998.

SIGNED IN AUTHENTICATION thereof this 23rd day of June, 1998.



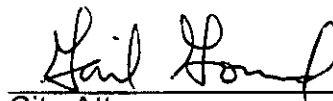
Mayor

Attest:



City Clerk

Approved as to Form:



City Attorney

PUBLICATION SUMMARY
OF ORDINANCE NO. 3640

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING PERMIT REVIEW PROCESSES AND AMENDING ORDINANCE 2740 AS AMENDED, THE KIRKLAND ZONING ORDINANCE, FOR THE AREA OF THE HOUGHTON MUNICIPAL CORPORATION (FILE NO. IV-97-68).

SECTION 1 Amends specific portions of the text of the Zoning Code for the area of the Houghton Municipal Corporation:

Amends the following Use Zone Charts to change permit review processes: Church and School or Day Care Center in PO zone; Attached or Stacked Dwelling Units and Public Access Pier or Boardwalk in WDI and WDIII zones; Vehicle Service Station in FCIII and BC zones; Attached or Stacked Dwelling Units in PLA2 zone; and Attached or Stacked Dwelling Units, Office Uses, Development Containing Attached or Stacked Dwelling Units and Office Uses, and School or Day Care Center in PLA3A zone.

SECTION 2 Provides a severability clause for the ordinance.


SECTION 3 Provides that the effective date of the ordinance is affected by the disapproval jurisdiction of the Houghton Community Council.

SECTION 4 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 the effective date as five days after publication of the summary.

SECTION 5 Establishes certification by City Clerk and notification of King County Department of Assessments.

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. The Ordinance was passed by the Kirkland City Council at its regular meeting on the 23rd day of June, 1998.

I certify that the foregoing is a summary of Ordinance 3640 approved by the Kirkland City Council for summary publication.



City Clerk