

ORDINANCE NO. 3704

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, PLANNING, AND LAND USE AND AMENDING THE PLANNED AREA I USE ZONE CHARTS SECTIONS 60.10.A, 60.10.B, AND 60.10.C.1 OF THE KIRKLAND ZONING CODE (TITLE 23 OF THE KIRKLAND MUNICIPAL CODE) (FILE NO. III-IV-95-30).

WHEREAS, the City Council has received from the Hearing Examiner 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 Hearing Examiner dated February 28, 1998 and bearing Kirkland Department of Planning and Community Development File No. III-IV-95-30.

WHEREAS, prior to making said recommendation, the Hearing Examiner, following notice thereof as required by RCW 35A.63.070, on December 16, 1997 and February 12, 1998, 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 on November 26, 1997 and Addendum issued on May 22, 1998 pursuant to WAC 197-11-340 and WAC 197-11-390; and

WHEREAS, at the May 19, 1998 meeting, the City Council adopted Resolution Nos. 4127 Process III Permit (master plan revision), 4128 (Intention to adopt comprehensive plan amendment), and 4129 (Intention to a adopt rezone) and Ordinance No. 3629 (PLA 1 text amendments); and

WHEREAS, on July 16, 1998, the Houghton Community Council adopted Resolution No. 98-2, which disapproved and rendered void City Resolutions Nos. 4127, 4128, and 4129 and City Ordinance No. 3629; and

WHEREAS, in December 1998, the City Council adopted the Comprehensive Plan amendments referenced in Resolution No. 4128; and

WHEREAS, the City Council, in regular meeting on August 10, 1999, did consider the environmental documents received from the responsible official, together with the recommendation of the Hearing Examiner and the recommendation of City staff to add conditions to the conditions set forth in the Hearing Examiner's recommendation; and now therefore

THE CITY COUNCIL OF THE CITY OF KIRKLAND WASHINGTON DO ORDAIN 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 Community Council or the failure of said Community Council to disapprove this resolution within 60 days of the date of the passage of this resolution.

Section 4. 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.

Section 5. A certified copy of this ordinance, together with the findings, conclusions, and recommendations herein adopted shall be attached to and become a part of the Process III permit or evidence thereof delivered to the permittee.


PASSED by majority vote of the Kirkland City Council on the 10th day of August, 19 99.

SIGNED IN AUTHENTICATION THEREOF on this 10th day of August, 19 99.




Mayor

Attest:



Deputy City Clerk

Approved as to Form:



City Attorney

Attachment A

USE ZONE CHART

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

REGULATIONS	REVIEW PROCESS	LOT SIZE	MINIMUMS			MAXIMUMS			LANDSCAPE CATEGORY	SIGN CATEGORY	REQUIRED PARKING SPACES	Section
			FRONT	SIDE	REAR	LOT COVERAGE	HEIGHT OF STRUCTURE	LANDSCAPE CATEGORY				
<p>Zone PLA 11</p> <p>SPECIAL REGULATIONS</p> <p>k. The housing unit, south of Gairloch, and west of 114th Ave. N.E., shall be separated from abutting properties to the north and east by a dense vegetative buffer of not less than 30 feet.</p> <p>l. Parking lots shall include landscaping islands as required by Chapter 105. All new parking lots and roadways shall maintain a distance of twenty-five feet from property lines where located near a single-family residence. The vegetative buffer shall provide a dense year-round screen from the ground level up. Where not directly adjacent to residential housing structures, the twenty-five-foot setback and fence and vegetative buffer requirements could be reduced, subject to review and approval by the Planning Director.</p> <p>m. Where adjacent to existing single-family residences, existing campus roadways and parking areas shall be landscaped as much as possible in the space available to provide a visual screen of the roadways and parking areas from the nearby residences. The amount and type of landscaping shall be subject to the review and approval of the Planning Director. An effort shall be made to reduce the amount of asphalt surfacing wherever possible.</p> <p>n. Construction of the proposed clock tower shall be subject to the issuance of a Process 11B Permit, to be reviewed by the Houghton Community Council, the Kirkland Hearing Examiner and the Kirkland City Council.</p> <p>o. Five access points to NE 53rd Street, and internal campus connections are to be located as illustrated in the adopted site plan.</p> <p>p. The District Office shall have only one access point from 108th Avenue N.E. Deviations from the approved Master Plan may be administratively approved by the Planning Director, provided that such deviations do not violate any of the following standards:</p> <p>a. No vehicular ingress or egress from surrounding streets may be changed.</p> <p>b. No roadways, parking lots or structures within 100' of the site perimeter may be shifted toward the perimeters. Any other shifting or improvements shall be consistent with the design concept of the College.</p> <p>c. No buffers shown in the approved site plan may be reduced, unless specifically authorized by some other special regulation.</p> <p>d. Reconfigurations of the footprint of the structures shown in the approved plan may be permitted, provided that such changes are not apparent off-site and do not increase building height.</p> <p>e. Minor new structures not shown on the approved site plan may be permitted, provided that they are at least 200' from the site perimeter, are not apparent from off-site and do not require the significant shifting of roadways, parking areas or other improvements.</p> <p>f. There is a change in the use and the Zoning Code establishes different or more rigorous standards for the new use than for the existing use; or</p> <p>g. The Planning Director determines that there will be substantial changes in the impacts on the neighborhood or the City as a result of the change.</p> <p>h. The Planning Director shall notify the Houghton Community Council in writing of a proposed decision on a request for modifications of the Master Plan at least 40 days before issuance of the decision.</p> <p>i. A Process III zoning permit review process is required: 1) for any change to the Master Plan that does not meet the above criteria, 2) for leasing of any campus facilities to long term tenants 3) for any increase in student population above 1,200, or 4) for a change in all or any part of the Seahawks facility to a use other than a professional football team office and practice facility.</p>											60.10.b	

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 2894)

USE ZONE CHART

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

Zone
PLA 1

Section
60.10C.1

SPECIAL REGULATIONS

REGULATIONS	MINIMUMS			MAXIMUMS		LANDSCAPE CATEGORY	SIGN CATEGORY	REQUIRED PARKING SPACES	SPECIAL REGULATIONS
	LOT SIZE	FRONT	SIDE	REAR	HEIGHT OF STRUCTURE				
<p>USE</p> <p>Professional Football, Baseball, or Soccer Practice or Play Facility</p>	10 acres	As established in the Master Plan or as allowed under Special Regulation #1			30' above average building elevation	C	B	See Section 105.25	<ol style="list-style-type: none"> All structures and practice and play facilities must be set back from exterior property lines at least 50 feet. Parking lots must be set back at least 50 feet from single-family uses and screened and interspersed with landscaping pursuant to Chapters 95 and 105. Maximum height of permanent structures shall be 36 feet above average building elevation. Maximum height of temporary structures shall be 60 feet above finished grade. Exterior building shall be a minimum of 30 feet wide, and planted and maintained per Chapter 95. The City shall solicit the input of abutting property owners in the selection of trees to be retained and installed. One point of vehicular access only is permitted directly onto NE 53rd Street. Secondary access through the college campus is permitted. A single pedestal or monument sign, non-interior illuminated, shall be permitted on NE 53rd Street. During summer training camp, the public will be directed, by means of pedestal signs at entrances to the college, to the parking areas in the interior of the campus. On-site parking shall be adequate to meet peak season use. No public exhibitions or games shall be permitted. No helicopter operations shall be permitted, except for emergency situations. No graphics or markings shall be permitted on the exterior of the temporary structure, except as required by state, federal, or local regulations. Only one professional sport organization may occupy and use the facility in any consecutive 12-month period.
<p>Detached Dwelling Unit</p>	8,500 sq. ft.	20'	5', but 2' side yards must equal at least 15'	10'	25' above average building elevation	E	A	2.0 per unit	<ol style="list-style-type: none"> Not more than one dwelling unit may be on each lot regardless of lot size. Chapter 115 contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use. Refer to Chapter 1 to determine what other provisions of this Code may apply to the subject property.

SEE ATTACHED REVISION

Revised 2/88

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.

PAGE
127B.1

FOOTNOTES

ZC6010C/1/12.15-93

Attachment A

Attachment A

PLA 1 Special Regulations Revisions/Additions: Sections 60.10.a, 60.10b and 60.10c.1
(Use: Private College and related facilities – New/revised regulations)

- 2.d. A 30'-wide landscape buffer (Buffering Standard 2) shall be provided around the campus perimeter, except along 108th Ave. NE, 114th Ave. NE, I-405, and between on-campus duplex housing and adjacent single-family sites or I-405. The buffer shall incorporate all existing significant trees and vegetation. Where fencing is proposed, it shall be wood, unless alternative fencing is requested in writing by the adjacent neighbor and agreed to by the applicant.

A 15'-wide landscape buffer (Buffering Standard 2) shall be provided between on-campus duplex housing and adjacent single-family sites. The buffer shall incorporate all existing significant trees and vegetation.

New construction (buildings and parking areas) shall preserve existing significant trees to the maximum extent possible.

- 2.h. The location, material and design of any walkway within the campus shall be at the discretion of the College and its representatives, but will be reviewed by the Planning Director, provided that the pedestrian/bicycle path in 114th Ave. NE shall be asphalt or concrete, 8' wide.
- 2.j. Within 30' of all outer edges of the campus (except along 108th Ave. NE, 114th Ave. NE, and I-405), no institutional uses or new parking areas are permitted, including any future redevelopment of the maintenance buildings.
- 2.o. The two westernmost campus access drives (adjacent to the Seventh Day Adventist Church and opposite 111th Ave. NE) shall be closed to general vehicle use. The driveway serving The First married student housing shall be relocated to lie within the 114th Ave. NE right-of-way.
- 2.q. New buildings or building expansions must conform with Design Guidelines adopted as part of the Master Plan.
- 2.r. The City is authorized to implement measures, identified in the approved Master Plan, to protect the surrounding neighborhood from parking impacts.
- 2.s. For other regulations applicable to this use, see the Master Plan approved under Resolution R-_____.
- 2.t. Structure height shall not exceed 30' above Average Building Elevation (A.B.E.) if located within 100' of the campus perimeter, or 40' above A.B.E. if located greater than 100' from the campus perimeter.

(Use: Professional Football, Baseball, or Soccer Practice or Play Facility – New/revised regulations)

2. Maximum structure height is determined by the approved Master Plan.
4. Perimeter buffering is determined by the approved Master Plan.

PUBLICATION SUMMARY
OF ORDINANCE NO. 3704

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, PLANNING, AND LAND USE AND AMENDING THE PLANNED AREA 1 USE ZONE CHARTS SECTION 60.10.A, 60.10.B, AND 60.10.C.1 OF THE KIRKLAND ZONING CODE (TITLE 23 OF THE KIRKLAND MUNICIPAL CODE) (FILE NO. III-IV-95-30).

SECTION 1. Amends Planned Area Use Zone Charts Sections 60 related to private college and related facilities and professional football, baseball, or soccer practice or play facilities pursuant to the Findings, Conclusions, and Recommendations of the Hearing Examiner and recommendations of City Staff, adopted by City Council on August 10, 1999.

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

SECTION 5. 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 summary.

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 10th day of August, 1999.

I certify that the foregoing is a summary of Ordinance 3704 approved by the Kirkland City Council for summary publication.


Deputy City Clerk