

ORDINANCE NO. 3810

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, PLANNING AND LAND USE; AMENDING CHAPTER 60 OF THE KIRKLAND ZONING CODE (TITLE 23 OF THE KIRKLAND MUNICIPAL CODE) TO AMEND THE PLA15A GENERAL REGULATIONS, PLA15A ATTACHED OR STACKED DWELLING UNITS AND OFFICE REGULATIONS; AND ADDING A NEW PLATE 27 TO CHAPTER 180 OF THE KIRKLAND ZONING CODE.

WHEREAS, the City Council has received from the Kirkland Planning Commission and Houghton Community Council recommendations to amend certain sections of the text of the Kirkland Zoning Code, Ordinance 3719 as amended, all as set forth in those certain reports and recommendations of the Planning Commission dated October 25, 2001, and the Houghton Community Council dated September 12, 2001 and bearing Kirkland Department of Planning and Community Development File No. IV-01-1; and

WHEREAS, prior to making said recommendation, the Planning Commission, following notice thereof as required by RCW 35A.63.070, on July 12, 2001, August 9, 2001 and September 13, 2001, held public hearings on the amendment proposals and considered the comments received at the hearings; and

WHEREAS, prior to making said recommendation, the Houghton Community Council, following notice thereof, on July 23, 2001 and September 10, 2001, held courtesy hearings on the amendment proposals and considered the comments received at the hearings; and

WHEREAS, pursuant to the State Environmental Policy Act there has accompanied the legislative proposal and recommendation a SEPA Addendum to Existing Environmental Documents issued by the responsible official pursuant to WAC 197-11-600(4); and

WHEREAS, in regular public meeting the City Council considered the environmental documents received from the responsible official, together with the reports and recommendations of the Planning Commission and Houghton Community Council.;

NOW, the City Council of the City of Kirkland do ordain as follows:

Section 1. The following specified sections of the text of Ordinance 3719 as amended, the Kirkland Zoning Code are amended to read as follows:

As set forth in Exhibit 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 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.

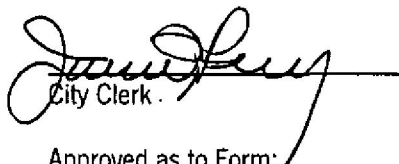
PASSED by majority vote of the Kirkland City Council in regular, open meeting this 11th day of December, 2001.

SIGNED IN AUTHENTICATION thereof this 11th day of December, 2001.




Mayor

Attest:



City Clerk

Approved as to Form:



City Attorney

60.169 User Guide. The charts in KZC 60.172 contain the basic zoning regulations that apply in Planned Area 15A, including sub-zones. Use these charts by reading down the left hand column entitled Use. Once you locate the use in which you are interested, read across to find the regulations that apply to that use.

Section 60.170



Section 60.169 – GENERAL REGULATIONS

The following regulations apply to all uses in this zone unless otherwise noted:

1. Refer to Chapter 1 KZC to determine what other provisions of this Code may apply to the subject property.
2. A view corridor must be maintained across 30 percent 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 Blvd. 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.
3. See KZC 60.173 for regulations regarding bulkheads and land surface modifications.
4. May not use lands waterward of the high waterline to determine lot size or to calculate allowable density.
5. May also be regulated under the Shoreline Master Program, KMC Title 24.

Exhibit A

See attached sheet for revisions to General Regulations

00147

0-3810

New General Regulations for PLA 15A, Section 60.169

1. Refer to Chapter 1 KZC to determine what other provisions of this Code may apply to the subject property.
2. A view corridor shall be provided and maintained across the subject property as follows and as described in Plate 27: (does not apply to Development containing Attached or Stacked Dwelling Units and Restaurant or Tavern and General Moorage Facility use under an approved master plan):
 - a. A view corridor must be maintained across 30 percent of the average parcel width; and
 - b. Along Lake Washington Boulevard, the view corridor of 30 percent of the average parcel width shall be increased 2.5 feet for each foot, or portion thereof, that any building exceeds 30 feet above average building elevation. If the subject property does not directly abut Lake Washington Boulevard, the length of the view corridor along its east property line shall be determined by projecting the view corridor as required along Lake Washington Blvd. across the subject property to the view corridor required along the shoreline; and
 - c. Along the shoreline, the width of the view corridor shall be:
 - 1.) 60% of the length of the high water line if the height of any building is greater than 30 feet but less than or equal to 35 feet above average building elevation, or
 - 2.) 70% of the high water line if the height of any building is greater than 35 feet above average building elevation. If the subject property does not directly abut the shoreline, the width of the view corridor along its west property shall be determined by projecting the view corridor as required along Lake Washington Blvd. across the subject property to the view corridor required along the shoreline; and.
 - d. The view corridor must be in one continuous piece; and
 - e. Within the view corridor, structures, parking areas and landscaping will be allowed, provided that they do not obscure the view from Lake Washington Blvd. to and beyond Lake Washington. Trees or shrubs that mature to a height of greater than 3 feet may not be placed in the required view corridor. Parking stalls or loading areas not permitted in the required view corridor that would result in vehicles obscuring the line of sight from Lake Washington Boulevard to the high water line as shown in Plate 27; and
 - f. This The view 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.
3. Structures may extend into the required front yard along Lake Washington Blvd., provided that:
 - a. The entire structure within the required front yard is below the elevation of Lake Washington Boulevard; and
 - b. A public use area with superior landscaping is provided over the entire structure within the required front yard, the design of which is approved by the City; and

c. The required view corridor is provided for the portion of the structure within the required yard; and

d. Landscaping or other similar measures shall be provided to screen the exterior walls of any portion of the structure within the required yard that are visible from Lake Washington Boulevard or adjacent properties.

4. The required north property line yard is 5 feet if the adjacent property to the north contains a use other than residential.

5. Trees or shrubs that mature to a height that would exceed the height of the primary structure are not permitted to be placed on the subject property.

~~3.~~ 6. See KZC 60.173 for regulations regarding bulkheads and land surface modifications.

~~4.~~ 7. May not use lands waterward of the high waterline to determine lot size or to calculate allowable density.

5.8 May also be regulated under the Shoreline Master Program, KMC. Title 24.

USE ZONE CHART

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

Section 60.172	USE ↓ REGULATIONS ↑	Required Review Process	Lot Size	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
				REQUIRED YARD (See Ch. 115)				Lot Coverage	Height of Structure				
				Front	North Property Line	South Property Line	High Water Line						
.020	Attached or Stacked Dwelling Units	Process IIB, Chapter 152 KZC.	7,200 sq. ft. with at least 3,600 sq. ft. per unit	30' See also Spec. Reg. 3. and 4.	The greater of: a. 15', or b. 1 1/2 times the height of the primary structure above average building elevation minus 10'.	10'	The greater of: a. 15' or b. 15% of the average parcel depth.	80%	30' above average building elevation. See Spec. Reg. 15	D	A	2.0 per unit.	<ol style="list-style-type: none"> No structures, other than moorage structures or public access piers, may be waterward of the high waterline. For regulations regarding moorages and public access piers, see the specific listings in this zone. 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. The required 30-foot front yard may be reduced one foot for each one foot of this yard that is developed as a public use area it: <ol style="list-style-type: none"> Within 30 feet of the front property line, each portion of a structure is setback from the front property line by a distance greater than or equal to the height of that portion above the front property line; and Substantially, the entire width of this yard, from north to south property lines, is developed as a public use area; and The design of the public use area is specifically approved by the city.
.030	office	Process IIB Chapter 152 KZC.	NBR							D		1 per each 300 sq. ft. of gross floor area 7.5	<p>Structure height may be increased to 35 feet above average building elevation if the increase does not impair views of the lake from properties east of Lake Washington Boulevard; and</p> <ol style="list-style-type: none"> The increase is offset by a view corridor that is superior to that required by the General Regulations; or The increase is offset by maintaining comparable portions of the structure lower than 30 feet above average building elevation. <p>The design of the site must be compatible with the scenic nature of the waterfront. If the development will result in the isolation of a detached dwelling unit, site design, building design and landscaping must mitigate the impacts of that isolation.</p> <p>Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.</p> <p>An applicant may propose a development containing residential uses and moorage facilities using this use listing only if the use of the moorage facilities is limited to the residents of the subject property.</p>

The minimum dimension of any yard, other than those listed, is 5'.
See General Regulation

D 1 per each
300 sq. ft. of gross floor area 7.5

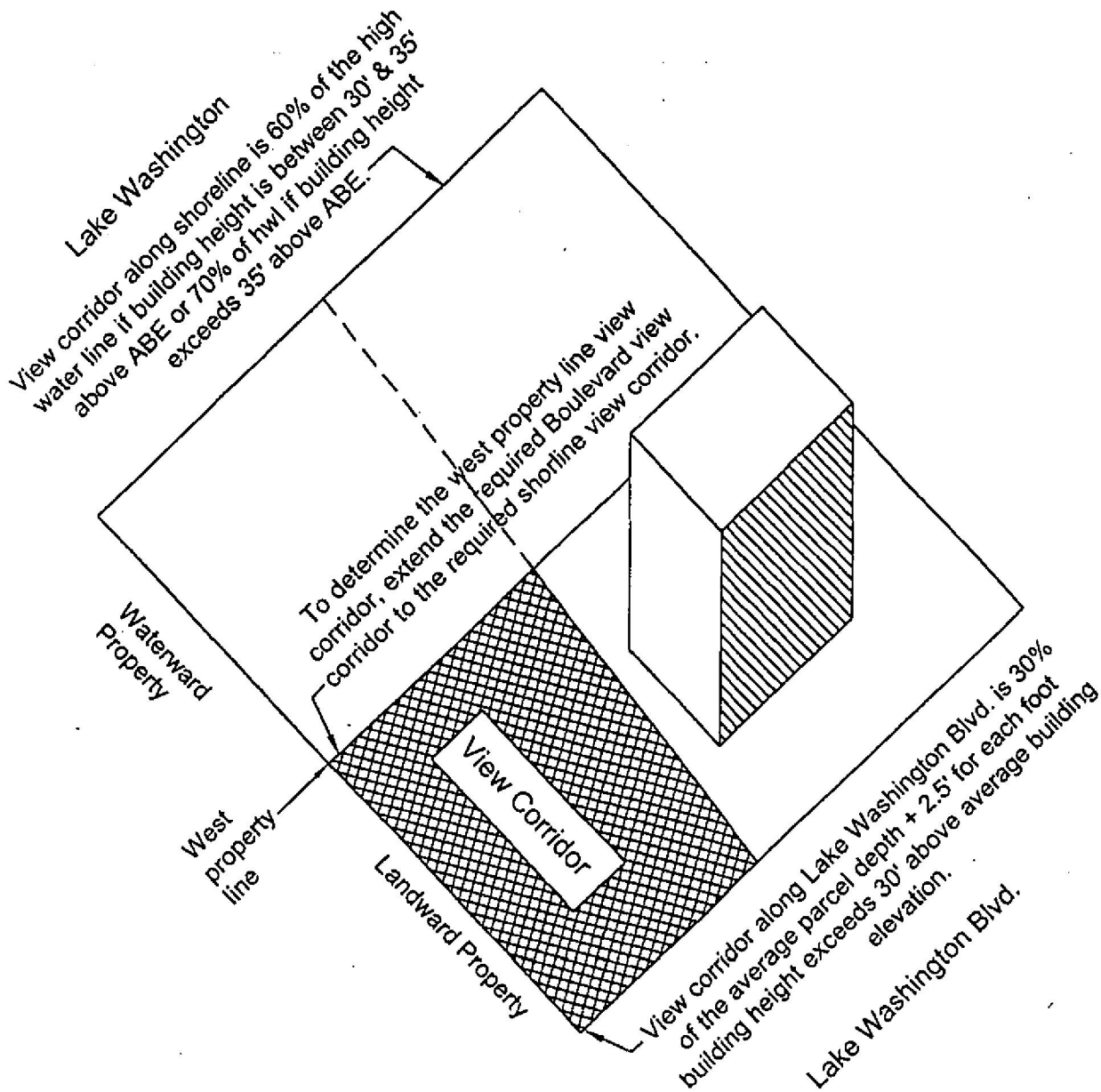
* 4, 5, 6. See attached Kirkland Zoning Code sheet

New Special Regulations for office and multi-family uses, Sections 60.172.020 and .030

4. The required front yard for any portion of the structure over 30 feet in height above average building elevation shall be 35 feet. This required front yard cannot be reduced under Special Regulation 3 above for a public use area.
5. Structure height may be increased to 40 feet above average building elevation if:
- a. Obstruction of views from existing development lying east of Lake Washington Blvd. is minimized; and
 - b. Maximum lot coverage is 80%, but shall not include any structure allowed within the required front yard under the General Regulations Section 60.169; and
 - c. Maximum building coverage is 50%, but shall not include any structure allowed within the required front yard under the General Regulations Section 60.169 or any structure below finished grade; and
 - d. A waterfront area developed and open for public use shall be provided with the location and design specifically approved by the City. Public amenities shall be provided, such as non-motorized watercraft access or a public pier. A public use easement document shall be provided to the City for the public use area, in a form acceptable to the City. The City shall require signs designating the public use area; and
 - e. The required public pedestrian access trail from Lake Washington Boulevard to the shoreline shall have a trail width of at least 6 feet and shall have a grade separation from the access driveway; and
 - f. No roof top appurtenances, including elevator shafts, roof decks or plantings, with the exception of ground cover material on the roof not to exceed 4 inches in height, shall be on the roof of the building or within the required view corridors.
6. A transportation demand management plan shall be provided and implemented for the subject property, including provisions for safe pedestrian crossing and vehicle turning movements to and from the subject property to Lake Washington Boulevard, and a bus stop improvements if determined to be needed by METRO. The City shall review and approve the plan.

Existing Special Regulations 5., 6. and 7 are renumbered as 7, 8 and 9.

Plate 27 (A) Shoreline View Corridor

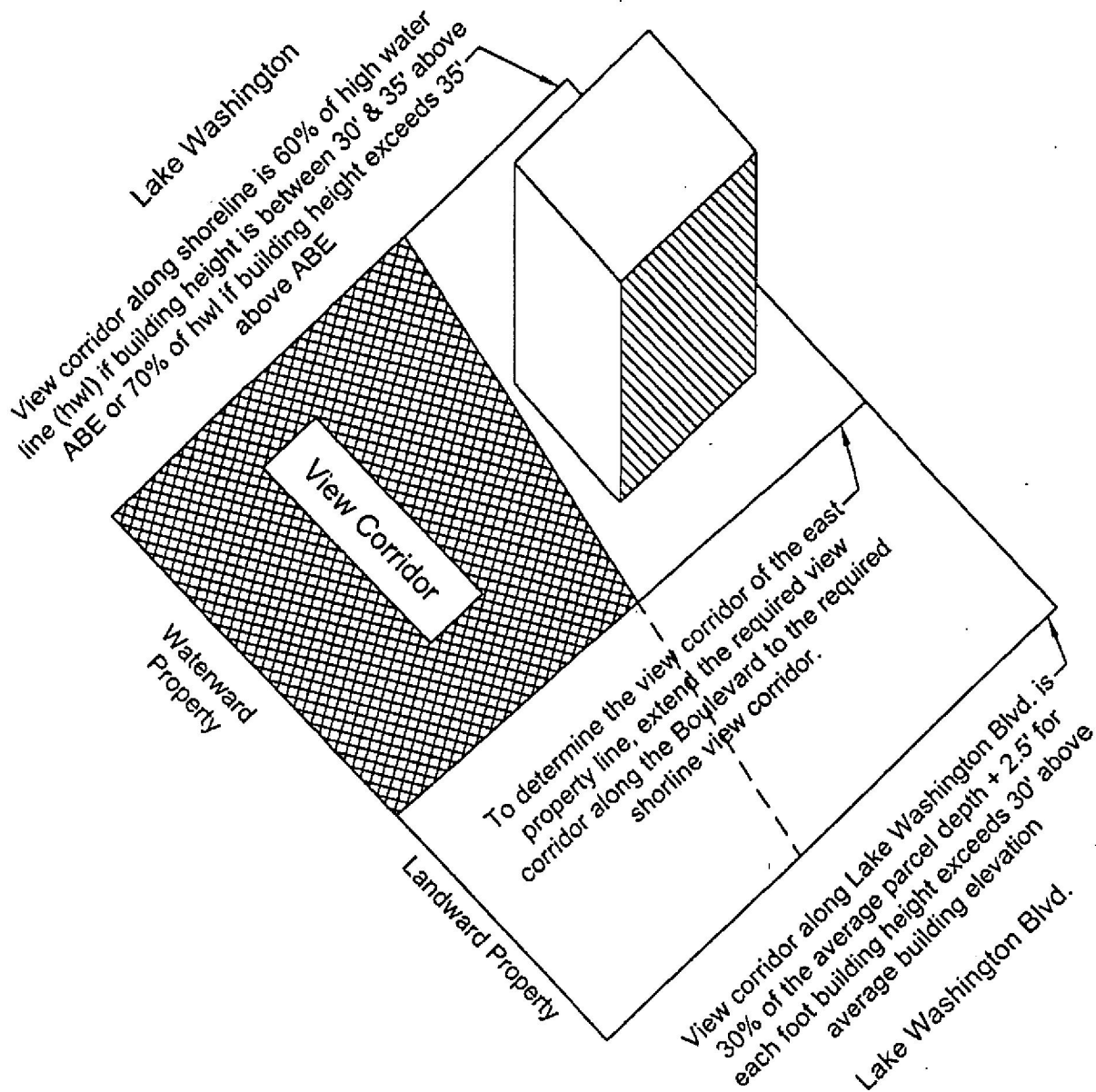


Not to Scale

Required Shoreline View Corridor for Properties that only abut Lake Washington Boulevard

The *required shoreline view corridor across the property* shall be determined by taking the view corridor required along Lake Washington Blvd. (30% of the average parcel width plus 2.5 feet for each foot the building height exceeds 30 feet above average building elevation) and then extending the view corridor across the landward property and the waterward property to the shoreline to provide a shoreline view corridor of 60% if building height is greater than 30 feet, but equal to or less than 35 feet or 70% if building height is greater than 35 feet (see diagram above).

Plate 27 (B) Shoreline View Corridor

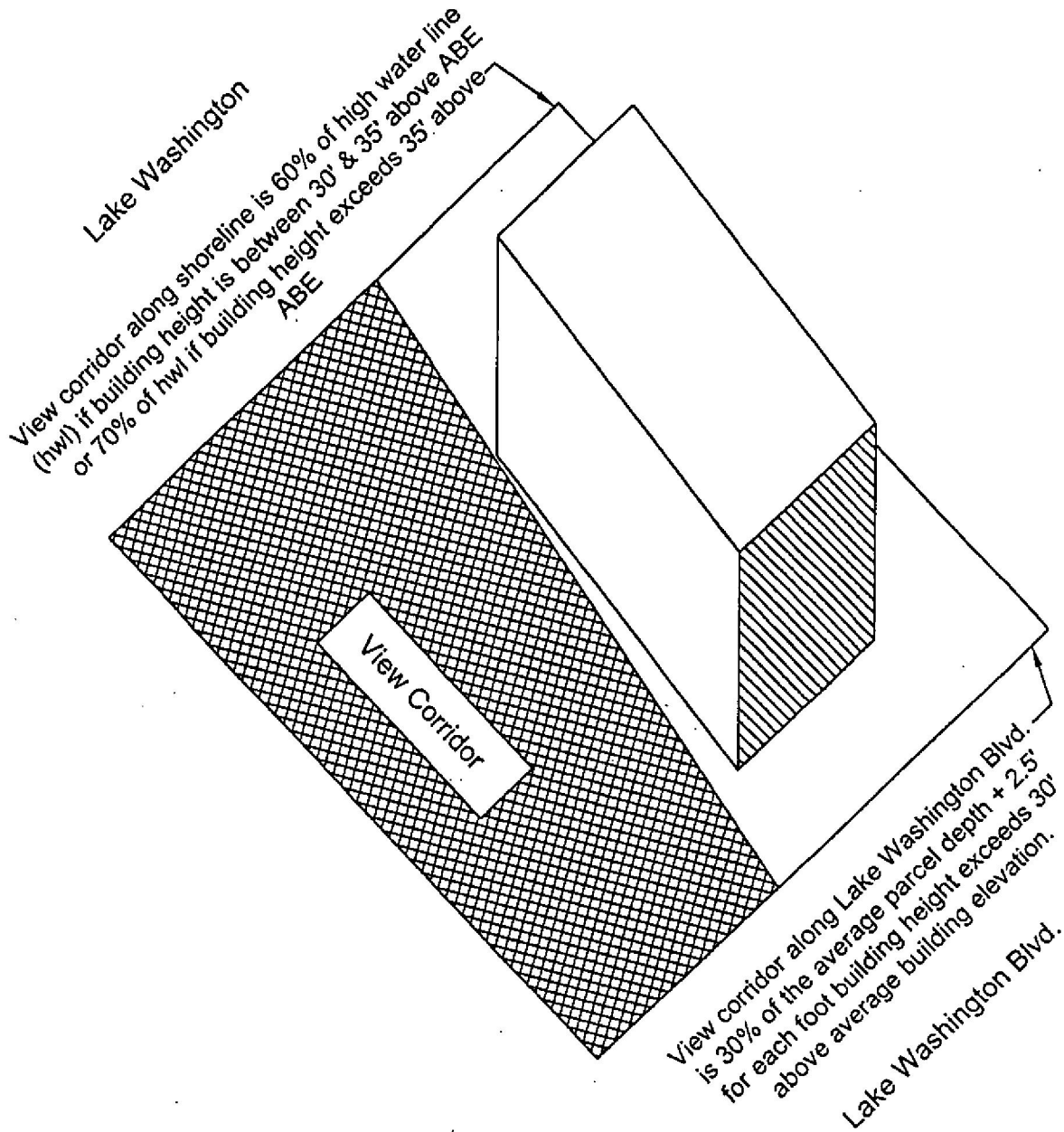


Not to Scale

Required Shoreline View Corridor for Properties that only abut Lake Washington shoreline

The *required shoreline view corridor across the property* shall be determined by taking the view corridor required along Lake Washington Blvd. (30% of the average parcel width plus 2.5 feet for each foot the building height exceeds 30 feet above average building elevation) and then extending the view corridor across the landward property and the waterward property to the shoreline to provide a shoreline view corridor of 60% if building height is greater than 30 feet, but equal to or less than 35 feet or 70% if building height is greater than 35 feet (see diagram above).

Plate 27 (C) Shoreline View Corridor



Not to Scale

Required Shoreline View Corridor for Properties that abut both Lake Washington Boulevard and Lake Washington shoreline

The *required shoreline view corridor across the property* shall be determined by taking the view corridor required along Lake Washington Blvd. (30% of the average parcel width plus 2.5 feet for each foot the building height exceeds 30 feet above average building elevation) and then extending the view corridor across the property to the shoreline to provide a shoreline view corridor of 60% if building height is greater than 30 feet, but equal to or less than 35 feet or 70% if building height is greater than 35 feet (see diagram above).

PUBLICATION SUMMARY
OF ORDINANCE NO. 3810

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, PLANNING AND LAND USE; AMENDING CHAPTER 60 OF THE KIRKLAND ZONING CODE (TITLE 23 OF THE KIRKLAND MUNICIPAL CODE) TO AMEND THE PLA15A GENERAL REGULATIONS, PLA15A ATTACHED OR STACKED DWELLING UNITS AND OFFICE REGULATIONS; AND ADDING A NEW PLATE 27 TO CHAPTER 180 OF THE KIRKLAND ZONING CODE.

SECTION 1. Amends Chapter 60, Planned Area 15A and adds a new Plate 27 to Chapter 180.

SECTION 2. Provides a severability clause for the ordinance.

SECTION 3. Provides that certain portions are subject to the disapproval jurisdiction of the Houghton Community Council.

SECTION 4. Except as provided in Section 3, 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 11th day of December, 2001

I certify that the foregoing is a summary of Ordinance 3810 approved by the Kirkland City Council for summary publication.


City Clerk