

ORDINANCE NO. 3850

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, PLANNING, AND LAND USE AND AMENDING ORDINANCE 3719 AS AMENDED, THE KIRKLAND ZONING ORDINANCE (FILE NO. IV-01-52).

WHEREAS, the City Council has received from the Kirkland Planning Commission a recommendation to amend section 55.15 of the Kirkland Zoning Code, Ordinance 3719 as amended, all as set forth in the recommendation of the Planning Commission dated June 27, 2002 and bearing Kirkland Department of Planning and Community Development File No. IV-01-52; and

WHEREAS, prior to making said recommendation, the Planning Commission, following notice thereof as required by RCW 35A.63.070, on June 27, 2002 held a public hearing on the amendment proposal 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 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 3719 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. This ordinance shall be in full force and effect five days from and after its passage by the Kirkland City Council and publication, as required by law.

Section 4. A complete copy of this resolution, 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.

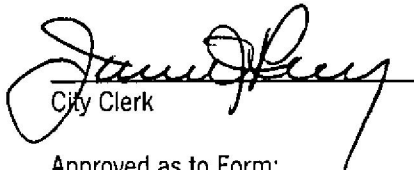
PASSED by majority vote of the Kirkland City Council in regular, open meeting this 16th day of July, 2002.

SIGNED IN AUTHENTICATION thereof this 16th day of
July, 2002




Mayor

Attest:



City Clerk

Approved as to Form:



City Attorney

Section 55.15

Zone
LIT

USE ZONE CHART

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

Section 55.15	USE REGULATIONS	MINIMUMS			MAXIMUMS		Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)			
		Required Review Process	Lot Size	REQUIRED YARDS (See Ch. 115)		Height of Structure				Landscape Category (See Ch. 95)		
				Front	Side						Rear	
.180	Hazardous Waste Treatment and Storage Facilities	None	None	30'	0'	0'	90%	35' above average building elevation with a maximum of two stories, exclusive of parking levels. See Special Regulation 2.	A	C	1 per each 1,000 sq. ft. of gross floor area.	1. Must comply with the state siting criteria adopted in accordance with RCW 70.105.210. 2. Structure height may be increased above 35 feet in height through a Process 1A, Chapter 150 KZC, 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; and c. The need for an increase in height is directly related to the hazardous waste treatment and/or storage activity; and d. The required yard of any portion of the structure may be increased up to a maximum of one foot for each foot that any portion of the structure exceeds 35 feet above average building elevation. The need for additional setback yards will be determined as part of the review of any request to increase structure height.
.190	Vehicle or boat sales, repair, services, washing or rental See Special Regulation 1.	None	None	20'	0'	0'	80%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 35' above average building elevation with a maximum of two stories, exclusive of parking levels.	A	E	See KZC 105.25.	1. Vehicle or boat sales or rental uses are only permitted if the property has direct vehicle access from NE 116th Street. 2. Outdoor vehicle or boat parking or storage areas must be buffered as required for a parking area in Chapter 105 KZC. See KZC 115.105, Outdoor Use, Activity and Storage, for further regulations. 3. 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.
.200	Fast Food or Restaurant See Special Regulation 1.	None	None	None	None	None	None	None	B	None	1 per each 100 sq. ft. of gross floor area.	1. This use is permitted if accessory to a primary use, and: a. It will not exceed 20 percent of the gross floor area of the building; b. The use is integrated into the design of the building; and c. There is no vehicle drive-in or drive-through.

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