

ORDINANCE NO. 3887.

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, PLANNING, AND LAND USE AND AMENDING TITLE 23 OF THE KIRKLAND MUNICIPAL CODE; AMENDING PORTIONS OF THE FOLLOWING CHAPTERS OF THE KIRKLAND ZONING CODE (TITLE 23 OF THE KIRKLAND MUNICIPAL CODE); THE KIRKLAND ZONING CODE: CHAPTER 15 – RS ZONES; CHAPTER 17 – RSX ZONES; CHAPTER 20 – RM ZONES; CHAPTER 25 – PR ZONES; CHAPTER 27 – PO ZONES; CHAPTER 35 – FC ZONES; CHAPTER 40 – BN ZONES; AND CHAPTER 60 – PLA 5, 6, 7, 8, 9, 10, 13, 16, AND 17 ZONES; TO ESTABLISH PROVISIONS FOR ALLOWING INCREASED SCHOOL HEIGHT SUBJECT TO CRITERIA (FILE NO. IV-01-52).

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 3719 as amended (Title 23 of the Kirkland Municipal Code), and bearing Kirkland Department of Planning and Community Development File No. IV-01-52; and

WHEREAS, pursuant to the City of Kirkland's Concurrency Management System, KMC Title 25, this action is exempt from the concurrency management process; and

WHEREAS, prior to adopting this Ordinance, the City Council, following notice thereof as required by RCW 35A.63.070, on March 18, 2003, held a public hearing on the amendment proposals and considered the comments received at the hearing; and

WHEREAS, pursuant to the State Environmental Policy 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, 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 (Title 23 of the Kirkland Municipal Code) 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.

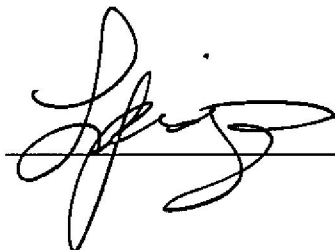
Section 3. To the extent the subject matter of this ordinance, pursuant to Ordinance 2001, is subject to the disapproval jurisdiction of the Houghton Community Council, this ordinance shall become effective within the Houghton Community Municipal Corporation only upon approval of the Houghton Community 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 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 1st day of April, 2003.

SIGNED IN AUTHENTICATION thereof this 1st day of April, 2003.



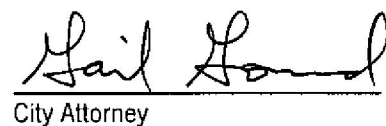
Mayor

Attest:



City Clerk

Approved as to Form:



City Attorney

Attachment A

To each Use Zone Chart in the zones listed below, in the "Height of Structure" column for the "School or Day-Care Center" listing, add the following wording after the existing wording:

"See Special Regulation * "

To each Use Zone Chart in the zones listed below, in the "Special Regulations" column for the "School or Day-Care Center" listing, add the following special regulation and exemption language:

" * For school use, structure height may be increased, up to 35', if

- a. The school can accommodate 200 or more students;
and
- b. Each required side yard and rear yard is increased by 1 foot for each additional 1 foot structure height; and
- c. The increased height is not specifically inconsistent with the applicable neighborhood plan provisions of the Comprehensive Plan.
- d. The increased height will not result in a structure that is incompatible with surrounding uses or improvements.

(* = number as appropriate)

These revisions apply to the following zones and sections of the Kirkland Zoning Code: RS; RSX; RM; PR; PO; FC I, II; BN; PLA 3A, PLA 5A, B, E; PLA 6A, B, C, D, E, F, H, I, J, K; PLA 7A, B, C, PLA 8; PLA 9; PLA 10A, B, C; PLA 13A, B; PLA 15B; PLA 16; and PLA 17A, B, C. KZC 15.10.030, 17.10.030, 20.10.050, 25.10.090, 27.10.070, 35.10.090, 35.20.130, 40.10.120, 60.22.060, 60.32.040, 60.35.060, 60.52.040, 60.57.040, 60.62.070, 60.67.030, 60.72.040, 60.77.030, 60.82.040, 60.92.040, 60.97.040, 60.102.040, 60.107.040, 60.112.040, 60.117.050, 60.122.040, 60.127.090, 60.132.070, 60.137.060, 60.142.030, 60.147.030, 60.162.110, 60.167.070, 60.177.040, 60.182.050, 60.187.040, 60.192.040, and 60.197.060.

In addition, in the RS, RSX, and RM zones, the following revisions are made to KZC 15.10.030, Special Regulation No. 2.b, KZC 17.10.030, Special Regulation No. 3.b, and KZC 20.10.050, Special Regulation No. 1.b:

- b. Site and building design minimizes adverse impacts on surrounding residential neighborhoods.

ORDINANCE NO. 3887
PUBLICATION SUMMARY

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, PLANNING, AND LAND USE AND AMENDING TITLE 23 OF THE KIRKLAND MUNICIPAL CODE; AMENDING PORTIONS OF THE FOLLOWING CHAPTERS OF THE KIRKLAND ZONING CODE (TITLE 23 OF THE KIRKLAND MUNICIPAL CODE): CHAPTER 15 - RS ZONES; CHAPTER 17 - RSX ZONES; CHAPTER 20 - RM ZONES; CHAPTER 25 - PR ZONES; CHAPTER 27 - PO ZONES; CHAPTER 35 - FC ZONES; CHAPTER 40 - BN ZONES; AND CHAPTER 60 - PLA 5, 6, 7, 8, 9, 10, 13, 16, AND 17 ZONES; TO ESTABLISH PROVISIONS FOR ALLOWING INCREASED SCHOOL HEIGHT SUBJECT TO CRITERIA (FILE NO. IV-01-52).

Section 1. Identifies the specific amendments to Ordinance 3719, as amended, the Kirkland Zoning Code (Title 23 of the Kirkland Municipal Code).

Section 2. Addresses severability.

Section 3. Establishes that this ordinance will be effective within the disapproval jurisdiction of the Houghton Community Council Municipal Corporation upon approval by 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. Authorizes publication of the ordinance by summary, which summary is approved by the City Council pursuant to Section 1.088.017 Kirkland Municipal Code and establishes the effective date as five days after publication of said summary.

Section 5. Directs the City Clerk to certify and forward a complete certified copy of this ordinance to the 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 1st day of April, 2003.

I certify that the foregoing is a summary of Ordinance 3887 approved by the Kirkland City Council for summary publication.

Attest:


City Clerk

ICAOEXTSUMM73001