

ORDINANCE NO. O-4879

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING AND LAND USE AND AMENDING THE CITY OF KIRKLAND ZONING CODE, ORDINANCE 3719 AS AMENDED, INCLUDING CHAPTERS 15 and 113, AND ADDING A NEW CHAPTER 71 ENTITLED GOAT HILL OVERLAY ZONE; FILE NO. CAM24-00115.

1 WHEREAS, the City Council received a recommendation from
2 the Kirkland Planning Commission to amend certain sections of the
3 Kirkland Zoning Code, Ordinance 3719, as amended, as set forth in the
4 staff report dated June 13, 2024, containing the recommendation of the
5 Planning Commission and bearing Kirkland Planning and Building
6 Department File No. CAM24-00115; and
7

8 WHEREAS, prior to making the recommendation, the Planning
9 Commission, following notice thereof as required by RCW 35A.63.070,
10 held a public hearing on June 13, 2024, on the amendment proposals
11 and received public comments at that hearing; and
12

13 WHEREAS, pursuant to the State Environmental Policy Act
14 (SEPA), there has been a SEPA Addendum to the 2015 Comprehensive
15 Plan Update & Totem Lake Planned Action Ordinance Final
16 Environmental Impact Statement issued by the responsible official
17 pursuant to WAC 197-11-625; and
18

19 WHEREAS, in a public meeting on July 16, 2024, the City
20 Council considered the SEPA determination made by the City's SEPA
21 Responsible Official and the Planning Commission recommendation.
22

23 NOW, THEREFORE, the City Council of the City of Kirkland do
24 ordain as follows:
25

26 Section 1. The following specified section of the Kirkland Zoning
27 Code is added as set forth in Exhibit A to this ordinance and
28 incorporated by reference.
29

30 Chapter 71 – Goat Hill Overlay Zone
31

32 Section 2. The following specified sections of the Kirkland
33 Zoning Code are amended as set forth in Exhibit A to this ordinance and
34 incorporated by reference.
35

36 Chapter 15.05.020
37 Chapter 15.20
38 Chapter 113.20
39

40 Section 3. If any section, subsection, sentence, clause, phrase,
41 part or portion of this ordinance, including those parts adopted by
42 reference, is for any reason held to be invalid or unconstitutional by any
43 court of competent jurisdiction, such decision shall not affect the validity
44 of the remaining portions of this ordinance.
45

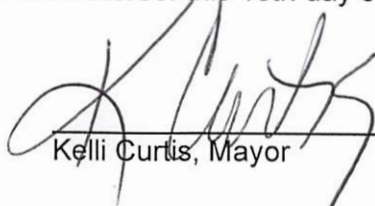
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60

Section 4. 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 Kirkland Municipal Code 1.08.017, 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 open meeting this 16th day of July, 2024.

Signed in authentication thereof this 16th day of July, 2024.



Kelli Curtis, Mayor

Attest:



Kathi Anderson, City Clerk

Publication Date: July 22, 2024

Approved as to Form:



Kevin Raymond, City Attorney

PROPOSED NEW KIRKLAND ZONING CODE (KZC) Chapter 71 – GOAT HILL OVERLAY ZONE

71.05 Purpose

The purpose of the Goat Hill development standards is to allow residential development while providing environmental protection and ensuring safe access to and through the neighborhood. Goat Hill is both a landform and an informal subdistrict of the greater Finn Hill Neighborhood. It is a residential area characterized by steep slopes, narrow and windy roads, and limited vehicular access. The area also contains geologically hazardous areas, perennial and intermittent streams, wetlands, and a high groundwater table. The standards in this chapter limit the allowable amount of site disturbance, square footage and number of dwelling units on lots in the Goat Hill neighborhood to protect residents from hazards related to geology, limited access, and drainage.

71.15 Standards

Within the parcels shown on the Kirkland Zoning Map with a (GH) suffix, the maximum impervious surface standards and floor area ratio standards set forth in KZC Chapter 15, alternative housing types set forth in KZC Chapter 113, and Accessory Dwelling Unit standards set forth in KZC Chapter 115.07 and 115.08 are superseded by the following development standards. Any standards not addressed in this chapter are guided by other requirements of this code.

1. Lot Coverage – Total area of all structures and any other hardscape shall be limited within every building lot to 40% of the total lot size. Refer to KZC Chapter 115.90 for calculation of lot coverage.
2. Floor Area Ratio – Maximum permitted Floor Area Ratio (F.A.R.) on every building lot shall be limited to 40% of total lot size. Refer to KZC Chapter 115.42 for calculation of F.A.R. Properties subject to this chapter are not eligible for the design based F.A.R. bonus in 115.42.4.
3. Cottages, Carriage, and Two/Three Unit Homes – Development utilizing the provisions of Chapter 113 related to Cottages, Carriage and Two/Three Unit Homes is not permitted.
4. Accessory Dwelling Units – One attached accessory dwelling unit is permitted per single family residence. Detached accessory dwelling units pursuant to Chapter 115.07 are not permitted.
 - a. The accessory dwelling unit shall be included in the calculation of site wide gross floor area and lot coverage and shall not exceed 1,200 square feet of gross floor area. Gross floor area shall not include:
 - 1) Area with less than five (5) feet of ceiling height, as measured between the finished floor and the supporting members for the roof.

2) Covered exterior elements such as decks and porches; provided, the total size of all such covered exterior elements does not exceed 200 square feet. See KZC 115.08 for additional size and height limitations.

b. Parking – One off-street parking space is required for an attached ADU.

5. Conformance with this (GH) suffix condition shall not relieve an applicant from conforming to any other applicable provisions of the City's codes, including the Zoning Code, Subdivision Ordinance, and Shoreline Master Program.

71.25 Variations from Standards

For development activity occurring after February 6, 2024, upon written request from the applicant, the Planning and Building Director may allow up to a five (5) percent increase in lot coverage on individual lots over the limits set forth above, provided such increase is the minimum necessary to allow reasonable use of the property and meets all other applicable decision criteria for a variance as provided in Chapter 120 KZC, and one (1) or more of the following circumstances applies:

1. On-site flow control facilities are required by the Public Works Department;
2. The requested increase will allow placement of new development on the site in such a way as to allow preservation of one (1) or more additional significant trees, as defined in Chapter 95 KZC, that would otherwise be cleared; or
3. The requested increase is necessary to provide additional parking, access ramp or other facilities needed to make a dwelling accessible for a mobility-impaired resident.

KZC 15.05.020 Common Code References

1. Refer to Chapter 1 KZC to determine what other provisions of this code may apply to the subject property.
2. Public park development standards will be determined on a case-by-case basis. See KZC 45.50.
3. For properties within the Holmes Point (HP) Overlay Zone, see Chapter 70 KZC for additional regulations.
4. Review processes, density/dimensions and development standards for shoreline uses (RS, RSA, WD II, PLA 3C zones) can be found in Chapter 83 KZC, Shoreline Management.
5. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with Attached Dwelling Units in PLA 3C and Detached Dwelling Unit uses.

6. A hazardous liquid pipeline is located near the RSX 35 zone in the Bridle Trails neighborhood along the eastern boundary of the City, and extends through or near the RSA 1, 4, 6 and 8 zones in the vicinity of 136th Avenue NE. Refer to Chapter 118 KZC for regulations pertaining to properties near hazardous liquid pipelines.

7. Garages shall comply with the requirements of KZC 115.43.

8. For properties within the Goat Hill (GH) Overlay Zone, see Chapter 71 KZC for additional regulations.

KZC 15.20 Permitted Uses:

Use		RS	RSX	RSA	WDII	PLA 3C	PLA 6E	PLA 16
15.20.060	Detached Dwelling Unit	None	None	None 8, 9, <u>21</u>	None 8, 11	None	None 8	None 7, 8

PU-21. For properties zoned RSA 4 within the Goat Hill (GH) Overlay Zone, only one dwelling unit is permitted on each lot except for one attached accessory dwelling unit. See Chapter 71, Goat Hill (GH) Overlay Zone, for additional regulations.

KZC 113.20 Applicable Use Zones

The housing types described in this chapter are allowed in single-family zones as defined in KZC 5.10.490, Low Density Zones except the parcels shown on the Kirkland Zoning Map with a (GH) suffix. See KZC 113.25 for further standards regarding location of these housing types.

PUBLICATION SUMMARY
OF ORDINANCE NO. 4879

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING AND LAND USE AND AMENDING THE CITY OF KIRKLAND ZONING CODE, ORDINANCE 3719 AS AMENDED, INCLUDING CHAPTERS 15 and 113, AND ADDING A NEW CHAPTER 71 ENTITLED GOAT HILL OVERLAY ZONE; FILE NO. CAM24-00115.

1 SECTION 1. Adds a new Chapter 71 to the Zoning Code
2 entitled "Goat Hill Overlay Zone."
3

4 SECTION 2. Amends Zoning Code Chapter 15 related to
5 permitted uses and Zoning Code Chapter 113 related to applicable use
6 zones.
7

8 SECTION 3. Provides a severability clause for the ordinance.
9

10 SECTION 4. Authorizes publication of the ordinance by
11 summary, which summary is approved by the City Council pursuant to
12 Section 1.08.017 Kirkland Municipal Code and establishes the effective
13 date as five days after publication of summary.
14

15 SECTION 5. Establishes certification by City Clerk and
16 notification of King County Department of Assessments.
17

18 The full text of this Ordinance will be mailed without charge to
19 any person upon request made to the City Clerk for the City of Kirkland.
20 The Ordinance was passed by the Kirkland City Council at its meeting
21 on the 16th day of July, 2024.
22

23 I certify that the foregoing is a summary of Ordinance 4879
24 approved by the Kirkland City Council for summary publication.



Kathi Anderson, City Clerk