

ORDINANCE NO. 4081

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO COMPREHENSIVE PLANNING AND LAND USE AND AMENDING THE KIRKLAND ZONING CODE (TITLE 23 OF THE KIRKLAND MUNICIPAL CODE), AND AMENDING ORDINANCE NO. 4078 TO ADD TWO USE ZONE CHART LISTINGS TO THE NORKIRK NEIGHBORHOOD PLAN UPDATE AND APPROVING A SUMMARY FOR PUBLICATION, FILE NO IV-03-27.

WHEREAS, in regular public meeting on December 12, 2006, the City Council considered the report and recommendation of the Planning Commission on the Norkirk Neighborhood Plan Update and passed Ordinance No. 4078 amending certain portions of the Comprehensive Plan and Kirkland Zoning Code (Kirkland Department of Planning and Community Development File No. IV-03-27); and

WHEREAS, two use zone charts were inadvertently omitted from Ordinance No. 4078;

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 the Kirkland Zoning Code (Title 23 of the Kirkland Municipal Code) are amended as follows:

- A. Section 60.112.050 and Section 60.112.060 of the Planned Area 7A, Section 60.117.050 and Section 60.117.060 of the Planned Area 7B and Section 60.122.050 and Section 60.122.060 of the Planned Area 7C (PLA 7A, PLA 7B and PLA 7C) Zones, respectively regarding the listings "School or Day-Care Center" and "Mini-School or Mini-Day Care" are consolidated and amended as set forth in Exhibit A attached to this ordinance and incorporated by reference.

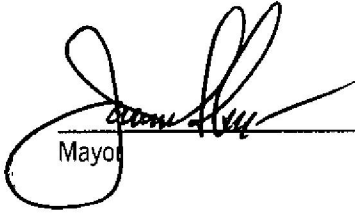
Section 2 If any section, subsection, sentence, clause, phrase, part or portion of this ordinance, including those parts adopted by reference, is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 3. This ordinance shall be in full force and effect five days from and after its passage by the 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 4. 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 January, 2007.

SIGNED IN AUTHENTICATION THEREOF this 16th
day of January, 2007.



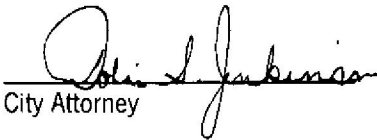
Mayor

Attest:



City Clerk

Approved as to Form:



City Attorney

Section 60.117,
60.12260.112



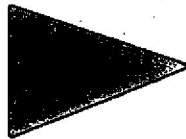
ZONE PLANNED AREA 7A, 7B, AND 7C USE ZONE CHART

DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS												
Section 60.112	USE ↓ REGULATIONS →	Required Review Process	Lot Size	MINIMUMS			Lot Coverage	MAXIMUMS	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Req'd Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
				REQUIRED YARDS (See Ch. 115)				Height of Structure				
				Front	Side	Rear						
.050	School or Day-Care Center	Process II, Chapter 150 KZC.	7,200 sq ft.	If this use can accommodate 50 or more students or children, then: 50' 50' on each side 50' If this use can accommodate 13 to 49 students or children, then: 20' 20' on each side 20'	70%	If adjoining a low density zone other than RSX, or detached dwelling unit in Planned Area 7C, then 25' above average building elevation. Otherwise, 30' above average building elevation. See Spec. Reg. 9.	D	B	See KZC 105.25	<ol style="list-style-type: none"> 1. May not access directly onto 2nd, 3rd, 4th, 5th or 6th Streets unless no other access is available. 2. A six-foot-high fence is required only along the property lines adjacent to the outside play areas. 3. Hours of operation may be limited to reduce impacts on nearby residential uses. 4. Structured play areas must be setback from all property lines as follows: <ol style="list-style-type: none"> a. 20 feet if this use can accommodate 50 or more students or children. b. 10 feet if this use can accommodate 13 to 49 students or children. 5. An on-site passenger loading area must be provided. The City shall determine the appropriate size of the loading areas on a case-by-case basis, depending on the number of attendees and the extent of the abutting right-of-way improvements. Carpooling, staggered loading/unloading time, right-of-way improvements or other means may be required to reduce traffic impacts on any nearby residential uses. 6. May include accessory living facilities for staff persons. 7. The location of parking and passenger loading areas shall be designed to reduce impacts on any nearby residential uses. 8. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388). 9. For school use, structure height may be increased, up to 35 feet, if: <ol style="list-style-type: none"> a. The school can accommodate 200 or more students; and b. The required side and rear yards for the portions of the structure exceeding the basic maximum structure height are increased by one foot for each additional one foot of 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. 		

EXHIBIT

A

Section 60.117,
60.122,60.112



ZONE PLANNED AREA 7A, 7B, AND 7C USE ZONE CHART

DIRECTIONS: FIRST read down to find use... THEN across for REGULATIONS												
Section 60.112	USE ↓ REGULATIONS →	Required Review Process	Lot Size	MINIMUMS			Lot Coverage	MAXIMUMS	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Req'd Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
				REQUIRED YARDS (See Ch. 115)				Height of Structure				
				Front	Side	Rear						
.06 0	Mini-School or Mini- Day-Care	None	3,600 sq. ft.	20'	5', but 2 side yards must equal at least 15'.	10'	60%	If adjoining a low density zone other than RSX, or detached dwelling unit in PLA 7C, then 25' above average building elevation. Otherwise, 30' above average building elevation.	E	B	See KZC 105.25	<ol style="list-style-type: none"> 1. A six-foot-high fence is required only along the property lines adjacent to the outside play area. 2. Hours of operation may be limited by the City to reduce impacts on nearby residential uses. 3. Structured play areas must be setback from all property lines by five feet. 4. An on-site passenger loading area may be required depending on the number of attendees and the extent of the abutting right-of-way improvements. 5. The location of parking and passenger loading areas shall be designed to reduce impacts on any nearby residential uses. 6. May include accessory living facilities for staff persons. 7. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388). 8. May not access directly onto 2nd, 3rd, 4th, 5th or 6th Streets unless no other access is available.

PUBLICATION SUMMARY
OF ORDINANCE NO. 4081

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO COMPREHENSIVE PLANNING AND LAND USE AND AMENDING THE KIRKLAND ZONING CODE (TITLE 23 OF THE KIRKLAND MUNICIPAL CODE), AND AMENDING ORDINANCE NO. 4078 TO ADD TWO USE ZONE CHART LISTINGS TO THE NORKIRK NEIGHBORHOOD PLAN UPDATE AND APPROVING A SUMMARY FOR PUBLICATION, FILE NO IV-03-27.

SECTION 1. Amends the following specific portions of the Kirkland Zoning Plan:

- A. Amends text in the Planned Area 7A, 7B and 7C Zones Chapter.

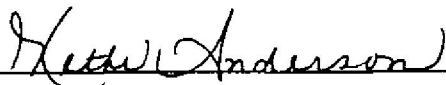
SECTION 2. Provides a severability clause for the ordinance.

SECTION 3. Authorizes publication of the ordinance by summary, which summary is approved by the City Council pursuant to Kirkland Municipal Code 1.08.017 and establishes the effective date as five days after publication of summary.

SECTION 4. Establishes certification by City Clerk and notification of 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 meeting on the ____ day of _____, 20__.

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



City Clerk