

ORDINANCE NO. 4169

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, PLANNING, AND LAND USE AND AMENDING THE USE ZONE CHART FOR THE ROSE HILL BUSINESS DISTRICT (RH) 1B ZONE, SECTION 53.12 OF THE KIRKLAND ZONING CODE, ORDINANCE 3719 AS AMENDED, TO ADD A NEW VEHICLE SERVICE STATION USE LISTING, AND APPROVING A SUMMARY FOR PUBLICATION, FILE NO. ZON07-00017.

WHEREAS, the City Council has received a recommendation from the Kirkland Planning Commission to amend certain sections of the text of the Kirkland Zoning Code, Ordinance 3719 as amended, all as set forth in that certain report and recommendation of the Planning Commission dated November 19, 2008, and bearing Kirkland Department of Planning and Community Development File No. ZON07-00017; and

WHEREAS, prior to making said recommendation, the Kirkland Planning Commission, following notice thereof as required by RCW 35A.63.070, on November 13, 2008, held a public hearing, on the amendment proposals and considered the comments received at said hearing; and

WHEREAS, pursuant to the State Environmental Policy Act (SEPA), there has accompanied the legislative proposal and recommendation through the entire consideration process, a SEPA Addendum to Existing Environmental Documents issued by the responsible official pursuant to WAC 197-11-600; 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 directed staff to make certain changes to the Planning Commission recommendation and;

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 Code are amended:

as set forth in Attachment 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 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 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 December, 2008.

SIGNED IN AUTHENTICATION thereof this 16th day of December, 2008.




Mayor

Attest:



City Clerk

Approved as to Form:



City Attorney

RH 1B Zone
Section 53.12



USE ZONE CHART

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

Section 53.12	USE REGULATIONS	Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Req'd Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.010	Vehicle Service Station See Special Regs. 1 and 2	D.R., Chapter 142 KZC	22,500 sq. ft.	20'	15'	15'	80%	20' above average building elevation	A	E See Special Reg 6.	See KZC 105.25	<ol style="list-style-type: none"> 1. This use is permitted only north of NE 90⁺ Street as an accessory use to a commercial use located in RH 1A and limited to sale of fuel. Vehicle service, repair, or the sale or installation of lubricants, tires, batteries or other similar accessories is prohibited. 2. Hours of operation and truck deliveries are limited to 8:00 am to 9:00 pm. 3. Gas pump islands must be located at least 20 feet from all property lines.. 4. See KZC 95.40. (6) and (7) required landscaping, for additional regulations. 5. The following improvements must be installed: <ol style="list-style-type: none"> a. Half street improvements including vertical curb, five foot wide sidewalk and 4.5 foot wide landscape strip planted with street trees adjacent to the curb in the following locations: <ol style="list-style-type: none"> i. Along the south side of NE 90⁺ Street between 120⁺ Avenue NE and the existing sidewalk west of 122⁺ Ave. NE. ii. Along the south side of NE 90⁺ Street between 122⁺ Avenue and 123⁺ Lane NE. iii. Along the east side of 120⁺ Avenue NE between NE 90⁺ Street and the existing sidewalk to the south. b. Crosswalk markings at the intersection of NE 90⁺ Street and 122⁺ Avenue NE. <p>Minor deviations may be approved by the Public Works Director. If improvements will result in impacts to adjacent wetlands, they must comply with Chapter 90, Drainage Basin requirements.</p> <ol style="list-style-type: none"> c. Basic water quality treatment for the surface water discharge from all the parking lots that serve the commercial use located in RH 1A . The treatment shall meet the specifications of the 1998 King County Surface Water Design Manual, or equivalent approved by the Public Works Dept. d. A pedestrian pathway shall be developed and maintained between NE 90⁺ St and Slater Avenue NE. 6. Internally illuminated signs are prohibited on the north and east sides of gas pump islands or canopies.

PUBLICATION SUMMARY
OF ORDINANCE NO. 4169

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SECTION 1. Amends the Use Zone Chart for the RH 1B Zone, Section 53.12 of the Kirkland Zoning Code, to add a vehicle service station use listing as an accessory use to a commercial use in RH 1A and adding other special regulations that apply to the new use.

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 the 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 16th day of December, 2008.

I certify that the foregoing is a summary of Ordinance 4169 approved by the Kirkland City Council for summary publication.



City Clerk