



CITY OF KIRKLAND

Planning & Building Department
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MEMORANDUM

To: Houghton Community Council

From: Jon Regala, Planning Supervisor
Jeremy McMahan, Planning Manager

Date: October 19, 2015

File No.: CAM13-02032

Subject: FINAL ACTION ON AMENDMENTS TO MULTI-FAMILY PARKING PROJECT
FOLLOW-UP RESOLUTION

RECOMMENDATION

The Houghton Community Council (HCC) has three options for final action on the Amendments to Multi-Family Parking project (follow-up resolution). They are:

1. Approve the enclosed Houghton Resolution No. 2015-4 which adopts Ordinance O-4489 as approved by the City Council on September 1, 2015. Approval of the resolution would make the ordinance effective within Houghton’s jurisdiction; or
2. Disapprove the amendments by a majority of the Community Council approving a resolution to disapprove; or
3. Fail to disapprove the ordinance within 60 days after City Council approval. This would have the effect of approving the amendments.

BACKGROUND INFORMATION

Following the passage of Ordinance O-4487 at the July 21, 2015 City Council meeting, it was discovered that the updated parking requirement, which was to be applied to multi-family development citywide, was not applied to several use listings. Staff’s initial application of the new parking requirement was focused only on the multi-family use listing described as “Detached, Attached, or Stacked Dwelling Units.” Upon further review of the use zone charts, there are other multi-family use listings with a slightly different description such as “Development Containing Stacked or Attached Dwelling Units and Office Uses” that should have been included in O-4487. The purpose of follow-up Ordinance O-4489 (see Attachment 1) was to accurately reflect the actions taken by the City Council. The ordinance corrected this omission in 4 zones (general ‘Office Zones’ development standards, JBD 1, RH 4, and RH 7). Ordinance O-4489 was adopted by the City Council on September 1, 2015.

On August 31, 2015, the Houghton Community Council adopted Resolution 2015-3 approving Ordinance O-4487. The Community Council’s approval of the resolution made the adopted multi-family parking standards effective within Houghton’s jurisdiction. In the follow-up ordinance, which corrected the omissions in the general ‘Office Zones’, several of the affected zoning districts are located within Houghton’s jurisdiction (PR and PLA15A-Carillon Point). As a result, the corrections are subject to the Community Council’s disapproval authority.

ATTACHMENTS

1. Ordinance O-4489
2. Houghton Resolution No. 2015-4

ORDINANCE O-4489

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, PLANNING, AND LAND USE AND AMENDING THE FOLLOWING CHAPTERS OF THE KIRKLAND ZONING CODE RELATING TO MULTI-FAMILY PARKING REQUIREMENTS: 30, 52, 53 AND APPROVING A SUMMARY ORDINANCE FOR PUBLICATION, FILE NO. CAM13-02032.

1 WHEREAS, the City Council received a recommendation from
2 the Kirkland Planning Commission to amend certain sections of the
3 Kirkland Zoning Code, as set forth in the report and recommendation of
4 the Planning Commission dated December 8, 2014 and bearing Kirkland
5 Department of Planning and Community Development File No. CAM13-
6 02032; and
7

8 WHEREAS, prior to making the recommendation, the Kirkland
9 Planning Commission and Houghton Community Council, following
10 notice as required by RCW 36.70A.035, on August 28, 2014, held a joint
11 public hearing, on the amendment proposals and considered the
12 comments received at the hearing; and
13

14 WHEREAS, pursuant to the State Environmental Policy Act
15 (SEPA), a determination of nonsignificance, including supporting
16 environmental documents, issued by the responsible official pursuant to
17 WAC 197-11-340, accompanied the legislative proposal and
18 recommendation through the entire consideration process; and
19

20 WHEREAS, in regular public meeting the City Council considered
21 the environmental documents received from the responsible official,
22 together with the report and recommendation of the Planning
23 Commission; and
24

25 WHEREAS, on July 21, 2015, the City Council approved
26 Ordinance O-4487 amending the City's multi-family parking
27 requirements and giving the multi-family parking requirements citywide
28 application; and
29

30 WHEREAS, Ordinance O-4487 as presented to and approved by
31 the City Council inadvertently omitted the amended multi-family parking
32 requirements in several use zone listings; and
33

34 WHEREAS, the City Council wishes to correct this omission.
35

36 NOW, THEREFORE, the City Council of the City of Kirkland
37 do ordain as follows:
38

39 Section 1. Chapters 30, 52, and 53 of the Kirkland Zoning Code
40 are amended as set forth in Attachment A attached to this ordinance
41 and incorporated by reference.
42

43 Section 2. If any section, subsection, sentence, clause, phrase,
44 part or portion of this ordinance, including those parts adopted by

45 reference, is for any reason held to be invalid or unconstitutional by any
46 court of competent jurisdiction, such decision shall not affect the validity
47 of the remaining portions of this ordinance.
48

49 Section 3. To the extent the subject matter of this ordinance is
50 subject to the disapproval jurisdiction of the Houghton Community
51 Council, this ordinance shall become effective within the Houghton
52 Community Municipal Corporation only upon approval of the Houghton
53 Community Council or the failure of said Community Council to
54 disapprove this ordinance within 60 days of the date of the passage of
55 this ordinance.
56

57 Section 4. Except as provided in Section 3, this ordinance shall
58 be in full force and effect five days from and after its passage by the
59 Kirkland City Council and publication, pursuant to Section 1.08.017
60 Kirkland Municipal Code, in the summary form attached to the original
61 of this ordinance and by this reference approved by the City Council,
62 as required by law.
63

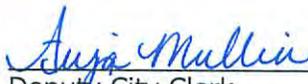
64 Section 5. A complete copy of this ordinance shall be certified
65 by the City Clerk, who shall then forward the certified copy to the King
66 County Department of Assessments.
67

68 Passed by majority vote of the Kirkland City Council in open
69 meeting this 1st day of September, 2015.
70

71 Signed in authentication thereof this 1st day of September,
72 2015.


MAYOR

Attest:


Deputy City Clerk

Publication date: September 7, 2015

Approved as to Form:


City Attorney

Development Standards Table – Office Zones

(PO; PR 8.5; PR 5.0; PR 3.6; PR 2.4; PRA 2.4; PR 1.8; PRA 1.8; PLA 5B, PLA 5C; PLA 6B; PLA 15A; PLA 17A)

(Refer to KZC 30.20, Permitted Uses Table, to determine if a use is allowed in the zone; see also KZC 30.30, Density/Dimensions Table)

Use		Landscape Category (Chapter <u>95</u> KZC)	Sign Category (Chapter <u>100</u> KZC)	Required Parking Spaces (Chapter <u>105</u> KZC)
30.40.080	Development containing: Attached or Stacked Dwelling Units; and Restaurant or Tavern; and Marina	S	S	See KZC 105.25 . For residential: <u>1.2 per studio unit</u> <u>1.3 per 1 bedroom unit</u> <u>1.6 per 2 bedroom unit</u> <u>1.8 per 3 or more bedroom unit</u> See KZC 105.20 for visitor parking requirements. For other uses see KZC 105.25.
30.40.090	Development Containing Stacked or Attached Dwelling Units and Office Uses	C	D	See KZC 105.25 . For residential: <u>1.2 per studio unit</u> <u>1.3 per 1 bedroom unit</u> <u>1.6 per 2 bedroom unit</u> <u>1.8 per 3 or more bedroom unit</u> See KZC 105.20 for visitor parking requirements. For other uses see KZC 105.25.

Section 52.12



USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 52.12	USE REGULATIONS	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required 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						
.120	Development containing two or more of the following uses: - Retail Establishments, including Restaurants and Taverns - Office Uses - Stacked or Attached Dwelling Units See Special Regulations 1 and 2.	If the development exceeds 30' above average building elevation, then Process IIA, Chapter 150 KZC, otherwise D.R., Chapter 142 KZC.	See Spec. Reg. 3	0'	0'	0'	80%	See Spec. Regs. 4 and 12.	See Spec. Reg. 5.	See KZC 105.25	<ol style="list-style-type: none"> A development which includes two or more of the uses specifically listed in this "use" column may also include one or more of the other uses allowed in this zone. The following uses are not permitted in this zone: <ol style="list-style-type: none"> Retail establishments providing storage services unless accessory to another permitted use. Automobile sales and/or rental facilities. Outdoor storage of bulk commodities, except in the following circumstances: <ol style="list-style-type: none"> If the square footage of the storage area is less than 20 percent of the total square footage of the retail structure; or If the commodities represent growing stock in connection with horticultural nurseries, whether the stock is in open ground, pots, or containers. Storage and operation of heavy equipment, except delivery vehicles associated with retail uses. The minimum lot size for this use is eight acres. Lot size requirements for this use do not require that the entire subject property be under one ownership, as long as the entire development is approved at one time as a Master Plan. The maximum height of structures on the subject property is as follows: <ol style="list-style-type: none"> If the subject property contains at least 11 acres: <ol style="list-style-type: none"> On the northern portion of the site, structures may not exceed 78 feet above average building elevation; and On the southern portion of the site, structures may not exceed 30 feet above average building elevation. If the subject property contains more than eight acres, but less than 11 acres: <ol style="list-style-type: none"> On the northern portion of the site, structures may not exceed 52 feet above average building elevation; and On the southern portion of the site, structures may not exceed 30 feet above average building elevation. Chapter 95 KZC applies to the development of the subject property. The City will determine required buffers for the proposed development as part of the approval process based on the following: <ol style="list-style-type: none"> The buffering should integrate development of the subject property with compatible development on adjoining property to provide a unified appearance to the business district. 	
<div style="border: 1px solid black; padding: 5px; width: fit-content; margin: auto;"> <p>For residential: 1.2 per studio unit 1.3 per 1 bedroom unit 1.6 per 2 bedroom unit 1.8 per 3 or more bedroom unit See KZC 105.20 for visitor parking requirements. For other uses see KZC 105.25.</p> </div>												

REGULATIONS CONTINUED ON NEXT PAGE

ATTACHMENT 1

O-4489 - ATTACHMENT A

Section 53.44

Zone
RH 4

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 53.44	USE REGULATIONS ↓ ↑	Required Review Process	Lot Size	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
				REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.050	Office Uses	D.R., Chapter 142 KZC.	None	20'	5' but 2 side yards must equal to least 15'.	10'	70%	30' above average building elevation.	C	D	If a medical, dental or veterinary office, then 1 per each 200 sq. ft. of gross floor area. Otherwise, 1 per each 300 sq. ft. of gross floor area.	1. The following regulations apply to veterinary offices only: a. May only treat small animals on the subject property. b. Outside runs and other outside facilities for the animals are not permitted. 2. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The ancillary assembled or manufactured goods are subordinate to and dependent on this use. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.
.060	Development Containing Stacked or Attached Dwelling Units and Office Uses. See Spec. Reg. 1.		3,600 sq. ft. See Spec. Reg. 2.		5' but 2 side yards must equal to least 15'. See Spec. Reg. 6.	10' See Spec. Reg. 7.					See KZO 105.25.	1. A veterinary office is not permitted in any development containing dwelling units. 2. Minimum amount of lot area per dwelling unit is 3,600 square feet. 3. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 4. If the subject property contains four or more units, then it must contain at least 200 square feet per unit of common recreational space usable for many activities. This required common recreational open space must have the following minimum dimensions: a. For four to 20 units, the open space must be in one or more pieces each having at least 800 square feet, and having a length and width of at least 25 feet. 5. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The ancillary assembled or manufactured goods are subordinate to and dependent on this use. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses. 6. The side yard may be reduced to zero feet if the side of the dwelling unit is attached to a dwelling unit on an adjoining lot. If one side of a dwelling unit is so attached and the opposite side is not, the side that is not attached must provide a minimum side yard of five feet. 7. The rear yard may be reduced to zero feet if the rear of the dwelling unit is attached to a dwelling unit on an adjoining lot.

For residential: 1.2 per studio unit
 1.3 per 1 bedroom unit
 1.6 per 2 bedroom unit
 1.8 per 3 or more bedroom unit
 See KZC 105.20 for visitor parking requirements.
 For other uses see KZC 105.25.

(Revised 4/08)

Section 53.74

Zone
RH 7

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 53.74	USE ↓ REGULATIONS ↑	Required Review Process	Lot Size	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
				REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.080	Development Containing Stacked Dwelling Units and one or more of the following uses: Retail uses including Banking and Other Financial Services, Restaurants or Taverns See Spec. Regs. 1 and 2.	D.R., Chapter 142 KZC.	More than 3 acres.	10' adjacent to NE 85th St., otherwise 20'.	0'	0'	80%	45' above average building elevation.	A	E	See KZC 105.25	<ol style="list-style-type: none"> Development may also include other uses allowed in this zone. The following uses are not permitted in this zone: <ol style="list-style-type: none"> Vehicle service stations. Automotive service centers. Uses with drive-in facilities or drive-through facilities. Retail establishments providing storage services unless accessory to another permitted use. Retail establishment involving the sale, service or repair of automobiles, trucks, boats, motorcycles, recreational vehicles, heavy equipment and similar vehicles. The entire zone must be physically integrated both in site, building design, pedestrian access internally and to the street and provide other pedestrian amenities. At least 10 percent of the units in new residential developments of four units or greater shall be affordable housing units as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives.
.090	Church		None					30' above average building elevation.		B	1 per every 4 people based on maximum occupancy load of any area of worship. See Special Regulation 2.	<ol style="list-style-type: none"> May include accessory living facilities for staff persons. No parking is required for day-care or school ancillary to the use.

For residential: 1.2 per studio unit
 1.3 per 1 bedroom unit
 1.6 per 2 bedroom unit
 1.8 per 3 or more bedroom unit
 See KZC 105.20 for visitor parking requirements.
 For other uses see KZC 105.25.

ATTACHMENT 1

ATTACHMENT A
O-4489

RESOLUTION 2015-4

A RESOLUTION OF THE HOUGHTON COMMUNITY COUNCIL APPROVING ORDINANCE NO. O-4489 ADOPTED BY THE KIRKLAND CITY COUNCIL ON SEPTEMBER 1, 2015, ADOPTING ZONING CODE AMENDMENTS, FILE NO. CAM13-02032.

WHEREAS, the Houghton Community Council has received from the Kirkland City Council Ordinance No. O-4489, adopting the amendments to the Zoning Code.

WHEREAS, the subject matter of this ordinance, pursuant to Ordinance 2001, that is subject to the disapproval jurisdiction of the Houghton Community Council shall become effective within the Houghton Community Municipal Corporation only 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; and

WHEREAS, the pertinent subject matter of this ordinance was reviewed and discussed by the Houghton Community Council at the joint public hearing with the Planning Commission on August 28, 2014; and

WHEREAS, the pertinent subject matter of this ordinance was reviewed and discussed by the Houghton Community Council at a meeting held on September 22, 2014 and at said meeting the Houghton Community Council provided recommendations on said subject matter; and

WHEREAS, the pertinent subject matter of this ordinance will serve the interests and promote the health, safety, and welfare of the Houghton Community Municipal Corporation;

NOW, THEREFORE, be it resolved that Ordinance O-4489 is hereby approved and shall be effective within the Houghton Community Municipal Corporation.

PASSED by majority vote of the Houghton Community Council in regular, open meeting this ____ day of _____, 2015.

SIGNED IN AUTHENTICATION thereof this ____ day of _____, 2015.

Chair, Houghton Community Council

City Clerk