



CITY OF KIRKLAND
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To: Interpretation No. 09-2
From: Eric R. Shields, AICP, Planning Director
Date: October 5, 2009
Subject: **School Uses in LIT Zones**

ISSUE

In the Light Industrial Technology (LIT) Zone, a school is not listed as a permitted use, but Community Facility is. The question here is whether a school is within the scope of a Community Facility use in the LIT zone.

INTERPRETATION

School uses are within the scope of a Community Facility use in the (LIT) Zone.

APPLICABLE CODE SECTIONS

The Zoning Code defines Community Facility as:

“A use which serves the public and is generally of a noncommercial nature. Such use shall include food banks, clothing banks, and other nonprofit social service organizations; nonprofit recreational facilities; and nonprofit performance arts centers.”

ANALYSIS

Zoning Code Section 170.60 states that the Planning Director may issue an interpretation of any of the provisions of the Code. The interpretation shall be based on the following three criteria:

1. Defined or Common Meaning of the Words of the Provision
A school meets the above definition of Community Facility because it serves the public and is noncommercial in nature. In this respect, schools are similar to other community facility uses such as food banks and social service agencies.
2. General Purpose of the Provision as Expressed in the Provision
The purpose of not listing schools in the LIT zone is not stated in the Zoning Code.
3. The Logical or Likely Meaning of the Provision Viewed in Relation to the Comprehensive Plan
The Comprehensive Plan does not explicitly address this issue. Schools are allowed in most

zones in the City – both residential and commercial zones. The intent appears to liberally allow such uses, presumably because of their broad community benefit.

In May, 2009, the City Council reviewed this issue, determined that a school meets the definition of a community facility use and directed that his interpretation be drafted.