

ORDINANCE 4196

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING AND LAND USE AND PREPARING ZONING REGULATIONS FOR THE FINN HILL, KINGSGATE AND NORTH JUANITA ANNEXATION AREA; ADOPTING ZONING CODE AMENDMENTS; ADOPTING KIRKLAND MUNICIPAL CODE, TITLE 22, AMENDMENTS; ADOPTING AN ANNEXATION ZONING MAP; ADOPTING AN ANNEXATION COMPREHENSIVE PLAN LAND USE MAP; ADOPTING A STREAMS AND WETLANDS MAP; ADOPTING A LANDSLIDE AND SEISMIC HAZARD MAP; AND APPROVING A SUMMARY ORDINANCE FOR PUBLICATION, FILE NO. ANN09-00001.

WHEREAS, on April 7, 2009, the City Council adopted Resolution R-4751 which directed the City Clerk to file a notice of intent to annex the Finn Hill, Kingsgate and North Juanita Annexation Area with the King County Boundary Review Board; and

WHEREAS, Resolution R-4751 stated the intent of the City Council to establish zoning regulations for the Finn Hill, Kingsgate and North Juanita Annexation Area; and

WHEREAS, in accordance with the State Environmental Policy Act (SEPA), the City issued a SEPA Determination of Nonsignificance on May 8, 2009, for the proposed zoning regulations; and

WHEREAS, the proposed zoning regulations are designed to encourage the most appropriate use of land use throughout the Finn Hill, Kingsgate and North Juanita Annexation Area, to provide adequate light and air, to prevent overcrowding of land, to promote a coordinated development of the unbuilt areas, and to avoid undue concentration of population; and

WHEREAS, the proposed zoning regulations are designed to encourage the formation of neighborhood or community units, secure an appropriate allotment of land area in new developments for all the requirements of community life, and conserve and restore natural beauty and other natural resources; and

WHEREAS, on June 2 and July 7, 2009, the City Council held public hearings and considered the proposed zoning, Comprehensive Plan and land use maps for the Finn Hill, Kingsgate and North Juanita Annexation Area.

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

Section 1. Zoning Code Amendments. The following specified Zoning Code Amendments for the Finn Hill, Kingsgate and North Juanita Annexation Area are adopted as set forth in Exhibit A attached to this ordinance and incorporated by reference.

Section 2. Kirkland Municipal Code Amendments. The following specified amendments to sections of Kirkland Municipal Code, Title 22, "Subdivisions," for the Finn Hill, Kingsgate and North Juanita Annexation Area are adopted as set forth in Exhibit B attached to this ordinance and incorporated by reference.

Section 3. Annexation Zoning Map. The Annexation Zoning Map for the Finn Hill, Kingsgate and North Juanita Annexation Area is adopted as set forth in Exhibit C attached to this ordinance and incorporated by reference.

Section 4. Annexation Comprehensive Plan Land Use Map. The Annexation Comprehensive Plan Land Use Map for the Finn Hill, Kingsgate and North Juanita Annexation Area is adopted as set forth in Exhibit D attached to this ordinance and incorporated by reference.

Section 5. Streams and Wetlands Map. The Streams and Wetlands Map for the Finn Hill, Kingsgate and North Juanita Annexation Area is adopted as set forth in Exhibit E attached to this ordinance and incorporated by reference.

Section 6. Landslide and Seismic Hazard Areas Map. The Landslide and Seismic Hazard Areas Map for the Finn Hill, Kingsgate and North Juanita Annexation Area is adopted as set forth in Exhibit F attached to this ordinance and incorporated by reference.

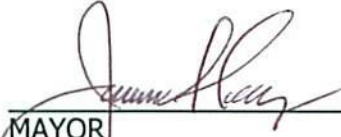
Section 7. Severability. If any section, subsection, sentence, clause, phrase, part or portion of this ordinance, including those parts adopted by reference, is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 8. Effective Date. If the annexation of the Finn Hill, Kingsgate and North Juanita Annexation Area is approved by the voters at the November 3, 2009, general election, this ordinance shall be in effect on the same date as the effective date determined by the City Council for the annexation.

Section 9. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication pursuant to Section 1.08.017, Kirkland Municipal Code in the summary form attached to the original of this ordinance and by this reference approved by the City Council.

Passed by majority vote of the Kirkland City Council in open meeting this 21st day of July, 2009.

Signed in authentication thereof this 21st day of July, 2009.


MAYOR

Attest:


City Clerk

Approved as to Form:

City Attorney

PUBLICATION SUMMARY
OF ORDINANCE NO. 4196

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING AND LAND USE AND PREPARING ZONING REGULATIONS FOR THE FINN HILL, KINGSGATE AND NORTH JUANITA ANNEXATION AREA; ADOPTING ZONING CODE AMENDMENTS; ADOPTING KIRKLAND MUNICIPAL CODE, TITLE 22, AMENDMENTS; ADOPTING AN ANNEXATION ZONING MAP; ADOPTING AN ANNEXATION COMPREHENSIVE PLAN LAND USE MAP; ADOPTING A STREAMS AND WETLANDS MAP; ADOPTING A LANDSLIDE AND SEISMIC HAZARD MAP; AND APPROVING A SUMMARY ORDINANCE FOR PUBLICATION, FILE NO. ANN09-00001.

SECTION 1. Adopts the Zoning Code amendments for the Finn Hill, Kingsgate and North Juanita Annexation Area.

SECTION 2. Adopts specified amendments to sections of Kirkland Municipal Code, Title 22, "Subdivisions," for the Finn Hill, Kingsgate and North Juanita Annexation Area.

SECTION 3. Adopts the Annexation Zoning Map for the Finn Hill, Kingsgate and North Juanita Annexation Area.

SECTION 4. Adopts the Annexation Comprehensive Plan Land Use Map for the Finn Hill, Kingsgate and North Juanita Annexation Area.

SECTION 5. Adopts the Streams and Wetlands Map for the Finn Hill, Kingsgate and North Juanita Annexation Area.

SECTION 6. Adopts the Landslide and Seismic Hazard Areas Map for the Finn Hill, Kingsgate and North Juanita Annexation Area.

SECTION 7. Provides a severability clause for the ordinance.

SECTION 8. Provides an effective date for the ordinance.

SECTION 9. Authorizes publication of the ordinance by summary, which summary is approved by the City Council pursuant to Section 1.08.017 Kirkland Municipal Code and establishes the effective date as five days after publication of summary.

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 21st day of July, 2009.

I certify that the foregoing is a summary of Ordinance 4196 approved by the Kirkland City Council for summary publication.



City Clerk

Exhibit A (July 21, 2009)**DRAFT ZONING CODE AMENDMENTS FOR PROPOSED ANNEXATION AREA OF
KINGSGATE, JUANITA, AND FINN HILL****File No. ANN09-00001**-----
HOW TO READ THIS:

- Text that is covered by a strike-through (~~strike-through~~) is existing text currently contained in the Zoning Code that is to be deleted.
- Text that is underlined (underlined), with the exception of section headings, is new text that is to be added.

TABLE OF CONTENTS

Chapter 1 – 15 (*no changes*)
 Chapter 17 – Single-Family Residential ~~XAnnexation~~ (RSX) Zones
Chapter 18 – Single-Family Residential A (RSA) Zones
 Chapter 20 – Multifamily Residential (RM) and Multifamily Residential A (RMA) Zones
 Chapter 25 – Professional Office Residential (PR) and Professional Office Residential A
(PRA) Zones
 Chapter 27 – 35 (*no changes*)
 Chapter 40 – Neighborhood Business (BN) and Neighborhood Business A (BNA) Zones
 Chapter 45 – Community Business (BC) and Community Business A (BCA) Zones
 Chapter 47 – Community Business ~~XAnnexation~~ (BCX) Zones
 Chapter 48 – 60 (*no changes*)
Chapter 70 - Holmes Point Overlay Zone
 Chapter 72 – 180 (*no changes*)

Chapter 1 – User Guide

1.10 Additional Regulations

In addition to the regulations in the use zone charts, this code contains a variety of provisions that may apply to the subject property or to a particular use or activity on the property. The following list of questions will help you determine what other factors of this code may contain regulations that are of interest.

Add New 1.10.1 and renumber remainder of section:

Overlay “HL” – Is there an “HL” on the Zoning Map within a dashed line that contains the subject property? Is so, see Chapter 70 KZC.

Chapter 10 – Legal Effect

10.45 Annexed Property

1. Whenever, prior to annexation, a proposed extended Comprehensive Plan and zoning regulations and/or map have been prepared and adopted by the City pursuant to RCW 35A.14.330, that plan and zone regulation and/or map will, upon the effective date of annexation, be deemed to amend this code to the extent set forth in the annexation ordinance. Any other property or area which may, because of annexation, become a part of the City, will be deemed to be zoned with a classification the same as, or as nearly comparable as possible with, the classification that the property was zoned immediately prior to annexation.
2. Pending development permits for which complete applications have been filed prior to annexation shall be governed by the King County zoning regulations in effect at the time of annexation for a period of five years after the date of annexation unless the City finds that a change in conditions creates a serious threat to the public health or safety. After five years, the current zoning regulations shall apply.
3. Short plats and subdivisions that have been approved by King County, but not recorded prior to annexation shall be recorded within the time period provided for under King County subdivision regulations in effect at the time of the approval of the short plat or subdivision. Notwithstanding the foregoing, development of the individual lots in the short plat or subdivision shall be governed by the King County zoning regulations in effect at the time of annexation for a period of five years after the date of annexation unless the City finds that a change in conditions creates a serious threat to the public health or safety. After five years, the current zoning regulations shall apply.
4. Individual lots in short plats and subdivisions that have been approved by King County and recorded prior to annexation shall be governed by the King County zoning regulations in effect at the time of annexation for a period of five years after the date of annexation unless the City finds that a change in conditions creates a serious threat to the public health or safety. After five years, the current zoning regulations shall apply.

10.25 Amend Zoning Categories Adopted as follows:

The City is divided into the following zoning categories:

- | <u>Zoning Category</u> | <u>Symbol</u> |
|------------------------------------|---|
| 1. Single-family Residential Zones | RS and RSX (followed by a designation indicating minimum lot size per dwelling unit) and RSA (followed by designation indicating maximum units per acre.) |

2. Multifamily Residential Zones RM and RMA (followed by a designation indicating minimum lot size per dwelling unit)
3. Professional Office Zones PR and PRA (followed by a designation indicating minimum lot size per dwelling unit)
4. through 6. *no change*
7. Neighborhood Business BN and BNA
8. Community Business BC, BCA and BCX
- 11.-17. *No change*

10.30 Amend Overlay Zoning Categories as follows:

Add: Holmes Point Overlay Zone “HL”

Chapter 5 – Definitions *(Note: Only definitions for which changes are being made are included below. All other definitions in Chapter 5 of the Kirkland Zoning Code remain unchanged).*

5.10 Definitions

The following definitions apply throughout this code unless, from the context, another meaning is clearly intended:

- .145 Commercial Zones – The following zones: BN; BNA, BC; BCA, BCX; CBD; JBD 1; JBD 2; JBD 4; JBD 5; JBD 6; MSC 2, MSC 4, NRH 1A; NRH 1B; NRH 4; RH 1A; RH 1B; RH 2A; RH 2B; RH 2C; RH 3; RH 5A; RH 5B; RH 5C; RH 7; TL 2; TL 4A; TL 4B; TL 4C; TL 5; TL 6A; TL 6B; and TL
- .360 High Density Residential Zones – The following zones: RM 2.4; RMA 2.4, RM 1.8; RMA 1.8, PLA 5A, D, E; PLA 6A, D, I, J; PLA 7A, B; and TL 1B..
- .490 Low Density Zones – The following zones: RS 35; RSX 35; RS 12.5; RSX 12.5; RS 8.5; RSX 8.5; RSA 8, RS 7.2; RSX 7.2; RS 6.3; RSA 6, RS 5.0; RSX 5.0; RSA 4, RSA 1, PLA 6C, 6E; PLA 16; WD II; and comparable zones in other adjoining jurisdictions, except properties with approved intent to rezone to zoning designations other than low density.
- .513 Maximum Units per Acre – Within RSA zones, the maximum allowed number of dwelling units shall be computed by multiplying the gross area of the subject property by the applicable residential density number per acre shown on the Zoning Map. For the purpose of calculating the maximum units per acre, all road dedications, and vehicular access easements and tracts shall be included in the calculation for density. The maximum development potential requirements of KZC Chapter 90 shall apply.
- .520 Medium Density Zones – The following zones: RM 5.0; RMA 5.0, RM 3.6; RMA 3.6, WD I; WD III; PLA 2, 3B; PLA 6F, H, K; PLA 7C; PLA 9; PLA 15B; and PLA 17.
- .595 Office Zones – The following zones: PO; PR 8.5; PR 5.0; PR 3.6; PR 2.4; PR 1.8; PRA 1.8, JBD 3; PLA 3A; PLA 5B, C; PLA 6B; PLA 15A; PLA 17A; FC III; MSC 1, MSC 4, NRH 2; NRH 3; NRH 5; NRH 6; RH 4; RH 8; TL 1A; TL 10A, TL 10B, TL 10C, TL 10D and TL 10E.
- .785 Residential Zone – The following zones: RS 35; RSX 35; RS 12.5; RSX 12.5; RS 8.5; RSX 8.5; RSA 8, RS 7.2; RSX 7.2; RS 6.3; RSA 6, RS 5.0; RSX 5.0; RSA 4, RSA 1,

RM 5.0; RMA 5.0, RM 3.6; RMA 3.6, RM 2.4; RMA 2.4, RM 1.8; RMA 1.8, WD I; WD II; WD III; PLA 2; PLA 3B; PLA 5A, D, E; PLA 6A, C, D, E, F, H, I, J, K; PLA 7A, B, C; PLA 9; PLA 15B; PLA 16; PLA 17; and TL 11.

.950 Urban Separator – Areas planned for permanent low density residential within the Urban Growth Area that protect adjacent resource land, environmentally sensitive areas, or rural areas, and create open space corridors within and between the urban areas which provide environmental, visual, recreational and wildlife benefits. The King County Countywide Planning Policies have designated the RSA 1 zone as an urban separator.

.960 Use Zone –The zoning designations on the Zoning Map as follows:

Add the following zones to the table:

- RSA 8
- RSA6
- RSA 4
- RSA 1
- RMA 5.0
- RMA 3.6
- RMA 1.8
- PR 1.8
- BNA
- BCA

10.25 Zoning Categories Adopted

The City is divided into the following zoning categories:

Zoning Category		Symbol
1.	Single-Family Residential Zones	RS, <u>RSA</u> and RSX (followed by a designation indicating minimum lot size per dwelling unit or units per acre)
2.	Multifamily Residential Zones	RM and <u>RMA</u> (followed by a designation indicating minimum lot size per dwelling unit)
3.	Professional Office/Residential Zones	PR and <u>PRA</u> (followed by a designation indicating minimum lot size per dwelling unit)
7.	Neighborhood Business	BN and <u>BNA</u>
8.	Community Business	BC, <u>BNA</u> and BCX

10.30 Overlay Designations Adopted

Add to table of overlay zones:

1. Holmes Point Overlay Zone “HP”

Chapter 18 – RSA Zone

New chapter. See Exhibit A-1 containing the new Single-Family Residential A (RSA) use zone charts

Chapter 17 – RSX Zone

Revise title of zone from “Single-Family Residential Annexation” to “Single-Family Residential X”

Chapter 20 – RM/RMA Zone

Revised chapter adding new RMA zones. See Exhibit A-2.

Chapter 25 – PR/PRA Zone

Revised chapter adding new PRA zone. See Exhibit A-3.

Chapter 40 – BN/BNA Zone

Revised chapter adding new BNA zone. See Exhibit A-4

Chapter 47 – BC/BC 1/BC 2 Zone

Revised chapter adding new BC 1 and BC 2 zones. See Exhibit A-5

Chapter 70 – Holmes Point Overlay Zone (HP)

New Chapter. See Exhibit A-6

Chapter 90 – Drainage Basins

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General

- 90.125 Frequently Flooded Areas
- 90.127 Heron Habitat Protection Areas
- 90.130 Site Requirements and Sensitive Areas Protection Techniques
- 90.135 Maximum Development Potential
- 90.140 Reasonable Use Exception
- 90.145 Bond or Performance Security
- 90.150 Dedication
- 90.155 Liability
- 90.160 Appeals
- 90.165 Setbacks and Buffers Required by Prior Approvals
- 90.170 Planning/Public Works Official Decisions – Lapse of Approval

90.30 Definitions

- .10. Primary Basin- The following basins, as shown on the Sensitive Areas Map: Juanita Creek, Forbes Creek, South Juanita Slope, Yarrow Creek, and Carillon Creek-, Denny Creek, and Champagne Creek.
- .13 Secondary Basins – Moss Bay, Houghton Slope A, Houghton Slope B, and Kirkland Slope, Holmes Point and Kingsgate Slope, which are depicted on the Sensitive Areas Map.

90.127 Heron Habitat Protection Areas

- 1. Purpose of the Heron Habitat Protection Area - The purpose of the heron habitat protection area designation is to identify and protect areas that provide essential feeding, nesting and roosting habitat for identified great blue heron rookeries. The protection areas contain isolated areas of known heron habitat in the general region surrounding the heron rookery.
- 2. The following development standards shall be applied in addition to all applicable buffers and required yards development permits located within a heron habitat protection area designated in Plate X:
 - a. Subdivisions and short subdivisions adjacent to streams or wetlands within the heron habitat protection area shall provide buffers that are 50 feet greater than required pursuant to Chapter 90 along those streams and wetlands to provide habitat for herons. This additional 50 foot buffer shall be planted with dense native plant material to discourage human intrusion into feeding or nesting and roosting areas. Plantings shall be reviewed and approved by the City.
 - b. For subdivisions and short subdivisions adjacent to Lake Washington within the heron habitat protection area, the required high waterline yard shall be increased by 50 feet. This additional 50 foot buffer shall be planted with dense native plant material to discourage human intrusion into feeding or nesting and roosting areas. Plantings shall be reviewed and approved by the City.

c. New docks, piers, bulkheads, and boat ramps constructed within the heron habitat protection area shall mitigate for loss of heron feeding habitat by providing enhanced native vegetation approved by the City adjacent to the development or between the development and the shoreline. Bulkheads shall be buffered from the water's edge by enhanced plantings of native vegetation approved by the City.

90.135

Maximum Development Potential

1. Dwelling Units – The maximum potential number of dwelling units for a site which contains a wetland, stream, minor lake, or their buffers shall be the buildable area in square feet divided by the minimum lot area per unit or the maximum units per acre as specified by Chapters 15 through 60 KZC, plus the area of the required sensitive area buffer in square feet divided by the minimum lot area per unit, the maximum units per acre or as specified by Chapters 15 through 60 KZC, multiplied by the development factor derived from subsection (2) of this section:

MAXIMUM DWELLING UNIT POTENTIAL = (BUILDABLE AREA/THE PRESCRIBED MINIMUM LOT AREA PER UNIT OR MAXIMUM UNITS PER ACRE) + [(BUFFER AREA/THE PRESCRIBED MINIMUM LOT AREA PER UNIT OR MAXIMUM UNITS PER ACRE) X (DEVELOPMENT FACTOR)]

For purposes of this subsection only, “buildable area” means the total area of the subject property minus sensitive areas and their buffers.

For developments providing affordable housing units pursuant to Chapter 112 KZC, or cottage , carriage or two/three unit homes pursuant to Chapter 113, the density bonus and resulting maximum density shall be calculated using the maximum dwelling unit potential of this section as the base to which the bonus units will be added.

For multifamily development, if application of the maximum development potential formula results in a fraction, the number of permitted dwelling units shall be rounded up to the next whole number (unit) if the fraction of the whole number is at least 0.66. For single-family development, if application of the maximum development potential formula results in a fraction, the number of permitted dwelling units (lots) shall not be rounded up, regardless of the fraction. This provision shall not be construed to preclude application of Chapter 22.28 KMC.

Lot size and/or density may be limited by or through other provisions of this code or other applicable law, and the application of the provisions of this chapter may result in the necessity for larger lot sizes or lower density due to inadequate buildable area.

Chapter 113 – Cottage, Carriage and Two/Three Unit Homes

113.20 Applicable Use Zones

The housing types described in this chapter may be used only in the following low density zones: RSA 4, RSA 6, RS 7.2, RSX 7.2, RS 8.5, RSX 8.5, RS 12.5 and RSX 12.5, (see Section 113.25 for further regarding location of these housing types).

113.25 Parameters for Cottages, Carriage Units and Two/Three-Unit Homes *(Note: Only rows in the table of Section 113.25 that are proposed to be changed are provided below. The rest of the table remains unchanged.)*

Please refer to Sections 113.30, 113.35 and 113.40 for additional requirements related to these standards.

Minimum Required Yards (from exterior property lines of subject property)	Front: 20' Other: 10'	Must be included in a cottage project	Front: 20' Other: 10'
	Cottage	Carriage	Two/Three-Unit Home
Lot coverage (all impervious surfaces) ¹	50%	Must be included in a cottage project.	50%
Height	25' (RS Zones) and 27' (<u>RSA and RSX Zones</u>) maximum above A.B.E., (where minimum roof slope of 6:12 for all parts of the roof above 18' are provided). Otherwise, 18' above A.B.E.		
Dwelling Units	One story, not to exceed 18' above A.B.E.		
Accessory Structures			
Tree Retention	Standards contained in Section 95.35 for Tree Plan III shall apply to development approved under this Chapter.		

¹ Lot coverage is calculated using the entire development site. Lot coverage for individual lots may vary.

Chapter 115 – Miscellaneous Use Development and Performance Standards

115.20 Animals in Residential Zones

TYPE OF ANIMAL ↓	REGULATIONS ↓	Required Review Process	MAXIMUM	MINIMUMS		Special Regulations
			Number of Adult Animals	Lot Size	Setback	
Household Pets		None	Per Dwelling Unit Dogs: 3 Cats: 3 Dogs and Cats: A total of 4 animals Rabbits: 4 Other: No maximum	As required for a dwelling unit in the zone in which the subject property is located.	Structures and pens must be at least 5' from each property line.	1. Household pets, excluding dogs, cats, and rabbits, must be housed within the dwelling unit. If housed outside of the dwelling units, household pets, excluding dogs, cats, and rabbits, will be regulated as small domestic animals.
Small Domestic Animals		None	20 per 35,000 sq. ft. of lot area and 1 per each additional 500 sq. ft. of lot area. <u>Maximum of 3 fowl on lots less than 35,000 sq. ft. in RSA zones.</u>	35,000 sq. ft. per dwelling unit. <u>No minimum lot size for fowl in RSA zones.</u>	Structures and pens used to house animals must be at least 40' from each property line, <u>except structures and pens used to house 3 fowl or less must be at least 10' from each property line.</u>	1. The City may limit the number of animals allowed to less than the maximum considering: a. Proximity to dwelling units both on and off the subject property; and b. Lot size and isolation; and c. Compatibility with surrounding uses; and d. Potential noise impacts. 2. The applicant must provide a suitable structure or pen to house the animals, and must maintain that structure or pen in a clean condition. <u>3. Roosters are prohibited on lots containing less than 35,000 sq. ft.</u>

115.138 Temporary Storage Containers

1. The temporary outdoor use of storage, moving, shipping, or freight containers, including but not necessarily limited to ISO (International Shipping Organization) standard containers, is permitted in all zones if accessory to a permitted use. Containers shall be

considered temporary if they do not require a building, electrical, plumbing or mechanical permit, and are not secured, or required to be secured, to a permanent foundation. If the use of a temporary storage container is associated with the construction or remodel of a building, the container shall be removed prior to final inspection approval or issuance of a certificate of occupancy for the building. In all other cases, the container may remain on site for a period not to exceed 14 days.

2. An existing temporary storage container may not be replaced unless the replacement temporary storage container complies fully with these regulations.
3. Any temporary storage container existing on or before the effective date of these regulations shall be removed subject to 162.35.12 but not later than July 1, 2021.

115.150 Vehicles – Size in Residential Zones Limited

1. General – Except as specified below, it is a violation of this code to park or store any vehicle, boat or trailer on any lot in a residential zone if that vehicle, boat or trailer is both more than nine feet in height and 22 feet in length, including bumpers and any other elements that are required by federal or state law for the operation of the vehicle, boat or trailer on public roads or waterways

Except within the disapproval jurisdiction of the Houghton Community Council, any boat that is 16 feet or longer and has a gunwale which is at least five (5) feet from the ground when the boat is sitting on a boat trailer shall not be parked or stored in a required front yard.

2. Exceptions

- a. A vehicle, boat or trailer of any size may be parked on any lot in the City for not more than 24 hours in any consecutive seven-day period for the exclusive purpose of loading or unloading the vehicle, boat or trailer. Within the disapproval jurisdiction of the Houghton Community Council, the time limitation shall be not more than 48 hours in any consecutive seven-day period.

- b. An oversized vehicle, boat or trailer may be parked on a lot in an RSA or RMA zone containing an existing residence if all of the following are met:

1) Within six (6) months of the effective date of annexation, the owner registers the oversized vehicle, boat or trailer parked on his/her property with the City's Planning Department. The owner shall provide the City with a copy of the State vehicle registration license showing that the person obtaining the registration is the owner of the vehicle, boat or trailer and that the address on the vehicle license is the same as the address where the vehicle, boat or trailer is parked;

2) The owner of the vehicle, boat or trailer resides on the lot that contains the vehicle;

3) Within one (1) year of the effective date of annexation, a registered vehicle, boat or trailer under KZC subsection 115.115.2.1) may be replaced with another vehicle, boat or trailer of the same type and no greater dimensions, provided that the requirements of 115.115.2.1) are met for the replacement vehicle and the replaced vehicle, boat or trailer has been removed from the property.

4.) The exception runs with the registered vehicle, boat or trailer parked on a specific lot at the time of annexation and to the owner of the vehicle, boat or trailer who resides on the specific property at the time of annexation.

~~b-c~~ The City may, using Process ~~IIA~~ I, described in Chapter 450 ~~145~~ KZC, approve a request to park or store a vehicle, boat or trailer of any size on a lot in a residential zone if:

- 1) The parking or storage of the vehicle, boat or trailer will not be detrimental to the character of the neighborhood; and
- 2) The property abutting the subject property will not be impacted by the parking or storage; and
- 3) The placement of the vehicle, boat or trailer will not create a potential fire hazard; and
- 4) The parking or storage is clearly accessory to a residential use on the subject property and the vehicle, boat or trailer is operated by a resident of the subject property.

The City may impose screening requirements, limit the hours of operation of the vehicle, boat or trailer and impose other restrictions to eliminate adverse impacts of the parking or storage.

Chapter 120 - Variances**120.10 Process for Deciding Upon a Proposed Variance**

The following subsection is not effective within the disapproval jurisdiction of the Houghton Community Council:

1. The City will use Process IIA, described in Chapter 150 KZC, to review and decide upon an application for a variance except as to property located within an RS, RSA or RSX Zone or for a detached dwelling unit in any zone. For variance applications as to property located within an RS, RSA or RSX Zone or for a detached dwelling unit in any zone, the City will use Process I described in Chapter 145 KZC; provided, however, that while the content of the notice shall be per KZC 145.22(1), the distribution of the notice shall be per KZC 150.30(2).

The following subsection is effective only within the disapproval jurisdiction of the Houghton Community Council:

2. The City will use Process IIA, described in Chapter 150 KZC, to review and decide upon an application for a variance except as to property located within an RS, RSA or RSX Zone. For variance applications as to property located within an RS, RSA or RSX Zone, the City will use Process I described in Chapter 145 KZC; provided, however, that while the content of the notice shall be per KZC 145.22(1), the distribution of the notice shall be per KZC 150.30(2).

Chapter 180 – Plates

New Plate X illustrating Heron Habitat Overlay Area. See Exhibit A-7

CHAPTER 18 – SINGLE-FAMILY RESIDENTIAL A (RSA) ZONES

18.05 User Guide. The charts in KZC 18.10 contain the basic zoning regulations that apply in each RSA 1, RSA 4, RSA 6 and RSA 8 zones of the City. Use these charts by reading down the left hand column entitled Use. Once you locate the use in which you are interested, read across to find the regulations that apply to that use.

Section 18.08



Section 18.08 – GENERAL REGULATIONS



The following regulations apply to all uses in this zone unless otherwise noted:

1. Refer to Chapter 1 KZC to determine what other provisions of this code may apply to the subject property.
2. If any portion of a structure is adjoining a detached dwelling unit in a low density zone, then either:
 - a. The height of that portion of the structure shall not exceed 15 feet above average building elevation, or
 - b. The maximum horizontal facade shall not exceed 50 feet.See KZC 115.30, Distance Between Structures/Adjacency to Institutional Use, for further details.
(Does not apply to Detached Dwelling Unit and Mini-School or Mini-Day-Care Center uses).
3. All subdivisions and short subdivisions in the R-1 zone shall be clustered such that development is located away from critical areas. The open space resulting from such clustering shall be placed in a separate tract that includes at least fifty percent (50%) of the subject property. Open space tracts shall be permanent and shall be dedicated to a homeowner's association or other suitable organization for purposes of maintenance. Passive recreation, with no development of recreational facilities, and natural-surface pedestrian and equestrian trails are acceptable uses within the open space tract. If access to the open space is provided, the access shall be located in a separate tract. A greenbelt protection or open space easement shall be dedicated to the City to protect the designated open space tract resulting from lot clustering.
4. For properties with the Holmes Point (HP) Overlay Zone, see KZC 70 for additional regulations.
5. For properties with frontage on Lake Washington, the required yard measured from the high waterline shall be the greater of 15' or 15 percent of the average parcel depth. No structure other than a moorage structure shall be waterward of the high waterline.
6. See Plate X for areas identified as Heron Habitat Protection Areas and KZC 90.127 for regulations that apply to identified Heron Habitat Protection Areas.



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

Section 18.10	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)		
		Detached Dwelling Unit	None	As established on the Zoning Map. See Spec. Regs. 1, 2 and 3.	20'	5' each side.	10'	50%, except 30% for the RSA 1 zone. See Gen. Reg. 3. See Gen. Reg. 4. for Holmes Point area.	30' above average building elevation. See Spec. Reg. 8	E					A	2.0 per dwelling unit.
.010	Detached Dwelling Unit	None	As established on the Zoning Map. See Spec. Regs. 1, 2 and 3.	20'	5' each side.	10'	50%, except 30% for the RSA 1 zone. See Gen. Reg. 3. See Gen. Reg. 4. for Holmes Point area.	30' above average building elevation. See Spec. Reg. 8	E	A	2.0 per dwelling unit.	<p>1. Maximum units per acre is as follows:</p> <ul style="list-style-type: none"> a. In RSA 1 zone, the maximum units per acre is one dwelling unit. b. In RSA 4 zones, the maximum units per acre is four dwelling units. c. In RSA 6 zones, the maximum units per acre is six dwelling units. d. In RSA 8 zones, the maximum units per acre is eight dwelling units. <p>In RSA 1, 4, 6 and 8 zones, not more than one dwelling unit may be on each lot, regardless of the size of the lot.</p> <p>2. Minimum lot size per dwelling unit is as follows:</p> <ul style="list-style-type: none"> a. In RSA 1 zone, newly platted lots shall be clustered and configured in a manner to provide generally equal sized lots outside of the required open space area. b. In RSA 4 zones, the minimum lot size is 7,600 square feet. c. In RSA 6 zones, the minimum lot size is 5,100 square feet. d. In RSA 8 zones, the minimum lot size is 3,800 square feet. <p>3. Road dedication and vehicular access easements or tracts may be included in the density calculation, but not in the minimum lot size per dwelling unit.</p> <p>4. Floor Area Ratio (F.A.R.) allowed for the subject property is as follows:</p> <ul style="list-style-type: none"> a. In RSA 1 zone, F.A.R. is 20 percent of lot size. b. In RSA 4 zones, F.A.R. is 50 percent of lot size. c. In RSA 6 zones, F.A.R. is 50 percent of lot size. d. In RSA 8 zones, F.A.R. is 50 percent of lot size. <p>F.A.R. may be increased up to 60 percent of lot size for the first 5,000 square feet of lot area if the primary roof form of all structures on the site is peaked, with a minimum pitch of four feet vertical: 12 feet horizontal.</p> <p>See KZC 115.42, Floor Area Ratio (F.A.R.) Calculation for Detached Dwelling Units in Low Density Residential Zones, for additional information.</p> <p>5. On corner lots, only one front yard must be a minimum of 20 feet. All other front yards shall be regulated as a side yard (minimum five-foot yard). The applicant may select which front yard shall meet the 20-foot requirement.</p> <p>6. Garages shall comply with the requirements of KZC 115.43, including required front yard.</p>				



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

Section 18.10	USE 	REGULATIONS 	MINIMUMS			MAXIMUMS		Required Review Process	Special Regulations (See also General Regulations)
			REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure		
			Front	Side	Rear				
Units per Acre or Lot Size						Landscaping Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	
									7. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 8. Maximum height of structure for properties located within the Juanita Beach Camps Plat (Volume 32, Page 35 of King County Records) or the Carr's Park Plat (Unrecorded) shall be 35' above average building elevation.



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

Section 18.10	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)
		Units per Acre or Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure						
			Front		Side			Rear					
.010	Moorage Facility for 1 or 2 boats.	None	None	None	20'	5'	-	50%	Landward of the High Waterline, 25' above average building elevation. Waterward of the High Waterline, dock and pier decks may not be more than 24' above mean sea level. Diving boards and similar features may not be more than 3' above the deck.	E	See Spec. Reg 8	None	<ol style="list-style-type: none"> 1. Moorage must be for the exclusive use of residents of the subject property. Renting moorage space is not permitted. 2. Moorage structures may not extend waterward beyond a point 150 feet from the high waterline. In addition, piers and docks may not be wider than is reasonably necessary to provide safe access to the boats, but not more than eight feet in width. 3. If the moorage structures will extend waterward of the Inner Harbor Line, the applicant must obtain a lease from the Washington State Department of Natural Resources prior to proposing this use. 4. May not treat moorage structure with creosote, oil base or toxic substances. 5. Must provide at least one covered and secured waste receptacle. 6. All utility lines must be below the pier deck and, where feasible, underground. 7. Piers must be adequately lit; the source of the light must not be visible from neighboring properties. 8. Moorage structures must display the street address of the subject property. The address must be oriented to the lake with letters and numbers at least four inches high, and visible from the lake. 9. Covered moorage is not permitted. 10. Aircraft moorage is not permitted. 11. Two or more adjoining waterfront lots may share a moorage facility. If this occurs, the following regulations apply: <ol style="list-style-type: none"> a. All lots will be taken together as the subject property to determine compliance with the requirements of this use. b. The moorage structure may be built to accommodate two boats for each residential unit on the subject property. c. The owner of each lot must deed to the City the overwater development rights to the property. Upon request, the City will, without cost, deed this right back to the owner of a lot, but the number of boats permitted to moor at the shared moorage facility will be reduced by two. 12. No moorage structure may be within either 25' of a public park; or 25' of another moorage structure not on the subject property.



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

Section 18.10	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)	
				REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure					
				Units per Acre or Lot Size	Front	Side							Rear
.020	Church		See Special Regulation 1.	As established on the Zoning Map. See Spec Regulation 2.	20'	20' on each side	20'	70%, except 30% for RSA 1 zone. See Gen. Reg. 3. See Gen Reg. 4 for Holmes Point area.	30' above average building elevation.	C	B	1 for every 4 people based on maximum occupancy load of worship. See Special Reg. 4.	1. The required review process is as follows: a. If the subject property, including all contiguous property owned by the applicant and held by others for future use by the applicant, is less than five acres, the required review process is Process IIA, Chapter 150 KZC. b. If the subject property, including all contiguous property owned by the applicant and held by others for future use by the applicant, is five or more acres, a Master Plan, approved through Process IIB, Chapter 152 KZC, is required. The Master Plan must show building placement, building dimensions, roadways, utility location, land uses within the Master Plan area, parking location, buffering, and landscaping. 2. Minimum lot size is as follows: a. In RSA 1 zone, newly platted lots shall be clustered and configured in a manner to provide generally equal sized lots outside of the required open space area. b. In RSA 4 zones, the minimum lot size is 7,600 square feet. c. In RSA 6 zones, the minimum lot size is 5,100 square feet. d. In RSA 8 zones, the minimum lot size is 3,800 square feet. 3. The property must be served by a collector or arterial street. 4. No parking is required for day-care or school ancillary to the use.
.030	School or Day-Care Center Spec. Reg. 1		See Spec. Reg. 2	As established on the Zoning Map. See Spec. Reg. 3.	If this use can accommodate 50 or more students or children, then: 50'	50' on each side	50'	70% except 30% for RSA 1 zone. See Gen. Reg. 3	30' above average building elevation. See Spec. Reg. 9.	D	B See Spec. Reg. 12.	See KZC 105.25.	1. May locate on the subject property only if: a. It will not be materially detrimental to the character of the neighborhood in which it is located; or b. Site and building design minimizes adverse impacts on surrounding residential neighborhoods. c. The property is served by a collector or arterial street. 2. The required review process is as follows: a. If the subject property, including all contiguous property owned by the applicant and held by others for future use by the applicant, is less than five acres, the required review process is Process IIA, Chapter 150 KZC.



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

Section 18.10	USE 	REGULATIONS 		Required Review Process	MINIMUMS			MAXIMUMS		Landscaping Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
		Units per Acre or Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure						
			Front		Side			Rear					
			20'	20' on each side	20'	Point area.						<p>b. If the subject property, including all contiguous property owned by the applicant and held by others for future use by the applicant, is five or more acres, a Master Plan, approved through Process IIB, Chapter 152 KZC, is required. The Master Plan must show building placement, building dimensions, roadways, utility locations, land uses within the Master Plan area, parking location, buffering, and landscaping.</p> <p>3. Minimum lot size is as follows:</p> <ul style="list-style-type: none"> a. In RSA 1 zone, newly platted lots shall be clustered and configured in a manner to provide generally equal sized lots outside of the required open space area. b. In RSA 4 zones, the minimum lot size is 7,600 square feet. c. In RSA 6 zones, the minimum lot size is 5,100 square feet. d. In RSA 8 zones, the minimum lot size is 3,800 square feet. <p>4. A six-foot-high fence along the side and rear property lines is required only along the property lines adjacent to the outside play areas.</p> <p>5. Hours of operation and maximum number of attendees at one time may be limited to reduce impacts on nearby residential uses.</p> <p>6. Structured play areas must be setback from all property lines as follows:</p> <ul 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. 7. An on-site passenger loading area must be provided. The City shall determine the appropriate size of the loading area 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 	

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

Section 18.10	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)
			Units per Acre or Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure					
				Front	Side	Rear							
												<p>may be required to reduce traffic impacts on nearby residential uses.</p> <p>8. The location of parking and passenger loading areas shall be designed to reduce impacts on nearby residential uses.</p> <p>9. For school use, structure height may be increased, up to 35 feet, if:</p> <ul 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. <p>10. May include accessory living facilities for staff persons.</p> <p>11. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388).</p> <p>12. Electrical signs shall not be permitted.</p>	



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

Section 18.10	USE 	REGULATIONS 		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 Review Process	Units per Acre or Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.040	Mini-School or Mini-Day-Care Center See Spec. Reg. 1	Process I, Chapter 145 KZC.	As established on the Zoning Map. See Spec. Reg. 2.	20'	5' but 2 side yards must equal at least 15'.	10'	50%, except 30% for the RSA 1 zone. See Gen Reg. 3. See Gen. Reg. 4 for Holmes Point area.	30' above average building elevation.	E See Gen Regs. 3 and 4.	B See Spec. Reg. 8.	See KZC 105.25.	<p>1. May locate on the subject property if:</p> <ul style="list-style-type: none"> a. It will not be materially detrimental to the character of the neighborhood in which it is located. b. Site design must minimize adverse impacts on surrounding residential neighborhoods. <p>2. Minimum lot size is as follows:</p> <ul style="list-style-type: none"> a. In RSA 1 zone, newly platted lots shall be clustered and configured in a manner to provide generally equal sized lots outside of the required open space area. b. In RSA 4 zones, the minimum lot size is 7,600 square feet. c. In RSA 6 zones, the minimum lot size is 5,100 square feet. d. In RSA 8 zones, the minimum lot size is 3,800 square feet. <p>3. A six-foot-high fence is required along the property line adjacent to the outside play areas.</p> <p>4. Hours of operation and the maximum number of attendees may be limited by the City to reduce impacts on nearby residential uses.</p> <p style="text-align: center;">REGULATIONS CONTINUED ON NEXT PAGE</p>

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

Section 18.10	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)
		Units per Acre or Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure						
			Front		Side			Rear					
.040	Mini-School or Mini-Day-Care Center (continued)												REGULATIONS CONTINUED FROM PREVIOUS PAGE 5. Structured play areas must be setback from all property lines by five feet. 6. 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. 7. The location of parking and passenger loading areas shall be designed to reduce impacts on nearby residential uses. 8. Electrical signs shall not be permitted. Size of signs may be limited to be compatible with nearby residential uses. 9. May include accessory living facilities for staff persons. 10. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388).
.050	(Reserved)												
.060	Golf Course See Spec. Regs. 1, 2 and 3.	1 acre	50'	50' on each side	50'	50%, except 30% for the RSA 1 zone. See Gen. Reg. 3	30' above average building elevation. See Gen. Reg. 4 for Holmes Point area.	E See Gen. Regs. 3 and 4	B	See KZC 105.25.			1. Site design must minimize adverse impacts on surrounding residential neighborhoods. 2. May not include miniature golf. 3. The following accessory uses are specifically permitted as part of this use. a. Equipment storage facilities. b. Retail sales and rental of golf equipment and accessories. c. A restaurant.
.070	Public Utility	None	20'	20' on each side	20'	70%, except 30% for the RSA 1	30' above average building	A See Gen. Regs. 3 and 4					1. The required review process is as follows: a. If the subject property, including all contiguous property owned by the applicant and held by others for future use by the applicant, is less than five acres, the required review process is Process IIA, Chapter

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

Section 18.10	USE 	REGULATIONS 		MINIMUMS			MAXIMUMS		Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
		Required Review Process	Units per Acre or Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure				Landscape Category (See Ch. 95)
				Front	Side	Rear						
.080	Government Facility Community Facility			10' on each side	10'	zone. See Gen. Reg. 3. See Gen. Reg. 4 for Holmes Point.	elevation.	C See Spec. Reg. 3. and Gen. Regs. 3 and 4.			<p>150 KZC.</p> <p>b. If the subject property, including all contiguous property owned by the applicant and held by others for future use by the applicant, is five or more acres, a Master Plan, approved through Process IIB, Chapter 152 KZC, is required. The Master Plan must show building placement, building dimensions, roadways, utility locations, land uses within the Master Plan area, parking location, buffering, and landscaping.</p> <p>2. Site design must minimize adverse impacts on surrounding residential neighborhoods.</p> <p>3. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.</p>	
.090	Public Park	Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.										


AND RMA

CHAPTER 20 – MULTIFAMILY RESIDENTIAL (RM) ZONES

20.05 User Guide.

The charts in KZC [20.10](#) contain the basic zoning regulations that apply in each RM 5, RM 3.6, RM 2.4, and RM 1.8 zone of the City. Use these charts by reading down the left hand column entitled Use. Once you locate the use in which you are interested, read across to find the regulations that apply to that use.

RMA (after all zones)

<p>Section 20.08 – GENERAL REGULATIONS The following regulations apply to all uses in this zone unless otherwise noted:</p>	<ol style="list-style-type: none"> 1. Refer to Chapter 1 KZC to determine what other provisions of this code may apply to the subject property. 2. If any portion of a structure is adjoining a low density zone or a low density use in PLA 17, then either: <ol style="list-style-type: none"> a. The height of that portion of the structure shall not exceed 15 feet above average building elevation; or b. The horizontal length of any facade of that portion of the structure which is parallel to the boundary of the low density zone shall not exceed 50 feet. <p>See KZC 115.30, Distance Between Structures/Adjacency to Institutional Use, for further details. (Does not apply to General Moorage Facility and Detached Dwelling Units uses).</p> <ol style="list-style-type: none"> 3. If the subject property is located east of JBD 2 and west of 100th Avenue NE, the following regulation applies: Must provide a public pedestrian access easement if the Planning Official determines that it will furnish a pedestrian connection or part of a connection between 98th Avenue NE and 100th Avenue NE. Pathway improvements will also be required if the easement will be used immediately. No more than two complete connections shall be required. (Does not apply to General Moorage Facility uses). 4. If the subject property is located within the North Rose Hill neighborhood, east of Slater Avenue NE and north of NE 116th Street, the minimum required front yard is 10 feet. Ground floor canopies and similar entry features may encroach into the front yard; provided, the total horizontal dimension of such elements may not exceed 25 percent of the length of the structure. No parking may encroach into the required 10-foot front yard. 5. Any required yard abutting Lake Washington Boulevard or Lake Street South must be increased two feet for each one foot the structure exceeds 25 feet above average building elevation. (Does not apply to General Moorage Facility and Public Park uses). 6. If the subject property is located between Juanita Drive and Lake Washington or 98th Avenue NE and Lake Washington, the following regulations apply: <ol style="list-style-type: none"> a. Must provide a required yard of 15 feet or 15 percent of average parcel depth, measured from the high waterline. To the extent that this provision is inconsistent with other required yard dimensions identified in this chapter, this provision shall govern. b. Must provide public pedestrian access from the right-of-way to and along the entire waterfront of the subject property within the high waterline yard. Access to the waterfront may be waived by the City if public access along the waterfront
<p>Section 20.08</p> 	

<p>of the subject property can be reached from adjoining property. In addition, the City may require that part or all of the high waterline yard be developed as a public use area. The City shall require signs designating the public pedestrian access and public use areas.</p> <p>c. A view corridor must be maintained across 30 percent of the average parcel width. The view corridor must be in one contiguous piece. Within the view corridor, structures, parking areas, and landscaping will be allowed, provided they do not obscure the view from Juanita Drive or 98th Avenue NE to and beyond Lake Washington. This corridor must be adjacent to either of the side property lines, whichever will result in the widest view corridor given development on adjacent properties.</p>	<p>(Does not apply to General Moorage Facility, Detached Dwelling Units and Public Park uses).</p> <p>7. If the property is located in the NE 85th Street Subarea, the following shall apply:</p> <p>a. If the subject property is located south of NE 85th Street between 124th Avenue NE and 120th Avenue NE, the applicant shall to the extent possible save existing viable significant trees within the required landscape buffer separating nonresidential development from adjacent single-family homes.</p> <p>b. If the subject property is located directly north of the RH 4 zone, the applicant shall install a through-block pedestrian pathway pursuant to the standards in KZC 105.19(3) to connect an east-west pedestrian pathway designated in the Comprehensive Plan between 124th Avenue NE and 120th Avenue NE. (See Plate 34K).</p> <p>8. May not use lands waterward of the high waterline to determine lot size or to calculate allowable density.</p> <p>9. May also be regulated under the Shoreline Master Program, KMC Title 24.</p>
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Section 20.10

Zone
RM

USE ZONE CHART

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

Section 20.10	USE REGULATIONS	MINIMUMS				MAXIMUMS		Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
		Required Review Process	Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage				Height of Structure
				Front	Side	Rear					
.010	Detached Dwelling Units	None	5,000 sq. ft. in an RM 5.0. Otherwise, 3,600 sq. ft.	20'	5'	10'	60%	E	A	2.0 per unit.	<ol style="list-style-type: none"> For this use, only one dwelling unit may be on each lot regardless of the size of the lot. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.020	Detached, Attached or Stacked Dwelling Units Stacked Dwelling Units are not permitted in RM 5.0.	Within the NE 85th Street Subarea, D.R., Chapter 142 KZC. Otherwise, none.	3,600 sq. ft. with a density as established on the Zoning Map. See Spec. Reg. 1.	5' for detached units. For attached or stacked units, 5' but 2 side yards must equal at least 15'. See Spec. Reg. 6.	5'	10'	See Spec. Reg. 7.	D See Spec. Regs. 4 and 9.	A	1.7 per unit.	<ol style="list-style-type: none"> Minimum amount of lot area per dwelling unit is as follows: <ol style="list-style-type: none"> In RM 5.0 zones, the minimum lot area per unit is 5,000 sq. ft. In RM 3.6 zones, the minimum lot area per unit is 3,600 sq. ft. In RM 2.4 zones, the minimum lot area per unit is 2,400 sq. ft. In RM 1.8 zones, the minimum lot area per unit is 1,800 sq. ft. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. Chapter 115 KZC contains regulations regarding common recreational space requirements for this use. Except for low density uses, if the subject property is located within the NRH neighborhood, west of Slater Avenue NE and south of NE 100th Street, and if it adjoins a low density zone or a low density use in PLA 17, then landscape category A applies. Development located in the RM 3.6 zone in North Rose Hill, lying between Slater Avenue NE and 124th Avenue NE, and NE 108th Place (extended) and approximately NE 113th Place (extended) shall comply with the following: <ol style="list-style-type: none"> Each development shall incorporate at least two acres; and Significant vegetation that provides protection from I-405 shall be retained to the maximum extent feasible. 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. 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.

REGULATIONS CONTINUED ON NEXT PAGE

Section 20.10



USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS																				
Section 20.10	USE ↓	REGULATIONS ↑	Required Review Process	MINIMUMS			MAXIMUMS			Special Regulations (See also General Regulations)										
				Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)							
					Front	Side	Rear													
.020	Detached, Attached or Stacked Dwelling Units (continued)																			REGULATIONS CONTINUED FROM PREVIOUS PAGE 8. Where the 25-foot height limitation results solely from an adjoining low density zone occupied by a school that has been allowed to increase its height to at least 30 feet, then a structure height of 30 feet above average building elevation is allowed. 9. When a low density use adjoins a detached dwelling unit in a low density zone, Landscape Category E applies.
.030	Church		Within the NE 85th Street Sub-area, D.R., Chapter 142 KZC. Otherwise, Process IIA, Chapter 150 KZC.	7,200 sq. ft.	20'	20'	20'	70%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above average building elevation.	C See Spec. Reg. 3.	B	1 for every 4 people based on maximum occupancy load of worship. See Spec. Reg. 2.								1. The property must be served by a collector or arterial street. 2. No parking is required for day-care or school ancillary to the use. 3. If the subject property is located within the NRH neighborhood, west of Slater Avenue NE and south of NE 100th Street, and if it adjoins a low density zone or a low density use in PLA 17, then landscape category A applies.

RM Zone:

RMA
Zone: 35'
above
average
building
elevation

Section 20.10

Zone
RM

USE ZONE CHART

USE REGULATIONS		DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS											
		MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)		
Section 20.10	General Moorage Facility	Required Review Process	Lot Size	REQUIRED YARDS (See Ch. 115)			Height of Structure					Lot Coverage	None for residents or their guests.
				Front Property Line	North Property Line	South Property Line		High Water Line	Landward of the high waterline 30' above average building elevation.	60%	B		
		Process IIA, Chapter 150 KZC.	None, but must have at least 100' of frontage on Lake Washington.	30' See also Spec. Reg. 4. Landward of the high waterline the greater of: a. 15' or times the height of the primary structure above average building elevation minus 10'. Waterward of the high waterline: -- 10'	10'	10'	For moorage structure, 0'. For other structures the greater of: a. 15', or b. 15% of the average parcel depth.	Landward of the high waterline 30' above average building elevation. Waterward of the high waterline, dock and pier decks may not be more than 24' above mean sea level.	60%	B	B	None for residents or their guests.	1. Moorage may only be used by residents of the dwelling units on the subject property, or their guests. 2. Except as permitted by Special Regulation 18, no structures, other than moorage structures or public access piers or boardwalks, may be waterward of the high waterline. For regulations regarding public access piers, see the specific listing in this zone. 3. Must provide public pedestrian access from the right-of-way to and along the entire waterfront of the subject property within the high waterline yard. Access to the waterfront may be waived by the City if public access along the waterfront of the subject property can be reached from adjoining property. In addition, the City may require that part or all of the high waterline yard be developed as a public use area. The City shall require signs designating the public pedestrian access and public use areas. 4. The required 30' front yard may be reduced one foot for each one foot of this yard that is developed as a public use area if: a. Within 30' of the front property line, each portion of a structure is setback from the front property line by a distance greater than or equal to the height of that portion above the front property line; and b. Substantially, the entire width of this yard, from north to south property lines, is developed as a public use area; and c. The design of the public use area is specifically approved by the City. 5. A view corridor must be maintained across 30 percent of the average parcel width. The view corridor must be in one continuous piece. Within the view corridor, structures, parking areas, and landscaping will be allowed, provided that they do not obscure the view from Lake Washington Boulevard to and beyond Lake Washington. This corridor must be adjacent to either the north or south property line, whichever will result in the widest view corridor given development on adjacent properties. 6. The design on the site must be compatible with the scenic nature of the waterfront. If the development will result in the isolation of a detached dwelling unit, site design, building design and landscaping must mitigate the impacts of that isolation.

REGULATIONS CONTINUED ON NEXT PAGE

REGULATIONS CONTINUED ON NEXT PAGE

Section 20.10



USE ZONE CHART

Section 20.10		DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS									
		MINIMUMS					MAXIMUMS				
USE REGULATIONS ↑	Required Review Process	Lot Size	REQUIRED YARDS (See Ch. 115)				Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Front Property Line	South Property Line	High Water Line	Lot Coverage					
.040	General Moorage Facility (continued)		<p>c. Closer to a lot containing a detached dwelling unit than a line that starts where the high water line of the lot intersects the side property line of the lot closest to the moorage structure at a 30-degree angle from that side property line. This setback applies whether or not the subject property abuts the lot, but does not exceed beyond any intervening over water structure; or</p> <p>d. Within 25' of another moorage structure not on the subject property.</p> <p>The minimum dimension of any yard, other than listed, is 5'.</p>								<p>7. The City will determine the maximum allowable number of moorages based on the following factors:</p> <ol style="list-style-type: none"> The ability of the land landward of the high waterline to accommodate the necessary support facilities. The potential for traffic congestion. The number of moorages shall not exceed the number of dwelling units on the subject property. <p>8. Moorage structures may not be larger than is necessary to provide safe and reasonable moorage for the boats moored. The City will specifically review the size and configuration of moorage structures to insure that:</p> <ol style="list-style-type: none"> The moorage structures do not extend waterward of the point necessary to provide reasonable draft for the boats to be moored, but not beyond the outer harbor line; and The moorage structures are not larger than is necessary to moor the specified number of boats; and The moorage structures will not interfere with the public use and enjoyment of the water or create a hazard to navigation; and The moorage structures will not adversely affect nearby uses; and The moorage structures will not have a significant long-term adverse effect on aquatic habitats. <p>9. If the moorage structures will extend waterward of the Inner Harbor Line, the applicant must obtain a lease from the Washington State Department of Natural Resources prior to submittal of a Building Permit for this use.</p> <p>10. May not treat moorage structure with creosote, oil base, or toxic substance.</p> <p>11. Must provide at least two covered and secured waste receptacles.</p> <p>12. All utility and service lines must be below the pier deck and, where feasible, underground.</p> <p>13. Piers must be adequately lit. The source of the light must not be visible from neighboring properties.</p> <p>14. Moorage structures must display the street address of the subject property. The address must be oriented to the lake with letters and numbers at least four inches high.</p> <p>15. Covered moorage is not permitted.</p> <p>16. Aircraft moorage is not permitted.</p> <p>17. At least one pump-out facility shall be provided.</p> <p>18. See KZC 30.11 for regulations regarding bulkheads and land surface modification.</p>

Section 20.10

Zone
RM

USE ZONE CHART

USE REGULATIONS		DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS				Sign Category (See Ch. 95)	Landscape Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
		MINIMUMS		MAXIMUMS						
Section 20.10	School or Day-Care Center	Required Review Process	Lot Size	REQUIRED YARDS (See Ch. 115)		Height of Structure	D	B	See KZC 105.25.	
				Front	Side Rear					Lot Coverage
.050	School or Day-Care Center	Within the NE 85th Street Sub-area, D.R., Chapter 142 KZC. Otherwise, Process IIA, Chapter 150 KZC.	7,200 sq. ft.	If this use can accommodate 50 or more students or children, then: 50' 50' on each side If this use can accommodate 13 to 49 students or children, then: 20' 20' on each side	70% RM Zone: 50'	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above average building elevation. See Spec. Reg. 8.	D	B	See KZC 105.25.	<ol style="list-style-type: none"> May locate on the subject property only if: <ol style="list-style-type: none"> it will not be materially detrimental to the character of the neighborhood in which it is located. Site and building design must minimize adverse impacts on surrounding residential neighborhoods. A six-foot-high fence is required only along the property line adjacent to the outside play areas. Structured play areas must be set back from all property lines as follows: <ol style="list-style-type: none"> Twenty feet if this use can accommodate 50 or more students or children. Ten feet if this use can accommodate 13 to 49 students or children. An on-site passenger loading area must be provided. The City shall determine the appropriate size of the loading area 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 nearby residential uses. May include accessory living facilities for staff persons. To reduce impacts on nearby residential uses, hours of operation of the use may be limited and parking and passenger loading areas relocated. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388). For school use, structure height may be increased, up to 35 feet, if: <ol style="list-style-type: none"> The school can accommodate 200 or more students; and 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 The increased height is not specifically inconsistent with the applicable neighborhood plan provisions of the Comprehensive Plan; and The increased height will not result in a structure that is incompatible with surrounding uses or improvements. <i>This special regulation is not effective within the disapproval/jurisdiction of the Houghton Community Council.</i>

Section 20.10

Zone
RM

USE ZONE CHART

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

Section 20.10	USE REGULATIONS	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 Review Process	Lot Size	REQUIRED YARDS (See Ch. 115)							Lot Coverage	Height of Structure
				Front	Side	Rear						
.060	Grocery Store, Drug Store, Laundromat, Dry Cleaners, Barber Shop, Beauty Shop or Shoe Repair Shop See Spec. Reg. 9.	Process IIA, Chapter 150 KZC.	7,200 sq. ft.	20'	5' but 2 side yards must equal at least 15'. RM Zone:	10'	60%	B	E	1 per each 300 sq. ft. of gross floor area.	<ol style="list-style-type: none"> This use may be permitted only if it is specifically consistent with the Comprehensive Plan in the proposed location. May only be permitted if placement, orientation, and scale indicate this use is primarily intended to serve the immediate residential area. Must be located on a collector arterial or higher volume right-of-way. Placement and scale must indicate pedestrian orientation. Must mitigate traffic impacts on residential neighborhood. Gross floor area may not exceed 3,000 square feet. May not be located above the ground floor of a structure. Hours of operation may be limited to reduce impacts on nearby residential uses. This use is not permitted in an RM zone located within the NE 85th Street Subarea. 	
.070	Mini-School or Mini-Day-Care	Within the NE 85th Street Sub-area, D.R., Chapter 142 KZC. Otherwise, none.	3,600 sq. ft.					D	B	See KZC 105.25.	<ol style="list-style-type: none"> May locate on the subject property if: <ol style="list-style-type: none"> It will not be materially detrimental to the character of the neighborhood in which it is located. Site design must minimize adverse impacts on surrounding residential neighborhoods. A six-foot-high fence is required along the property line adjacent to the outside play areas. Structured play areas must be set back from all property lines by five feet. 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. To reduce impacts on nearby residential uses, hours of operation of the use may be limited and parking and passenger loading areas relocated. May include accessory living facilities for staff persons. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388). 	

Section 20.10

Zone
RM

USE ZONE CHART

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

Section 20.10	USE REGULATIONS	MINIMUMS			MAXIMUMS		Special Regulations (See also General Regulations)	
		Required Review Process	Lot Size	REQUIRED YARDS (See Ch. 115)	Lot Coverage	Height of Structure		
.080	Assisted Living Facility (Not permitted in RM 5.0)	Within the NE 85th Street Sub-area, D.R., Chapter 142 KZC. Otherwise, none.	3,600 sq. ft.	Front	20'	60%	A	1. A facility that provides both independent dwelling units and assisted living units shall be processed as an assisted living facility. 2. If a nursing home use is combined with an assisted living facility use in order to provide a continuum of care for residents, the required review process shall be the least intensive process between the two uses. 3. For density purposes, two assisted living units shall constitute one dwelling unit. Total dwelling units may not exceed the number of stacked dwelling units allowed on the subject property. Through Process IIB, Chapter 152 KZC, up to 1 1/2 times the number of stacked dwelling units allowed on the property may be approved if the following criteria are met: a. Project is of superior design, and b. Project will not create impacts that are substantially different than would be created by a permitted multifamily development. 4. The assisted living facility shall provide usable recreation space of at least 100 square feet per unit, in the aggregate, for both assisted living units and independent dwelling units, with a minimum of 50 square feet of usable recreation space per unit located outside. 5. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use. 6. If the subject property is located within the NRH neighborhood, west of Slater Avenue NE and south of NE 100th Street, and if it adjoins a low density zone or a low density use in PLA 17, then landscape category A applies.
				Side	5' but 2 side yards must equal at least 15'. RM Zone:			
.090	Convalescent Center or Nursing Home	Within the NE 85th Street Sub-area, D.R., Chapter 142 KZC. Otherwise, Process IIA, Chapter 150 KZC.	7,200 sq. ft.	Front	10' on each side	70%	B	1. If a nursing home use is combined with an assisted living facility use in order to provide a continuum of care for residents, the required review process shall be the least intensive process between the two uses. 2. If the subject property is located within the NRH neighborhood, west of Slater Avenue NE and south of NE 100th Street, and if it adjoins a low density zone or a low density use in PLA 17, then Landscape Category A applies.
				Rear	10'			

Section 20.10



USE ZONE CHART

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

Section 20.10	USE ↓	REGULATIONS ↑	MINIMUMS			MAXIMUMS		Required Review Process	Lot Size	REQUIRED YARDS (See Ch. 115)			Height of Structure	Landscaping Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Front	Side	Rear	Lot Coverage	Lot Coverage										
										Front	Side	Rear					
.100	Public Utility	↑	None	20' on each side	20'	70%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above average building elevation.	A See Spec. Regs. 2 and 3.	B	See KZC 105.25.	1. Site design must minimize adverse impacts on surrounding residential neighborhoods. 2. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses. 3. If the subject property is located within the NRH neighborhood, west of Slater Avenue NE and south of NE 100th Street, and if it adjoins a low density zone or a low density use in PLA 17, then Landscape Category A applies.						
			Within the NE 85th Street Sub-area, D.R., Chapter 142 KZC.	20' on each side	20'	70%	25' above average building elevation. Otherwise, 30' above average building elevation.	C See Spec. Regs. 2 and 3.	See KZC 105.25.								
.110	Government Facility Community Facility		10' on each side	10'	10'												
.120	Public Park		Development standards will be determined on case-by-case process.														

RMA
Zone: 35'
above
average
building
elevation

CHAPTER 25 – PROFESSIONAL OFFICE RESIDENTIAL (PR) AND PROFESSIONAL OFFICE RESIDENTIAL A (PRA) ZONES
25.05 User Guide.

The charts in KZC 25.10 contain the basic zoning regulations that apply in each PR 8.5, PR 5.0, PR 3.6, PR 2.4 and PR 1.8 and PRA 1.8 zone of the City. Use these charts by reading down the left hand column entitled Use. Once you locate the use in which you are interested, read across to find the regulations that apply to that use.

Section
25.08



Section 25.08 – GENERAL REGULATIONS

The following regulations apply to all uses in this zone unless otherwise noted:

1. Refer to Chapter 1 KZC to determine what other provisions of this code may apply to the subject property.
2. If any portion of a structure is adjoining a low density zone, then either:
 - a. The height of that portion of the structure shall not exceed 15 feet above average building elevation, or
 - b. The horizontal length of any facade of that portion of the structure which is parallel to the boundary of the low density zone shall not exceed 50 feet.See KZC 115.30, Distance Between Structures/Adjacency to Institutional Use, for further details.
3. The required yard of a structure abutting Lake Washington Boulevard or Lake St. S. must be increased two feet for each one foot that structure exceeds 25 feet above average building elevation (does not apply to Public Park uses).
4. If the property is located south of NE 85th Street between 124th Avenue and 120th Avenue, to the extent possible, the applicant shall save existing viable significant trees within the required landscape buffers separating nonresidential development from adjacent single-family homes.
5. Within the PRA zone, the maximum building height of a structure may be increased to 60 feet above average building elevation if:
 - a. All required yards are increased by 1 feet for every 2 feet of height above 35 feet;
 - b. Buildings may not exceed 3 stories; and
 - c. Roof-top appurtenances may not exceed the maximum height and are screened with sloped roof forms.

a-

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



Section 25.10	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) Front Side Rear	Lot Coverage	Height of Structure					
.010	Detached Dwelling Units		None	8,500 sq. ft. if PR 8.5 zone, 5,000 sq. ft. if PR 5.0 zone, otherwise 3,600 sq. ft.	20'	5' each	10'	70%	E	A	2.0 per dwelling unit.	1. For this use, only one dwelling unit may be on each lot regardless of lot size. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.020	Detached, Attached or Stacked Dwelling Units		Within the NE 85th Street Subarea, D.R., Chapter 142 KZC. Otherwise, none.	8,500 sq. ft. if PR 8.5 zone, 5,000 sq. ft. if PR 5.0 zone, otherwise 3,600 sq. ft. with a density as established on the Zoning Map. See Spec. Reg. 1.	20'	5' each For PR zones: 5' each for detached units and 5' but 2 side yards must equal at least 15' for attached and stacked Units. For PRA zones: 5' each side See Spec. Reg. 4.	10' See Spec. Reg. 5.	70%	D	1.7 per unit.	1. Minimum amount of lot area per dwelling unit is as follows: a. In PR 8.5 zones, the minimum lot area per unit is 8,500 sq. ft. b. In PR 5.0 zones, the minimum lot area per unit is 5,000 sq. ft. c. In PR 3.6 zones, the minimum lot area per unit is 3,600 sq. ft. d. In PR 2.4 zones, the minimum lot area per unit is 2,400 sq. ft. e. In PR 1.8 and PRA 1.8 zones, the minimum lot area per unit is 1,800 sq. ft. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 3. Chapter 115 KZC contains regulations regarding common recreational space requirements for this use. 4. 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. 5. 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. 6. Where the 25-foot height limitation results solely from an adjoining low density zone occupied by a school that has been allowed to increase its height to at least 30 feet, then a structure height of 30 feet above average building elevation is allowed.	

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

Section 25.10	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	Front	Side	Rear	Lot Coverage				
.030	Office Uses		Within the NE 85th Street Subarea, D.R., Chapter 142 KZC. Otherwise, none.	None	20'	For PR zones: 5' but 2 side yards must equal at least 15'	10'	70%	C	D	If medical, dental or veterinary office, then one per each 200 sq. ft. of gross floor area. Otherwise one per each 300 sq. ft. of gross floor area.	1. The following regulations apply to veterinary offices only: <ol style="list-style-type: none"> May only treat small animals on the subject property. Outside runs and other outside facilities for the animals are not permitted. Site must be designed so that noise from this use will not be audible off the subject property. A certification to this effect, signed by an acoustical engineer, must be submitted with the development permit application. 2. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: <ol style="list-style-type: none"> The ancillary assembled or manufactured goods are subordinate to and dependent on this use. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.

Otherwise, for PR zones, 30' above average building elevation and for PRA zones, 35 feet above average building elevation. See General Reg. 5.

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

Section 25.10	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								
.040	Development Containing Stacked or Attached Dwelling Units and Office Uses. See Spec. Reg. 1.	Within the NE 85th Street Subarea, D.R., Chapter 142 KZC. Otherwise, none.	20'	<u>For PR zones:</u> 5' but 2 side yards must equal at least 15'	10'	70%	If adjoining a low density zone other than <u>RSA or RSX</u> , then 25' above average building elevation. See Spec. Reg. 5. Otherwise, <u>for PR zones</u> , 30' above average building elevation <u>and for PRA zones</u> , 35 feet above average building elevation. <u>See General Reg. 5.</u>	C	D	See KZC 105.25.	<ol style="list-style-type: none"> A veterinary office is not permitted in any development containing dwelling units. Minimum amount of lot area per dwelling unit is as follows: <ol style="list-style-type: none"> In PR 8.5 zones, the minimum lot area per unit is 8,500 square feet. In PR 5.0 zones, the minimum lot area per unit is 5,000 square feet. In PR 3.6 zones, the minimum lot area per unit is 3,600 square feet. In PR 2.4 zones, the minimum lot area per unit is 2,400 square feet. In PR 1.8 <u>and PRA 1.8 zones</u>, the minimum lot area per unit is 1,800 square feet. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. Chapter 115 KZC contains regulations regarding common recreational space requirements for this use. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: <ol style="list-style-type: none"> The ancillary assembled or manufactured goods are subordinate to and dependent on this use. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses. Where the 25-foot height limitation results solely from an adjoining low density zone occupied by a school that has been allowed to increase its height to at least 30 feet, then a structure height of 30 feet above average building elevation is allowed. 		
.050	Restaurant or Tavern	Within the NE 85th Street Subarea, D.R., Chapter 142 KZC.	20'	10' on each side.	10'	70%	If adjoining a low density zone other than <u>RSA or RSX</u> , then 25' above average	B	E	1 per each 100 sq. ft. floor area.	<ol style="list-style-type: none"> This use is not permitted in a PR 3.6 zone located in the NE 85th Street Subarea. Drive-in or drive-through facilities are prohibited. 		

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

Section 25.10	USE ↘	REGULATIONS ↗	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						
.060	Grocery Store, Drug Store, Laundromat, Dry Cleaners, Barber Shop, or Shoe Repair Shop	Otherwise, Process I, Chapter 145 KZC.		10' on each side.		building elevation. Otherwise, <u>for PR zones</u> , 30' above average building elevation <u>and for PRA zones</u> , 35' above average building elevation. See <u>General Reg. 5.</u>			1 per each 300 sq. ft. floor area.	1. This use is not permitted in a PR 3.6 zone located in the NE 85th Street Subarea. 2. May not be located above the ground floor of a structure. 3. Gross floor area cannot exceed 3,000 square feet.		
.070	Funeral Home or Mortuary			20' on each side.	20'		C	B	1. This use is not permitted in a PR 3.6 zone located in the NE 85th Street Subarea.	1. This use is not permitted in a PR 3.6 zone located in the NE 85th Street Subarea.		
.080	Church								1 for every 4 people based on maximum occupancy load of any area of worship. See Spec. Reg. 1.	1. No parking is required for day-care or school ancillary to this use.		
.090	School or Day Care Center	8,500 sq. ft. if PR 8.5 zone, otherwise 7,200 sq. ft. Within the NE 85th Street Subarea, D.R., Chapter 142 KZC. Otherwise, none. If this use is adjoining	If this use can accommodate 50 or more students or children, then: 50' 50' on each side If this use can accommodate 13 to 49 students or children, then:	70%	If adjoining a low density zone other than <u>RSA or RSX</u> , then 25' above average building elevation. Otherwise, <u>for PR zones</u> .	D	B	See KZC 105.25.	1. A six-foot-high fence is required only along the property lines adjacent to the outside play areas. 2. Structured play areas must be set back from all property lines as follows: a. Twenty feet if this use can accommodate 50 or more students or children. b. Ten feet if this use can accommodate 13 to 49 students or children. 3. An on-site passenger loading area must be provided. The City shall determine the appropriate size of the loading area on a case-by-case basis, depending on the number of attendees and the extent of the abutting right-of-way improvements.			

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

Section 25.10	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)	Front	Side	Rear	Lot Coverage	Height of Structure				
						20'	20' on each side	20'	30' above average building elevation and for <u>PRA zones, 35' above average building elevation.</u> <u>See General Reg. 5 and See Spec. Reg. 7.</u>				<p>Carpooling, staggered loading/unloading time, right-of-way improvements or other means may be required to reduce traffic impacts on nearby residential uses.</p> <p>4. May include accessory living facilities for staff persons.</p> <p>5. To reduce impacts on nearby residential uses, hours of operation of the use may be limited and parking and passenger loading areas relocated.</p> <p>6. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388).</p> <p>7. For school use, structure height may be increased, up to 35 feet <u>in PRA zones and 40 feet in PRA zones, if:</u></p> <p>a. The school can accommodate 200 or more students; and</p> <p>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</p> <p>c. The increased height is not specifically inconsistent with the applicable neighborhood plan provisions of the Comprehensive Plan; and</p> <p>d. The increased height will not result in a structure that is incompatible with surrounding uses or improvements.</p> <p><i>This special regulation is not effective within the disapproval jurisdiction of the Houghton Community Council.</i></p> <p>8. For a Mini-School or Mini-Day-Care Center use, electrical signs shall not be permitted and the size of signs may be limited to be compatible with nearby residential uses.</p> <p>9. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388).</p>

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

Section 25.10	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	Front	Side	Rear	Lot Coverage					Height of Structure	
.100	Mini-School or Mini-Day-Care	↗	Within the NE 85th Street Subarea, D.R., Chapter 142 KZC. Otherwise, none.	8,500 sq. ft. if PR 8.5 zone, 7,200 sq. ft. if PR 7.2 zone, 5,000 sq. ft. if PR 5.0 zone, otherwise 3,600 sq. ft.	20'	For PR zones: 5' but 2' side yards must equal at least 15'	For PRA zones: 5' each in the PRA zones.	10'	70%	If adjoining a low density zone other than RSA or RSX, then 25' above average building elevation. Otherwise, for PR zones, 30' above average building elevation and for PRA zones, 35' above average building elevation.	E	B	See KZC 105.25.	<ol style="list-style-type: none"> 1. A six-foot-high fence is required along the property lines adjacent to the outside play areas. 2. Structured play areas must be set back from all property lines by five feet. 3. 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. 4. To reduce impacts on nearby residential uses, hours of operation of the use may be limited and parking and passenger loading areas relocated. 5. Electrical signs shall not be permitted. Size of signs may be limited to be compatible with 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).

Section 25.10



USE
↘

REGULATIONS
↗



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

Section 25.10	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			Lot Coverage	Height of Structure				
		REQUIRED YARDS (See Ch. 115)										
		Front	Side	Rear								
.110	Assisted Living Facility							If adjoining a low density zone other than <u>RSA</u> or <u>RSX</u> , then 25' above average building elevation. Otherwise, <u>for PR zones</u> , 30' above average building elevation <u>and for PRA zones</u> , 35' above average building elevation. <u>See General Reg. 5.</u>	D	A	1.7 per independent unit. 1 per assisted living unit.	<ol style="list-style-type: none"> 1. A facility that provides both independent dwelling units and assisted living units shall be processed as an assisted living facility. 2. If a nursing home use is combined with an assisted living facility use in order to provide a continuum of care for residents, the required review process shall be the less intensive process between the two uses. 3. For density purposes, two assisted living units shall constitute one dwelling unit. Total dwelling units may not exceed the number of stacked dwelling units allowed on the subject property. Through Process IIB, Chapter 152 KZC, up to 1 1/2 times the number of stacked dwelling units allowed on the property may be approved if the following criteria are met: <ol style="list-style-type: none"> a. Project is of superior design, and b. Project will not create impacts that are substantially different than would be created by a permitted multifamily development. 4. The assisted living facility shall provide usable recreation space of at least 100 square feet per unit, in the aggregate, for both assisted living units and independent dwelling units, with a minimum of 50 square feet of usable recreation space per unit located outside. 5. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use.
.120	Convalescent Center or Nursing Home	20'	10' on each side	10'	70%			If adjoining a low density zone other than <u>RSA</u> and <u>RSX</u> , then 25' above average building elevation.	C	B	1 for each bed.	<ol style="list-style-type: none"> 1. If a nursing home use is combined with an assisted living facility use in order to provide a continuum of care for residents, the required review process shall be the less intensive process between the two uses.
.130	Public Utility	None	20' on each side	20'					A		See KZC 105.25.	

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS											
Section 25.10	USE 	REGULATIONS 	MINIMUMS			MAXIMUMS		Required Review Process	Lot Coverage	Height of Structure	
			REQUIRED YARDS (See Ch. 115)			Landscaping Category (See Ch. 95)	Sign Category (See Ch. 100)				Required Parking Spaces (See Ch. 105)
Lot Size			Front	Side	Rear			Special Regulations (See also General Regulations)			
.140	Government Facility Community Facility		145 KZC.			10' on each side	10'	Otherwise, for PR zones, 30' above average building elevation <u>and</u> for PRA zones, 35' above average building elevation. See General Reg. 5.	C See Spec. Reg. 2.		1. Site design must minimize adverse impacts on surrounding residential neighborhoods. 2. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.
			Development standards will be determined on case-by-case basis. See Chapter 49 KZC for required review process.								
.150	Public Park										

CHAPTER 40 – NEIGHBORHOOD BUSINESS (BN) AND NEIGHBORHOOD BUSINESS A (BNA) ZONES
40.05 User Guide.

The charts in KZC 40.10 contain the basic zoning regulations that apply in each of the BN and BNA zones of the City. Use these charts by reading down the left hand column entitled Use. Once you locate the use in which you are interested, read across to find the regulations that apply to that use.

Section
40.08



Section 40.08 – GENERAL REGULATIONS

The following regulations apply to all uses in this zone unless otherwise noted:

1. Refer to Chapter 1 KZC to determine what other provisions of this code may apply to the subject property.
2. If any portion of a structure is adjoining a low density zone, then either:
 - a. The height of that portion of the structure shall not exceed 15 feet above average building elevation, or
 - b. The horizontal length of any facade of that portion of the structure which is parallel to the boundary of the low density zone shall not exceed 50 feet in width.See KZC 115.30, Distance Between Structures/Adjacency to Institutional Use, for further details.
3. The required yard of a structure abutting Lake Washington Blvd. or Lake Street South must be increased two feet for each one foot that structure exceeds 25 feet above average building elevation (does not apply to Public Park uses).

Section 40.10 USE REGULATIONS

USE REGULATIONS	Required Review Process	MINIMUMS			MAXIMUMS		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					
.010 Retail Establishment Selling Groceries and Related Items	None	None	10' on each side	10'	80%	If adjoining a low density zone other than RSX or RSA, then 25' above average building elevation.	B	1 per each 300 sq. ft. of gross floor area.	1. <u>Except in the BNA zone, G</u> gross floor area for this use may not exceed 10,000 square feet. 2. Access from drive-through facilities must be approved by the Public Works Department. Drive-through facilities must be designed so that vehicles will not block traffic in the right-of-way while waiting in line to be served. 3. A delicatessen, bakery, or other similar use may include, as part of this use, accessory seating if: a. The seating and associated circulation area does not exceed more than 10 percent of the gross floor area of this use; and b. It can be demonstrated to the City that the floor plan is designed to preclude the seating area from being expanded.
.020 Retail Establishment Selling Drugs, Books, Flowers, Liquor, Hardware Supplies, Garden Supplies or Works of Art	None	<u>BNA zone: 20'</u>	<u>BNA zone: 10'</u>			Otherwise, <u>for BN zone, 30' above average building elevation and for BNA zone, 35' above average building elevation.</u>			
.030 Retail Variety or Department Store	None								
.040 Retail Establishment Providing Banking and Related Financial Services	<u>.055 Retail Establishment providing entertainment, recreational or cultural activities. See special regulation 5.</u>								1. <u>Except in the BNA zone, G</u> gross floor area for this use may not exceed 10,000 square feet. 2. Access from drive-through facilities must be approved by the Public Works Department. Drive-through facilities must be designed so that vehicles will not block traffic in the right-of-way while waiting in line to be served. 3. Ancillary assembly and manufactured goods on the premises of this use are permitted only if: a. The assembled or manufactured goods are directly related to and are dependent upon this use, and are available for purchase and removal from the premises. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other retail uses. 4. For restaurants with drive-in or drive-through facilities, one outdoor waste receptacle shall be provided for every eight parking stalls.
.050 Retail Establishment Providing Laundry, Dry Cleaning, Barber, Beauty or Shoe Repair Services								<u>1 per every 4 fixed seats</u>	
.060 Restaurant or Tavern								1 per each 100 sq. ft. of gross floor area.	<u>5. Retail Establishment providing entertainment, recreational or cultural activities only allowed in BNA zone.</u>

for Retail Establishments Selling Groceries and Related Items

1 per every 4 fixed seats

.055 Retail Establishment providing entertainment, recreational or cultural activities. See special regulation 5.

5. Retail Establishment providing entertainment, recreational or cultural activities only allowed in BNA zone.

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

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
Section 40.10 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)
		REQUIRED YARDS (See Ch. 115)		Lot Coverage	Height of Structure					
	Lot Size	Front	Side			Rear				
.070 Private Lodge or Club							B	1 per each 300 sq. ft. of gross floor area.		
.080 Vehicle Service Station	Process IIA, Chapter 150.	22,500 sq. ft.	40'	15' on each side. See Spec Reg. 3.	15'	80%	A	See KZC 105.25.	1. Hours of operation may be limited to reduce impact on residential areas. 2. May not be more than two vehicle service stations at any intersection. 3. Gas pump islands may extend 20 feet into the front yard. Canopies or covers over gas pump islands may not be closer than 10 feet to any property line. Outdoor parking and service areas may not be closer than 10 feet to any property line. See KZC 115.105, Outdoor Use, Activity and Storage, for further regulations.	
.090 Office Use	None	None	BN zone: 20'	5'; but 2 side yards must equal at least 15'.	10'		C	If a Medical, Dental or Veterinary office, then one per each 200 sq. ft. of gross floor area. Otherwise one 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. c. Site must be designed so that noise from this use will not be audible off the subject property. A certification to this effect, signed by an Acoustical Engineer, must be submitted with the development permit application. 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. 3. At least 75 percent of the total gross floor area located on the ground floor of all structures on the subject property must contain retail establishments, restaurants, taverns, hotels or motels, or offices. These uses shall be oriented to an adjacent arterial, a major pedestrian sidewalk, a through block pedestrian pathway or an internal pathway.	
.100 Stacked Dwelling Unit. See Special Regulation 1.							A	1.7 per unit.	1. This use, with the exception of a lobby, may not be located on the ground floor of a structure. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.	

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

Section 40.10 USE	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						
.110 Church	None	None	10' on each side	10'	80%	If adjoining a low density zone other than RSX or RSA, then 25' above average building elevation. Otherwise, for BN zone, 30' above average building elevation and for BNA zone, 35' above average building elevation.	C	B	1 for every 4 people based on maximum occupancy load of any area of worship. See also Special Reg. 2.	1. May include accessory living facilities for staff persons. 2. No parking is required for day-care or school ancillary to this use.
.120 School or Day-Care Center	None	None	If this use can accommodate 50 or more students or children, then: 50' on each side	50'	If this use can accommodate 50 or more students or children, then: 50' on each side	If adjoining a low density zone other than RSX or RSA, then 25' above average building elevation. Otherwise, for BN zone, 30' above average building elevation.	D	See KZC 105.25.	1. A six-foot-high fence is required only along the property lines adjacent to the outside play areas. 2. Hours of operation may be limited to reduce impacts on nearby residential uses. 3. Structured play areas must be setback from all property lines as follows: 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. 4. 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	
										If this use can accommodate 13 to 49 students or children, then:

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

USE	Section 40.10	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)
			REQUIRED YARDS (See Ch. 115)			Lot Coverage				
		Lot Size	Front	Side	Rear					
			20'	20' on each side	20'		elevation and for BNA zone, 35' above average building elevation. See Spec. Reg. 8.			<p>impacts on nearby residential uses.</p> <p>5. The location of parking and passenger loading areas shall be designed to reduce impacts on nearby residential uses.</p> <p>6. May include accessory living facilities for staff persons.</p> <p>7. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388).</p> <p>8. For school use, structure height may be increased, up to 35 feet, if:</p> <ul 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. <p><i>This special regulation is not effective within the disapproval jurisdiction of the Houghton Community Council.</i></p>



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

USE REGULATIONS ↑	Section 40.10	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)
			REQUIRED YARDS (See Ch. 115)		Lot Coverage	Height of Structure				
		Lot Size	Front	Side	Rear					
.130 Mini-School or Mini-Day-Care		None	None	5', but 2 side yards must equal at least 15'. <u>BN zone: 20'</u>	10'	80%	If adjoining a low density zone other than RSX and RSA, then 25' above average building elevation. Otherwise, for BN zone, 30' above average building elevation and for BNA zone, 35' above average building elevation.	D	B	1. A six-foot-high fence is required along the property lines adjacent to the outside play areas. 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 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).
.140 Assisted Living Facility See Spec. Reg. 3.		None	None	Same as the regulations for the ground floor use. See Spec. Reg. 3.	10' on each side	80%	If adjoining a low density zone other than RSX or RSA, then 25' above average building elevation. Otherwise,	C	A	1. A facility that provides both independent dwelling units and assisted living units shall be processed as an assisted living facility. 2. If a nursing home use is combined with an assisted living facility use in order to provide a continuum of care for residents, the required review process shall be the least intensive process between the two uses. 3. With the exception of the lobby, this use may not be located on the ground floor of a structure. 4. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use.
.150 Convalescent Center or Nursing Home		Process IIA, Chapter 150 KZC	None	10' on each side	20' on each side	80%	If adjoining a low density zone other than RSX or RSA, then 25' above average building elevation. Otherwise,	C	B	1. If a nursing home use is combined with an assisted living facility use in order to provide a continuum of care for residents, the required review process shall be the least intensive process between the two uses.
.160 Public Utility		Process IIA, Chapter 150 KZC	None	10' on each side	20' on each side	80%	If adjoining a low density zone other than RSX or RSA, then 25' above average building elevation. Otherwise,	C	B	1. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.

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

Section 40.10	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								
.170	Government Facility Community Facility	10' on each side		10'		for BN zone, 30' above average building elevation and for BNA zone, 35' above average building elevation.	C See Spec. Reg. 1					
.180	Public Park	Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.										

CHAPTER 45 – COMMUNITY BUSINESS (BC, BC 1, AND BC 2) ZONES

45.05 User Guide. The charts in KZC 45.10 contain the basic zoning regulations that apply in each of the BC, BC 1, AND BC 2 zones of the City. Use these charts by reading down the left hand column entitled Use. Once you locate the use in which you are interested, read across to find the regulations that apply to that use.

Section 45.08



Section 45.08 – GENERAL REGULATIONS

The following regulations apply to all uses in this zone unless otherwise noted:

1. Refer to Chapter 1 KZC to determine what other provisions of this code may apply to the subject property.
2. If any portion of a structure is adjoining a low density zone, then either:
 - a. The height of that portion of the structure shall not exceed 15 feet above average building elevation, or
 - b. The horizontal length of any facade of that portion of the structure which is parallel to the boundary of the low density zone shall not exceed 50 feet in width.See KZC 115.30, Distance Between Structures/Adjacency to Institutional Use, for further details.
3. ~~The required front yard of any portion of the structure must be increased one foot for each foot that any portion of the structure exceeds 30 feet above average building elevation (does not apply to Public Park uses).~~
4. ~~Except if adjoining a low density zone, structure height may be increased above 30 feet in height through a Process II-A, Chapter 150 KZC, if:~~
 - a. ~~It will not block local or territorial views designated in the Comprehensive Plan; and~~
 - b. ~~The increased height is not specifically inconsistent with the applicable neighborhood plan provisions of the Comprehensive Plan. (Does not apply to Public Park uses).~~
5. At least 75 percent of the total gross floor area located on the ground floor of all structures on the subject property must contain retail establishments, restaurants, taverns, hotels or motels, or offices. These uses shall be oriented to an adjacent arterial, a major pedestrian sidewalk, a through block pedestrian pathway or an internal pathway.



USE ZONE CHART

- 3. In the BC 1 and BC 2 zones, side and rear yards abutting a residential zone shall be 20 feet.
- 4. In the BC 1 and BC 2 zones, all required yards for any portion of a structure must be increased one foot for each foot that any portion of the structure exceeds 35 feet above average building elevation. (does not apply to Public Park uses)
- 5. Maximum height of structure is as follows:
 - a. In the BC zone, if adjoining a low density zone other than RSX, then 25 feet above average building elevation. Otherwise, 30 feet above average building elevation. Except if adjoining a low density zone, structure height may be increased above 30 feet in height through a Process IIA, Chapter 150 KZC, if:
 - i. It will not block local or territorial views designated in the Comprehensive Plan;
 - ii. The increased height is not specifically inconsistent with the applicable neighborhood plan provisions of the Comprehensive Plan; and
 - iii. The required front yard of any portion of the structure is increased one foot for each foot that any portion of the structure exceeds 30 feet above average building elevation (does not apply to Public Park uses).
 - b. In the BC 1 zone, 35 feet above average building elevation. Structure height may be increased to 60 feet in height if:
 - i. At least 50% of the floor area is residential;
 - ii. Parking is located away from the street by placing it behind buildings, to the side of buildings, or in a parking structure; and
 - iii. The ground floor is a minimum 15' in height for all retail, restaurant, or office uses (except parking garages); and
 - iv. The required yards of any portion of the structure are increased one foot for each foot that any portion of the structure exceeds 30 feet above average building elevation (does not apply to Public Park uses).
 - c. In the BC 2 zone, 35 feet above average building elevation. (does not apply to Public Park uses).

Section 45.10

Zone
BC

USE ZONE CHART

Section 45.10		REGULATIONS		Required Review Process	MINIMUMS			MAXIMUMS		Landscaping Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
		USE			Lot Size	REQUIRED YARDS (See Ch. 115)	Lot Coverage	Height of Structure					
					Front	Side	Rear						
.010	Vehicle Service Station			Process I, Chapter 145 KZC.	40'	15' on each side	15'	80%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above average building elevation. See Gen. Regs. 4 & 5	A	See KZC 105.25.	1. May not be more than two vehicle service stations at any intersection. 2. Gas pump islands may extend 20 feet into the front yard. Canopies or covers over gas pump islands may not be closer than 10 feet to any property line. Outdoor parking and service areas may not be closer than 10 feet to any property line. See KZC 115.105, Outdoor Use, Activity and Storage, for further regulations.	
.020	A Retail Establishment providing vehicle or boat sales or vehicle or boat service or repair. See Spec. Reg. 2.			None	BC: 2 0'	See Gen. Regs. 3 & 4	0'					1. Outdoor vehicle or boat parking or storage areas must be buffered as required for a parking area in Chapter 105 KZC. See KZC 115.105, Outdoor Use, Activity and Storage, for further regulations. 2. Vehicle and boat rental are allowed as part of this use.	
.030	Restaurant or Tavern								B		1 per each 100 sq. ft. of gross floor area.	1. For restaurants with drive-in or drive-through facilities: a. One outdoor waste receptacle shall be provided for every eight parking stalls. b. Access for drive-through facilities shall be approved by the Public Works Department. Drive-through facilities shall be designed so that vehicles will not block traffic in the right-of-way while waiting in line to be served. c. Landscape Category A shall apply.	
.050	A Retail Establishment providing storage services. see also spec. Regs. 1. & 2.								A		See KZC 105.25.	1. May include accessory living facilities for resident security manager. 2. This use not permitted in BC 1 & 2 zones.	

Section 45.10



USE ZONE CHART

Section 45.10		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)
		USE	↑		Lot Size	REQUIRED YARDS (See Ch. 115)	Height of Structure	Lot Coverage						
Section 45.10		↓	↑	None	Front	Side	Rear	None	80%	B	E	1 per each 300 sq. ft. of gross floor area.	1. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The assembled or manufactured goods are directly related to and are dependent upon this use, and are available for purchase and removal from the premises. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other retail uses. 2. Access from drive-through facilities must be approved by the Public Works Department. Drive-through facilities must be designed so that vehicles will not block traffic in the right-of-way while waiting in line to be served. 3. A delicatessen, bakery, or other similar use may include, as part of the use, accessory seating if: a. The seating and associated circulation area does not exceed more than 10 percent of the gross floor area of the use; and b. It can be demonstrated to the City that the floor plan is designed to preclude the seating area from being expanded.	
.060	Any Retail Establishment other than those specifically listed in this zone, selling goods, or providing services including banking and related financial services			None	BC: 2 0'	See Gen. Regs. 3 & 4	See Gen. Regs. 3 & 4	None	80%	B	E	1 per each 300 sq. ft. of gross floor area.	1. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The assembled or manufactured goods are directly related to and are dependent upon this use, and are available for purchase and removal from the premises. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other retail uses. 2. Access from drive-through facilities must be approved by the Public Works Department. Drive-through facilities must be designed so that vehicles will not block traffic in the right-of-way while waiting in line to be served. 3. A delicatessen, bakery, or other similar use may include, as part of the use, accessory seating if: a. The seating and associated circulation area does not exceed more than 10 percent of the gross floor area of the use; and b. It can be demonstrated to the City that the floor plan is designed to preclude the seating area from being expanded.	
.070	Office Use			None				None		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. c. Site must be designed so that noise from this use will not be audible off the subject property. A certification to this effect, signed by an Acoustical Engineer, must be submitted with the development permit application. 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.	

Section 45.10

Zone
BC

USE ZONE CHART

Section 45.10		REGULATIONS		DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS									
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								
.080	Hotel or Motel	None	BC: 2 0'	0' See Gen. Regs. 3 & 4	0' See Gen. Regs. 3 & 4	80%	If adjoining a low-density zone other than RSX, then 25% above average building elevation. Otherwise, 30% above average building elevation.	B	E	1 per each room. See also Spec. Reg. 2.	1. May include ancillary meeting and convention facilities. 2. Excludes parking requirements for ancillary meeting and convention facilities. Additional parking requirement for these ancillary uses shall be determined on a case-by-case basis.		
.090	A Retail Establishment providing entertainment, recreational or cultural activities		BC 1 & BC 2: 10'							1 per every 4 fixed seats.			
.100	Private Lodge or Club						See Gen. Regs. 4&5.	C	B	1 per each 300 sq. ft. of gross floor area.			
.110	Stacked Dwelling Unit. See Special Regulation 1.		Same as the regulations for the ground floor use. See Spec. Reg. 1.						A	1.7 per unit.	1. This use, with the exception of a lobby, may not be located on the ground floor of a structure. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.		
.120	Church		BC: 2 0'	0' See Gen. Regs. 3 & 4	0' See Gen. Regs. 3 & 4	80%	If adjoining a low-density zone other than RSX, then 25% above average building elevation. Otherwise, 30% above average building elevation.	C	B	1 for every four people based on maximum occupancy load of any area of worship. See also Special Reg. 2.	1. May include accessory living facilities for staff persons. 2. No parking is required for day-care or school ancillary to this use.		

Section 45.10



USE ZONE CHART

Section 45.10		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)
		USE	↑		Lot Size	REQUIRED YARDS (See Ch. 115)	Height of Structure						
					Front	Side	Rear	Lot Coverage					
.130	School or Day-Care Center	↑	↑	None	BC: 20' 0'	0' See Gen. Regs. 3 & 4	0' See Gen. Regs. 3 & 4	80%	If adjoining a low-density zone other than RSX, then 25% above average building elevation. Otherwise, 30% above average building elevation. See Gen. Regs. 4&5	D	B	See KZC 105.25.	<ol style="list-style-type: none"> A six-foot-high fence is required only along the property lines adjacent to the outside play areas. Hours of operation may be limited to reduce impacts on nearby residential uses. Structured play areas must be setback from all property lines as follows: <ol style="list-style-type: none"> 20 feet if this use can accommodate 50 or more students or children. 10 feet if this use can accommodate 13 to 49 students or children. 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 nearby residential uses. May include accessory living facilities for staff persons. The location of parking and passenger loading areas shall be designed to reduce impacts on nearby residential uses. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388).

Section 45.10

Zone
BC

USE ZONE CHART

Section 45.10		USE ↘	REGULATIONS ↗	Required Review Process	MINIMUMS			MAXIMUMS		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								
.140	Mini-School or Mini-Day-Care										<ol style="list-style-type: none"> A six-foot-high fence is required along the property lines adjacent to the outside play areas. Hours of operation may be limited by the City to reduce impacts on nearby residential uses. Structured play areas must be setback from all property lines by five feet. 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. The location of parking and passenger loading areas shall be designed to reduce impacts on nearby residential uses. May include accessory living facilities for staff persons. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388). 	
.150	Assisted Living Facility	None	For BC 1 and BC 2, see Spec. Reg. 5, otherwise None	Same as the regulations for the ground floor use. See Spec. Reg. 4.	A	1.7 per independent unit. 1 per assisted living unit.	<ol style="list-style-type: none"> A facility that provides both independent dwelling units and assisted living units shall be processed as an assisted living facility. If a nursing home use is combined with an assisted living facility use in order to provide a continuum of care for residents, the required review process shall be the least intensive process between the two uses. This use may not be located on the ground floor of a structure. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use. In BC 1 and BC 2, subject to density limits listed for attached and stacked dwelling units. For density purposes, two assisted living units constitute one dwelling unit. 					

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

Section 45.10



USE ZONE CHART

Section 45.10		REGULATIONS		DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS									
Section 45.10	USE	Required Review Process	MINIMUMS			MAXIMUMS		Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)			
			Lot Size	REQUIRED YARDS (See Ch. 115)			Height of Structure				Landscape Category (See Ch. 95)		
			Front	Side	Rear	Lot Coverage							
.160	Convalescent Center or Nursing Home		BC: 2 0'	0' See Gen. Regs. 3 & 4	0' See Gen. Regs. 3 & 4	80%	C	B	1 for each bed.	1. If a nursing home use is combined with an assisted living facility use in order to provide a continuum of care for residents, the required review process shall be the least intensive process between the two uses.			
.170	Public Utility		BC: 2 0'				A		See KZC 105.25.	1. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.			
.180	Government Facility Community Facility		BC 1 & BC 2: 10'				C						
.190	Public Park	Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.											

Chapter 70 – Holmes Point Overlay Zone (new)

Sections:

70.05	Purpose
70.15	Standards
70.25	Variations from Standards

70.05 Purpose

The purpose of the Holmes Point minimum site disturbance development standards is to allow infill at urban densities while providing an increased level of protection for the Holmes Point area, an urban residential area characterized by a predominance of sensitive environmental features including but not limited to steep slopes, landslide hazard areas and erosion hazard areas, and further characterized by a low level of roads and other impervious surfaces relative to undisturbed soils and vegetation, tree cover and wildlife habitat. These standards limit the allowable amount of site disturbance on lots in Holmes Point to reduce visual impacts of development, maintain community character and protect a high proportion of the undisturbed soils and vegetation, tree cover and wildlife, and require an inspection of each site and the area proposed to be cleared, graded and built on prior to issuance of a building permit.

70.15 Standards

Within the parcels shown on the Kirkland Zoning Map with an (HP) suffix, the maximum impervious surface standards set forth in Chapter 18 are superseded by this (HP) suffix, and the following development standards shall be applied to all residential development:

1 When review under Chapters 85 or 90 (Environmentally Sensitive Areas) or the City of Kirkland's Surface Water Design Manual is required, the review shall assume the maximum development permitted by this (HP) suffix condition will occur on the subject property, and the threshold of approval shall require a demonstration of no significant adverse impact on properties located downhill or downstream from the proposed development.

2. Total lot coverage shall be limited within every building lot as follows:
 - a. On lots up to six thousand five hundred square feet in size, two thousand six hundred square feet;
 - b. On lots six thousand five hundred and one to nine thousand square feet in size, two thousand six hundred square feet plus twenty eight percent of the lot area over six thousand five hundred square feet;

- c. On lots over nine thousand square feet in size, three thousand three hundred square feet plus ten percent of the lot area over nine thousand square feet;
- d. On a lot already developed, cleared or otherwise altered up to or in excess of the limits set forth above prior to July 6, 1999, new impervious surfaces shall be limited to five percent of the area of the lot, not to exceed 750 square feet;
- e. For purposes of computing the allowable lot coverage within each lot, private streets, joint-use driveways or other impervious-surfaced access facilities required for vehicular access to a lot in easements or access panhandles shall be excluded from calculations.

Summary Table:

Lot Size	Maximum Lot Coverage
Less than 6,500 sq. ft.	2,600 sq. ft.
6501 sq. ft. to 9,000 sq. ft.	2,600 sq. ft. plus 28% of the lot area over 6,500 sq. ft.
9,001 sq. ft. or greater	3,300 sq. ft. plus 10% of the lot area over 9,000 sq. ft.
Developed , cleared or altered lots	New impervious limited to 5% of the total lot are, but not to exceed 750 sq. ft.

- 3. In addition to the maximum area allowed for buildings and other impervious surfaces under subsection 70.15.2, up to 50 percent of the total lot area may be used for garden, lawn or landscaping, provided:
 - a. All significant trees, as defined in Chapter 95, must be retained. The limits set forth in this subsection are to be measured at grade level; the area of allowable garden, lawn or landscaping may intrude into the drip line of a significant tree required to be retained under this subsection if it is demonstrated not to cause root damage or otherwise imperil the tree's health;
 - b. Total site alteration, including impervious surfaces and other alterations, shall not exceed 75 percent of the total lot area; and
 - c. If development on the lot is to be served by an on-site sewage disposal system, any areas required by the department of public health to be set aside for on-site sewage disposal systems shall be contained as much as possible within the portion of the lot altered for garden, lawn or landscaping as provided by this subsection. If elements of the on-site sewage disposal system must be installed outside the landscaped area,

the elements must be installed so as not to damage any significant trees required to be retained under subsection 70.15.3.a, and any plants that are damaged must be replaced with similar native plants.

4. Subdivisions and short subdivisions shall be subject to the following requirements:
 - a. New public or private road improvements shall be the minimum necessary to serve the development on the site in accordance with Chapter 110. The City shall consider granting modifications to the road standards to further minimize site disturbance, consistent with pedestrian and traffic safety, and the other purposes of the road standards; and
 - b. Impervious surfaces and other alterations within each lot shall be limited as provided in subsections 2 and 3. In townhouse or multifamily developments, total impervious surfaces and other alterations shall be limited to two thousand six hundred square feet per lot or dwelling unit in the R-6 and R-8 zones, and three thousand three hundred square feet per lot or dwelling unit in the R-4 zone.
5. The Department of Planning and Community Development shall conduct site inspections prior to approving any site alteration or development on parcels subject to this (HP) suffix condition as follows:
 - a. Prior to issuing a permit for alteration or building on any individual lot subject to this (HP) suffix condition, the Planning Official shall inspect the site to verify the existing amount of undisturbed area, tree and other plant cover, and any previous site alteration or building on the site. Prior to this inspection and prior to altering the site, the applicant shall clearly delineate the area of the lot proposed to be altered and built on with environmental fencing, high-visibility tape or other conspicuous and durable means, and shall depict this area on a site plan included in the application.
 - b. Prior to approving any subdivision, or building permit for more than one dwelling unit on any parcel subject to this (HP) suffix condition, the Planning Official shall inspect the site to verify the amount of undisturbed area, tree and other plant cover, and any previous site alteration or building on the site. Prior to this inspection and prior to altering the site, the applicant shall clearly delineate the area of the proposed grading for streets, flow control and other common improvements, with environmental fencing, high-visibility tape or other conspicuous and durable means, and shall depict this area on a plot plan included in the application. Development of individual lots within any approved subdivision or short subdivision shall be subject to an individual inspection in accordance with subsection a.

6. Areas not covered by impervious surfaces or altered as provided in subsections 2, 3, or 4, which are not environmentally sensitive areas governed by Chapters 85 or 90, shall be maintained in an undisturbed state, except for the following activities:
 - a. Incidental trimming or removal of vegetation necessary for protection of property or public health and safety, or the incidental removal of vegetation to be used in the celebration of recognized holidays. Replacement of removed hazardous trees may be required;
 - b. Areas infested by noxious weeds may be replanted with appropriate native species or other appropriate vegetation;
 - c. Construction of primitive pedestrian-only trails in accordance with the construction and maintenance standards in the U.S. Forest Service "Trails Management Handbook" (FSH 2309.18, June 1987, as amended) and "Standard Specifications for Construction of Trails" (EM-7720-102, June 1996, as amended); but in no case shall trails be constructed of concrete, asphalt or other impervious surface;
 - d. Limited trimming and pruning of vegetation for the creation and maintenance of views, and the penetration of direct sunlight, provided the trimming or pruning does not cause root damage or otherwise imperil the tree's health as allowed for in Chapter 95; and
 - e. Individual trees or plants may be replaced with appropriate species on a limited basis. Forested hydrological conditions, soil stability and the duff layer shall be maintained.
7. Conformance with this (HP) suffix condition shall not relieve an applicant from conforming to any other applicable provisions of the Zoning Code, Subdivision Ordinance, or Shoreline Master Program.

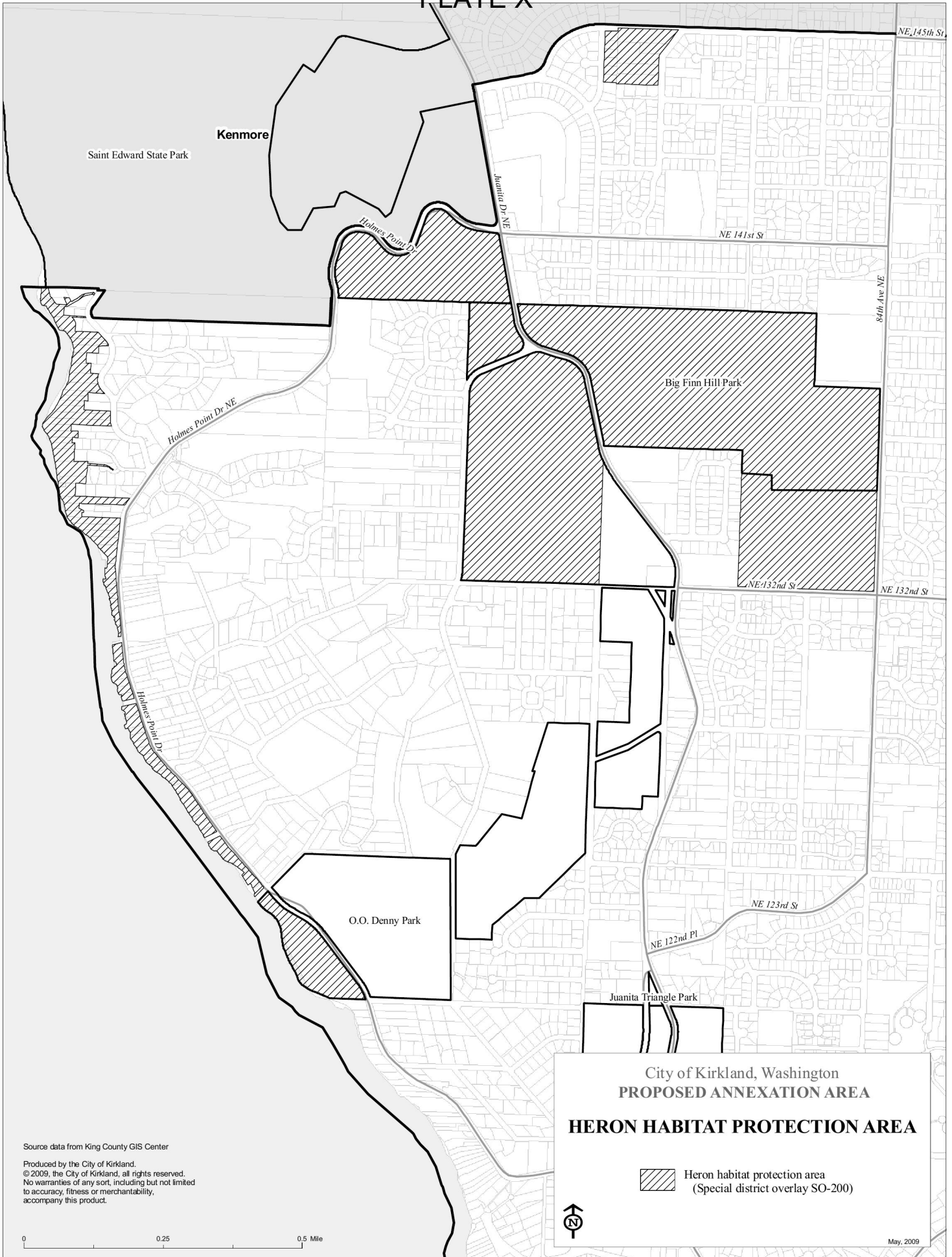
70.25 Variations from Standards

For development activity occurring after July 6, 1999, upon written request from the applicant, the Planning Director may allow up to a ten percent increase in impervious surface 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, and one or more of the following circumstances applies:

1. Development of a lot will require a driveway sixty feet or longer from the lot boundary to the proposed dwelling unit;
2. On-site flow control facilities are required by the Public Works;


3. The requested increase will allow placement of new development on the site in such a way as to allow preservation of one or more additional significant trees, as defined in Chapter 95, that would otherwise be cleared; or
4. 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.


PLATE X



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City of Kirkland, Washington
PROPOSED ANNEXATION AREA
HERON HABITAT PROTECTION AREA

 Heron habitat protection area
 (Special district overlay SO-200)



May 2009

EXHIBIT B

**DRAFT KIRKLAND MUNICIPAL CODE AMENDMENTS, TITLE 22
(SUBDIVISIONS) FOR PROPOSED ANNEXATION AREA OF KINGSGATE,
JUANITA, AND FINN HILL**

File No. ANN09-00001

HOW TO READ THIS:

- Text that is covered by a strike-through (~~strike-through~~) is existing text currently contained in the Zoning Code that is to be deleted.
 - Text that is underlined (underlined), with the exception of section headings, is new text that is to be added.
-

Chapter 22.08, DEFINITIONS (*add annexation drainage basins*)

22.08.190 Primary basins.

“Primary basins” means the watersheds associated with the following ~~five~~ seven creeks: (1) Juanita Creek, (2) Forbes Creek, (3) Cochran Springs Creek, (4) Yarrow Creek, ~~and~~ (5) Carillon Creek, (6) Denny Creek, and (7) Champagne Creek as shown in the Kirkland sensitive areas maps. (Ord. 3705 § 2 (part), 1999)

22.08.203 Secondary basins.

“Secondary basins” means the Moss Bay Basin, Houghton Basin, ~~and~~ Kirkland Slope Basin, Holmes Point Basin, and Kingsgate Slope Basin which are also depicted as the urban drainage basins on the Kirkland sensitive areas maps. (Ord. 3705 § 2 (part), 1999)

Chapter 22.28, DESIGN REQUIREMENTS

22.28.030 Lots—Size. (*reference minimum lot sizes contains in the RSA use zone charts since the Zoning Map only reflects units per acre in the RSA zones*)

All lots within a subdivision must meet the minimum size requirements established for the property in the Kirkland zoning code or other land use regulatory document. If a property is smaller than that required for subdivision by an amount less than or equal to ten percent of the minimum lot size for the zoning district as shown on the Kirkland zoning map or as indicated in the Kirkland zoning code, subdivision may still proceed as long as the shortage of area is spread evenly over all of the lots in the subdivision. In cases where an existing structure or other physical feature (sensitive area, easement, etc.) makes even distribution of the size shortage difficult, an exception to the even distribution may be made.

If a property is smaller than that required for subdivision by an amount greater than ten percent and less than or equal to fifteen percent of the minimum lot size for the zoning district as shown on the Kirkland zoning map or as indicated in the Kirkland zoning code, subdivision may also proceed, as long as:

- The shortage of area is spread evenly over all of the lots in the subdivision (unless an existing structure or other physical feature such as a sensitive area or easement makes even distribution of the size shortage difficult); and
- All lots have a minimum lot width at the back of the required front yard of no less than fifty feet (unless the garage is located at the rear of the lot or the lot is a flag lot); and

(c) In zoning districts for which the zoning code establishes a floor area ratio (FAR) limitation, a covenant is signed prior to recording of the plat ensuring that building on the new lots will comply with an FAR restriction at least ten percentage points less than that required by the zoning district as shown on the Kirkland zoning map; and

(d) If any lot is smaller than the minimum lot size for the zoning district by an amount greater than five percent of the minimum lot size, the subdivision shall be reviewed and decided using process IIB described in Chapter 152 of Title [23](#) of this code. In addition to meeting the decisional criteria found in Chapter 152 of Title [23](#) of this code, approval of the application may only be recommended if the new lots are compatible, with regard to size, with other lots in the immediate vicinity of the subdivision.

A covenant must also be signed prior to recording of the plat to ensure that the garage will be located at the rear of the lot in cases where this option is chosen under subsection (b) of this section. (Ord. 3705 § 2 (part), 1999)

22.28.040 Lots—Lot averaging. *(prohibit additional lot averaging in the RSA zones since the RSA zoning already allows lot averaging beyond current Kirkland allowances)*

In multiple lot subdivisions not located in an RSA zone and not subject to Section [22.28.030](#), the minimum lot area shall be deemed to have been met if the average lot area is not less than the minimum lot area required of the zoning district in which the property is located as identified on the zoning map. Under this provision, either:

(a) Not more than twenty percent of the number of lots in a subdivision and one of the lots in a short plat may contain an area less than the prescribed minimum for this zoning district. In no case shall any lots be created which contain an area more than ten percent less than the prescribed minimum for this zoning district; or

(b) Up to seventy-five percent of the number of lots in a subdivision or short plat may contain an area less than the prescribed minimum for this zoning district if the lots which would be created contain an area no more than five percent less than prescribed.

These smaller lots shall be located so as to have the least impact on surrounding properties and public rights-of-way.

Using process IIA, Chapter 150 of Title [23](#) of this code, and the applicable sections of Chapters [22.12](#) or 22.20 of this title, additional lot averaging may be achieved. Through process IIA, not more than thirty percent of the number of lots in a subdivision, and two of the lots in a short plat, may contain an area less than the prescribed minimum for this zoning district as long as the average lot area is not less than the minimum lot area required for the zoning district in which the property is located as identified on the zoning map. In no case shall any lots be created through this process which contain an area more than fifteen percent less than the prescribed minimum for this zoning district. The smaller lots shall be located so as to have the least impact on surrounding properties and public rights-of-way. In addition, the plat or short plat must meet the following criteria:

(1) The averaging is necessary because of special circumstances regarding the size, shape, topography, or location of the subject property, or the location of a preexisting improvement on that subject property; and

(2) The averaging will not be materially detrimental to the property or improvements in the area of the subject property or to the city in part or as a whole; and

(3) Existing significant trees and vegetation will be preserved where feasible to buffer the adjacent properties from the smaller lots in the subject subdivision.

Additional lot averaging may only be addressed and obtained through the provisions of Chapter 125, Planned Unit Development, of Title [23](#) of this code and the applicable sections of Chapters [22.12](#) or 22.20 of this title. (Ord. 4011 § 2, 2005; Ord. 3705 § 2 (part), 1999)

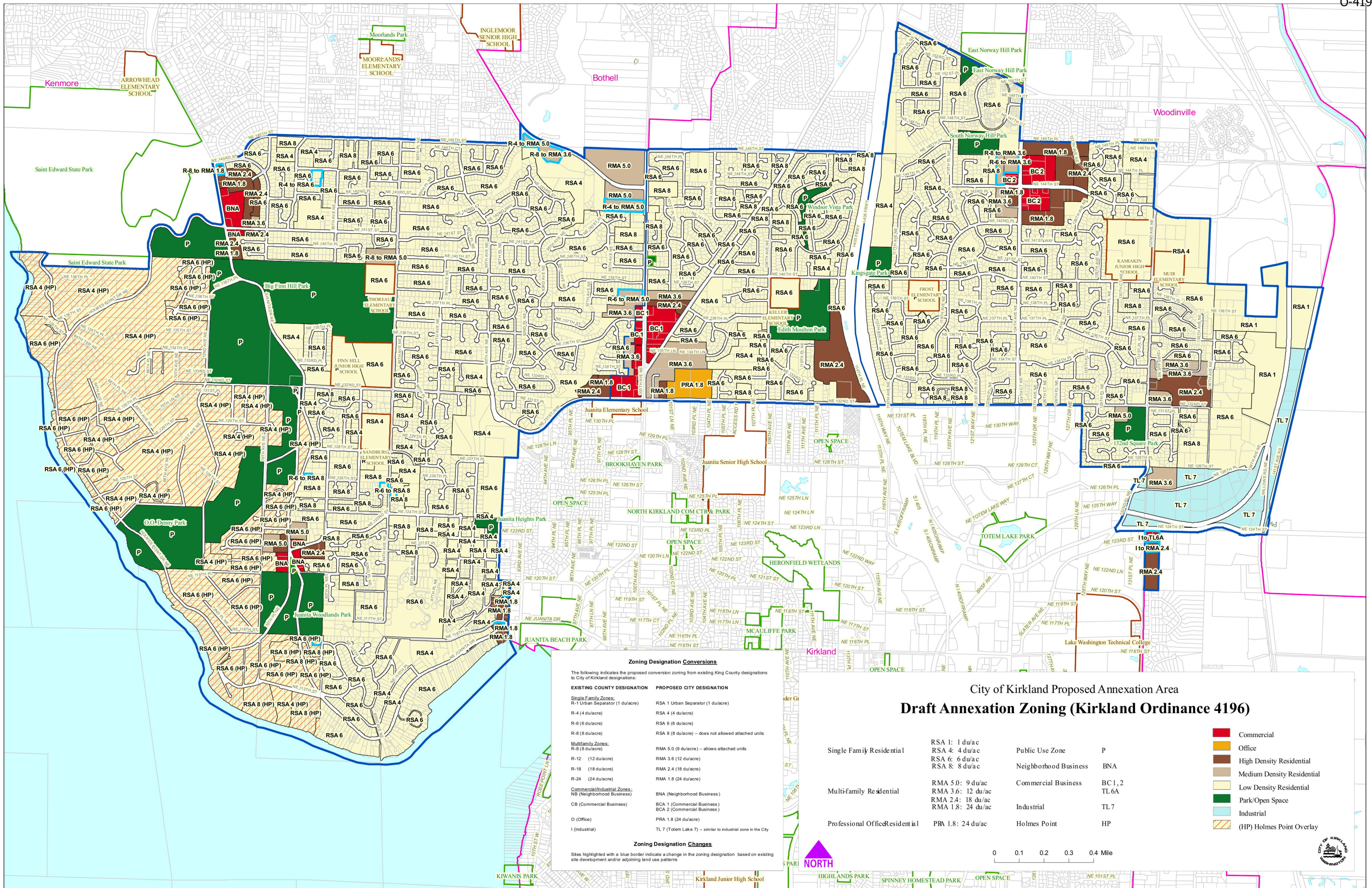
22.28.080 Access—Required. *(change easement computation to reflect RSA zoning allowances)*

(a) All lots must have direct legal access as required by the zoning code, including Section 115.80, Legal Building Site, and Section 105.10, Vehicular Access Easement or Tract Standards, of Title [23](#) of this code. The city will determine whether access will be by right-of-way or vehicular-access easement or tract on a case-by-case basis.

(b) Unless otherwise provided in the Kirkland Zoning Code, the area of a vehicular-access easement or tract shall not be included in the computation of the lot area for the servient lot. However:

(1) If the vehicular easement serves only one lot which does not abut a public right-of-way, the easement shall be included in the lot area for the servient lot; provided, that the servient lot abuts a public right-of-way and is not a flag lot; and

(2) The area of a vehicular-access easement shall be included in the lot area for cottage housing development approved pursuant to Chapter 113 of the Kirkland Zoning Code. (Ord. 4152 § 2, 2008: Ord. 4122 § 1 (part), 2008: Ord. 3705 § 2 (part), 1999)



Zoning Designation Conversions

The following indicates the proposed conversion zoning from existing King County designations to City of Kirkland designations:

EXISTING COUNTY DESIGNATION	PROPOSED CITY DESIGNATION
Single Family Zones:	
R-1 Urban Separator (1 du/acre)	RSA 1 Urban Separator (1 du/acre)
R-4 (4 du/acre)	RSA 4 (4 du/acre)
R-6 (6 du/acre)	RSA 6 (6 du/acre)
R-8 (8 du/acre)	RSA 8 (8 du/acre) – does not allowed attached units
Multi-family Zones:	
R-8 (8 du/acre)	RMA 5.0 (9 du/acre) – allows attached units
R-12 (12 du/acre)	RMA 3.6 (12 du/acre)
R-18 (18 du/acre)	RMA 2.4 (18 du/acre)
R-24 (24 du/acre)	RMA 1.8 (24 du/acre)
Commercial/Industrial Zones:	
NB (Neighborhood Business)	BNA (Neighborhood Business)
CB (Commercial Business)	BCA 1 (Commercial Business) BCA 2 (Commercial Business)
O (Office)	PRA 1.8 (24 du/acre)
I (Industrial)	TL 7 (Totem Lake 7) – similar to industrial zone in the City

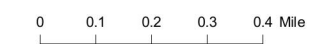
Zoning Designation Changes

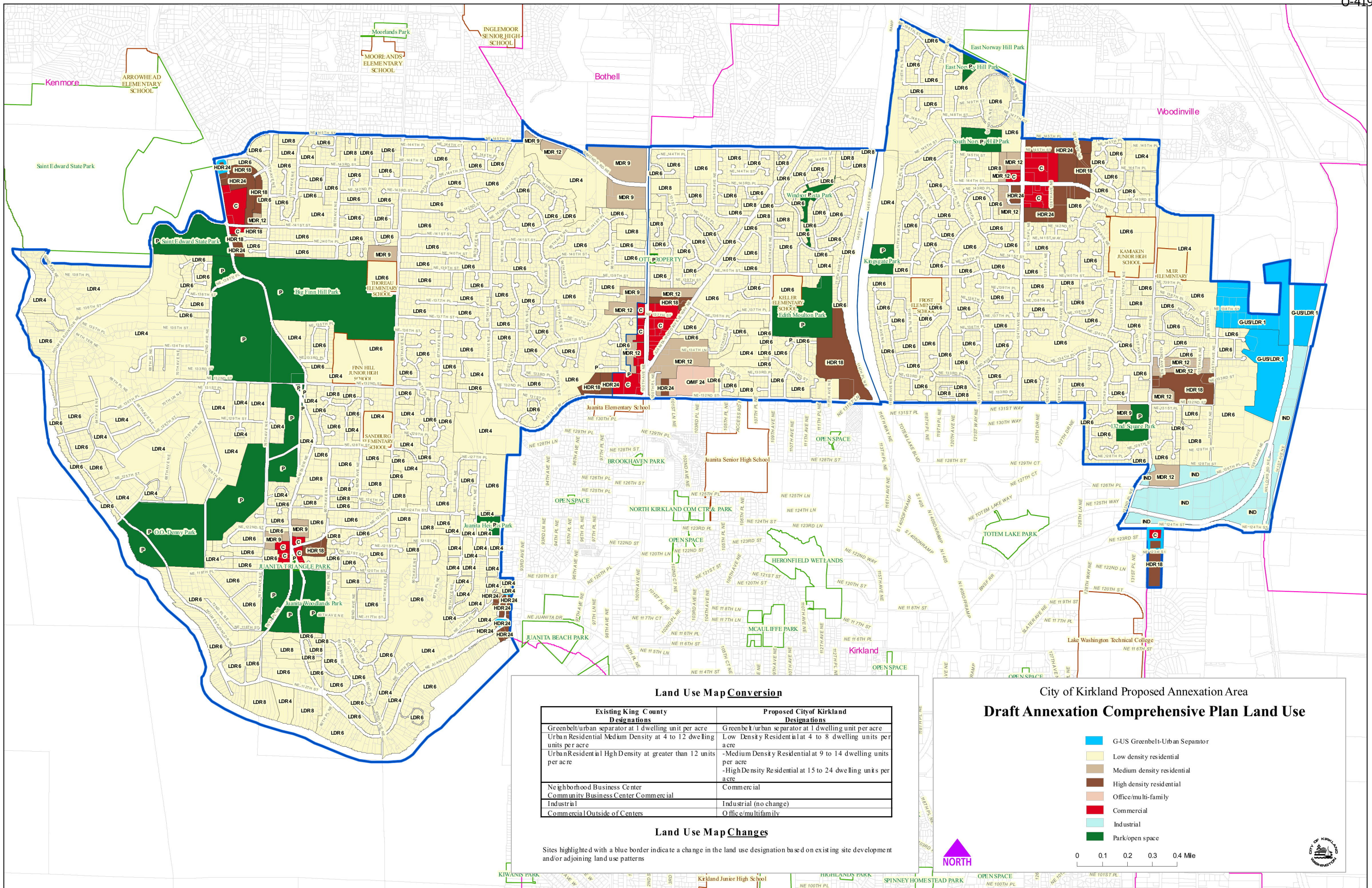
Shades highlighted with a blue border indicate a change in the zoning designation based on existing site development and/or adjoining land use patterns.

City of Kirkland Proposed Annexation Area
Draft Annexation Zoning (Kirkland Ordinance 4196)

Single Family Residential	RSA 1: 1 du/acre RSA 4: 4 du/acre RSA 6: 6 du/acre RSA 8: 8 du/acre	Public Use Zone	P
Multi-family Residential	RMA 5.0: 9 du/acre RMA 3.6: 12 du/acre RMA 2.4: 18 du/acre RMA 1.8: 24 du/acre	Neighborhood Business	BNA
Professional Office/Residential	PRA 1.8: 24 du/acre	Commercial Business	BC 1, 2 TL 6A
		Industrial	TL 7
		Holmes Point Overlay	HP

- Commercial
- Office
- High Density Residential
- Medium Density Residential
- Low Density Residential
- Park/Open Space
- Industrial
- (HP) Holmes Point Overlay





Land Use Map Conversion

Existing King County Designations	Proposed City of Kirkland Designations
Greenbelt/urban separator at 1 dwelling unit per acre	Greenbelt/urban separator at 1 dwelling unit per acre
Urban Residential Medium Density at 4 to 12 dwelling units per acre	Low Density Residential at 4 to 8 dwelling units per acre
Urban Residential High Density at greater than 12 units per acre	-Medium Density Residential at 9 to 14 dwelling units per acre -High Density Residential at 15 to 24 dwelling units per acre
Neighborhood Business Center	Commercial
Community Business Center Commercial	Commercial
Industrial	Industrial (no change)
Commercial Outside of Centers	Office/multifamily

Land Use Map Changes

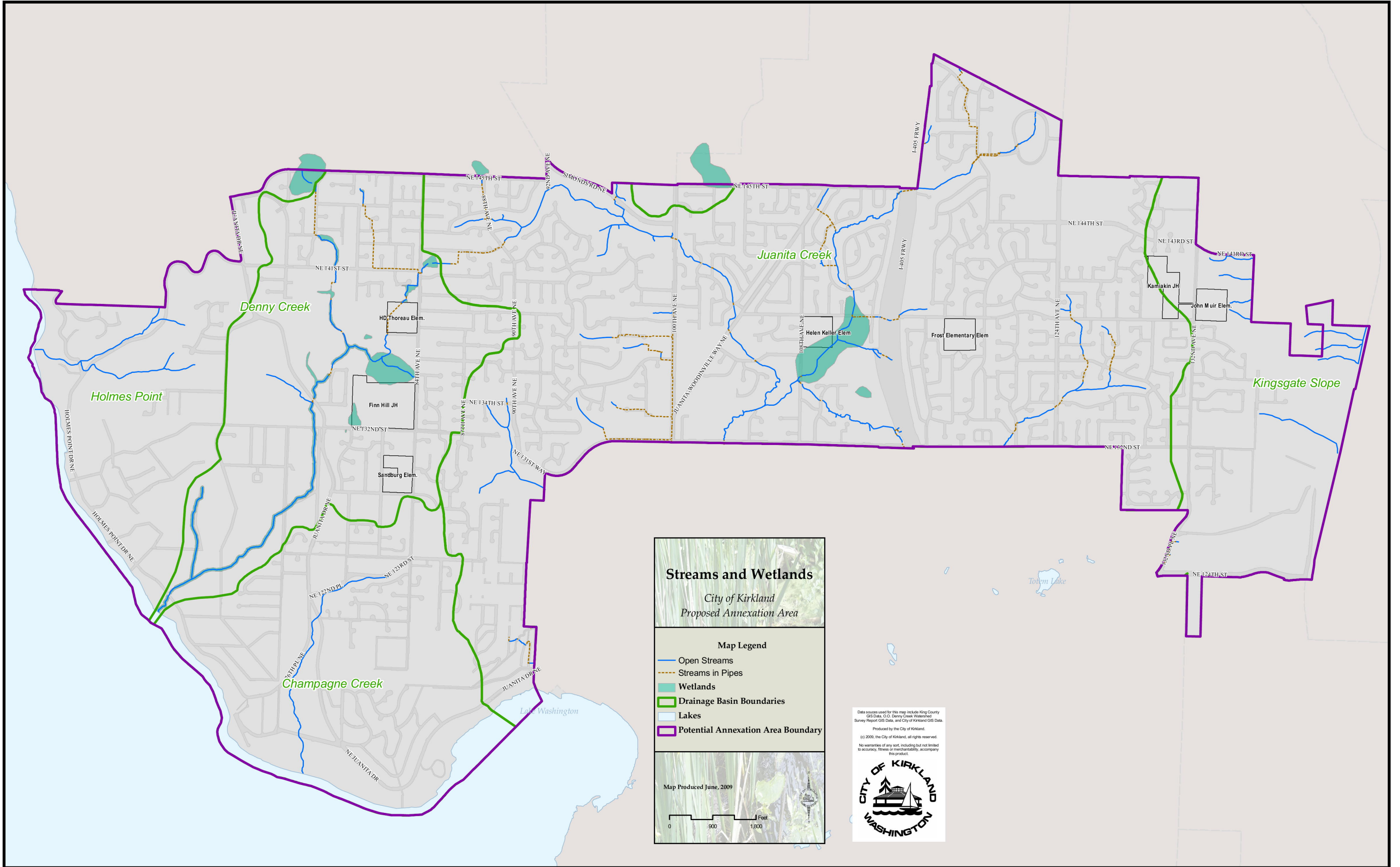
Sites highlighted with a blue border indicate a change in the land use designation based on existing site development and/or adjoining land use patterns

**City of Kirkland Proposed Annexation Area
Draft Annexation Comprehensive Plan Land Use**

- G-US Greenbelt-Urban Separator
- Low density residential
- Medium density residential
- High density residential
- Office/multi-family
- Commercial
- Industrial
- Park/open space

0 0.1 0.2 0.3 0.4 Miles





Streams and Wetlands
 City of Kirkland
 Proposed Annexation Area

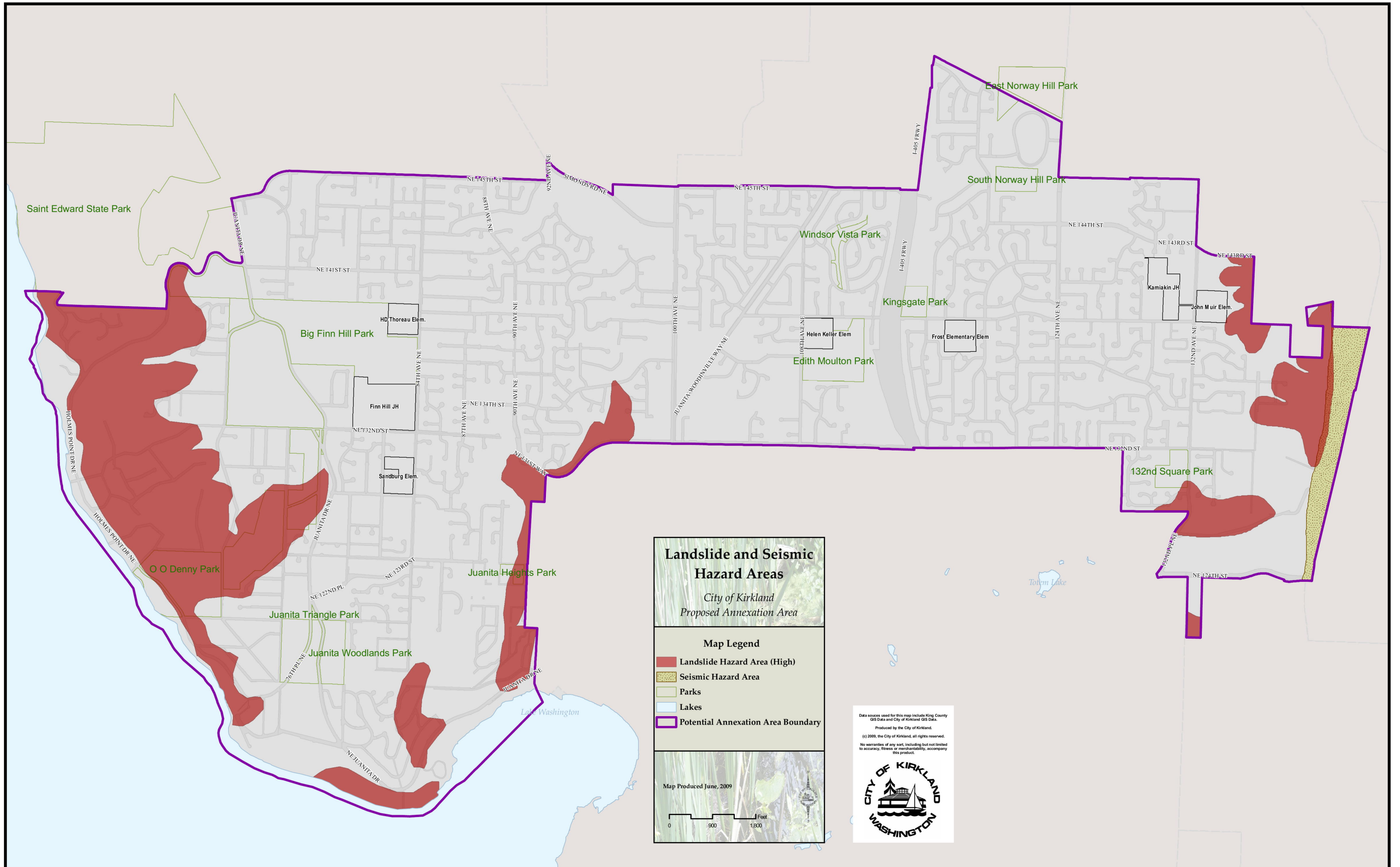
Map Legend

- Open Streams
- - - Streams in Pipes
- Wetlands
- Drainage Basin Boundaries
- Lakes
- Potential Annexation Area Boundary

Map Produced June, 2009

0 900 1,800 Feet

Data sources used for this map include King County GIS Data, O.O. Denny Creek Watershed Survey Report GIS Data, and City of Kirkland GIS Data.
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Landslide and Seismic Hazard Areas

*City of Kirkland
Proposed Annexation Area*

Map Legend

- Landslide Hazard Area (High)
- Seismic Hazard Area
- Parks
- Lakes
- Potential Annexation Area Boundary

Map Produced June, 2009

0 900 1,800

Feet

Data sources used for this map include King County GIS Data and City of Kirkland GIS Data.

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