

ORDINANCE NO. 4252

AN ORDINANCE OF THE CITY OF KIRKLAND ADOPTING MISCELLANEOUS AMENDMENTS TO ORDINANCE NO. 3719, THE KIRKLAND ZONING ORDINANCE, AND MAKING THE ZONING ORDINANCE COMPATIBLE WITH THE NEWLY ADOPTED SHORELINE MASTER PROGRAM. File ZON06-00017.

WHEREAS, the Washington Shoreline Management Act (RCW 90.58, referred to herein as "SMA") recognizes that shorelines are among the most valuable and fragile resources of the state, and that state and local government must establish a coordinated planning program to address the types and effects of development occurring along shorelines of state-wide significance; and

WHEREAS, the City of Kirkland ("City") has, with the approval of the State Department of Ecology, updated its Shoreline Master Program ("SMP") pursuant to the SMA and WAC 173-26; and

WHEREAS, on December 1, 2009, the Kirkland City Council adopted Resolution R-4787, a Resolution of Intent to adopt certain amendments to the Kirkland Zoning Code which would be necessitated by the final adoption of the SMP Update; and

WHEREAS, since that time, City staff has processed additional minor amendments to the Kirkland Zoning Code necessitated by the adoption of the SMP Update; and

WHEREAS, the City Council has received recommendations from the Kirkland Planning Commission and Houghton Community Council to adopt those certain minor amendments of the text of the Kirkland Zoning Code, all as set forth in that certain report and recommendation of the Planning Commission dated September 10, 2009 for Part 1 of said amendments and June 24, 2010 for Part 2 of said amendments and bearing Kirkland Department of Planning and Community Development File No. ZON06-00017.

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

Section 1. Zoning Ordinance amended: The text of Ordinance 3719 as amended, the Kirkland Zoning Ordinance, is hereby amended to read as follows:

As set forth in Attachment A attached to this Ordinance and incorporated herein by this reference.

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

Section 3. To the extent the subject matter of this ordinance pursuant to Ordinance 2001, is subject to the disapproval jurisdiction of the Houghton Community Council, this ordinance shall become effective within the Houghton Community Council Municipal Corporation only upon approval of the Houghton Community Council or the failure of said Community Council to disapprove this ordinance within 60 days of passage of this ordinance.

Section 4. This Ordinance shall be in full force and effect on August 4, 2010 and after its passage by the Kirkland City Council and shall be published pursuant to Kirkland Municipal Code 1.08.017, in the summary form attached to the original of this ordinance and by this reference approved by the City Council, as required by law.

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

Passed by majority vote of the Kirkland City Council in open meeting this 3rd day of August, 2010.

Signed in authentication thereof this 3rd day of August, 2010.




Mayor

Attest:



City Clerk

Approved as to Form:



City Attorney

ZONING CODE AMENDMENTS

(in order of appearance)

Part 1

Use Zone Charts (revised)

- WDI – Sec 30.10
- WDII – Sec 30.20
- WDII – Sec 30.30
- CBD2 – Sec 50.15
- JBD2 – Sec 52.15
- JBD3 - Sec 52.20
- JBD4 - Sec 52.25
- JBD5 - Sec 52.30
- CBD1 Sec 52.50.10
- PLA2 - Sec 60.15
- PLA3A - Sec 60.20
- PLA3B - Sec 60.25
- PLA6A - Sec 60.55
- PLA6H - Sec 60.90
- PLA6I - Sec 52.95
- PLA15A - Sec 60.170
- PR - Sec 25.08
- BN - Sec 40.08
- RS - Sec 15.08
- RM - Sec 20.08

Other sections

- Chapter 115 - Sec 115.07 (Revised)
- Sec 30.17 in WDI (Deleted)
- Sec 30.27 in WDII (Deleted)
- Sec 30.37 in WDII (Deleted)
- Sec 50.20 in CBD2 (Deleted)
- Sec 52.35 in JDB5 (Deleted)
- Sec 60.18 in PLA 2 (Deleted)
- Sec 60.28 in PLA 3B (Deleted)
- Sec 60.173 in PLA 15 (Deleted)

KZC 180 Plates

- Plate 22 – WDII North Property Line yard and Height of Structure (Deleted)
- Plate 27A, 27B and 27C – Shoreline View Corridor (Revised)
- Plate 28 – North Property Line – Waterfront District (WD) Zones (Deleted)

Part 2 (all revised)

- User Guide Sec 1.10
- Chapter 5 Definitions
- Sec 20.08 New General Reg. 10 in RM use zone chart
- Sec 30.20 New General Reg 5 in WDII use ZONE chart
- Sec 75.05 Historic Landmark
- Sec 85.05 Geologically Hazardous Areas
- Sec 90.05, 90.10, 90.15, and 90.135 Drainage Basins
- Sec 95.30 Tree Management and Required Landscaping
- Sec 110.05 Signs
- Sec 105.05 Parking Areas
- Sec 112.4 Affordable Housing Incentives
- Section 115.40, 115.45, 115.47, 116.60, 115.90, 115.85, 115.105, 115.115, 115.120, and 115.125 Miscellaneous
- Sec 117.05, 117.30, 117.35 and 117.40 Personal Wireless Service Facilities
- Sec 162.0 and 162.35 Certain Nonconformances Specially Regulated

CHAPTER 30 – WATERFRONT DISTRICT (WD) ZONES

30.05 User Guide. The charts in KZC 30.15 contain the basic zoning regulations that apply in the WD I 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 30.10





Section 30.10 – 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. ~~See KZC 30.17 for regulations regarding bulkheads and land surface modification.~~
2. ~~3.~~ The required 30-foot 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 feet 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.
(Does not apply to Public Access Pier, Boardwalk or Public Access Facility, Moorage Facility for 1 or 2 Boats, Piers, docks, boat lifts and canopies serving Detached Dwelling Unit, Pier, Dock, Boat Launch, or Water Taxi).
3. ~~The required 30-foot front yard may be reduced, subject to all of the following conditions:
 - a. The existing primary structure does not conform to the minimum shoreline setback standard;
 - b. The proposed complete replacement or replacement of portion of the existing primary structure comply with the minimum required shoreline setback established under the provisions of KZC Chapter 83, or as otherwise approved under the shoreline setback reduction provisions established in Section 83.380 KZC;
 - c. The front yard for the complete replacement or the portion of replacement may be reduced one (1) foot for each one (1) foot of the shoreline setback that is increased in dimension from the setback of the existing non conforming primary structure, provided that subsection 3.d below is met; and
 - d. Within the front yard, each portion of the replaced or portion of replaced primary structure is setback from the front property line by a distance greater than or equal to the maximum height of that portion above the front property line.
(Does not apply to Public Access Pier, Boardwalk, or Public Access Facility; Boat launch; Piers, docks, boat lifts and canopies serving Detached Dwelling Unit; Piers, docks, boat lifts and canopies serving Detached Dwelling Units; Public Park; Public Utility uses; Boat Launch; or Water Taxi).~~
4. A view corridor must be maintained across 30 percent of the average parcel width. ~~Refer to KZC Chapter 83 for additional details. 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 (does not apply to Public Access Pier or Boardwalk, Moorage Facility for 1 or 2 Boats, or Public Park uses).~~
5. May not use lands waterward of the ~~high water~~ ordinary high water mark to determine lot size or to calculate allowable density.
6. May also be regulated under the Shoreline Master Program, ~~KMC Title 24 refer to KZC Chapter 83.~~



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

Section 30.15	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 Property Line	North Property Line	South Property Line				

.010	Detached Dwelling Units	None	3,600 sq. ft./unit, except if 1,800 sq. ft./unit for up to 2 dwelling units if the public access provisions of the KZC 83.390 are met 3,600 sq. ft.	30' or greater of: a-15 or b-1-1/2 times the height of the primary structure above average building height	5', but not less than 15 feet of the greater of: a-15 or b-1-1/2 times the height of the primary structure above average building height	5', but not less than 15 feet of the greater of: a-15 or b-1-1/2 times the height of the primary structure above average building height	5', but not less than 15 feet of the greater of: a-15 or b-1-1/2 times the height of the primary structure above average building height	5', but not less than 15 feet of the greater of: a-15 or b-1-1/2 times the height of the primary structure above average building height	5', but not less than 15 feet of the greater of: a-15 or b-1-1/2 times the height of the primary structure above average building height	5', but not less than 15 feet of the greater of: a-15 or b-1-1/2 times the height of the primary structure above average building height	5', but not less than 15 feet of the greater of: a-15 or b-1-1/2 times the height of the primary structure above average building height
			The minimum dimension of any yard, other than those listed, is 5'. See General Regulations	80%	30' above average building elevation. This provision may not be varied	E	A	2.0 per unit	1. No structures, other than moorage structures or public access piers, may be waterward of the high water ordinary high water mark. For the regulations regarding moorage and public access piers, see the specific listings in this zone's piers or docks serving detached dwelling units, refer to the specific listings in this zone and Chapter 83 KZC. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.		

Section 30.15	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 Property Line	REQUIRED YARDS (See Ch. 115)						Lot Coverage	Height of Structure
					North Property Line	South Property Line						
.020	Detached, Attached or Stacked Dwelling Units	Process I, Chapter 145 KZC	3,600 sq. ft. per unit	30'	The greater of: a. 15 feet b. 1-1/2 times the height of the primary structure c. 10 feet above average building elevation	See Chapter 83 KZC for greater of: a. 15 feet b. 15% of the average parcel depth.	30' above average building elevation. See also Special Regulation 3	D		<p>1. No structures, other than moorage structures or public access piers, may be waterward of the <u>high water/ordinary high water mark</u>. For the regulations regarding moorage and public access piers, see the specific listings in this zone and <u>Chapter 83 KZC</u>.</p> <p>2. <u>Chapter 83 KZC contains regulations regarding shoreline setbacks, view corridors, and public pedestrian walkways. Must provide public pedestrian access from the right-of-way to and along the entire waterfront of the subject property within the high water line. 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. The City shall require signs designating the public pedestrian access and public use areas.</u></p> <p>3. Structure height may be increased to 35 feet above average building elevation if: a. The increase does not impair views of the lake from properties east of Lake Washington Boulevard; and b. a. The increase is offset by a view corridor that is superior to that required by the General Regulations; or b. The increase is offset by maintaining comparable portions of the structure lower than 30 feet above average building elevation.</p> <p>4. The design of 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.</p>		
REGULATIONS CONTINUED ON NEXT PAGE												

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Section 30.15	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 Property Line			North Property Line	South Property Line				

.020	Detached, Attached or Stacked Dwelling Units (continued)											REGULATIONS CONTINUED FROM PREVIOUS PAGE 5. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 6. Any required yard, other than the front <u>yard or high-water-line</u> or <u>shoreline setback, required yard</u> , 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 shall provide the minimum required yard
.030	Public Access Pier, or Boardwalk, or Public Access Facility	Process, Chapter 445 KZC See Chapter 83 KZC	None	See Chapter 83 KZC Waterward of the High Waterline	-	See Chapter 83 KZC 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	-	See Spec. Reg. 7	See KZC 105.25		Refer to Chapter 83 KZC for additional regulations. 1. No accessory uses, buildings, or activities are permitted as part of this use. 2. If a structure 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. 3. May not treat a structure with creosote, oil base or toxic substances. 4. Must provide at least one covered and secured waste receptacle. 5. All utility lines must be below the pier deck and, where feasible, underground. 6. Piers must be adequately lit; the source of the light must not be visible from neighboring properties. 7. 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. 8. North and south property line yards may be decreased for ever-water public use facilities which connect with waterfront public access on adjacent property.	



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Section 30.15	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 Property Line						
.040	Piers, docks, boat lifts and canopies serving Detached Dwelling Unit/Moorage Facility for 1 or 2 boats	See Chapter 83 KZC None	See Chapter 83 KZC Waterward of the High Waterline	40'	40'	80%	See Sign Category Reg-8	None+ per each 2 slips. Otherwise, None if the moorage is reserved for the exclusive use of an adjoining residential development.	Refer to Chapter 83 KZC for additional regulations. 1. No accessory uses, buildings, or activities are permitted as part of this use. Various accessory components are permitted as part of a General Moorage Facility. See that listing in this zone. 2. Moorage structure 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 submittal of a building permit for 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. 9. Covered moorage is not permitted. 10. Aircraft moorage is not permitted.	
.050	Piers, docks, boat lifts and canopies serving Detached, Attached or Stacked Dwelling Units	See Chapter 83 KZC None	See Chapter 83 KZC Waterward of the High Waterline	40'	40'	80%	See Sign Category Reg-8	None	Refer to Chapter 83 KZC for additional regulations.	

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Section 30.15	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 Property Line	North Property Line			South Property Line					Shoreline Setback High Water Line
0550	Marina General Moorage Facility	General Moorage Facility	Process HA, Chapter 150 KZC-See Chapter 83 KZC	None, but must have at least 100' of frontage on Lake Washington	Landward of the High Waterline Ordinary High Water Mark	30' See Gen. Regs	5', but greater of: a-45' or b-1 1/2 times the height of the structure; c-15 feet; d-15 feet; e-15 feet; f-15 feet; g-15 feet; h-15 feet; i-15 feet; j-15 feet; k-15 feet; l-15 feet; m-15 feet; n-15 feet; o-15 feet; p-15 feet; q-15 feet; r-15 feet; s-15 feet; t-15 feet; u-15 feet; v-15 feet; w-15 feet; x-15 feet; y-15 feet; z-15 feet	80%	Landward of the High Waterline ordinary high water mark, 30' above average building elevation. See also Spec. Reg. 32. Waterward of the High Waterline, Dock and Pier decks may not be more than 24' above mean sea level.	B	B	1 per each 2 slips. Otherwise, None, if the moorage is reserved for the exclusive use of an adjoining residential development.	1. Refer to Chapter 83 KZC for additional regulations. 1. Except as permitted by Special Regulation 16, no structures, other than each moorage structure or public access pier, may be waterward of the high waterline. For regulations regarding public access piers, see the specific listing in this zone. 2. 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. 32. Structure height may be increased to 35 feet above average building elevation if the increase does not impair views of the lake from properties east of Lake Washington Boulevard; and a. The increase is offset by a view corridor that is superior to that required by the General Regulations; or b. The increase is offset by maintaining comparable portions of the structure lower than 30' above average building elevation; 4. The design of 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. 5. The City will determine the maximum allowable number of moorages based on the following factors: a. The ability of the land landward of the high waterline to accommodate the necessary support facilities. b. The potential for traffic congestion. 6. Moorage structures may not be larger than is necessary to provide safe and reasonable moorage for the boats moored. The City will specifically review size and configuration of moorage

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Section 30.15	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 Property Line	North Property Line	South Property Line						
				No moorage structure may be— a. Within 100 feet of a public park or b. Closer to a public park than a line that starts where the high waterline of the park intersects with the side property line of the park closest to the moorage structure at a 45° angle from the side property line. This setback applies whether or not the subject property abuts the park, but does not extend beyond any intervening over water structure, or (See next page for the rest of the Required Yard Regulations)						structures to insure that: a. The moorage structures are not larger than is necessary to moor the specified number of boats; and b. The moorage structures will not interfere with the public use and enjoyment of the water or create a hazard to navigation; and c. The moorage structures will not adversely affect nearby uses; and d. The moorage structures will not have a significant long term adverse effect on aquatic habitats. 7. If the moorage structure 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. REGULATIONS FOR THIS USE CONTINUED ON THE NEXT PAGE			

Section 30.15	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				

.050	General Moorage Facility (continued)	<p>c. Closer to a lot containing a detached dwelling unit than a line that starts where the high-waterline of the lot intersects the side property line of the lot closest to the moorage structure and runs waterward toward the moorage structure at a 30° angle from that side property line. This setback applies whether or not the subject property abuts the lot, but does not extend beyond any intervening overwater 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 those listed, is 5'.</p> <p>See previous page for the rest of this column.</p>								<p>8. May not treat moorage structure with creosote, oil-base or toxic substance.</p> <p>9. Must provide at least two covered and secured waste receptacles.</p> <p>10. All utility and service lines must be below the pier-deck and, where feasible, underground.</p> <p>11. Must provide public restrooms unless moorage is only available for residents of dwelling units on the subject property.</p> <p>12. Piers must be adequately lit. The source of light must not be visible from neighboring properties.</p> <p>13. 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>14. Covered moorage is not permitted.</p> <p>15. Aircraft moorage is not permitted.</p> <p>3-16. The following accessory components are allowed if approved through Process IIB, Chapter 152 KZC:</p> <p>a. Boat and motor sales leasing.</p> <p>b. Boat and motor repair and service if:</p> <p>1) This activity is conducted on dry land and either totally within a building or totally sight screened from adjoining property and the right-of-way; and</p> <p>2) All dry land motor testing is conducted within a building.</p> <p>6. Boat launching ramp if:</p> <p>1) it is not for use of the general public; and</p> <p>2) is paved with concrete; and</p>
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Section 30.15	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	North Property Line						
											<p>3) There is sufficient room on the subject property for maneuvering and parking so that traffic impact on the frontage road will not be significant; and</p> <p>4) Access to the ramp is not directly from the frontage road; and</p> <p>The design of the site is specifically approved by the City;</p> <p>d. <u>Dry land storage.</u> However, stacked storage is not permitted.</p> <p>e. <u>c.</u> Meeting and special events rooms.</p> <p><u>f. <u>d.</u></u></p> <p>1) Storage tanks are underground and on dry land; and oil spills. May have an over-water shed that is not more than 50 square feet and 10 feet high as measured from the deck.</p> <p>2) At least one pump-out facility shall be provided for use by the general public. This facility must be easily accessible to the general public and clearly marked for public use.</p>	



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Section 30.15	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 Property Line	REQUIRED YARDS (See Ch. 115)						Lot Coverage	Height of Structure
					North Property Line	South Property Line						
.060	Restaurant or Tavern	Process IIA, Chapter 150 KZC	7,200 sq. ft	See Gen. Regs. See also Spec. Reg 5	30' but greater of: a. 15 feet; b. 1 1/2 times the height of the primary structure above average building elevation; c. minimum 10'	5' but greater of: a. 15 feet; b. 1 1/2 times the height of the primary structure above average building elevation; c. minimum 10'	See Chapter 83 KZC	See Chapter 83 KZC	1 per each 100 sq. ft. of gross floor area.	1. No structures, other than moorage structures or public access piers, may be waterward of the high water ordinary high water mark. For the regulations regarding moorages, see the moorage-specific listings in this zone and Chapter 83 KZC. 2. Chapter 83 KZC contains regulations regarding shoreline. 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 of 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. 3. Structure height may be increased to 35 feet above average building elevation if: a. The increase does not impair views of the lake from properties east of Lake Washington Boulevard; and b. a. The increase is offset by a view corridor that is superior to that required by the General Regulations; or b. The increase is offset by maintaining comparable portions of the structure lower than 30 feet above average building elevation. 4. The design of 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. 4.5. Outside storage is not permitted. 5.6. The required yard of a structure abutting Lake Washington Boulevard or Lake Street South must be increased two feet for each one foot that structure exceeds 25 feet above average building elevation. 6.7. Drive-in or drive-through facilities are prohibited.		

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Section 30.15	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 Property Line	South Property Line Shoreline Setback High Water Line						
.070	Public Park	Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process. <u>May also be regulated under the Shoreline Master Program, refer to KZC Chapter 83.</u>									1. <u>The provisions of Chapter 90 KZC, limiting development in and around wetlands, do not apply to a public park, if the development is approved as part of a Master Plan.</u> 2. This use may include a public access pier, or boardwalk, or public access facility. See <u>KZC 30.15.030 the specific listing in this Zone and Chapter 83 KZC</u> for regulations regarding these uses. 3. <u>This use may include swimming beaches or other public recreational uses. See Chapter 83 for regulations regarding these uses.</u>
.080	Public Utility	Process II/A, Chapter 150 KZC	None	30'	See Gen. Regs	The greater of: a. 45' or b. 1 1/2 times the height of the primary structure above average building height	5', but not less than 15 feet, 10' average parcel depth.	See Chapter 83 KZC The greater of: a. 45' or b. 15% of the average parcel depth.	80%	-30' above average building elevation. See also Special Regulation 3.	
.090	Government Facility Community Facility	Process II/A, Chapter 150 KZC	None	30'	See Gen. Regs	The greater of: a. 45' or b. 1 1/2 times the height of the primary structure above average building height	5', but not less than 15 feet, 10' average parcel depth.	See Chapter 83 KZC The greater of: a. 45' or b. 15% of the average parcel depth.	80%	-30' above average building elevation. See also Special Regulation 3.	1. No structures, other than moorage structures or public access piers, may be waterward of the high waterline ordinary high water mark. For the regulation regarding moorages and public access piers, see the specific listings in this zone and Chapter 83 KZC. 2. Chapter 83 KZC contains regulations regarding shoreline. <u>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 the adjoining property. The City shall require signs designating the public pedestrian access and public uses areas.</u> 3. Structure height may be increased to 35 feet above average building elevation if: a. The increase does not impair views of the lake from properties east of Lake Washington Boulevard; and a-b. The increase is offset by a view corridor that is superior to that required by the General Regulations; or b. <u>The increase is offset by maintaining comparable portions of the structure lower than 30 feet above average building elevation.</u>

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

Section 30.15	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 Property Line	North Property Line	South Property Line			Shoreline Setback/High Water Line					
					40'									<p>4. The design of 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.</p> <p>5. For a Government Facility use, Landscape Category A or B may be required depending on the type of use on the subject property and the impacts on the nearby uses.</p>



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

Section 30.15	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 Property Line	REQUIRED YARDS (See Ch. 115)						Lot Coverage	Height of Structure	
						South Property Line	Shoreline Setback High Water Line							
.100	Assisted Living Facility	Assisted Living	Process I, Chapter 145 KZC	3,600 sq. ft.	30'	See Gen. Regs and Social Regulation 5.	5', but greater of: a. 45 yards or equal to 1/2 times the height of the primary structure above average building elevation	See Chapter 83 KZC the greater of: a. 15 feet, or b. 45% of the average parcel depth.	80%	-30' above average building elevation. See also Special Regulation 7.	D	A	2.0 per independent unit, 1 per assisted living unit	<p>1. A facility that provides both independent dwelling units and assisted living units shall be processed as an assisted living facility.</p> <p>2. A nursing home use may be permitted as part of an assisted living facility use in order to provide a continuum of care for residents. If a nursing home is included, the following parking standards shall apply to the nursing home portion of the facility:</p> <ul style="list-style-type: none"> a. One parking stall shall be provided for each bed. 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: <ul 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. No structures, other than moorage structures or public access piers, may be waterward of the high water <u>ordinary high water mark</u>. For the regulation regarding moorages and public access piers, see the specific listings in this zone and <u>Chapter 83 KZC</u>. 5. <u>The required yard of a structure abutting Lake Washington Boulevard or Lake Street South must be increased two feet for each one foot structure that exceeds 25 feet above average building elevation.</u> 6. <u>Chapter 83 KZC contains regulations regarding shoreline. 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 the adjoining property. The</u>

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

Section 30.15	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 Property Line	North Property Line	South Property Line						
110	Boat launch (for non-motorized boats)	See Chapter 83 KZC	None	See Chapter 83 KZC							None	<p>City shall require signs designating the public pedestrian access and public uses areas.</p> <p>6.7. Structure height may be increased to 35 feet above average building elevation if the increase does not impair views of the lake from properties east of Lake Washington Boulevard; and</p> <p>a. The increase is offset by a view corridor that is superior to that required by the General Regulations; or</p> <p>b. The increase is offset by maintaining comparable portions of the structure lower than 30 feet above average building elevation.</p> <p>7. The design of 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.</p> <p>8. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use.</p>	

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

Section 30.15	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 Property Line	North Property Line						
.120	Water taxi		See Chapter 83 KZC	None	Landward of the Ordinary High Water Mark	Landward of the ordinary high water mark, 30' above average building elevation. See also Spec. Reg. 2	B	B	See KZC 105.25	1. Refer to Chapter 83 KZC for additional regulations. 2. Structure height may be increased to 35 feet above average building elevation if: a. The increase does not impair views of the lake from properties east of Lake Washington Boulevard; and b. The increase is offset by a view corridor that is superior to that required by the General Regulations		

30'

See Gen. Regs

5' but two side yards must equal at least 15 feet

See Chapter 83 KZC

Landward of the Ordinary High Water Mark

Landward of the ordinary high water mark, 30' above average building elevation. See also Spec. Reg. 2

80%

Lot Coverage

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)

30.19 User Guide. The charts in KZC 30.25 contain the basic zoning regulations that apply in the WD II 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 30.20



Section 30.20 – 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. ~~See KZC 30.27 for regulations regarding bulkheads and land surface modifications.~~
3. ~~May not use lands waterward of the ordinary high water mark/high waterline to determine lot size or to calculate allowable density.~~
4. ~~The required yard abutting an unopened right-of-way shall be a site property rather than a front property line.~~
5. ~~May also be regulated under the Shoreline Master Program, refer to KZC Chapter 83KMC Title 24~~

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

Section 30.25	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 Property Line	North Property Line	South Property Line						
.010	Detached Dwelling Units		None	12,500 sq. ft.	5'	5'	5', but 2 side yards must equal at least 15', or Spec Reg 5	50%	For properties with a minimum of 45' of frontage along Lake Washington, 30' above average building elevation. See Special Reg. 12. Otherwise, 25' above average building elevation	E	A	2.0 per unit.	<ol style="list-style-type: none"> No structure, other than a moorage structure, may be waterward of the high-water-ordinary high water mark. For the regulations regarding moorage, see the Moorage listing in this zone Chapter 83 KZC. For this use, only one dwelling unit may be on each lot regardless of lot size. If dwelling units exist on property that abuts the subject property to the north and south, the required high waterline yard is the average of the distance of existing legally constructed structures from the high waterline on these two abutting properties. If, because of abutting properties, the required high waterline yard is increased For properties located south of the Lake Ave W Street End park, the required opposite-front yard may be decreased to the average of the existing opposite-front yards on the properties abutting the subject property to the north and south. if either the north property line yard or the south property line yard is also the front yard of the subject property, it will be regulated as a front yard. The dimensions of any required yard, other than as specifically listed, will be determined on a case-by-case basis, unless otherwise specified in this section. The City will use the setback for this use in RS zones as a guide for this use.: <ol style="list-style-type: none"> The gross floor area of any floor above the first story at street or vehicular access easement level shall be reduced by a minimum of 15% of the floor area of the first story, subject to the following conditions: <ol style="list-style-type: none"> The structure must conform to the standard shoreline setback requirements established in Chapter 83 KZC, or as otherwise approved under the shoreline setback reduction provisions established in Section 83.380 KZC. The required floor area reductions shall be

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



Section 30.25	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)					
Front	North Property Line	South Property Line	Shoreline Setback/High Water Line		Side Property Line	Lot Coverage				

<p><u>North and south.</u></p> <p><u>Otherwise, 20'.</u></p> <p>See Spec. Reg. 3, 6, 7, and 11, .5'</p>										<p><u>incorporated into one or both facades facing the side property lines in order to provide separation between neighboring residences.</u> (See Plate 36).</p> <p><u>c. This provision shall not apply to residences that do not contain a ceiling height greater than 16 feet above the street or vehicular access easement level, as measured at the midpoint of the frontage of the subject property on the abutting right-of-way.</u></p> <p><u>d. The calculation of gross floor area shall apply the provisions established in KZC 115.42.1, minus five feet.</u></p> <p><u>Each portion of a structure must be setback from the north property line by a distance equal to or greater than the height of that portion of the structure above the north property line</u></p> <p><u>(See Plate 22).</u></p> <p>6. On corner lots with two required front yards, one may be reduced to the average of the front yards for the two adjoining properties fronting the same street as the front yard to be reduced. The applicant may select which front yard will be reduced (see Plate 24).</p> <p>7. <u>The front required yard provisions shall not apply to public street ends located west of Waverly Way, which shall be regulated as a side yard.</u></p> <p>8. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.</p> <p>9. Garages shall comply with the requirements of KZC 115.43, including required front yard. These requirements are not effective within the disapproval jurisdiction of the Houghton Community Council.</p> <p>10. <u>The required yard along the east side of the vehicular access easements known as 5th Ave W or Lake Avenue West is 0 feet.</u></p>
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DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 30.25	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 Property Line						
											<p>11. The required yard along the west side of the vehicular access easements known as 5th Ave W or Lake Avenue West is either 5 feet or the average of the existing rear yards on the properties abutting the subject property to the north and south. The garage shall be located to comply with the provisions for parking pads contained in KZC Section 105.47.</p> <p>12. For the reduction in the front yard, the structure must conform to the standard shoreline setback requirements established in Chapter 83 KZC, or as otherwise approved under the shoreline setback reduction provisions established in Section 83.380 KZC.</p> <p>13. At the northern terminus of the 5th Ave West vehicular access easement, the average parcel depth shall be measured from the ordinary high water mark to the public pedestrian access easement providing access to Waverly Beach Park.</p> <p>14. The front required yard provisions shall not apply to public street ends located west of Waverly Way, which shall be regulated as a side yard.</p>

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

Section 30.25	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				
.020	Piers, docks, boat lifts and canopies serving Detached Dwelling Unit/Moorage Facility for 1 or 2 boats. See also Special Regulations 1 and 11.	Piers, docks, boat lifts and canopies serving Detached Dwelling Unit/Moorage Facility for 1 or 2 boats. See also Special Regulations 1 and 11.	See Chapter 83 KZC None	None	Landward of the High Waterline	South Property Line	Shoreline	Side Property Line	See Chapter 83 KZC 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	Refer to Chapter 83 KZC for additional regulations. 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 mooring facility, if this occurs, the following regulations apply: 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
						Front Property Line	North Property Line						

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

Section 30.25	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 Property Line		North Property Line	South Property Line			Shoreline Setback High Water Line	Side Property Line				
.030 .040	Public Utility	None	20'	20'	10'	5', but 2 side yards must equal at least 15'	70%	25' above average building elevation	A	B	See KZC 105.25.		<p>1. Site design must minimize adverse impacts on surrounding residential neighborhoods.</p> <p>2. If any portion of a structure is adjoining a detached dwelling unit in a low density zone, then either:</p> <p>a. The height of that portion of the structure shall not exceed 15 feet above average building elevation, or</p> <p>b. The maximum horizontal facade shall not exceed 50 feet.</p> <p>See KZC 115.30, Distance Between Structures/Adjacency to Institutional Use, for more details.</p> <p>3. if either a north property line yard or the south property line yard is also the front yard of the subject property, it will be regulated as a front yard. The dimension of any required yard, other than as specifically listed, will be determined on a case-by-case basis. The City will use the setback for this use in RS zones as a guide.</p> <p>4. 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 nearby</p>	
	Government Facility Community Facility	None	20'	20'	10'	5', but 2 side yards must equal at least 15'	70%	25' above average building elevation	A C See Spec. Reg. 4.	B				

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

Section 30.25	USE ➔	REGULATIONS ➔	Required Review Process	MINIMUMS				MAXIMUMS		Sign Category (See Ch. 100)	Landscape Category (See Ch. 95)	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 Property Line	North-South Property Line	Shoreline Setback/High Water Line						
.050	Public Park		Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.									Uses 1. 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 more details. 2. The provisions of Chapter 90 KZC limiting development in and around wetlands do not apply to a public park, if the development is approved as part of a Master Plan. 3. This use may include a public access pier or boardwalk. See KZC 30-15-030C chapter 83 KZC for regulations regarding these uses.	

User Guide. The charts in KZC 30.35 contain the basic zoning regulations that apply in the WD III 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 30.30



Section 30.30 – 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. Refer to Chapter 1 KZC to determine what other provisions of this code may apply to the subject property.
3. May not use lands waterward of the [high water#ordinary high water mark](#) to determine lot size or to calculate allowable density.
3. The required 30-foot front yard may be reduced, subject to all of the following conditions:
 - a. The existing primary structure does not conform to the minimum shoreline setback standard;
 - b. The proposed complete replacement or replacement of portion of the existing primary structure comply with the minimum required shoreline setback established under the provisions of KZC Chapter 83, or as otherwise approved under the shoreline setback reduction provisions established in Section 83.380 KZC;
 - c. The front yard for the complete replacement or the portion of replacement may be reduced one (1) foot for each one (1) foot of the shoreline setback that is increased in dimension from the setback of the existing non conforming primary structure, provided that subsection 3.d below is met; and
 - d. Within the front yard, each portion of the replaced or portion of replaced primary structure is setback from the front property line by a distance greater than or equal to the maximum height of that portion above the front property line.
(Does not apply to Public Access Pier, Boardwalk, or Public Access Facility; Boat launch; Piers, docks, boat lifts and canopies serving Detached Dwelling Unit; Piers, docks, boat lifts and canopies serving Detached, Attached or Stacked Dwelling Units; Public Park; Public Utility uses; Boat Launch; or Water Taxi).
4. The required 30-foot front yard may be reduced, subject to the following conditions:
 - a. The existing primary structure does not conform to the minimum shoreline setback standard;
 - b. The front yard may be reduced one foot for each one foot of the shoreline setback that is increased in dimension;
 - c. The new or remodeled primary structure must comply with the minimum required shoreline setback established under the provisions of KZC Chapter 83, or as otherwise approved under the shoreline setback reduction provisions established in Section 83.380 KZC; and
 - d. Within 30 feet 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. ~~increase in~~
5. May also be regulated under the Shoreline Master Program, [KMC Title 24 Chapter 83 KZC](#).

Section 30.35	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)	
			Front	REQUIRED YARDS (See Ch. 115)		Lot Coverage	Height of Structure						
				Lot Size	North Property Line			South Property Line					Shoreline Setback
.010	Detached Dwelling Unit	None	See also Spec. Reg. 2.	3,600 sq. ft./unit, except if 1,800 sq. ft./unit for dwelling units if the public access provision of KZC 83.390 are met 3,600 sq. ft.	30'	See also Spec. Reg. 2.	5', but 2' side yards must equal at least 15' of height of the structure above average building height	80%	30' above average building elevation. This provision may not be varied.	E	A	2.0 per unit.	1. No structures, other than moorage structures or public access piers, may be waterward of the high waterline ordinary high water mark. For the regulations regarding moorages and public access piers, see the specific listings in this zone and Chapter 83 KZC. 32. 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. Chapter 83 KZC contains regulations regarding shoreline setbacks, view corridors, and public pedestrian walkways. 4-3. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 54. The required yard of a structure abutting Lake Washington Blvd. must be increased two feet for each one foot that structure exceeds 25 feet above the adjacent centerline of Lake Washington Blvd.

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

Section 30.35	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	Front	REQUIRED YARDS (See Ch. 115)					Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)
					North Property Line	South Property Line						
.020	Attached or Stacked Dwelling Units	Process I, Chapter 145 KZC.	3,600 sq. ft. per unit	30'	The greater of: a. 15' of b. 1-1/2 times the height of the primary structure above average building elevation c. 10'	See Chapter 115, but 2 side yards must equal at least 15' of the average parcel depth	80%	30' above average building elevation. See also Spec. Reg. 3	D	A	2.0 per unit.	<p>1. No structures, other than moorage structures or public access piers, may be waterward of the <u>high waterline</u> ordinary high water mark. For the regulations regarding moorages and public access piers, see the specific listings in this zone and <u>Chapter 83 KZC.</u></p> <p>2. <u>Chapter 83 KZC</u> contains regulations regarding shoreline setbacks, view corridors, and public pedestrian walkways. <u>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.</u> 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. The City shall require signs designating the public pedestrian access and public uses areas. <u>See Chapter 83 KZC for requirements.</u></p> <p><u>5. A view corridor must be maintained across 30% 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.</u></p> <p><u>53. Structure height may be increased to 35 feet above average building elevation if the increase does not impair views of the lake from properties east of Lake Washington Boulevard; and</u></p> <p>a. The increase is offset by a view corridor that is superior to that required by <u>Special Regulation 4</u> Chapter 83 KZC; or</p> <p>b. <u>The increase is offset by maintaining comparable portions of the structure lower than 30 feet above average building elevation.</u></p> <p><u>67. The design of 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.</u></p> <p>REGULATIONS FOR THIS USE CONTINUED ON THE NEXT PAGE</p>

See General Regulations

Section 30.35	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				
			Front	North Property Line						
.020	Attached or Stacked Dwelling Units (continued)									REGULATIONS CONTINUED FROM PREVIOUS PAGE 4. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 5. Any required yard, other than the front required yard or high water line required shoreline setback, 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 shall provide the minimum required yard.
.030	Public Access Pier, Boardwalk or Public Access Facility	See Chapter 83 KZC Process 145-KZC.	None	See Chapter 83 KZC Waterward of the High Waterline - 40' - 40' - See also Special Regulation 8	-	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	-	See Spec. Reg-7	See KZC 105.25. Refer to Chapter 83 KZC for additional regulations. 1. No accessory uses, buildings, or activities are permitted as part of this use. 2. If a structure 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. 3. May not treat a structure with creosote, oil base or toxic substances. 4. Must provide at least one covered and secured waste receptacle. 5. All utility lines must be below the pier deck and, where feasible, underground. 6. Piers must be adequately lit; the source of the light must not be visible from neighboring properties. 7. 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. 8. North and south property line yards may be decreased for ever-water public use facilities which connect with waterfront public access on adjacent property.	

Section 30.35	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	North Property Line						
.040	Piers, docks, boat lifts and canopies serving Detached Dwelling Unit.		See Chapter 83 Chapter 83 None	None	See Chapter 83 Waterward of the High Waterline -- 40' 40' -- In addition, no moorage structure may be within a- 25' of a public park; or b- 25' of another moorage structure not on the subject property. The minimum dimension of any yard, other than those listed, is 5'	80%	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.	-	See Spec. Reg. 9.	None	Refer to Chapter 83 KZC for additional regulations. 1. Moorage must be for the exclusive use of the residents of the subject property. Renting moorage spaces is not permitted. 2. No accessory uses, buildings, or activities are permitted as part of this use. Various accessory components are permitted as part of a General Moorage Facility. See that listing in this zone. 3. Moorage structure may not extend waterward beyond a point 150 feet from the high waterline. In addition, piers and decks may not be wider than is reasonably necessary to provide safe access to the boats, but not more than eight feet in width. 4. 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. 5. May not treat moorage structure with creosote, oil base or toxic substances. 6. Must provide at least one covered and secured waste receptacle. 7. All utility lines must be below the pier deck and, where feasible, underground. 8. Piers must be adequately lit; the source of the light must not be visible from neighboring properties. 9. 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. 10. Covered moorage is not permitted. 11. Aircraft moorage is not permitted. 12. Live-aboard boats are prohibited.	



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

Section 30.35	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 Property Line	North Property Line	South Property Line					Shoreline Setback	High Water Line	Lot Coverage	Height of Structure
											<p>isolation of a detached dwelling unit, site design, building design and landscaping must mitigate the impacts of that isolation.</p> <p>7. The City will determine the maximum allowable number of moorages based on the following factors:</p> <p>a. The ability of the landward of the high-waterline to accommodate the necessary support facilities.</p> <p>b. The potential for traffic congestion.</p> <p>c. The number of moorages shall not exceed the number of dwelling units on the subject property.</p> <p>REGULATIONS FOR THIS USE CONTINUED ON THE NEXT PAGE</p>				

Section 30.35

Section 30.35	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				
.050	General Moorage Facility (continued)				<p>c. Closer to a lot containing a detached dwelling unit than a line that starts where the high-waterline of the lot intersects the side-property line of the lot closest to the moorage structure and runs waterward toward the moorage structure at a 30° angle from that side-property line. This setback applies whether or not the subject property abuts the lot, but does not extend beyond any intervening overwater 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 those listed, is 5'.</p> <p>(See previous page for the rest of this column)</p>					<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 size and configuration of moorage structures to insure that:</p> <p>a. 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</p> <p>b. The moorage structures are not larger than is necessary to moor the specified number of boats; and</p> <p>c. The moorage structures will not interfere with the public use and enjoyment of the water or create a hazard to navigation; and</p> <p>d. The moorage structures will not adversely affect nearby uses; and</p> <p>e. The moorage structures will not have a significant long-term adverse effect on aquatic habitats.</p> <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 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>	

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

Section 30.35	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	REQUIRED YARDS (See Ch. 115)		Lot Coverage	Height of Structure				
					North Property Line	South Property Line						
												<p>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.</p> <p>4.3. Structure height may be increased to 35 feet above average building elevation if:</p> <p>a. The increase does not impair views of the lake from properties east of Lake Washington Boulevard; and</p> <p>b. The increase is offset by a view corridor that is superior to that required by Special Regulation 4; or</p> <p>b. The increase is offset by maintaining comparable portions of the structure lower than 30 feet above average building elevation.</p> <p>5. The design of 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.</p> <p>6.4. 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>

Section 30.35	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	REQUIRED YARDS (See Ch. 115)		Lot Coverage	Height of Structure				
					North Property Line	South Property Line						
.090	Assisted Living Facility		Process I, Chapter 145 KZC.	3,600 sq. ft.	30' See also Spec. Reg. 6.	5' but greater of: a-15' or b-14'2"	5' but greater of: a-15' or b-14'2"	See Chapter 83 KZC The greater of the average height of the primary streets to above average building elevation	D	A	2.0 per independent unit. 1 per assisted living unit.	1. A facility that provides both independent dwelling units and assisted living units shall be processed as an assisted living facility. 2. A nursing home use may be permitted as part of an assisted living facility use in order to provide a continuum of care for residents. If a nursing home is included, the following parking standards shall apply to the nursing home portion of the facility: a. One parking stall shall be provided for each bed. 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 II, 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. No structures, other than moorage structures or public access piers, may be waterward of the high waterline. For the regulation regarding moorages and public access piers, see the specific listings in this zone and Chapter 83 KZC. 5. Chapter 83 KZC contains regulations regarding shoreline setbacks, view corridors, and public pedestrian walkways. 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 the adjoining property. The City shall require signs designating the public pedestrian access and public uses areas.

REGULATIONS CONTINUED ON NEXT PAGE

The minimum dimension of any yard, other than those listed, is 5'.

Section 30.35	USE ↑	REGULATIONS ↑	Required Review Process		MINIMUMS (See Ch. 115)			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	REQUIRED YARDS		Lot Coverage	Height of Structure					
					North Property Line	South Property Line			Shoreline Setback				
.090	Assisted Living Facility (continued)												<p>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 existing 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.</p> <p>5. Structure height may be increased to 35 feet above average building elevation if:</p> <p>a. The increase does not impair views of the lake from properties east of Lake Washington Boulevard; and</p> <p>a.b. The increase is offset by a view corridor that is superior to that required by Chapter 83 KZC Special Regulation 7; or</p> <p>b. The increase is offset by maintaining comparable portions of the structure lower than 30 feet above average building elevation.</p> <p>9. The design of 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.</p> <p>10. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use.</p> <p>Refer to Chapter 83 KZC for additional regulations.</p>
.100	Boat launch (for non-motorized boats)												<p>See Chapter 83 KZC</p> <p>None</p> <p>Refer to Chapter 83 KZC for additional regulations.</p>

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

Section 30.35	USE ↑	REGULATIONS ↑	Required Review Process		MINIMUMS		MAXIMUMS		Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			None	See Chapter 83 KZC	Lot Size	REQUIRED YARDS (See Ch. 115)	Lot Coverage	Height of Structure				Landscape Category (See Ch. 95)
.110	Water taxi		See Chapter 83 KZC	None	Landward of the Ordinary High Water Mark	Landward of the Ordinary High Water Mark	80%	Landward of the ordinary high water mark, 30' above average building elevation.	B	See KZC 105.25.	Refer to Chapter 83 KZC for additional regulations.	
			30' See Gen. Regs	5' but 2 side yards must equal at least 15'	See Chapter 83 KZC							

50.14 User Guide. The charts in KZC 50.17 contain the basic zoning regulations that apply in the CBD 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 50.15



Section 50.15 – 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. ~~See KZC 50.20 for regulations regarding bulkheads and land surface modification.~~
3. Along Lake Street South, north of Kirkland Avenue, buildings exceeding one story above Lake Street South shall demonstrate compliance with the Design Regulations of Chapter 92 KZC and all provisions of the Downtown Plan. Through Design Review (D.R.) the City shall find that any allowance for additional height is clearly outweighed by identified public benefits such as through-block public pedestrian access or through-block view corridors (Does not apply to Public Access Pier, Boardwalk, or Public Access Facility; Piers, docks, boat lifts and canopies serving Detached Dwelling Unit; or Piers, docks, boat lifts and canopies serving Detached, Attached or Stacked Dwelling Units)(does not apply to Public Access Pier or Boardwalk and Moorage Facility for One or Two Boats uses).
4. In no case shall the height exceptions identified in KZC 50.62 and 115.60(2)(d) result in a structure which exceeds 28 feet above the abutting right-of-way (Does not apply to Public Access Pier, Boardwalk, or Public Access Facility; Boat Launch; Piers, docks, boat lifts and canopies serving Detached Dwelling Unit; Piers, docks, boat lifts and canopies serving Detached, Attached or Stacked Dwelling Units; or Marina)(does not apply to Public Access Pier or Boardwalk, Moorage Facility for One or Two Boats uses and General Moorage Facility Uses).
5. South of Second Avenue South, maximum height of structure is three stories above Lake Street South as measured at the midpoint of the frontage of the subject property on Lake Street South. Buildings exceeding two stories shall demonstrate compliance with the design regulations of Chapter 92 KZC and all provisions of the Downtown Plan (Does not apply to Public Access Pier, Boardwalk or Public Access Facility; Piers, docks, boat lifts and canopies serving Detached Dwelling Unit; or Piers, docks, boat lifts and canopies serving Detached, Attached or Stacked Dwelling Units)(does not apply to Public Access Pier or Boardwalk and Moorage Facility for One or Two Boats uses).
6. For purposes of measuring building height, if the subject property abuts more than one right-of-way, the applicant may choose which right-of-way shall be used to measure the allowed height of structure (does not apply to Public Access Pier or Boardwalk, Moorage Facility for One or Two Boats, and General Moorage Facility uses) (Does not apply to Public Access Pier, Boardwalk or Public Access Facility; Piers, docks, boat lifts and canopies serving Detached Dwelling Unit; Piers, docks, boat lifts and canopies serving Detached, Attached or Stacked Dwelling Units).
7. May not use land waterward of the ~~high water~~ordinary high water mark to determine lot size or to calculate allowable density.
8. Development in this zone may also be regulated under the City's Shoreline Master Program; refer to KZC Chapter 83, consult that document.

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

Section 50.17	USE ↓	REGULATIONS ↑	Required Review Process		MINIMUMS			MAXIMUMS		Sign Category (See Ch. 95)	Landscape 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	A Retail Establishment, other than those specifically listed, limited, or prohibited in this zone, selling goods or providing services, including banking and related financial services	D.R., Chapter 142 KZC	None	0'	0'	0'	100%	28' above the abutting right-of-way measured at the midpoint of the subject property on each right-of-way.	D	E	One per each 350 sq. ft. of gross floor area. See KZC 50.60..	<p>1. The following provisions, which supersede any conflicting provisions of this Chapter, apply only if the subject property abuts or includes a portion of Lake Washington:</p> <p>a. A high waterline yard equal in depth to the greater of 15 feet or 15 percent of the average parcel depth is hereby established on the subject property.</p> <p>a. <u>Chapter 83 KZC contains regulations regarding shoreline setbacks and public pedestrian walkways.</u></p> <p>b. Balconies that are at least 15 feet above finished grade may extend up to four feet into the high waterline yard.</p> <p>e-b. No structure, other than moorage structures, may be waterward of the high waterline<u>ordinary high water mark</u>. For regulation regarding moorages, see the moorage listings in this zone and Chapter 83 KZC.</p> <p>d. Must provide public pedestrian access from an adjoining right-of-way to and along the entire waterfront of the subject property within the high waterline yard. 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 public pedestrian access and public use areas.</p> <p>2. The following uses are not permitted in this zone:</p> <p>a. Vehicle service stations.</p> <p>b. The sale, service and/or rental of motor vehicles, sailboats, motor boats, and recreational trailers; provided, that motorcycle sales, service, or rental is permitted if conducted indoors.</p> <p>c. Drive-in facilities and drive-through facilities.</p> <p>3. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if:</p> <p>a. The assembled or manufactured goods are directly related to and dependent upon this use, and are available for purchase and removal from the premises.</p> <p>b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other retail uses.</p> <p>4. The parking requirement for hotel or motel use does not include parking requirements for ancillary meetings and convention facilities. Additional parking requirements for ancillary uses shall be determined on a case-by-case basis.</p>	
.020	Entertainment, Cultural and/or Recreational Facility										See KZC 50.60 and 105.25.		
.030	Hotel or Motel										One for each room. See Special Regulation 4 and KZC 50.60.		
.040	Restaurant or Tavern										One per each 125 sq. ft. of gross floor area. See KZC 50.60.		

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

Section 50.17



USE



Required Review Process

MINIMUMS

MAXIMUMS

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)

Special Regulations
(See also General Regulations)

.050 School, Day-Care Center, or Mini School or Day-Care Center

D.R., Chapter 142 KZC.

None

0'

0'

0'

100%

28' above the abutting right-of-way measured at the midpoint of the frontage of the subject property on each right-of-way

E

See KZC 50.60 and 105.25.

1. The following provisions, which supersede any conflicting provisions of this Chapter, apply only if the subject property abuts or includes a portion of Lake Washington:
 - a. Chapter 83 KZC contains regulations regarding shoreline setbacks and public pedestrian walkways. A high-waterline yard equal in depth to the greater of 15 feet or 15 percent of the average parcel depth is hereby established on the subject property.
 - b. Balconies that are at least 15 feet above finished grade may extend up to four feet into the high-waterline yard.
 - c. No structure, other than moorage structures, may be waterward of the high-waterline ordinary high water mark. For regulations regarding moorages, see the moorage listings in this zone and Chapter 83 KZC.
2. A six-foot-high fence is required along all property lines adjacent to outside play areas.
3. Structured play areas must be setback from all property lines by at least five feet.
4. Hours of operation may be limited by the City to reduce impacts on nearby residential uses.
5. 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.
6. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388).

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

Section 50.17	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 Size	Lot Coverage	Height of Structure				
				Front	Side							
.060	Assisted Living Facility See Special Regulation 4.		D.R., Chapter 142 KZC.	0'	0'	0'	100%	28' above the abutting right-of-way measured at the midpoint of the frontage of the subject property on each right-of-way.	D	A	1.7 per independent unit. 1 per assisted living unit. See KZC 50.60.	<p>1. A facility that provides both independent dwelling units and assisted living units shall be processed as an assisted living facility.</p> <p>2. A nursing home use may be permitted as part of an assisted living facility use in order to provide a continuum of care for residents. If a nursing home use is included, the following parking standard shall apply to the nursing home portion of the facility:</p> <p>a. One parking stall shall be provided for each bed.</p> <p>3. The following provisions, which supersede any conflicting provisions of this Chapter, apply only if the subject property abuts or includes a portion of Lake Washington:</p> <p>a. Chapter 83 KZC contains regulations regarding shoreline setbacks and public pedestrian walkways. A high waterline yard equal in depth to the greater of 15 feet or 15 percent of the average parcel depth is hereby established on the subject property.</p> <p>b. Balconies that are at least 15 feet above finished grade may extend up to four feet into the high waterline yard.</p> <p>e-b. No structure, other than moorage structures, may be waterward of the high waterline ordinary high water mark. For regulations regarding moorages, see the moorage listings in this zone and Chapter 83 KZC.</p> <p>d. Must provide public pedestrian access from an adjoining right-of-way to and along the entire waterfront of the subject property within the high waterline yard. 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 public pedestrian access and public use areas.</p> <p>4. This use may be located on the street level floor of a building only if there is a retail space extending a minimum of 30 feet of the building depth between this use and the abutting right-of-way. The Planning Director may approve a reduction to the depth requirement for the retail space if the applicant demonstrates that the proposed configuration of the retail use provides an adequate dimension for a viable retail tenant and provides equivalent or superior visual interest and potential foot traffic as would compliance with the required dimension.</p>

Section 50.17



REGULATIONS



Special Regulations
(See also General Regulations)

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)	
		REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure					
		Lot Size	Front	Side							Rear
.070 Private Club or Lodge	D.R., Chapter 142 KZC.	None	0'	0'	0'	100%	28' above the abutting right-of-way measured at the midpoint of the frontage of the subject property on each right-of-way.	D	B	See KZC 50.60 and 105.25.	1. The following provisions, which supersede any conflicting provisions of this Chapter, apply only if the subject property abuts or includes a portion of Lake Washington: a. Chapter 83 KZC contains regulations regarding shoreline setbacks and public pedestrian walkways. A high waterline yard equal in depth to the greater of 15 feet or 15 percent of the average parcel depth is hereby established on the subject property. b. Balconies that are at least 15 feet above finished grade may extend up to four feet into the high waterline yard. c-b. No structure, other than moorage structures, may be waterward of the high waterline ordinary high water mark. For regulations regarding moorages, see the moorage listings in this Zone and Chapter 83 KZC. d. Must provide public pedestrian access from an adjoining right-of-way to and along the entire waterfront of the subject property within the high waterline yard. 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 public pedestrian access and public use areas.
080 Office Use								D		One per 350 sq. ft. of gross floor area. See KZC 50.60.	2. Ancillary assembly and manufacture of goods on premises may be permitted as part of an office use if: a. The ancillary assembled or manufactured goods are subordinate to and dependent on this office use; and b. The outward appearance and impacts of this office use with ancillary assembly and manufacturing activities must be no different from other office uses. 3. This use may be located on the street level floor of a building only if there is a retail space extending a minimum of 30 feet of the building depth between this use and the abutting right-of-way. The Planning Director may approve a reduction to the depth requirement for the retail space if the applicant demonstrates that the proposed configuration of the retail use provides an adequate dimension for a viable retail tenant and provides equivalent or superior visual interest and potential foot traffic as would compliance with the required dimension. 4. Veterinary offices are not permitted in this zone.

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

Section 50.17	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
.090	Stacked or Attached Dwelling Units		D.R., Chapter 142 KZC	None	0'	0'	0'	100%	28' above the abutting right-of-way measured at the midpoint of the frontage of the subject property on each right-of-way.	D	A	1.7 per unit. See KZC 50.60.	<p>1. The following provisions, which supersede any conflicting provisions of this Chapter, apply only if the subject property abuts or includes a portion of Lake Washington:</p> <p>a. <u>Chapter 83 KZC contains regulations regarding shoreline setbacks and public pedestrian walkways.—A high-waterline yard equal in depth to the greater of 45 ft. or 15 percent of the average parcel depth is hereby established on the subject property.</u></p> <p>b. <u>Balconies that are at least 15 feet above finished grade may extend up to four feet into the high-waterline yard.</u></p> <p>c-b. No structure, other than moorage structures, may be waterward of the high-waterline ordinary high water mark. For regulations regarding moorages, see the moorage listings in this Zone and Chapter 83 KZC.</p> <p>d. <u>Must provide public pedestrian access from an adjoining right-of-way to and along the entire waterfront of the subject property within the high-waterline yard. 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 public pedestrian access and public use areas.</u></p> <p>2. This use may be located on the street level floor of a building only if there is a retail space extending a minimum of 30 feet of the building depth between this use and the abutting right-of-way. The Planning Director may approve a reduction to the depth requirement for the retail space if the applicant demonstrates that the proposed configuration of the retail use provides an adequate dimension for a viable retail tenant and provides equivalent or superior visual interest and potential foot traffic as would compliance with the required dimension.</p>
.100	Public Access Pier or Boardwalk, or Public Access Facility			Landward of the high-waterline ordinary high water mark	0' 0' 0'	Waterward of the high-waterline	0' 10' 0'	See Special Regulation 8.	Pier decks may not be more than 24 feet above mean sea level. Diving boards and similar features may not be more than 3 feet above the deck. See Chapter 83 KZC	--	See Spec. Reg. 7.	--	<p>1. <u>Refer to Chapter 83 KZC for additional regulations. No accessory uses, buildings, or activities may be permitted as part of this use.</u></p> <p>2. <u>If a structure 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.</u></p> <p>3. <u>May not treat structures with creosote, oil base, or toxic substances.</u></p> <p>4. <u>Must provide at least one covered and secured waste receptacle.</u></p> <p>5. <u>All utility lines must be below the pier deck and, where feasible, underground.</u></p> <p>6. <u>Piers must be adequately lit; the source of the light must not be visible from off the subject property.</u></p>

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

Section 50.17	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				
				Front	Side						
.110	Piers, docks, boat lifts and canopies serving Detached Dwelling Unit/Moorage Facility for One or Two Boats	<p>Landward of the high waterline ordinary high water mark</p> <p>0' 0' 0'</p> <p>Waterward of the high waterline</p> <p>0' 10' 0'</p> <p>See Special Regulation 5.</p>	None	100%	See Chapter 83 KZC. Pier decks may not be more than 24 feet above mean sea level. Diving boards and similar features may not be more than 3 feet above the deck.	--	See Spec. Reg. 9.	See KZC 50.60 and 105.25. None	<p>7. The pier or boardwalk must display the street address of the subject property. The address must be oriented to and visible from the lake with letters and numbers at least four inches high.</p> <p>8. The side property line yards may be reduced for over-water public access piers or boardwalks which connect with waterfront public access on adjacent property.</p> <p>1. Refer to Chapter 83 KZC for additional regulations. No accessory use, buildings, or activities are permitted as part of this use. Various accessory components are permitted as part of a General Moorage Facility. See that listing in this zone.</p> <p>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.</p> <p>3. If 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.</p> <p>4. May not treat structures with creosote, oil-based, or toxic substances.</p> <p>5. Moorage structures may not be closer than 25 feet to another moorage structure not on the subject property.</p> <p>6. Must provide at least one covered and secured waste receptacle.</p> <p>7. All utility lines must be below the pier deck and, where feasible, underground.</p> <p>8. Piers must be adequately lit; the source of the light must not be visible from off the subject property.</p> <p>9. Moorage structures must display the street address of the subject property. The address must be oriented to and visible from the lake, with letters and numbers at least four inches high.</p> <p>10. Covered moorage is not permitted.</p> <p>11. A high waterline yard equal in depth to the greater of 15 feet or 15 percent of the average parcel depth is hereby established on the subject property. No structure other than moorage structures may be within the high waterline yard.</p>		

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

Section 50.17



REGULATIONS



Special Regulations
(See also General Regulations)

Required Parking Spaces
(See Ch. 105)

Sign Category
(See Ch. 100)

Landscape Category
(See Ch. 95)

MAXIMUMS

Height of Structure

Lot Coverage

MINIMUMS

REQUIRED YARDS
(See Ch. 115)

Lot Size

Front

Side

Rear

Required Review Process

USE

.120	<p><u>Piers, docks, boat lifts and canopies serving Detached, Attached or Stacked Dwelling Units</u></p>	<p><u>D.R., Chapter 142 KZC. See Chapter 83 KZC</u></p>	<p>None</p>	<p>0'</p>	<p>0'</p>	<p>0'</p>	<p>100%</p>	<p><u>See Chapter 83 KZC</u></p>	<p>=</p>	<p>=</p>	<p>None</p>	<p><u>Refer to Chapter 83 KZC for additional regulations.</u></p>

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

Section 50.17	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)		Height of Structure			
	Front	Side	Rear		Lot Coverage	Landscape Category (See Ch. 95)				

										<p>d. Boat or motor repair and service if:</p> <p>1) This activity is conducted on dry land and either totally within a building or totally sight screened from the adjoining property and the right-of-way; and</p> <p>2) All dry land motor testing is conducted within a building.</p> <p>e. Meeting and special events rooms.</p> <p>4. Must provide public pedestrian access from an adjoining right-of-way to and along the entire waterfront of the subject property within the high waterline yard. 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 public pedestrian access and public use areas.</p> <p>5. The City may require the applicant to install a buffer between the subject property and adjoining property. The City will use the requirements of Chapter 95 as a guide for requiring a buffer.</p> <p>6. At least one pump-out facility shall be provided for use by the general public. This facility must be easily accessible to the general public and clearly marked for public use.</p> <p>7. Must provide public restrooms unless moorage is available only for the residents of dwelling units on the subject property.</p> <p>8. If 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.</p> <p>9. May not treat moorage structures with creosote, oil based, or toxic substances.</p> <p>10. No moorage structure may be within:</p> <p>a. 100 feet of a public park;</p> <p>b. 50 feet of any abutting lot that contains a detached dwelling unit;</p> <p>and</p> <p>e. 25 feet of another moorage structure not on the subject property.</p> <p>11. Must provide at least two covered and secured waste receptacles.</p> <p>12. All utility lines must be below the pier decks and, where feasible, underground.</p> <p>13. Piers must be adequately lit; the source of the light must not be visible from off the subject property.</p> <p>14. Moorage structures must display the street address of the subject</p>
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DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 50.17	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							
	<u>Tour Boat</u>	<u>D.R., Chapter 142 KZC</u> <u>See Chapter 83 KZC.</u>	<u>None</u>	<u>0'</u>	<u>0'</u>	<u>0'</u>	<u>100%</u>	<u>Landward of the ordinary high water mark, 28' above the abutting right-of-way measured at the midpoint of the frontage of the subject property on each right-of-way.</u>	<u>See Spec. Reg. 2</u>	<u>B</u>	<u>See KZC 50.60 and 105.25.</u>	<p>property. The address must be oriented to and visible from the lake, with letters and numbers at least four inches high.</p> <p>15. Covered moorage is not permitted. Aircraft moorage is not permitted.</p> <p>16. A high waterline yard equal in depth to the greater of 15 feet or 15 percent of the average parcel depth is hereby established on the subject property. No structure other than moorage structures may be within the high waterline yard.</p> <p>17. Balconies that are at least 15 feet above finished grade may extend up to four feet into the high waterline yard.</p> <p>18. No structures, other than moorage structures, may be waterward of the high waterline.</p> <p>1. Refer to Chapter 83 KZC for additional regulations.</p> <p>2. The City may require the applicant to install a buffer between the subject property and adjoining property. The City will use the requirements of KZC Chapter 95 as a guide for requiring a buffer.</p>	
	<u>Passenger Only Ferry Terminal</u>	<u>D.R., Chapter 142 KZC</u> <u>See Chapter 83 KZC.</u>	<u>None</u>	<u>0'</u>	<u>0'</u>	<u>0'</u>	<u>100%</u>	<u>Landward of the ordinary high water mark, 28' above the abutting right-of-way measured at the midpoint of the frontage of the subject property on each</u>	<u>See Spec. Reg. 2</u>	<u>B</u>	<u>See KZC 50.60 and 105.25.</u>	<p>1. Refer to Chapter 83 KZC for additional regulations.</p> <p>2. The City may require the applicant to install a buffer between the subject property and adjoining property. The City will use the requirements of Chapter 95 as a guide for requiring a buffer.</p>	

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

Section 50.17	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						
	Water Taxi		D.R., Chapter 142 KZC See Chapter 83 KZC.	None	0'	0'	0'	100%	right-of-way.				
	Boat Launch (motorized boats)		D.R., Chapter 142 KZC See Chapter 83 KZC.	None	0'	0'	0'	100%	Landward of the ordinary high water mark, 28' above the abutting right-of-way measured at the midpoint of the frontage of the subject property on each right-of-way.	See KZC 50.60 and 105.25.	See KZC 50.60 and 105.25.	1. Refer to Chapter 83 KZC for additional regulations. 2. The City may require the applicant to install a buffer between the subject property and adjoining property. The City will use the requirements of Chapter 95 as a guide for requiring a buffer.	
												1. Refer to Chapter 83 KZC for additional regulations. 2. The City may require the applicant to install a buffer between the subject property and adjoining property. The City will use the requirements of Chapter 95 as a guide for requiring a buffer.	

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

Section 50.17	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					
.130	Public Utility												
.140	Government Facility												
.150	Community Facility												
.160	Public Park												

1. May be permitted only if locating this use in the immediate area of subject property is necessary to permit efficient service to the area or the City as a whole.
2. No structures, other than moorage structures, may be waterward at the ~~high-water#~~ordinary high water mark. For regulations regarding moorages, see the moorage listings in this zone and [Chapter 83 KZC](#).

See KZC 50.60 and 105.25.

B
D

28' above the abutting right-of-way measured at the midpoint of the frontage of the subject property on each right-of-way.

100%
0'
0'

None

D.R., Chapter 142 KZC.

Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process. May also be regulated under the Shoreline Master Program, refer to KZC Chapter 83.

52.14 User Guide. The charts in KZC 52.17 contain the basic zoning regulations that apply in the JBD 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 52.15



Section 52.15 – GENERAL REGULATIONS

1. Refer to Chapter 1 KZC to determine what other provisions of this code may apply to the subject property. 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. 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.
 3. The maximum height of structures on the subject property may be increased by up to 13 feet if a view corridor is maintained across 30 percent of the average parcel width for the portion of the building above 26 feet. The corridor will be located to provide the widest view corridor given development on adjacent properties to the north and south.
 4. See Chapters 100 and 162 KZC for information about nonconforming signs. KZC 162.35 describes when nonconforming signs must be brought into conformance or removed (does not apply to Public Parks uses).

5. [May also be regulated under the Shoreline Master Program, refer to KZC Chapter 83.](#)

52.19 The charts in KZC [52.22](#) contain the basic zoning regulations that apply in the JBD 3 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 52.15



Section 52.20 – GENERAL REGULATIONS

1. Refer to Chapter [1](#) KZC to determine what other provisions of this code may apply to the subject property.
2. A 10-foot landscape buffer shall be provided along 98th Avenue NE. Alternative techniques for framing this entryway to the business district may be proposed by the applicant as part of D.R.
3. The maximum height of structures on the subject property may be increased by up to 13 feet if a view corridor is maintained across 30 percent of the average parcel width for the portion of the building above 26 feet. The corridor will be located to provide the widest view corridor given development on adjacent properties to the north and south
4. See Chapters [100](#) and [162](#) KZC for information about nonconforming signs. KZC [162.35](#) describes when nonconforming signs must be brought into conformance or removed (does not apply to Public Parks uses).
5. [May also be regulated under the Shoreline Master Program, refer to KZC Chapter 83.](#)

52.24 User Guide. The charts in KZC 52.27 contain the basic zoning regulations that apply in the JBD 4 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 52.25



Section 52.25 – 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. ~~Must provide public pedestrian access as required under Chapter 83 KZC. Must provide public pedestrian access from the right-of-way to and along the entire waterfront of the subject property. 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.~~
3. ~~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 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 to the east and west (does not apply to Public Parks uses).~~
43. May not use lands waterward of the ~~high-waterline~~ordinary high water mark to determine lot size or to calculate allowable density.
54. May also be regulated under the Shoreline Master Program, refer to KZC Chapter 83KMC The 24.

User Guide. The charts in KZC 52.32 contain the basic zoning regulations that apply in the JBD 5 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 52.30



Section 52.30 – 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. ~~Must provide public pedestrian access as required under Chapter 83 KZC. Must provide public pedestrian access from the right of way to and along the entire waterfront of the subject property. 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.~~
3. ~~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 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 to the east and west (does not apply to Public Access Pier or Boardwalk, Public Parks, Moorage Facility for 1 or 2 Boats and General Moorage Facility uses).~~
4. ~~Must provide a required yard of 15 feet or 15 percent of average parcel depth, whichever is greater, 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 (does not apply to Public Access Pier or Boardwalk, Public Parks, Moorage Facility for 1 or 2 Boats and General Moorage Facility uses).~~
53. May not use lands waterward of the high waterline ordinary high water mark to determine lot size or to calculate allowable density.
64. May also be regulated under the Shoreline Master Program, refer to KZC Chapter 83KMC Title 24.

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

Section 52.32	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				
.160	Public Access Pier or Boardwalk or Public Access Facility	D.R., Chapter 142 KZC. Also see Chapter 83 KZC	None	Landward of the high waterline 0' 0' 0'	Waterward of the high waterline 0' 40' 0'	See also Spec. Reg. 8 See Chapter 83 KZC	-	Pier decks may not be more than 24 feet above mean sea level. Diving boards and similar features may not be more than 3 feet above the deck.	-	See Spec. Reg. 7.	-	Refer to Chapter 83 KZC for additional regulations. 1. No accessory uses, buildings, or activities may be permitted as part of this use. 2. If a structure 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. 3. May not treat structures with creosote, oil base, or toxic substances. 4. Must provide at least one covered and secured waste receptacle. 5. All utility lines must be below the pier deck and, where feasible, underground. 6. Piers must be adequately lit; the source of the light must not be visible from off the subject property. 7. The pier or boardwalk must display the street address of the subject property. The address must be oriented to and visible from the lake with letters and numbers at least four inches high. 8. The side property line yards may be reduced for over-water public access piers or boardwalks which connect with waterfront public access on adjacent property. 9. See KZC 52.35 for regulations regarding bulkheads and land surface modification. 10. This development may also be regulated under the City's Shoreline Master Program; consult that document. 11. May not use land waterward of the high waterline to determine lot size or to calculate allowable density.

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

Section 52.32	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)		Height of Structure				
			Front	Side	Rear	Lot Coverage				

.170	Piers, docks, boat lifts and canopies serving Detached Dwelling Unit/Moorage Facility for One or Two Boats	None	None	Landward of the high waterline 0'	0'	Waterward of the high waterline 0'	10'	0'	See Spec. Reg. 5. See Chapter 83 KZC	80%	Pier decks may not be more than 24 feet above mean sea level. Diving boards and similar features may not be more than 3 feet above the deck.	-	See Spec. Reg. 9.	See KZC 105.25.	Refer to Chapter 83 KZC for additional regulations. 1. No accessory uses, buildings, or activities are permitted as part of this use. Various accessory components are permitted as part of a General Moorage Facility. See that listing in this zone. 2. Moorage structures may not extend waterward beyond a point 150 ft. 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 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 structures with creosote, oil base, or toxic substances. 5. Moorage structures may not be closer than 25 feet to another moorage structure not on the subject property. 6. Must provide at least one covered and secured waste receptacle. 7. All utility lines must be below the pier deck and, where feasible, underground. 8. Piers must be adequately lit; the source of the light must not be visible from off the subject property. 9. Moorage structures must display the street address of the subject property. The address must be oriented to and visible from the lake, with letters and numbers at least four inches high. 10. Covered moorage is not permitted. Aircraft moorage is not permitted. 11. A high waterline yard equal in depth to the greater of 15 feet or 15 percent of the average parcel depth is hereby established on the subject property. No structure other than moorage structures may be within the high waterline yard. 12. See KZC 52.35 for regulations regarding bulkheads and land surface modification. In addition, refer to Chapter 4 KZC to determine what other provisions of this code may apply to the subject property. 13. This development may also be regulated under the City's Shoreline Master Program; consult that document. 14. May not use land waterward of the high waterline to determine lot size or to calculate allowable density.
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DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 52.32	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						
.175	Piers, docks, boat lifts and canopies serving Detached, Attached or Stacked Dwelling Units	None									Refer to Chapter 83 KZC for additional regulations.

Section 52.32
USE
REGULATIONS



Required Review Process

MINIMUMS

REQUIRED YARDS
(See Ch. 115)

Lot Size

Front

Side

Rear

MAXIMUMS

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)

.180

General Moorage Facility/Marina

None, but must have at least 400' of frontage on Lake Washinton.

Landward of the high water mark 0' 0'

Landward of the high water mark 26' above average building elevation. Waterward of the high waterline, pier decks may not be more than 24 feet above mean sea level. Diving boards and similar features may not be more than 3' above the deck.

See Spec. Reg. 4.

B See Spec. Reg. 43.

See KZC 105.25.

1. Refer to Chapter 83 KZC for additional regulations. The City will determine the maximum allowable number of moorages based on the following factors:
 a. The topography of the area.
 b. The ability of the land waterward of the high waterline to support the moorages.
 c. The nature of nearby uses.
 d. The potential for traffic congestion.
 e. The effect on existing habitats.
 2. Moorage structures may not be larger than is reasonably necessary to provide safe and reasonable moorage for the boats to be moored. The City will specifically review the size and configuration of moorage structures to insure that:
 a. The moorage structures do not extend waterward of the point beyond the Outer Harbor Line.
 b. The moorage structures are not larger than is necessary to moor the specified number of boats.
 c. The moorage structures will not interfere with the public use and enjoyment of the water or create a hazard to navigation.
 3-2. The following accessory components are allowed if approved through Process IIB, Chapter 152 KZC:
 a. Gas and oil sale for boats, if:
 1) Storage tanks are underground and on dry land; and
 2) The use has facilities to contain and clean up oil and gas spills.
 b. An over-water shed, which is no more than 50 square feet and not more than 10 feet high as measured from the deck, accessory to oil and gas sale for boats.
 c. Boat and motor sales and leasing.
 d. Boat or motor repair and service if:
 1) This activity is conducted on dry land and either totally within a building or totally sight screened from the adjoining property and the right-of-way; and
 2) All dry land motor testing is conducted within a building.
 e. Meeting and special events rooms.
 4. The City may require the applicant to install a buffer between the subject

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

Section 52.32	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						
.180	General Moorage Facility (Continued)										property and adjoining property. The City will use the requirements of Chapter 95 KZC as a guide for requiring a buffer. REGULATIONS CONTINUED ON NEXT PAGE 5. At least one pump-out facility shall be provided. This facility must be easily accessible to the general public and clearly marked for public use, unless moorage is available only for the residents of dwelling units on the subject property. 6. Must provide restrooms unless moorage is available only for the residents of dwelling units on the subject property. 7. If 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. 8. May not treat moorage structures with creosote, oil base, or toxic substances. 9. No moorage structure may be within: a. 100 feet of a public park; b. 50 feet of any abutting lot that contains a detached dwelling unit; or c. 25 feet to another moorage structure not on the subject property. 10. Must provide at least two covered and secured waste receptacles. 11. All utility lines must be below the pier decks and, where feasible, underground. 12. Piers must be adequately lit; the source of the light must not be visible from off the subject property. 13. Moorage structures must display the street address of the subject property. The address must be oriented to and visible from the lake, with letters and numbers at least four inches high. 14. Covered moorage is not permitted. Aircraft moorage is not permitted. 15. A high waterline yard equal in depth to the greater of 15 feet or 15 percent of the average parcel depth is hereby established on the subject property. No structure other than moorage structures may be within the high waterline yard. 16. No structures, other than moorage structures, may be waterward

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

Section 52.32	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 YARDS (See Ch. 115)			Lot Coverage	Height of Structure					
		Lot Size	Front	Side							Rear
	Passenger Only Ferry Terminal	See Chapter 83 KZC.	None	0'	0'	0'	80%	Landward of the Ordinary High Water Mark, 26' above average building elevation.	B	See KZC 105.25	of the high-waterline. 17. See KZC 62.35 for regulations regarding bulkheads and land surface modification. 18. This development may also be regulated under the City's Shoreline Master Program; consult that document. 19. May not use land-waterward of the high-waterline to determine lot size or to calculate allowable density. 1. Refer to Chapter 83 KZC for additional regulations.
	Water Taxi	See Chapter 83 KZC.	None	0'	0'	0'	80%	Landward of the Ordinary High Water Mark, 26' above average building elevation.	B	See KZC 105.25	1. Refer to Chapter 83 KZC for additional regulations.
	Boat Launch (motorized boats)	See Chapter 83 KZC.	None	0'	0'	0'	80%	Landward of the Ordinary High Water Mark, 26' above average building elevation.	B	See KZC 105.25	1. Refer to Chapter 83 KZC for additional regulations.

49.05 User Guide. The charts in KZC 49.15 contain the basic zoning regulations that apply in each P 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 49.10



Section 49.10 – 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. [May also be regulated under the Shoreline Master Program, refer to KZC Chapter 83.](#)

The charts in [KZC 50.12](#) contain the basic zoning regulations that apply in the CBD 1 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 50.10

Section 50.10 – 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. The maximum height of structure shall be measured at the midpoint of the frontage of the subject property on the abutting right-of-way, excluding First Avenue South. See KZC 50.62 for additional building height provisions.

3. The street level floor of all buildings shall be limited to one or more of the following uses: Retail; Restaurant or Tavern; Banking and Related Financial Services; and Entertainment, Cultural and/or Recreational Facility use. The required uses shall have a minimum depth of 20 feet and an average depth of at least 30 feet (as measured from the face of the building on the abutting right-of-way). Buildings proposed and built after April 1, 2009, and buildings that existed prior to April 1, 2009, which are at least 10 feet below the maximum height of structure, shall have a minimum depth of 10 feet and an average depth of at least 20 feet containing the required uses listed above. The Design Review Board (or Planning Director if not subject to D.R.) may approve a minor reduction in the depth requirements if the applicant demonstrates that the requirement is not feasible given the configuration of existing or proposed improvements and that the design of the retail frontage will maximize visual interest. Lobbies for residential, hotel, and office uses may be allowed within this space subject to applicable design guidelines.

4. Where public improvements are required by Chapter 110 KZC, sidewalks on pedestrian-oriented streets within CBD 1A and 1B shall be as follows: Sidewalks shall be a minimum width of 12 feet. The average width of the sidewalk along the entire frontage of the subject property abutting each pedestrian-oriented street shall be 13 feet. The sidewalk configuration shall be approved through D.R.

5. Upper story setback requirements are listed below. For purposes of the following regulations, the term "setback" shall refer to the horizontal distance between the property line and any exterior wall of the building. The measurements shall be taken from the property line abutting the street prior to any potential right-of-way dedication.

a. Lake Street: No portion of a building within 30 feet of Lake Street may exceed a height of 28 feet above Lake Street except as provided in KZC 50.62.

b. Central Way: No portion of a building within 30 feet of Central Way may exceed a height of 41 feet above Central Way except as provided in KZC 50.62.

c. Third Street and Main Street: Within 40 feet of Third Street and Main Street, all stories above the second story shall maintain an average setback of at least 10 feet from the front property line.

d. All other streets: Within 40 feet of any front property line, other than Lake Street, Central Way, Third Street, or Main Street, all stories above the second story shall maintain an average setback of at least 20 feet from the front property line.

e. The required upper story setbacks for all floors above the second story shall be calculated as Total Upper Story Setback Area as follows:

Total Upper Story Setback Area = (Linear feet of front property line(s), not including portions of the site without buildings that are set aside for vehicular areas) x (Required average setback) x (Number of stories proposed above the second story). See Plate 35.

f. The Design Review Board is authorized to allow a reduction of the required upper story setback by no more than five feet subject to the following:

1) Each square foot of additional building area proposed within the setback is offset with an additional square foot of public open space (excluding area required for sidewalk dedication) at the street level.

2) The public open space is located along the sidewalk frontage and is not covered by buildings.

3) For purposes of calculating the offsetting square footage, along Central Way, the open space area at the second and third stories located directly above the proposed ground level public open space is included. Along all other streets, the open space area at the second story located directly above the proposed ground level public open space is included.

4) The design and location is consistent with applicable design guidelines.

g. The Design Review Board is authorized to allow rooftop garden structures within the setback area.

h. [May also be regulated under the Shoreline Master Program, refer to KZC Chapter 83.](#)



60.14 User Guide. The charts in KZC 60.17 contain the basic zoning regulations that apply in Planned Area 2, including sub-zones. 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 60.15



Section 60.15 – 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. Development in parts of this zone may be limited by Chapter [83](#) or 90 KZC, regarding development near streams, lakes and wetlands. In addition, the site must be designed to concentrate development away from, and to minimize impact on, the wetlands.
3. ~~See KZC 60.18 for regulations concerning bulkheads and land surface modifications (does not apply to Mini-School or Mini-Day-Care (7-12 attendees) and Day-Care-Home (6 or less attendees) uses).~~
43. May not use lands waterward of the [high-waterline](#) ordinary high water mark to determine lot size or to calculate allowable density.
54. May also be regulated under the Shoreline Master Program, refer to [KZC Chapter 83KMC The 24](#).

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

Section 60.17	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						
.010	Attached or Stacked Dwelling Unit		Process IIB, Chapter 152 KZC.	20'	5', but 2 side yards must equal at least 15'	10'	60%	25' above average building elevation. See Special Regulation 4-3.	D	A	1.7 per unit.	<p>1. No structure may be waterward of the high-waterline<u>ordinary high water mark.</u></p> <p>2. No structure may be within 50 feet of the high-waterline of the canal. No structure may be within 100 feet of the high-waterline of the remainder of Lake Washington.</p> <p>3-2. If the development includes portions of Planned Area 3, the applicant may propose and the City may require that part or all of the density allowed in Planned Area 2 be developed in Planned Area 3.</p> <p>4-3. The height of a structure may be increased as long as neither of the following maximums is exceeded:</p> <p>a. The structure may not exceed 60 feet above average building elevation.</p> <p>b. The structure may not exceed a plane that starts 3.5 feet above the outside westbound lane of SR 520 and ends at the high waterline of Lake Washington in the zone, excluding the canal.</p> <p>5-4. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use.</p> <p>6-5. 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.</p> <p>7-6. 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.</p>

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

Section 60.17 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
.020 Mini-School or Mini-Day-Care	Process IIB, Chapter 152 KZC. None	35,000 sq. ft.	20'	5', but 2 side yards must equal at least 15'	10'	60%	25' above average building elevation. See Special Regulation 4-3.	D	B	See KZC 105.25.	<p>1. No structure may be waterward of the high-waterline<u>ordinary high water mark.</u></p> <p>2. No structure may be within 50 feet of the high-waterline of the canal. No structure may be within 100 feet of the high-waterline of the remainder of Lake Washington.</p> <p>3-2. If the development includes portions of Planned Area 3, the applicant may propose and the City may require that part or all of the density allowed in Planned Area 2 be developed in Planned Area 3.</p> <p>4-3. The height of a structure may be increased as long as neither of the following maximums is exceeded:</p> <p>a. The structure may not exceed 60 feet above average building elevation.</p> <p>b. The structure may not exceed a plane that starts 3.5 feet above the outside westbound lane of SR 520 and ends at the high waterline of Lake Washington in the zone, excluding the canal.</p> <p>5-4. May locate on the subject property if:</p> <p>a. It will serve the immediate neighborhood in which it is located; or</p> <p>b. It will not be detrimental to the character of the neighborhood in which it is located.</p> <p>6-5. A six-foot-high fence is required along the property lines adjacent to the outside play areas.</p> <p>7-6. Hours of operation may be limited by the City to reduce impacts on nearby residential areas.</p> <p>8-7. Structured play areas must be setback from all property lines by five feet.</p> <p>9-8. 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.</p> <p>40-9. The location of parking and passenger loading areas shall be designed to reduce impacts on nearby residential areas.</p> <p>44-10. May include accessory living facilities for staff persons.</p> <p>42-11. 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 60.17

USE



REGULATIONS



**Special Regulations
(See also General Regulations)**

**Required
Parking
Spaces
(See Ch. 105)**

**Sign Category
(See Ch. 100)**

**Landscape
Category
(See Ch. 95)**

MAXIMUMS

**Height of
Structure**

Lot Coverage

MINIMUMS

**REQUIRED YARDS
(See Ch. 115)**

Front Side

Rear

Lot Size

**Required
Review
Process**

.030	Public Utility	Process IIA, Chapter 150 KZC.	None	20'	20' on each side	10'	70%	25' above average building elevation.	A	A	See KZC 105.25.	Site design must minimize adverse impacts on surrounding residential neighborhoods. 2. Landscape Category A may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.
	Government Facility				10' on each side				B	B		
.040	Government Facility											
.050	Community Facility	Process IIB, Chapter 152 KZC.										
.060	Public Park	Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.										1. Portions of the park located within the wetlands must be devoted exclusively to passive recreation that is not consumptive of the natural environment.

60.19 User Guide. The charts in KZC 60.22 contain the basic zoning regulations that apply in Planned Area 3A, including sub-zones. 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 60.20



Section 60.20 – 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 provision of this code may apply to the subject property
2. Developments in parts of this zone may be limited by Chapter [83](#) or [90](#) KZC, regarding development near streams, lakes, and wetlands.
3. The site must be designed to concentrate development away from and to minimize impacts on the wetlands (does not apply to Detached Dwelling Unit, Attached or Stacked Dwelling Unit, Mini-School or Mini-Day-Care and Public Park uses).
4. If the development includes portions of Planned Area 2, the applicant may propose and the City may require that part or all of the density allowed in Planned Area 2 be developed in Planned Area 3 (does not apply to Detached Dwelling Unit, Attached or Stacked Dwelling Unit, Public Utility, Government or Community Facility, and Public Park uses).
5. The height of structures may be increased if:
 - a. The structure does not exceed 60 feet above average building elevation,
 - b. The amount of pervious surface on the subject property in this zone significantly exceeds 50 percent, and
 - c. The site is designed to the maximum extent feasible to provide views through the subject property from Lake Washington Boulevard and Bellevue Way while complying with the General Regulations.
(Does not apply to Detached Dwelling Unit, Attached or Stacked Dwelling Unit, Public Utility, Government or Community Facility, and Public Park uses).
6. May not use lands waterward of the [high-water-ordinary-high water mark](#) to determine lot size or to calculate allowable density.
7. The required yard of a structure abutting Lake Washington Boulevard or Lake Street South must be increased two feet for each one foot that structure extends 25 feet above average building elevation.
8. City entryway design must be provided on the subject property adjacent to Lake Washington Boulevard as follows:
 - a. An earthen berm, 12 feet wide and with a uniform height of three feet at the center;
 - b. Lawn covering the berm;
 - c. London Plane at least two inches in diameter, planted 30 feet on center along the berm.
9. Vehicular circulation on the subject property must be designed to minimize traffic impacts on Lake Washington Boulevard and at the SR-520 interchange. The city may limit access points onto Lake Washington Boulevard and Points Drive and require traffic control devices and right-of-way realignment (does not apply to Detached Dwelling Unit, Attached or Stacked Dwelling Unit, Public Utility, Government or Community Facility, and Public Park uses).
10. May also be regulated under the Shoreline Master Program, [refer to KZC Chapter 83KMC Title 24](#).

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

Section 60.22

USE



REGULATIONS



Special Regulations
(See also General 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	Landscape Category (See Ch. 95)
				Front	Side						
.010 Detached Dwelling Unit	None	5,000 sq. ft. per unit	20'	5'	10'	70%	30' above average building elevation.	A	2.0 per unit.	1. Access points onto Lake Washington Boulevard must be minimized to prevent arterial congestion and traffic safety hazards. Shared access points must be utilized where feasible. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use. 3. For attached or stacked dwelling units, 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. 4. For attached or stacked dwelling units, 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.	
				5', but 2 side yards must equal at least 15' See Spec. Reg. 3.	See Spec. Reg. 4.						
.020 Attached or Stacked Dwelling Unit											
.030 Attached or Stacked Dwelling Units	Process IIB, Chapter 152 KZC.	Must be part of a development with a site area of at least 15 acres with 3,600 sq. ft. per unit.		10' on each side. See Spec. Reg. 2	10' See Spec. Reg. 3.		30' above average building elevation. See General Regulations.			1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use. 2. 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 10 feet. 3. 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.	

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

USE ↓ REGULATIONS ↑	Section 60.22	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)
			Lot Size	REQUIRED YARDS (See Ch. 115)		Lot Coverage				
			Front	Side	Rear					
.040 Office Uses		Process IIB, Chapter 152 KZC.	20'	5', but 2 side yards must equal at least 15'	10'	70%	30; above average building elevation. See General Regulations.	C	D	1. The minimum lot size for this use is 7,200 square feet if the subject property has frontage on Lake Washington Boulevard. 2. 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. 3. 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 60.22	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				
			Front	Side	Rear					
.050	Development Containing Attached, or Stacked Dwelling Units and Office uses.	Process IIB, Chapter 152 KZC.	20'	5', but 2 side yards must equal at least 15'	10' See Spec. Reg. 5.	70%	30' above average building elevation. See General Regulations.	C	See KZC 105.25.1.	1. A veterinary office is not permitted in any development containing dwelling units. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 3. 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. 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.
.060	School or Day-Care Center	Must be part of a development with a site area of at least 15 acres. See Special Regulation 1.	If this use can accommodate 50 or more students or children, then:				30' above average building elevation. See General Regulations	D		1. The minimum lot size for this use is 7,200 square feet if the subject property has frontage on Lake Washington Boulevard. 2. A six-foot-high fence is required only along the property lines adjacent to the outside play areas. 3. Hours of operation may be limited to reduce impacts on nearby residential areas. 4. 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. 5. An on-site passenger loading area must be provided. The City shall determine the appropriate size of the loading areas on a case-by-case basis, depending on the number of attendees and the extent of the abutting right-of-way improvements. Carpooling, staggered loading/unloading time, right-of-way improvements or other means may be required to reduce traffic impacts on any nearby residential uses.

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

Section 60.22	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				
.070	Mini-School or Mini-Day-Care	Process IIB, Chapter 152 KZC.	Must be part of a development with a site area of at least 15 acres.	20'	5', but 2 side yards must equal at least 15'	10'	70%	30' above average building elevation. See General Regulations.	E	See KZC 105.25.	6. May include accessory living facilities for staff persons. 7. The location of parking and passenger loading areas shall be designed to reduce impacts on any nearby residential areas. 8. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388). 1. A six-foot-high fence is required along the property lines adjacent to the outside play areas for mini-schools and mini-day-care centers only. 2. Hours of operation may be limited by the City to reduce impacts on nearby residential uses. 3. Structured play areas must be setback from all property lines by five feet. 4. An on-site passenger loading area may be required depending on the number of attendees and the extent of the abutting right-of-way improvements. 5. The location of parking and passenger loading areas shall be designed to reduce impacts on any nearby residential areas. 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).
.080	(Reserved)										
.090	Convalescent Center or Nursing Home	Process IIB, Chapter 152 KZC.	Must be part of a development with a site area of at least 15 acres. See Special Regulation 1.	20'	10' on each side	10'	70%	30' above average building elevation. See General Regulations.	C	1 for each bed	1. The minimum lot size for this use is 7,200 square feet if the subject property has frontage on Lake Washington Boulevard.

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

Section 60.22	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				
.100	Church	Process IIB, Chapter 152 KZC.	20'	20' on each side	20'	70%	30' above average building elevation. See General Regulations.	C	B	1 for every 4 people based on maximum occupancy load of any area of worship. See Special Regulation 2.	1. The minimum lot size for this use is 7,200 square feet if the subject property has frontage on Lake Washington Boulevard. 2. No parking is required for day-care or school ancillary to the use.
.110	Public Utility	None	None	None	None	None	30' above average building elevation.	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.	
.120	Government Facility or Community Facility			10' on each side	10'			C			
.130	Public Park	Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process. <u>May also be regulated under the Shoreline Master Program, refer to KZC Chapter 83.</u>									1. Any portion of the park located within the wetland must be devoted exclusively to passive recreation that is not consumptive

60.54 User Guide. The charts in KZC 60.57 contain the basic zoning regulations that apply in Planned Area 6A, including sub-zones. 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 60.55



Section 60.55 – 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 provision 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.
(Does not apply to Detached Dwelling Unit uses).
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).

4. [May also be regulated under the Shoreline Master Program, refer to KZC Chapter 83.](#)

60.94 User Guide. The charts in KZC 60.97 contain the basic zoning regulations that apply in Planned Area 6I, including sub-zones. 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 60.95



Section 60.95 – 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 provision 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.
(Does not apply to Detached Dwelling Unit uses).
3. The required yard of a structure abutting Lake Washington Boulevard 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).

4. [May also be regulated under the Shoreline Master Program, refer to KZC Chapter 83.](#)

60.89 User Guide. The charts in KZC 60.92 contain the basic zoning regulations that apply in Planned Area 6H, including sub-zones. 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 60.90



Section 60.90 – 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 provision 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.

[3. May also be regulated under the Shoreline Master Program, refer to KZC Chapter 83.](#)

Section 60.170



Section 60.170 – 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. A view corridor shall be provided and maintained across the subject property as follows and as described in Plate 27 (does not apply to Development containing Attached or Stacked Dwelling Units and Restaurant or Tavern and General Moorage Facility use under an approved Master Plan):
 - a. A view corridor must be maintained across 30 percent of the average parcel width; and
 - b. Along Lake Washington Boulevard, the view corridor of 30 percent of the average parcel width shall be increased 2.5 feet for each foot, or portion thereof, that any building exceeds 30 feet above average building elevation. If the subject property does not directly abut Lake Washington Boulevard, the length of the view corridor along its east property line shall be determined by projecting the view corridor as required along Lake Washington Boulevard across the subject property to the view corridor required along the shoreline; and
 - c. Along the shoreline, the width of the view corridor shall be:
 1. Sixty percent of the length of the high waterline if the height of any building is greater than 30 feet but less than or equal to 35 feet above average building elevation, or
 2. Seventy percent of the high waterline if the height of any building is greater than 35 feet above average building elevation. If the subject property does not directly abut the shoreline, the width of the view corridor along its west property line shall be determined by projecting the view corridor as required along Lake Washington Boulevard across the subject property to the view corridor required along the shoreline; and
 - d. The view corridor must be in one continuous piece; and
 - e. 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. Trees or shrubs that mature to a height of greater than three feet above average grade may not be placed in the required view corridor. Parking stalls or loading areas are not permitted in the required view corridor that would result in vehicles obscuring the line of sight from Lake Washington Boulevard to the high waterline as shown in Plate 27; and
 - f. The view 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.
3. Structures may extend into the required front yard along Lake Washington Boulevard, provided that:
 - a. The entire structure within the required front yard is below the elevation of Lake Washington Boulevard; and
 - b. A public use area with superior landscaping is provided over the entire structure within the required front yard, the design of which is approved by the City; and
 - c. The required view corridor is provided for the portion of the structure within the required yard; and
 - d. Landscaping or other similar measures shall be provided to screen the exterior walls of any portion of the structure within the required yard that are visible from Lake Washington Boulevard or adjacent properties.
4. ~~The required north property line is five feet if the adjacent property to the north contains a use other than residential.~~
5. Trees or shrubs that mature to a height that would exceed the height of the primary structure are not permitted to be placed on the subject property.
6. ~~See KZC 60.173 for regulations regarding bulkheads and land surface modifications.~~
7. May not use lands waterward of the ~~high waterline~~ ordinary high water mark to determine lot size or to calculate allowable density.
8. May also be regulated under the Shoreline Master Program, refer to KZC Chapter 83K4MC Title 24.

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

Section 60.172	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	North Property Line	South Side Property Line							Shoreline Setback	High Water Line
.010	Detached Dwelling Unit		Process I, Chapter 145 KZC.	5,000 sq. ft.	30'	See also Spec. Reg. 1. The greater of:	5'-15'; or b-1	5' but greater of a-15' or b-15'	40'	80%	30' above average building elevation.	E	A	2.0 per unit.	<ol style="list-style-type: none"> The required 30-foot front yard may be reduced one foot for each one foot of this yard that is developed as a public use area if: <ol style="list-style-type: none"> Within 30 feet 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 Substantially, the entire width of this yard (from north to south property lines) is developed as a public use area; and The design of the public use area is specifically approved by the city. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. An applicant may propose a development containing residential uses and moorage facilities using this use listing only if the use of the moorage facilities is limited to the residents of the subject property.

The minimum dimension of any yard, other than those listed, is 5'

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

Section 60.172	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)
				Lot Size	REQUIRED YARDS (See Ch. 115)	Lot Coverage	Height of Structure				
				Front	North Property Line	South Side Property Line	Shoreline Setback				
					The minimum dimension of any yard, other than those listed, is 5' See Spec. Reg. 10.						building elevation if: a. Obstruction of views from existing development lying east of Lake Washington Boulevard is minimized; and b. Maximum lot coverage is 80 percent, but shall not include any structure allowed within the required front yard under the General Regulations in KZC 60.170; and c. Maximum building coverage is 50 percent, but shall not include any structure allowed within the required front yard under the General Regulations in KZC 60.170 or any structure below finished grade; and
.020	Attached or Stacked Dwelling Units (continued)										d. A waterfront area developed and open for public use shall be provided with the location and design specifically approved by the City. Public amenities shall be provided, such as non-motorized watercraft access or a public pier. A public use easement document shall be provided to the City for the public use area, in a form acceptable to the City. The City shall require signs designating the public use area; and e. The required public pedestrian access trail from Lake Washington Boulevard to the shoreline shall have a trail width of at least six feet and shall have a grade separation from the access driveway; and f. No roof top appurtenances, including elevator shafts, roof decks or plantings, with the exception of ground cover material on the roof not to exceed four inches in height, shall be on the roof of the building or within the required view corridors. g. A transportation demand management plan shall be provided and implemented for the subject property, including provisions for safe pedestrian crossing and vehicle turning movements to and from the subject
.025	Office										

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

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)
			Lot Size	REQUIRED YARDS (See Ch. 115)	Height of Structure	Lot Coverage				
				Front	North Property Line	South Side Property Line	Shoreline			
				Front	North Property Line	South Side Property Line	Shoreline			
.020										property to Lake Washington Boulevard, and bus stop improvements if determined to be needed by METRO. The City shall review and approve the plan.
.025										<p>7. The design of the site must be compatible with the scenic nature of the waterfront.</p> <p>8. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.</p> <p>9. An applicant may propose a development containing residential uses and moorage facilities using this use listing only if the use of the moorage facilities is limited to the residents of the subject property.</p> <p>10. Any required yard, other than the front-or-high-water-line required 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 shall provide the minimum required yard.</p>

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

USE



REGULATIONS



Section 60.172

Special Regulations
(See also General Regulations)

Required Parking Spaces
(See Ch. 105)

Sign Category
(See Ch. 100)

Landscape Category
(See Ch. 95)

MAXIMUMS

Height of Structure

Lot Coverage

REQUIRED YARDS
(See Ch. 115)

Shoreline Setback
High Water Line

South Side Property Line

North Side Property Line

Front

Required Review Process

<p>.030 Public Access Pier, or Public Access Facility, or Boardwalk</p>	<p>None</p>	<p>See Chapter 83 KZC, Waterward-of-the-High Waterline</p> <p>40' 40'</p> <p>See Special Regulation 8.</p>	<p>See Chapter 83 KZC, 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.</p>	<p>See Chapter 83 KZC, 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.</p>	<p>See KZC 105.25.</p>	<p>1. Refer to Chapter 83 KZC for additional regulations. 1. No accessory uses, buildings, or activities are permitted as part of this use. 2. If a structure 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. 3. May not treat a structure with creosote, oil base or toxic substances. 4. Must provide at least one covered and secured waste receptacle. 5. All utility lines must be below the pier deck and, where feasible, underground. 6. Piers must be adequately lit; the source of the light must not be visible from neighboring properties. 7. Structure 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. 8. North and south property line yards may be decreased for over-water public use facilities which connect with waterfront public access or adjacent property.</p>
<p>.040 Piers, docks, boat lifts and canopies serving Detached Dwelling</p>	<p>See Chapter 83 KZC, None</p>	<p>80%</p> <p>See Chapter 83 KZC, Waterward-of-the-High Waterline</p> <p>40' 40'</p>	<p>See Chapter 83 KZC, 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.</p>	<p>See Chapter 83 KZC, 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.</p>	<p>See KZC 105.25.</p>	<p>1. Refer to Chapter 83 KZC for additional regulations. 1. No accessory uses, buildings, or activities are permitted as part of this use. Various accessory components are permitted as part of a General Moorage Facility. See that listing in this zone.</p>

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

Section 60.172	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
			Front Property Line	North Property Line	South Property Line						
.045	Piers, docks, boat lifts and canopies serving Detached, Attached or Stacked Dwelling Units	Process IIB, Chapter	None, but must have at	Landward of the High Water Line Ordinary High Water Mark	80%	Landward of the High Water Line Ord	B	B	1 per each 2 slips. Otherwise, none if the	<p>1. Refer to Chapter 83 KZC for additional regulations.</p> <p>1. Except as permitted by Special Regulation 17, no structures, other than moorage structures or public access piers, may be waterward of</p>	
											See Chapter 83 KZC.
.050	General Moorage Facility/Marina	Process IIB, Chapter	None, but must have at	Landward of the High Water Line Ordinary High Water Mark	80%	Landward of the High Water Line Ord	B	B	1 per each 2 slips. Otherwise, none if the	<p>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.</p> <p>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 submittal of a Building Permit for this use.</p> <p>4. May not treat moorage structure with creosote, oil base or toxic substances.</p> <p>5. Must provide at least one covered and secured waste receptacle.</p> <p>6. All utility lines must be below the pier deck and, where feasible, underground.</p> <p>7. Piers must be adequately lit; the source of the light must not be visible from neighboring properties.</p> <p>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.</p> <p>9. Covered moorage is not permitted.</p> <p>10. Aircraft moorage is not permitted.</p>	
											See Chapter 83 KZC.

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



Section 60.172 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				

152 KZC. Also See Chapter 83 KZC.	30' See Spec. Reg. 2.	The greater of: a-15' or b-1-1/2 times the height of the primary structure above average building elevation.	For moorage facility is reserved for the exclusive use of an adjoining residential development.	Reg. 44.	In any High Water Mark, 30' above average building elevation. See Spec. Reg. 4-3.	the high waterline. For regulations regarding public access piers, see the specific listing in this zone.	The required 30-foot front yard may be reduced one foot for each one foot of this yard that is developed as a public use area if:	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
152 KZC. Also See Chapter 83 KZC.	30' See Spec. Reg. 2.	The greater of: a-15' or b-1-1/2 times the height of the primary structure above average building elevation.	For moorage facility is reserved for the exclusive use of an adjoining residential development.	Reg. 44.	In any High Water Mark, 30' above average building elevation. See Spec. Reg. 4-3.	the high waterline. For regulations regarding public access piers, see the specific listing in this zone.	The required 30-foot front yard may be reduced one foot for each one foot of this yard that is developed as a public use area if:	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)

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


Section 60.172	USE ↓	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)	
			Lot Size	REQUIRED YARDS (See Ch. 115)	Lot Coverage	Height of Structure					
			Front	North Property Line	South Side Property Line	Shoreline Setback					
			40	40	40	-					
			<p>No moorage structure may be:</p> <ul style="list-style-type: none"> a. Within 100 feet of a public park; or b. Closer to a public park than a line that starts where the high-waterline of the park intersects with the side property line of the park closest to the moorage structure at a 45° angle from the side property line. This setback applies whether or not the subject property abuts the park, but does not extend beyond any intervening overwater structure; or <p>(See next page for the rest of the Required Yard Regulations)</p>								
			<p>mediate the necessary support facilities:</p> <ul style="list-style-type: none"> b. The potential for traffic congestion. <p>REGULATIONS FOR THIS USE CONTINUED ON THE NEXT PAGE</p>								

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

Section 60.172 USE  REGULATIONS 	Required Review Process	Lot Size Front North Property Line South Side Property Line Shoreline Setback High Water Line	MINIMUMS REQUIRED YARDS (See Ch. 115)		MAXIMUMS 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)
	Lot Coverage		Lot Coverage		Height of Structure					

.050 General Moorage Facility/Marina (continued)			e. Closer to a lot containing a detached dwelling unit than a line that starts where the high waterline of the lot intersects the side property line of the lot closest to the moorage structure and runs waterward toward the moorage structure at a 30° angle from that side property line. This setback applies whether or not the subject property abuts the lot; but does not extend beyond any intervening overwater structure; or d. Within 25' of another moorage structure not on the subject property. The minimum dimension of any yard, other than those listed, is 5'. (See previous page for the rest of this column)							7. 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: a. 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 b. The moorage structures are not larger than is necessary to moor the specified number of boats; and c. The moorage structures will not interfere with the public use and enjoyment of the water or create a hazard to navigation; and d. The moorage structures will not adversely affect nearby uses; and e. The moorage structures will not have a significant long-term adverse effect on aquatic habitats. 8. If the moorage structure 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. 9. May not treat moorage structure with creosote, oil base or toxic substance. 10. Must provide covered and secured waste receptacles on all piers. 11. All utility and service lines must be below the pier deck and, where feasible, underground. 12. Must provide public restrooms unless moorage is only available for residents of dwelling units on the subject property. 13. Piers must be adequately lit. The source of light must not be visible from neighboring properties. 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. 15. Covered moorage is not permitted. 16. Aircraft moorage is not permitted. 17. The following accessory components are allowed if approved
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DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

USE 	Required Review Process	Lot Size	MINIMUMS REQUIRED YARDS (See Ch. 115)				MAXIMUMS		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	North Property Line	South Side Property Line	Shoreline Setback (High Water Line)	Lot Coverage	Height of Structure				

Section 60.172											through Process IIB, Chapter 152 KZC: a. Boat and motor sales leasing. b. Boat and motor repair and service if: 1) The activity is conducted on dry land and either totally within a building or totally sight screened from adjoining property and the right-of-way; and 2) All dry land motor testing is conducted within a building. c. Boat launch ramp if: 1) It is not for the use of the general public; and 2) Is paved with concrete; and 3) There is sufficient room on the subject property for maneuvering and parking so that traffic impact on the frontage road will not be significant; and 4) Access to the ramp is not directly from the frontage road; and 5) The design of the site is specifically approved by the City. d. Dry land storage. However, stacked storage is not permitted. e. Meeting and special events rooms. f. Gas and oil sale for boats, if: 1) Storage tanks are underground and on dry land; and 2) The use has facilities to contain and cleanup gas and oil spills. May have an over-water shed that is not more than 50 square feet and 10 feet high as measured from the pier deck. 18. At least one pump-out facility shall be provided for use by the general public. This facility must be easily accessible to the general public and clearly marked for public use.
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DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.172	USE ↓	REGULATIONS ↑	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						
.055	Tour Boat	See Chapter 83 KZC.	None	30' See Spec. Reg. 2.	5' but two side yards must equal at least 15 feet.	See Chapter 83 KZC	80%	Landward of the Ordinary High Water Mark, 30' above average building elevation. See Spec. Reg. 3	B	See KZC 105.25	1. Refer to Chapter 83 KZC for additional regulations. 2. The required 30-foot 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 feet 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. 3. Structure height may be increased to 35 feet above average building elevation if: a. the increase does not impair views of the lake from properties east of Lake Washington Boulevard; and b. The increase is offset by a view corridor that is superior to that required by the General Regulations
			None	30' See Spec. Reg. 2.	5' but two side yards must equal at least 15 feet.	See Chapter 83 KZC	80%	Landward of the Ordinary High Water Mark, 30' above average building elevation. See Spec. Reg. 3	B	See KZC 105.25	1. Refer to Chapter 83 KZC for additional regulations. 2. The required 30-foot 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 feet 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. 3. Structure height may be increased to 35 feet above average building elevation if: a. the increase does not impair views of the lake from properties east of Lake Washington Boulevard; and b. The increase is offset by a view corridor that is superior to that required by the General 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	North Property Line	South Side Property Line						
Section 60.172	Boat Launch (motorized boats)	See Chapter 83 KZC.	None	30' See Spec. Reg. 3.	5', but two side yards must equal at least 15 feet.	See Chapter 83 KZC	80%	Landward of the Ordinary High Water Mark, 30' above average building elevation.	B	See KZC 105.25	1. Refer to Chapter 83 KZC for additional regulations. 2. The required 30-foot 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 feet 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.	
	Boat Launch (for non-motorized boats)	See Chapter 83 KZC.	None	30' See Spec. Reg. 3.	5', but two side yards must equal at least 15 feet.	See Chapter 83 KZC	80%	Landward of the Ordinary High Water Mark, 30' above average building elevation.	B	See KZC 105.25	1. Refer to Chapter 83 KZC for additional regulations. 2. The required 30-foot 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 feet 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.	

DIRECTIONS: FIRST, read down to find use...THEN, across for 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)		Height of Structure				
			Front	North Property Line	South Side Property Line	Shoreline Setback (High Water Line)	Lot Coverage			

	Water Taxi	See Chapter 83 KZC.	30' See Spec. Reg. 2.	5' but two side yards must equal at least 15 feet.	See Chapter 83 KZC	80%	Landward of the Ordinary High Water Mark, 30' above average building elevation. See Spec. Reg. 3	B	See KZC 105.25	1. Refer to Chapter 83 KZC for additional regulations. 2. The required 30-foot 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 feet 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. 3. Structure height may be increased to 35 feet above average building elevation if: a. The increase does not impair views of the lake from properties east of Lake Washington Boulevard; and b. The increase is offset by a view corridor that is superior to that required by the General Regulations.
-060	Professional Football-Baseball; or Soccer-Practice or Play-Facility	Process IIB, Chapter 452 KZC.	3 acres See Special Regulation 6.	a. 15' of the average parcel depth. b. 15% greater of the average parcel depth.	a. 15' of the average parcel depth. b. 15% of the average parcel depth.	80%	30' above average building elevation. See Special Regulation 4.	C	See KZC 105.25.	1. No structures, other than moorage structures or public-access piers, may be waterward of the high water line. For regulations regarding moorages, see the moorage listings in this zone. 2. 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. 3. The required 20-foot 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 feet 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

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

Section 60.172	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)	
				Lot Size	REQUIRED YARDS (See Ch. 115)	Lot Coverage	Height of Structure					
				Front	North Property Line	South Side Property Line	Shoreline Setback					
.070	Development containing: Attached or Stacked Dwelling Units; and Restaurant or Tavern; and General Moorage Facility Marina	See Special Regulation 2.	5 acres with no less than 3,100 sq. ft. per dwelling unit. See also Special Regulations 3 and	The minimum dimension of any yard, other than those listed, is 5 feet			See Special Regulation 7.		See Spec. Reg. 8	See KZC 105.25.	<p>1. The following uses and components are also allowed:</p> <ul style="list-style-type: none"> a. Retail establishment. b. Office use. c. Hotel. d. Boat and motor repair and service if: <ul style="list-style-type: none"> 1) This activity is conducted on dry land and either totally within a building or totally sight screened from adjoining property and the right-of-way; and 2) All dry land motor testing is conducted within a building. e. Dry land boat storage. However, stacked storage is not permitted. f. Gas and oil sales or boats if: <ul style="list-style-type: none"> 1) Storage tanks are underground and on dry land; and 2) The use has facilities to contain and clean up gas and oil spills. <p>May have an over-water shed that is not more than 50 square feet and 10 feet high as measured from the pier deck.</p>	



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

Section 60.172	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	Landscape Category (See Ch. 95)
					Front	North Property Line	South Side Property Line						
.070	Development containing: Attached or Stacked Dwelling Units; and Restaurant or Tavern; and <u>General Moorage Facility Marina</u> (continued)			14.						<p>g. Meeting and or special events rooms.</p> <p>h. Boat launching ramp if it is paved with concrete.</p> <p>i. School or day-care center.</p> <p>j. Mini-school or mini-day-care center, or day-care home.</p> <p>2. Development must be consistent with an approved Master Plan. The Master Plan must address all properties within PLA-15A and PLA-15B, which are owned by the applicant. The Master Plan will be approved in two stages:</p> <p>a. The first stage will result in approval of a Preliminary Master Plan using Process IIB, Chapter 152 KZC. The Preliminary Master Plan shall consist of at least the following:</p> <p>1) A site plan which diagrammatically shows the general location, shape and use of the major features of development.</p> <p>2) A written description of the planned development which discusses the elements of the site plan and indicates the maximum number of dwelling units and their probable size; the maximum area to be developed with nonresidential uses; the maximum size of moorage facilities and the maximum number of moorage slips; the maximum and minimum number of parking stalls; and the schedule of phasing for the final Master Plan.</p> <p>In approving the Preliminary Master Plan, the City shall determine the appropriate review process for the Final Master Plan. The City may determine that the Final Master Plan be reviewed using Process IIA, Chapter 150 KZC, if the Preliminary Master Plan shows the placement, approximate dimensions and uses of all structures, vehicular and pedestrian facilities, open space and other features of development. Otherwise, the Final Master Plan shall be reviewed using Process IIB, Chapter 152 KZC.</p> <p>b. The second stage will result in approval of a final Master Plan using Process IIA, Chapter 150 KZC, or Process IIB, Chapter 152 KZC, as established by the Preliminary Master Plan. The final Master Plan shall set forth a detailed development plan which is consistent with the Preliminary Master Plan. Each phase of the Master Plan shall set forth a schedule for obtaining building permits for and construction of that phase.</p> <p>3. Part of the unit count allowed in Planned Area 15A may be devel-</p>			

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

USE ↓	Section 60.172	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)
			Lot Size	REQUIRED YARDS (See Ch. 115)	Height of Structure	Lot Coverage				
			Front	North Property Line	South Property Line	Shoreline				
										<p>oped in Planned Area 15B. The maximum permitted number of dwelling units on the subject property in Planned Area 15A is computed using the following formula: (The total lot area in square feet divided by 3,100) minus the unit count transferred to Planned Area 15B = the maximum permitted number of dwelling units.</p> <p>4. The maximum amount of allowable floor area for nonresidential use is computed using the following formula: (The maximum number of dwelling units allowed on the subject property - the number of dwelling units proposed) x the average square footage of the dwelling units = amount of square footage available for nonresidential use.</p> <p>5. Development must provide opportunities for public access to, use of and views of the waterfront by including all of the following elements: a. A public pedestrian access trail along the entire waterfront of the subject property within connections to Lake Washington Boulevard at or near either end; b. Waterfront areas developed and open for public use; c. Improvements to and adjacent to Lake Washington Boulevard which are open for public use; and d. Corridors which allow unobstructed views of Lake Washington from Lake Washington Boulevard. In addition, obstruction of views from existing development lying east of Lake Washington Boulevard must be minimized.</p> <p>REGULATIONS FOR THIS USE CONTINUED ON THE NEXT PAGE</p>

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

Section 60.172 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				
Front		North Property Line	South Side Property Line	Shoreline Setback		High Water Line			

.070	Development containing: Attached or Stacked Dwelling Units; and Restaurant or Tavern; and General-Meorage Facility/Marina (continued)								REGULATIONS CONTINUED FROM PREVIOUS PAGE 6. All nonresidential uses, except office uses, must be located and designed to have substantial waterfront orientation and accessibility from waterfront public use areas. 7. The City will determine required yards, lot coverage, structure height and landscaping based on the compatibility of development with adjacent uses and the degree to which public access, use and views are provided. Also see Chapter 83 KZC for required shoreline setback. 8. All signs must be approved as part of a Comprehensive Design Plan in accordance with KZC 100.80. 9. Must comply with General Regulations and Special Regulations 6 – 16 for the use listing in this zone entitled "General Moorage Facility." 10. Must provide pumping facilities to remove effluent from boat holding tanks. 11. Must provide a waste oil tank. 12. Vehicular circulation on the subject property must be designed to mitigate traffic impacts on Lake Washington Boulevard and Lakeview Drive. Access points must be limited, with primary access located at the intersection of Lake Washington Boulevard and Lakeview Drive. The City may require traffic control devices and right-of-way realignment or limit development if necessary to further reduce traffic impacts. 13. The regulations for this use may not be modified with a Planned Unit Development. 14. Subsequent subdivision of an approved Master Plan into smaller lots is permitted provided that the required minimum acreage is met for the Master Plan. 15. Restaurant uses with drive-in or drive-through facilities are not permitted in this zone.
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DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.172	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)
				Lot Size	REQUIRED YARDS (See Ch. 115)	Height of Structure					

.080	Public Utility	Process IIA, Chapter 150 KZC.	None	30' See Spec. Reg. 3.	Front	North Property Line	South Property Line	Shoreline Setback	80%	30' above average building elevation. See Special Regulation 4.	A	B	See KZC 105.25.	1. No structures, other than moorage structures or public access piers, may be waterward of the high water ordinary high water mark. For the regulations regarding moorages, see the moorage specific listings in this zone and Chapter 83 KZC. 2. Chapter 83 KZC contains regulations regarding shoreline setbacks, view corridors, and public pedestrian walkways. Must provide public pedestrian access from the right of way to and along the entire waterfront of the subject property within the high water line 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 water line yard be developed as a public use area. The City shall require signs designating the public pedestrian access and public use areas. 3. 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 feet 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. 4. Structure height may be increased to 35 feet above average building elevation if: a. The increase does not impair views of the lake from properties east of Lake Washington Boulevard; and a-b. The increase is offset by a view corridor that is superior to that required by the General Regulations; or b. The increase is offset by maintaining comparable portions of the structure lower than 30 feet above average building elevation. 5. The design of the site must be compatible with the scenic nature of the waterfront, if the development will result in the isolation of a detached
.090	Government Facility Community Facility													

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

Section 60.172	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				
Lot Size		Front	North Property Line	South Side Property Line	Shoreline Setback	High Water Line					
.100	Public Park		Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.								dwelling unit, site design, building design and landscaping must mitigate the impacts of that isolation. 6. 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.

CHAPTER 25 – PROFESSIONAL OFFICE RESIDENTIAL (PR) 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 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. [May also be regulated under the Shoreline Master Program, refer to KZC Chapter 83.](#)

CHAPTER 40 – NEIGHBORHOOD BUSINESS (BN) ZONES

40.05 User Guide. The charts in KZC 40.10 contain the basic zoning regulations that apply in each of the BN 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).
4. 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, or offices. These uses shall be oriented to an adjacent arterial, a major pedestrian sidewalk, a through block pedestrian pathway or an internal pathway.
5. May also be regulated under the [Shoreline Master Program](#), refer to [KZC Chapter 83](#).

Section 15.08



Section 15.08 – 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. May not use lands waterward of the ~~high waterline~~ [ordinary high water mark](#) to determine lot size or to calculate allowable density.
4. May also be regulated under the Shoreline Master Program, [refer to KZC Chapter 83KMC-Title 24](#).

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.

Section 20.08



Section 20.08 – 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 or a low density use in PLA 17, 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.
(Does not apply to Piers, docks, boat lifts and canopies serving Detached, Attached or Stacked Dwelling Units, General Moorage Facility and Detached Dwelling Units uses).
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 Piers, docks, boat lifts and canopies serving Detached, Attached or Stacked Dwelling Units and 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: refer to Chapter 83 KZC for regulations regarding shoreline setbacks, and public pedestrian walkways. 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 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. 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.~~
(~~Does not apply to General Moorage Facility, Detached Dwelling Units, and Public Park uses.~~)
7. If the property is located in the NE 85th Street Subarea, the following shall apply:
 - 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.
 - 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).
8. May not use lands waterward of the high waterline ordinary high water mark to determine lot size or to calculate allowable density.
9. May also be regulated under the Shoreline Master Program, refer to KZC Chapter 83 KMC Title 24.

Section 20.10

USE



REGULATIONS



Special Regulations
(See also General Regulations)

Required Parking Spaces
(See Ch. 105)

Sign Category
(See Ch. 100)

Landscape Category
(See Ch. 95)

MAXIMUMS

Height of Structure

Lot Coverage

MINIMUMS

REQUIRED YARDS
(See Ch. 115)

Front

Side

Rear

Lot Size

Required Review Process



.010	Detached Dwelling Units	None	5,000 sq. ft. in an RM 5.0. Otherwise, 3,600 sq. ft.	20'	5', but 2 side yards must equal at least 15'.	10'	60%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above average building elevation. See Spec. Reg. 8.	E	A	2.0 per unit.	1. For this use, only one dwelling unit may be on each lot regardless of the size of the lot. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. If the property is in an RM 1.8, 2.4, or 3.6 zone and contains less than 5,000 sq. ft., each side yard may be five feet. 1. Minimum amount of lot area per dwelling unit is as follows: a. In RM 5.0 zones, the minimum lot area per unit is 5,000 sq. ft. b. In RM 3.6 zones, the minimum lot area per unit is 3,600 sq. ft. c. In RM 2.4 zones, the minimum lot area per unit is 2,400 sq. ft. d. In RM 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. 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. 5. 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: a. Each development shall incorporate at least two acres; and b. Significant vegetation that provides protection from I-405 shall be retained to the maximum extent feasible. 6. The side yard may be reduced to zero feet if the side of the dwelling unit is attached to a dwelling unit on an adjoining lot. If one side of a dwelling unit is so attached and the opposite side is not, the side that is not attached must provide a minimum side yard of five feet.
				20'	5', but 2 side yards must equal at least 15'.	10'	60%	See Spec. Reg. 7.	D See Spec. Reg. 4.	1.7 per unit.		
.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 established on the Zoning Map. See Spec. Reg. 1.	20'	5', but 2 side yards must equal at least 15'.	10'	60%	See Spec. Reg. 7.	E	A	2.0 per unit.	1. Minimum amount of lot area per dwelling unit is as follows: a. In RM 5.0 zones, the minimum lot area per unit is 5,000 sq. ft. b. In RM 3.6 zones, the minimum lot area per unit is 3,600 sq. ft. c. In RM 2.4 zones, the minimum lot area per unit is 2,400 sq. ft. d. In RM 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. 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. 5. 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: a. Each development shall incorporate at least two acres; and b. Significant vegetation that provides protection from I-405 shall be retained to the maximum extent feasible. 6. The side yard may be reduced to zero feet if the side of the dwelling unit is attached to a dwelling unit on an adjoining lot. If one side of a dwelling unit is so attached and the opposite side is not, the side that is not attached must provide a minimum side yard of five feet.

REGULATIONS CONTINUED ON NEXT PAGE

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

Section 20.10	USE ↓ REGULATIONS ↑	Required Review Process	MINIMUMS			MAXIMUMS		Sign Category (See Ch. 95)	Landscape 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
.020	Detached, Attached or Stacked Dwelling Units (continued)									REGULATIONS CONTINUED FROM PREVIOUS PAGE		
.030	Church	Within the NE 85th Street Subarea, D.R., Chapter 142 KZC. Otherwise, Process I/A, 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.	7. The rear yard may be reduced to zero feet if the rear of the dwelling unit is attached to a dwelling unit on an adjoining lot. 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. 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.

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	Front	North Property Line	South Side Property Line				
<p>Section 40.10</p> <p>USE REGULATIONS</p> <p> </p>	<p>See Chapter 83 KZC</p>	<p>None, but must have at least 400 sq ft of frontage on Lake Washington.</p>	<p>30 ft. See also Spec. Reg. 4.</p>	<p>Landward of the ordinary high water mark.</p> <p>Waterward of the high waterline, dock and pier decks may not be more than 24 ft above mean sea level.</p>	<p>Landward of the ordinary high water mark.</p> <p>Waterward of the high waterline, dock and pier decks may not be more than 24 ft above mean sea level.</p>	B	B	None	<p>1. Refer to Chapter 83 KZC for additional regulations.</p> <p>2. Chapter 83 KZC contains regulations regarding shoreline moorage that may only be used by residents of the dwelling units on the subject property, or their guests.</p> <p>3. Except as permitted by Special Regulation 18, no structure, 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.</p> <p>4. 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.</p> <p>5. The required 30 ft front yard may be reduced one foot for each one foot of this yard that is developed as a public use area if:</p> <p>a. Within 30 ft 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</p> <p>b. Substantially, the entire width of this yard, from north to south property lines, is developed as a public use area; and</p> <p>c. The design of the public use area is specifically approved by the City.</p> <p>6. 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</p>

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				
		Front Property Line	North Side Property Line						
Piers, docks, boat lifts and canopies serving Detached, Attached or Stacked Dwelling Units-General Moorage Facility (continued)	See Chapter 83 KZC	-	40'	40'	-			None	<p>to either the north or south property line, whichever will result in the widest view corridor given development on adjacent properties.</p> <p>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.</p> <p>REGULATIONS CONTINUED ON NEXT PAGE</p> <p>Refer to Chapter 83 KZC for additional regulations. 7. The City will determine the maximum allowable number of moorages based on the following factors:</p> <p>a. The ability of the land landward of the high waterline to accommodate the necessary support facilities.</p> <p>b. The potential for traffic congestion.</p> <p>c. The number of moorages shall not exceed the number of dwelling units on the subject property.</p> <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> <p>a. 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</p> <p>b. The moorage structures are not larger than is necessary to moor the specified number of boats; and</p> <p>c. The moorage structures will not interfere with the public use and enjoyment of the water or create a hazard to navigation; and</p> <p>d. The moorage structures will not adversely affect nearby uses; and</p> <p>e. The moorage structures will not have a significant long-term adverse effect on aquatic habitats.</p>

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)
			REQUIRED YARDS (See Ch. 115)			Lot Coverage				
Lot Size			Front Property Line	North Property Line	South Side Property Line	High Water Line Setback				
Section 40.10			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 d. Within 25' of another moorage structure not on the subject property.							<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>

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

Section 20.10	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				
.050	School or Day-Care Center		Within the NE 85th Street Sub-area, D.R., Chapter 142 KZC. Otherwise, Process I/A, Chapter 150 KZC.	7,200 sq. ft.	If this use can accommodate 50 or more students or children, then: 50' on each side If this use can accommodate 13 to 49 students or children, then: 20' on each side	70%	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.	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. b. Site and building design must minimize adverse impacts on surrounding residential neighborhoods. 2. A six-foot-high fence is required only along the property line adjacent to the outside play areas. 3. 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. 4. 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. 5. May include accessory living facilities for staff persons. 6. To reduce impacts on nearby residential uses, hours of operation of the use may be limited and parking and passenger loading areas relocated. 7. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388). 8. For school use, structure height may be increased, up to 35 feet, if: 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; and d. The increased height will not result in a structure that is incompatible with surrounding uses or improvements. This special regulation is not effective within the disapproval jurisdiction of the Houghton Community Council.

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

Section 20.10	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							
.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. <u>Also see Chapter 83 KZC for properties in shoreline jurisdiction.</u>	7,200 sq. ft.	20'	5' but 2' side yards must equal at least 15'.	10'	60%	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 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	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	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.	20'	5' but 2' side yards must equal at least 15'.	10'	60%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above average building elevation.	D See Spec. Reg. 6.	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 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: <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. 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.
.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.	10' on each side	10' on each side	70%	70%		C See Spec. Reg. 2	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 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.

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	Front	North Property Line	South Side Property Line				
<p>Section 40.10</p> <p>USE REGULATIONS</p> <p>↓</p> <p>↑</p>	<p>.040</p> <p><u>Piers, docks, boat lifts and canopies serving Detached, Attached or Stacked Dwelling Units, General Moorage Facility</u></p>	<p>See Chapter 83 <u>KZC</u></p>	<p>None, but must have at least 400 sq ft of frontage on Lake Washington.</p>	<p>30 ft. See also Spec. Reg. 4.</p>	<p>Landward of the ordinary high water mark/waterline. 30 ft above average building elevation. Waterward of the high waterline, dock and pier decks may not be more than 24 ft above mean sea level.</p>	<p>B</p>	<p>B</p>	<p>None</p>	<p>1. Refer to Chapter 83 KZC for additional regulations. 2. Chapter 83 KZC contains regulations regarding shoreline moorage. Moorage may only be used by residents of the dwelling units on the subject property, or their guests. 3. Except as permitted by Special Regulation 18, no structure, 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. 4. 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. 5. The required 30 ft 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 ft 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. 6. 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</p>

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				
		Front Property Line	North Side Property Line						
Piers, docks, boat lifts and canopies serving Detached, Attached or Stacked Dwelling Units-General Moorage Facility (continued)	See Chapter 83 KZC	-	40'	40'	-			None	<p>to either the north or south property line, whichever will result in the widest view corridor given development on adjacent properties.</p> <p>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.</p> <p>REGULATIONS CONTINUED ON NEXT PAGE</p> <p>Refer to Chapter 83 KZC for additional regulations. 7. The City will determine the maximum allowable number of moorages based on the following factors:</p> <p>a. The ability of the land landward of the high waterline to accommodate the necessary support facilities.</p> <p>b. The potential for traffic congestion.</p> <p>c. The number of moorages shall not exceed the number of dwelling units on the subject property.</p> <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> <p>a. 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</p> <p>b. The moorage structures are not larger than is necessary to moor the specified number of boats; and</p> <p>c. The moorage structures will not interfere with the public use and enjoyment of the water or create a hazard to navigation; and</p> <p>d. The moorage structures will not adversely affect nearby uses; and</p> <p>e. The moorage structures will not have a significant long-term adverse effect on aquatic habitats.</p>

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)
			REQUIRED YARDS (See Ch. 115)			Lot Coverage				
Lot Size			Front Property Line	South Side Property Line	High Water Line	Shoreline Setback				
Section 40.10			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 d. Within 25' of another moorage structure not on the subject property.							<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>

Revisions to Definitions Chapter 5 of the Kirkland Zoning Ordinance as follows:

~~.060 Average Parcel Depth~~ – The average of the distance from the ~~high-waterline-ordinary high water mark~~ to the ~~street providing~~ public right of way or vehicular access easement road, whichever provides the direct access to the subject property as measured along the side property lines or the extension of those lines where the water frontage of the subject property ends, the center of the ~~high-waterline ordinary high water mark~~ of the subject property and the quarter points of the ~~high-waterlineordinary high water mark~~ of the subject property. See ~~the following diagram for examples~~ Plate 19. ~~At the northern terminus of the 5th Ave West private access easement, the average parcel depth shall be measured from the high-waterline to the public pedestrian access easement providing access to Waverly Beach Park.~~

~~.065 Average Parcel Width~~ – The average of the distance from the north to the south property lines as measured along the ~~ordinary high water mark high-waterline~~ and the front property line, or along the east and west property lines if the parcel does not abut the ~~ordinary high water mark high-waterline~~ of Lake Washington.

~~.245 Dry Land~~ – The area of the subject property landward of the ~~high-waterlineordinary high water mark~~.

~~.365 High Waterline~~ – ~~The line where the water meets the land when the water level of Lake Washington is 21.8 feet above mean sea level based on the Corps of Engineers Datum Point. High Waterline shall be construed to be the same as Ordinary High Water Mark (OHWM), as defined in WAC 173-16-030(10).~~

~~.612 Ordinary High Waterline~~ – ~~This term has the same meaning as "high-waterline."~~

~~.720 Property Line~~ – Those lines enclosing a lot and those lines defining a recorded vehicular access easement. The following are categories of property lines:

1. Front property line is any property line that is adjacent to a street or vehicular access easement or tract more than 21 feet in width, except when said vehicular access easement or tract:
 - a. Is located entirely on an adjacent lot or lots and does not serve the subject property; or
 - b. Encompasses a hammerhead turnaround required by the Fire Department, whether or not it is located on or serves the subject property.

Neither the Burlington Northern, I-405, nor SR-520 rights-of-way shall be considered front property lines.

2. Rear property line is any property line that is farther from and essentially parallel to a front property line except on a lot which contains two or more front property lines; or any property line that is adjacent to a street, alley or vehicular access easement or tract 21 feet or less in width, except when said vehicular access easement or tract serves only one lot, or is located entirely on an adjacent lot or lots and does not serve the subject property; or any property line that is adjacent to a vehicular access easement or tract which encompasses a hammerhead turnaround required by the Fire Department.

3. Side property line is any property line other than a front property line or a rear property line, or in Waterfront District Zones, any property line other than a ~~north, south, front,~~ or ordinary high water mark. ~~high waterline shoreline setback required under Chapter 83 KZC.~~

~~4. North property line is the property line running essentially east to west at the northern end of the lot, at an angle of more than 67° 30' from a line running true north-south (see Plate 28).~~

~~5. South property line is the property line running essentially east to west at the southern end of a lot that also contains a north property line.~~

~~6. High Waterline — This term is defined separately in this chapter.~~

.727 Public Access Pier or Boardwalk – An elevated structure which is constructed waterward of the high waterlineordinary high water mark and intended for public use.

.775 Required Yard – Those areas adjacent to and interior from the property lines and involving the following designations (if two required yards are coincidental, the yard with the greater dimensions shall predominate):

1. Front: That portion of a lot adjacent to and parallel with any front property lines and at a distance therefrom equal to the required front yard depth.

2. Rear: That portion of a lot adjacent to and parallel with the rear property line and at a distance therefrom equal to the required rear yard depth.

3. Side: That portion of a lot adjacent to and parallel with the side property line and at a distance therefrom equal to the required side yard depth. All yards not otherwise categorized shall be designated side yards.

~~4. North Property Line Yard: That portion of a lot adjacent to and parallel with the north property line and at a distance therefrom equal to the required north property line yard depth.~~

~~5. South Property Line Yard: That portion of a lot adjacent to and parallel with the south property line and at a distance therefrom equal to the required south property line yard depth.~~

~~6. High Waterline Yard: That portion of a lot adjacent to and parallel with the high waterline and at a distance landward therefrom equal to the required high waterline yard depth.~~

115.07 Accessory Dwelling Units

One accessory dwelling unit (ADU) is permitted as subordinate to a single-family dwelling; provided, that the following criteria are met:

1. Number of Occupants – The total number of occupants in the principal dwelling unit and the ADU combined shall not exceed the maximum number established for a single-family dwelling as defined in KZC 5.10.300.
2. Owner Occupancy – One of the units must be the principal residence of the property owner(s).
3. Subdivision – Accessory dwelling units shall not be subdivided or otherwise segregated in ownership from the principal dwelling unit.
4. Scale – The square footage of the accessory dwelling unit shall not exceed 40 percent of the primary residence and accessory dwelling unit combined. If the accessory unit is completely located on a single floor, the Planning Director may allow increased size in order to efficiently use all floor area.

Detached accessory dwelling units shall not exceed 800 square feet of gross floor area. The gross floor area shall not include area with less than five feet of ceiling height, as measured between the finished floor and the supporting members for the roof. When calculating the square footage of the ADU (see KZC 5.10.340, definition of “gross floor area”), covered exterior elements such as decks and porches will not be included; provided, the total size of all such covered exterior elements does not exceed 200 square feet. An accessory dwelling unit will be considered to be “detached” from the principal unit if it has any of the following characteristics:

- a. It does not share a common roof structure with the principal unit.
 - b. It is not integrated into the footprint of the principal unit.
 - c. The design is inconsistent with the existing roof pitch, siding treatment, and window style of the principal unit.
5. Location. The accessory dwelling unit may be added to or included within the principal unit, or located in a detached structure. Detached structures must conform with the setbacks, height restrictions, lot coverage and other applicable zoning regulations required for single-family dwellings in the applicable use zone; provided, that an accessory dwelling unit shall not be considered a “dwelling unit” in the context of Special Regulations in Chapters 15 through 60 KZC which limit the number of detached dwelling units on each lot to one.
 6. Entrances. The primary entrance to the accessory dwelling unit shall be located in such a manner as to be clearly secondary to the main entrance to the principal unit and shall not detract from or alter the single-family character of the principal unit.
 7. Parking. There shall be one off-street parking space provided for the accessory dwelling unit.

~~8. WD I and WD III Zones. Properties located in the WD I and WD III Zones which develop accessory dwelling units must provide public pedestrian access consistent with the regulations contained in KZC 30.15.020 and 30.35.020 for attached or stacked dwelling units.~~

8. ~~9.~~ Applicable Codes. The portion of a single-family dwelling in which an accessory dwelling unit is proposed must comply with all standards for health and safety contained in all applicable codes, with the following exception for ceiling height. Space need not meet current Uniform Building Code (UBC) ceiling height requirements if it was legally constructed as habitable space.

9. ~~10.~~ Permitting

a. Application

- 1) The property owner shall apply for an accessory dwelling unit permit with the Building Department. The application shall include an affidavit signed by the property owner agreeing to all the general requirements outlined in this section.

In the event that proposed improvements in the accessory dwelling unit do not require a building permit, a registration form for the unit must be completed and submitted to the Planning Department.

- 2) The registration form as required by the City shall include a property covenant. The covenant must be filed by the property owner with the City for recording with the King County Department of Records and Elections to indicate the presence of the accessory dwelling unit, and reference to other standards outlined in this section. The covenant shall run with the land as long as the accessory dwelling unit is maintained on the property.
 - 3) If an ADU was or is created without being part of a project for which a building permit was or is finalized, an ADU inspection will be required for issuance of an ADU permit. The ADU inspection fee will cover a physical inspection of the ADU. This fee will be waived if the ADU existed on January 1, 1995, and the ADU permit is applied for by December 31, 1995.
- b. Eliminating an Accessory Dwelling Unit – Elimination of a registered accessory dwelling unit may be accomplished by the owner filing a certificate with the Planning Department, or may occur as a result of enforcement action.
- c. Preexisting Units – That portion of a single-family residence which meets the definition of accessory dwelling unit which existed on January 1, 1995, may be legally established, and not subject to zoning violation fines, if the following requirements are met:
- 1) An application for an accessory dwelling permit is filed by December 31, 1997;
 - 2) The accessory dwelling unit is determined to meet the requirements of this section, as well as the other code requirements referred to in KZC 115.65(5)(g).
- d. Appeals. An applicant may appeal to the Hearing Examiner the decision of the Planning Official in denying a request to construct an accessory dwelling unit. A written notice of appeal shall be filed with the Planning Department within 14 calendar days of the date the Planning Official's decision was mailed or otherwise delivered to the applicant. The City shall give notice of the hearing to the applicant at least 17 calendar days prior to the hearing. The applicant shall have the burden of proving the Planning Official made an incorrect decision. Based on the Hearing Examiner's findings and conclusions, he or she may affirm, reverse, or modify the decision being appealed.

Miscellaneous

WDI

~~30.17 Bulkhead and Land Surface Modification~~

~~1. Bulkheads~~

- ~~a. General — Bulkheads are permitted in this zone subject to all of the conditions and restrictions of this section. A permit may be required from the U.S. Army Corps of Engineers. Consult with that agency for further information.~~
- ~~b. Allowable Reasons — A bulkhead may be constructed only if:
 - ~~1) It is needed to prevent significant erosion due to wave action; and~~
 - ~~2) The use of vegetation will not sufficiently stabilize the shoreline to prevent significant erosion.~~~~
- ~~c. Prohibited Location — A bulkhead may not be erected within a wetland or between a wetland and the lake.~~
- ~~d. Design of Bulkhead — The bulkhead must be designed to minimize the transmittal of wave energy to other properties.~~
- ~~e. Placement of the Bulkhead — The bulkhead may not extend waterward of the high waterline. If there has been severe and unusual erosion within one year preceding the application for the bulkhead, the City may allow the placement of the bulkhead to recover the dryland area lost by this erosion.~~
- ~~f. Change in Configuration of the Land — Except as allowed under subsections (2) and (3) of this section, alteration of the horizontal or vertical configuration of the land must be kept to a minimum.~~
- ~~g. Backfill — The extent and nature of any backfill proposed landward of the bulkhead must be approved by the City.~~

~~2. Land Surface Modification Waterward of the High Waterline~~

- ~~a. General — Land surface modification waterward of the high waterline is permitted in this zone subject to all of the conditions and restrictions in this section.~~
- ~~b. Required Permit — The City will use Process HB, described in Chapter 152 KZC, to review and decide upon an application for a land surface modification waterward of the high waterline. This activity may also require a permit from the U.S. Army Corps of Engineers. Consult that agency for further information.~~
- ~~c. Allowable Reasons — The City may approve an application for a land surface modification waterward of the high waterline only if:
 - ~~1) No unique or significant natural area of flora or fauna will be destroyed; and~~~~

~~2) The land surface modification will not result in erosion of the shoreline or undermine stability of neighboring properties; and~~

~~3) Either:~~

~~a) The application is filed by a public agency to improve navigability, public safety; or~~

~~b) The application is to create a public use or recreation area; or~~

~~c) The application is for dredging to remove silt or sediment deposited because of severe and unusual erosion or resulting from the existence of a bulkhead on nearby property; or~~

~~d) At such time as permitted by the Shoreline Master Program, the application is for dredging to provide sufficient draft for boat moorage.~~

~~d. Requirements for Dredging — If the land surface modification involves dredging, the following regulations apply:~~

~~1) Dredging spoils may not be deposited in Lake Washington and may be deposited on the subject property only if this is part of an approved development activity on the subject property.~~

~~2) The applicant shall restore any beneficial vegetation disturbed during dredging.~~

~~3) The dredging shall be the minimum necessary to provide sufficient draft for navigation or moorage.~~

~~e. Requirements for Fill — If the land surface modification involves fill, the following regulations apply:~~

~~1) Material Used for Landfill — The material used in the landfill must be nondissolving and nondecomposing. The fill material must not contain organic and inorganic material that would be detrimental to the water quality of the existing habitat.~~

~~2) Use of Vegetation — Exposed fill areas must be stabilized with vegetation.~~

~~3. Land Surface Modification within the High Waterline Yard~~

~~a. General — Land surface modification in the high waterline yard is permitted in this zone subject to all of the conditions and restrictions of this section. This activity may also require a permit from the U.S. Army Corps of Engineers. Consult that agency for further information.~~

~~b. Allowable Reasons — The City may approve an application for a land surface modification within the high waterline yard only if:~~

~~1) No unique or significant natural area of flora or fauna will be destroyed; and~~

~~2) Either:~~

~~a) The application is filed by a public agency to improve public safety, recreation, or access; or~~

- ~~b) The application is part of a development proposal for the subject property and is to improve access to a pier or beach; or~~
 - ~~c) The land surface modification is necessary to provide public access; or~~
 - ~~d) The land surface modification is necessary to the structural safety of a structure; or~~
 - ~~e) There has been severe and unusual erosion within one year directly preceding the application and the land surface modification is to restore the shoreline to its configuration prior to this erosion; or~~
 - ~~f) This application is part of an application for bulkhead approved under paragraph 1 of this section. For backfill landward of a bulkhead, see subsection (1)(g) of this section.~~
- ~~c. Material Used for Landfill — The material used in a landfill must be nondissolving and nondecomposing. The fill material must not contain organic or inorganic material that would be detrimental to the water quality of the existing habitat.~~
 - ~~d. Use of Vegetation — The applicant shall stabilize exposed areas left after land surface modification with vegetation.~~
 - ~~e. Disposition of Excavated Materials — Dredging spoils may not be deposited in Lake Washington and may be deposited on the subject property only if this is part of an approved development activity.~~
- ~~4. Land Surface Modification Landward of the High Waterline Yard — Land surface modification landward of the high waterline yard is regulated like land surface modifications throughout the City. See Chapter 115 KZC for those regulations.~~
- ~~5. Emergency Measures — An applicant may erect a temporary bulkhead and take other emergency measures to protect against harm to persons or property resulting from imminent and unanticipated natural hazards. The area modified must be restored to the condition that existed immediately prior to any emergency modification as soon as practicable after the emergency.~~

~~30.17 Bulkhead and Land Surface Modification~~

~~1. Bulkheads~~

- ~~a. General — Bulkheads are permitted in this zone subject to all of the conditions and restrictions of this section. A permit may be required from the U.S. Army Corps of Engineers. Consult with that agency for further information.~~
- ~~b. Allowable Reasons — A bulkhead may be constructed only if:
 - ~~1) It is needed to prevent significant erosion due to wave action; and~~
 - ~~2) The use of vegetation will not sufficiently stabilize the shoreline to prevent significant erosion.~~~~
- ~~c. Prohibited Location — A bulkhead may not be erected within a wetland or between a wetland and the lake.~~

- ~~d. Design of Bulkhead — The bulkhead must be designed to minimize the transmittal of wave energy to other properties.~~
- ~~e. Placement of the Bulkhead — The bulkhead may not extend waterward of the high waterline. If there has been severe and unusual erosion within one year preceding the application for the bulkhead, the City may allow the placement of the bulkhead to recover the dryland area lost by this erosion.~~
- ~~f. Change in Configuration of the Land — Except as allowed under subsections (2) and (3) of this section, alteration of the horizontal or vertical configuration of the land must be kept to a minimum.~~
- ~~g. Backfill — The extent and nature of any backfill proposed landward of the bulkhead must be approved by the City.~~

~~2. Land Surface Modification Waterward of the High Waterline~~

- ~~a. General — Land surface modification waterward of the high waterline is permitted in this zone subject to all of the conditions and restrictions in this section.~~
- ~~b. Required Permit — The City will use Process HB, described in Chapter 152 KZC, to review and decide upon an application for a land surface modification waterward of the high waterline. This activity may also require a permit from the U.S. Army Corps of Engineers. Consult that agency for further information.~~
- ~~c. Allowable Reasons — The City may approve an application for a land surface modification waterward of the high waterline only if:
 - ~~1) No unique or significant natural area of flora or fauna will be destroyed; and~~
 - ~~2) The land surface modification will not result in erosion of the shoreline or undermine stability of neighboring properties; and~~
 - ~~3) Either:
 - ~~a) The application is filed by a public agency to improve navigability, public safety; or~~
 - ~~b) The application is to create a public use or recreation area; or~~
 - ~~c) The application is for dredging to remove silt or sediment deposited because of severe and unusual erosion or resulting from the existence of a bulkhead on nearby property; or~~
 - ~~d) At such time as permitted by the Shoreline Master Program, the application is for dredging to provide sufficient draft for boat moorage.~~~~~~
- ~~d. Requirements for Dredging — If the land surface modification involves dredging, the following regulations apply:
 - ~~1) Dredging spoils may not be deposited in Lake Washington and may be deposited on the subject property only if this is part of an approved development activity on the subject property.~~~~

~~2) The applicant shall restore any beneficial vegetation disturbed during dredging.~~

~~3) The dredging shall be the minimum necessary to provide sufficient draft for navigation or moorage.~~

~~e. Requirements for Fill — If the land surface modification involves fill, the following regulations apply:~~

~~1) Material Used for Landfill — The material used in the landfill must be nondissolving and nondecomposing. The fill material must not contain organic and inorganic material that would be detrimental to the water quality of the existing habitat.~~

~~2) Use of Vegetation — Exposed fill areas must be stabilized with vegetation.~~

~~3. Land Surface Modification within the High Waterline Yard~~

~~a. General — Land surface modification in the high waterline yard is permitted in this zone subject to all of the conditions and restrictions of this section. This activity may also require a permit from the U.S. Army Corps of Engineers. Consult that agency for further information.~~

~~b. Allowable Reasons — The City may approve an application for a land surface modification within the high waterline yard only if:~~

~~1) No unique or significant natural area of flora or fauna will be destroyed; and~~

~~2) Either:~~

~~a) The application is filed by a public agency to improve public safety, recreation, or access; or~~

~~b) The application is part of a development proposal for the subject property and is to improve access to a pier or beach; or~~

~~c) The land surface modification is necessary to provide public access; or~~

~~d) The land surface modification is necessary to the structural safety of a structure; or~~

~~e) There has been severe and unusual erosion within one year directly preceding the application and the land surface modification is to restore the shoreline to its configuration prior to this erosion; or~~

~~f) This application is part of an application for bulkhead approved under paragraph 1 of this section. For backfill landward of a bulkhead, see subsection (1)(g) of this section.~~

~~c. Material Used for Landfill — The material used in a landfill must be nondissolving and nondecomposing. The fill material must not contain organic or inorganic material that would be detrimental to the water quality of the existing habitat.~~

~~d. Use of Vegetation — The applicant shall stabilize exposed areas left after land surface modification with vegetation.~~

- ~~e. Disposition of Excavated Materials — Dredging spoils may not be deposited in Lake Washington and may be deposited on the subject property only if this is part of an approved development activity.~~
- ~~4. Land Surface Modification Landward of the High Waterline Yard — Land surface modification landward of the high waterline yard is regulated like land surface modifications throughout the City. See KMC Title 29 for those regulations.~~
- ~~5. Emergency Measures — An applicant may erect a temporary bulkhead and take other emergency measures to protect against harm to persons or property resulting from imminent and unanticipated natural hazards. The area modified must be restored to the condition that existed immediately prior to any emergency modification as soon as practicable after the emergency.~~

WDII

~~30.27 Bulkhead and Land Surface Modification~~

~~1. Bulkheads~~

- ~~a. General — Bulkheads are permitted in this zone subject to all of the conditions and restrictions of this section. A permit may be required from the U.S. Army Corps of Engineers. Consult with that agency for further information.~~
- ~~b. Allowable Reasons — A bulkhead may be constructed only if:
 - ~~1) It is needed to prevent significant erosion due to wave action; and~~
 - ~~2) The use of vegetation will not sufficiently stabilize the shoreline to prevent significant erosion.~~~~
- ~~c. Prohibited Location — A bulkhead may not be erected within a wetland or between a wetland and the lake.~~
- ~~d. Design of Bulkhead — The bulkhead must be designed to minimize the transmittal of wave energy to other properties.~~
- ~~e. Placement of the Bulkhead — The bulkhead may not extend waterward of the high waterline. If there has been severe and unusual erosion within one year preceding the application for the bulkhead, the City may allow the placement of the bulkhead to recover the dryland area lost by this erosion.~~
- ~~f. Change in Configuration of the Land — Except as allowed under subsections (2) and (3) of this section, alteration of the horizontal or vertical configuration of the land must be kept to a minimum.~~
- ~~g. Backfill — The extent and nature of any backfill proposed landward of the bulkhead must be approved by the City.~~

~~2. Land Surface Modification Waterward of the High Waterline~~

- ~~a. General — Land surface modification waterward of the high waterline is permitted in this zone subject to all of the conditions and restrictions in this section.~~
- ~~b. Required Permit — The City will use Process HB, described in Chapter 152-KZC, to review and decide upon an application for a land surface modification waterward of the high waterline. This activity may also require a permit from the U.S. Army Corps of Engineers. Consult that agency for further information.~~
- ~~c. Allowable Reasons — The City may approve an application for a land surface modification waterward of the high waterline only if:
 - ~~1) No unique or significant natural area of flora or fauna will be destroyed; and~~
 - ~~2) The land surface modification will not result in erosion of the shoreline or undermine stability of neighboring properties; and~~
 - ~~3) Either:~~~~

- ~~a) The application is filed by a public agency to improve navigability, public safety; or~~
 - ~~b) The application is to create a public use or recreation area; or~~
 - ~~c) The application is for dredging to remove silt or sediment deposited because of severe and unusual erosion or resulting from the existence of a bulkhead on nearby property.~~
 - ~~d. Requirements for Dredging — If the land surface modification involves dredging, the following regulations apply:
 - ~~1) Dredging spoils may not be deposited in Lake Washington and may be deposited on the subject property only if this is part of an approved development activity on the subject property.~~
 - ~~2) The applicant shall restore any beneficial vegetation disturbed during dredging.~~~~
 - ~~e. Requirements for Fill — If the land surface modification involves fill, the applicant must comply with the provisions of subsections (3)(c) and (d) of this section.~~
- ~~3. Land Surface Modification within the High Waterline Yard~~
- ~~a. General — Land surface modification in the high waterline yard is permitted in this zone subject to all of the conditions and restrictions of this section. This activity may also require a permit from the U.S. Army Corps of Engineers. Consult with that agency for further information.~~
 - ~~b. Allowable Reasons — The City may approve an application for a land surface modification within the high waterline yard only if:
 - ~~1) No unique or significant natural area of flora or fauna will be destroyed; and~~
 - ~~2) Either:
 - ~~a) The application is filed by a public agency to improve public safety, recreation, or access; or~~
 - ~~b) The application is part of a development proposal for the subject property and is to improve access to a pier or beach; or~~
 - ~~c) The land surface modification is necessary to provide public access; or~~
 - ~~d) The land surface modification is necessary to the structural safety of a structure; or~~
 - ~~e) There has been severe and unusual erosion within one year directly preceding the application and the land surface modification is to restore the shoreline to its configuration prior to this erosion; or~~
 - ~~f) This application is part of an application for bulkhead approved under subsection (1) of this section. For backfill landward of a bulkhead, see subsection (1)(g) of this section.~~~~~~

- ~~e. Material Used for Landfill — The material used in a landfill must be nondissolving and nondecomposing. The fill material must not contain organic or inorganic material that would be detrimental to the water quality of the existing habitat.~~
 - ~~d. Use of Vegetation — The applicant shall stabilize exposed areas left after land surface modification with vegetation.~~
 - ~~e. Disposition of Excavated Materials — Dredging spoils may not be deposited in Lake Washington and may be deposited on the subject property only if this is part of an approved development activity.~~
- ~~4. Land Surface Modification Landward of the High Waterline Yard — Land surface modification landward of the high waterline yard is regulated like land surface modifications throughout the City. See Chapter 115 KZC for those regulations.~~
 - ~~5. Emergency Measures — An applicant may erect a temporary bulkhead and take other emergency measures to protect against harm to persons or property resulting from imminent and unanticipated natural hazards. The area modified must be restored to the condition that existed immediately prior to any emergency modification as soon as practicable after the emergency.~~

WDIII

~~Bulkhead and Land Surface Modification~~

~~1. Bulkheads~~

- ~~a. General — Bulkheads are permitted in this zone subject to all of the conditions and restrictions of this section. A permit may be required from the U.S. Army Corps of Engineers. Consult with that agency for further information.~~
- ~~b. Allowable Reasons — A bulkhead may be constructed only if:
 - ~~1) It is needed to prevent significant erosion due to wave action; and~~
 - ~~2) The use of vegetation will not sufficiently stabilize the shoreline to prevent significant erosion.~~~~
- ~~c. Prohibited Location — A bulkhead may not be erected within a wetland or between a wetland and the lake.~~
- ~~d. Design of Bulkhead — The bulkhead must be designed to minimize the transmittal of wave energy to other properties.~~
- ~~e. Placement of the Bulkhead — The bulkhead may not extend waterward of the high waterline. If there has been severe and unusual erosion within one year preceding the application for the bulkhead, the City may allow the placement of the bulkhead to recover the dryland area lost by this erosion.~~
- ~~f. Change in Configuration of the Land — Except as allowed under subsections (2) and (3) of this section, alteration of the horizontal or vertical configuration of the land must be kept to a minimum.~~
- ~~g. Backfill — The extent and nature of any backfill proposed landward of the bulkhead must be approved by the City.~~

~~2. Land Surface Modification Waterward of the High Waterline~~

- ~~a. General — Land surface modification waterward of the high waterline is permitted in this zone subject to all of the conditions and restrictions in this section.~~
- ~~b. Required Permit — The City will use Process IIB, described in Chapter 152-KZC, to review and decide upon an application for a land surface modification waterward of the high waterline. This activity may also require a permit from the U.S. Army Corps of Engineers. Consult that agency for further information.~~
- ~~c. Allowable Reasons — The City may approve an application for a land surface modification waterward of the high waterline only if:
 - ~~1) No unique or significant natural area of flora or fauna will be destroyed; and~~
 - ~~2) The land surface modification will not result in erosion of the shoreline or undermine stability of neighboring properties; and~~
 - ~~3) Either:~~~~

- ~~a) The application is filed by a public agency to improve navigability, public safety; or~~
 - ~~b) The application is to create a public use or recreation area; or~~
 - ~~e) The application is for dredging to remove silt or sediment deposited because of severe and unusual erosion or resulting from the existence of a bulkhead on nearby property; or~~
 - ~~d) At such time as permitted by the Shoreline Master Program, the application is for dredging to provide sufficient draft for boat moorage.~~
- ~~d. Requirements for Dredging — If the land surface modification involves dredging, the following regulations apply:~~
- ~~1) Dredging spoils may not be deposited in Lake Washington and may be deposited on the subject property only if this is part of an approved development activity on the subject property.~~
 - ~~2) The applicant shall restore any beneficial vegetation disturbed during dredging.~~
 - ~~3) The dredging shall be the minimum necessary to provide sufficient draft for navigation or moorage.~~
- ~~e. Requirements for Fill — If the land surface modification involves fill, the following regulations apply:~~
- ~~1) Material Used for Landfill — The material used in the landfill must be nondissolving and nondecomposing. The fill material must not contain organic and inorganic material that would be detrimental to the water quality of the existing habitat.~~
 - ~~2) Use of Vegetation — Exposed fill areas must be stabilized with vegetation.~~
- ~~3. Land Surface Modification within the High Waterline Yard~~
- ~~a. General — Land surface modification in the high waterline yard is permitted in this zone subject to all of the conditions and restrictions of this section.~~
 - ~~b. Required Permit — The City will use Process I, described in Chapter 145 KZC, to review and decide upon an application for land surface modification within the high waterline yard. This activity may also require a permit from the U.S. Army Corps of Engineers. Consult with that agency for further information.~~
 - ~~c. Allowable Reasons — The City may approve an application for a land surface modification within the high waterline yard only if:~~
 - ~~1) No unique or significant natural area of flora or fauna will be destroyed; and~~
 - ~~2) Either:~~
 - ~~a) The application is filed by a public agency to improve public safety, recreation, or access; or~~

- ~~b) The application is part of a development proposal for the subject property and is to improve access to a pier or beach; or~~
 - ~~e) The land surface modification is necessary to provide public access; or~~
 - ~~d) The land surface modification is necessary to the structural safety of a structure; or~~
 - ~~e) There has been severe and unusual erosion within one year directly preceding the application and the land surface modification is to restore the shoreline to its configuration prior to this erosion; or~~
 - ~~f) This application is part of an application for a bulkhead approved under subsection (1) of this section. For backfill landward of a bulkhead, see subsection (1)(g) of this section.~~
- ~~d. Material Used for Landfill — The material used in a landfill must be nondissolving and nondecomposing. The fill material must not contain organic or inorganic material that would be detrimental to the water quality of the exposing habitat.~~
 - ~~e. Use of Vegetation — The applicant shall stabilize exposed areas left after land surface modification with vegetation.~~
 - ~~f. Disposition of Excavated Materials — Dredging spoils may not be deposited in Lake Washington and may be deposited on the subject property only if this is part of an approved development activity.~~
- ~~4. Land Surface Modification Landward of the High Waterline Yard — Land surface modification landward of the high waterline yard is regulated like land surface modifications throughout the City. See Chapter 115 KZC for those regulations.~~
 - ~~5. Emergency Measures — An applicant may erect a temporary bulkhead and take other emergency measures to protect against harm to persons or property resulting from imminent and unanticipated natural hazards. The area modified must be restored to the condition that existed immediately prior to any emergency modification as soon as practicable after the emergency.~~

CBD-2

~~50.20 Bulkhead and Land Surface Modification~~

~~1. Bulkheads~~

- ~~a. General — Bulkheads are permitted in this zone subject to all of the conditions and restrictions of this section. A permit may be required from the U.S. Army Corps of Engineers. Consult with that agency for further information.~~
- ~~b. Allowable Reasons — A bulkhead may be constructed only if:
 - ~~1) It is needed to prevent significant erosion due to wave action; and~~
 - ~~2) The use of vegetation will not sufficiently stabilize the shoreline to prevent significant erosion.~~~~
- ~~c. Prohibited Location — A bulkhead may not be erected within a wetland or between a wetland and the lake.~~
- ~~d. Design of Bulkhead — The bulkhead must be designed to minimize the transmittal of wave energy to other properties.~~
- ~~e. Placement of the Bulkhead — The bulkhead may not extend waterward of the high waterline. If there has been severe and unusual erosion within one year preceding the application for the bulkhead, the City may allow the placement of the bulkhead to recover the dryland area lost by this erosion.~~
- ~~f. Change in Configuration of the Land — Except as allowed under subsections (2) and (3) of this section, alteration of the horizontal or vertical configuration of the land must be kept to a minimum.~~
- ~~g. Backfill — The extent and nature of any backfill proposed landward of the bulkhead must be approved by the City.~~

~~2. Land Surface Modification Waterward of the High Waterline~~

- ~~a. General — Land surface modification waterward of the high waterline is permitted in this zone subject to all of the conditions and restrictions in this section.~~
- ~~b. Required Permit — The City will use Process HB, described in Chapter 152 KZC, to review and decide upon an application for a land surface modification waterward of the high waterline. This activity may also require a permit from the U.S. Army Corps of Engineers. Consult that agency for further information.~~
- ~~c. Allowable Reasons — The City may approve an application for a land surface modification waterward of the high waterline only if:
 - ~~1) The land surface modification will not result in erosion of the shoreline or undermine stability of neighboring properties; and~~
 - ~~2) Either:~~~~

~~a) The application is filed by a public agency to improve navigability or public safety; or~~

~~b) The application is to create a public use or recreation area; or~~

~~e) The application is for dredging to remove silt or sediment deposited because of severe and unusual erosion or resulting from the existence of a bulkhead on nearby property.~~

~~d. Requirements for Dredging — If the land surface modification involves dredging, the following regulations apply:~~

~~1) Dredging spoils may not be deposited in Lake Washington and may be deposited on the subject property only if this is part of an approved development activity on the subject property.~~

~~2) The applicant shall restore any beneficial vegetation disturbed during dredging.~~

~~e. Requirements for Fill — If the land surface modification involves fill, the applicant must comply with the provisions of subsections (3)(d) and (3)(e) of this section.~~

~~3. Land Surface Modification within the High Waterline Yard~~

~~a. General — Land surface modification in the high waterline yard is permitted in this zone subject to all of the conditions and restrictions of this section. This activity may also require a permit from the U.S. Army Corps of Engineers. Consult with that agency for further information.~~

~~b. Allowable Reasons — The City may approve an application for a land surface modification within the high waterline yard only if:~~

~~1) No unique or significant natural area of flora or fauna will be destroyed; and~~

~~2) Either:~~

~~a) The application is filed by a public agency to improve public safety, recreation, or access; or~~

~~b) The application is part of a development proposal for the subject property and is to improve access to a pier or beach; or~~

~~e) The land surface modification is necessary to provide public access; or~~

~~d) The land surface modification is necessary to the structural safety of a structure; or~~

~~e) There has been severe and unusual erosion within one year directly preceding the application and the land surface modification is to restore the shoreline to its configuration prior to this erosion; or~~

~~f) This application is part of an application for a bulkhead approved under subsection (1) of this section. For backfill landward of a bulkhead, see subsection (1)(g) of this section.~~

- ~~e. Public Use Area Required — If the land surface modification within the high waterline yard is proposed as part of a development other than a small moorage facility, the City shall require that part of the high waterline be developed as a public use area. The size and design of the public use area must be specifically approved by the City based on the size of the subject property, the use on the subject property, and the ability to use design features to separate the public use area from the private elements of the development.~~
 - ~~d. Material Used for Landfill — The material used in a landfill must be nondissolving and nondecomposing. The fill material must not contain organic or inorganic material that would be detrimental to the water quality of the existing habitat.~~
 - ~~e. Use of Vegetation — The applicant shall stabilize exposed areas left after land surface modification with vegetation.~~
 - ~~f. Disposition of Excavated Materials — Dredging spoils may not be deposited in Lake Washington and may be deposited on the subject property only if this is part of an approved development activity.~~
- ~~4. Land Surface Modification Landward of the High Waterline Yard — Land surface modification landward of the high waterline yard is regulated like land surface modifications throughout the City. See KMC Title 29 for those regulations.~~
- ~~5. Emergency Measures — An applicant may erect a temporary bulkhead and take other emergency measures to protect against harm to persons or property resulting from imminent and unanticipated natural hazards. The area modified must be restored to the condition that existed immediately prior to any emergency modification as soon as practicable after the emergency.~~

JBD-5

~~52.35 Bulkhead and Land Surface Modification~~

~~1. Bulkheads~~

- ~~a. General — Bulkheads are permitted in this zone subject to all of the conditions and restrictions of this section.~~
- ~~b. Required Permit — The City will use Process I, described in Chapter 145 KZC, to review and decide upon an application for a bulkhead. A permit may also be required from the U.S. Army Corps of Engineers. Consult that agency for further information.~~
- ~~c. Allowable Reasons — A bulkhead may be constructed only if:
 - ~~1) It is needed to prevent significant erosion due to wave action; and~~
 - ~~2) The use of vegetation will not sufficiently stabilize the shoreline to prevent significant erosion.~~~~
- ~~d. Prohibited Location — A bulkhead may not be erected within a wetland or between a wetland and the lake.~~
- ~~e. Design of Bulkhead — The bulkhead must be designed to minimize the transmittal of wave energy to other properties.~~
- ~~f. Placement of the Bulkhead — The bulkhead may not extend waterward of the high waterline. If there has been severe and unusual erosion within one year preceding the application for the bulkhead, the City may allow the placement of the bulkhead to recover the dryland area lost by this erosion.~~
- ~~g. Change in Configuration of the Land — Except as allowed under subsections (2) and (3) of this section, alteration of the horizontal or vertical configuration of the land must be kept to a minimum.~~
- ~~h. Backfill — The extent and nature of any backfill proposed landward of the bulkhead must be approved by the City.~~

~~2. Land Surface Modification Waterward of the High Waterline~~

- ~~a. General — Land surface modification waterward of the high waterline is permitted in this zone subject to all of the conditions and restrictions in this section.~~
- ~~b. Required Permit — The City will use Process HB, described in Chapter 152 KZC, to review and decide upon an application for a land surface modification waterward of the high waterline. This activity may also require a permit from the U.S. Army Corps of Engineers. Consult that agency for further information.~~
- ~~c. Allowable Reasons — The City may approve an application for a land surface modification waterward of the high waterline only if:
 - ~~1) The land surface modification will not result in erosion of the shoreline or undermine stability of neighboring properties; and~~~~

~~2) Either:~~

- ~~a) The application is filed by a public agency to improve navigability or public safety; or~~
- ~~b) The application is to create a public use or recreation area; or~~
- ~~c) The application is for dredging to remove silt or sediment deposited because of severe and unusual erosion or resulting from the existence of a bulkhead on nearby property; or~~
- ~~d) At such time as permitted by the Shoreline Master Program, the application is for dredging to provide sufficient draft for boat moorage.~~

~~d. Requirements for Dredging — If the land surface modification involves dredging, the following regulations apply:~~

- ~~1) Dredging spoils may not be deposited in Lake Washington and may be deposited on the subject property only if this is part of an approved development activity on the subject property.~~
- ~~2) The applicant shall restore any beneficial vegetation disturbed during dredging.~~
- ~~3) The dredging shall be the minimum necessary to provide sufficient draft for navigation and moorage.~~

~~e. Requirements for Fill — If the land surface modification involves fill, the applicant must comply with the provisions of subsections (3)(e) and (3)(f) of this section.~~

~~3. Land Surface Modification within the High Waterline Yard~~

~~a. General — Land surface modification in the high waterline yard is permitted in this zone subject to all of the conditions and restrictions of this section.~~

~~b. Required Permit — The City will use Process I, described in Chapter 145 KZC, to review and decide upon an application for land surface modification within the high waterline yard. This activity may also require a permit from the U.S. Army Corps of Engineers. Consult with that agency for further information.~~

~~c. Allowable Reasons — The City may approve an application for a land surface modification within the high waterline yard only if:~~

- ~~1) No unique or significant natural area of flora or fauna will be destroyed; and~~

~~2) Either:~~

- ~~a) The application is to improve public safety, recreation, or access; or~~
- ~~b) The application is part of a development proposal for the subject property and is to improve access to a pier or beach; or~~
- ~~c) The land surface modification is necessary to provide public access; or~~

- ~~d) The land surface modification is necessary to the structural safety of a structure; or~~
 - ~~e) There has been severe and unusual erosion within the one year directly preceding the application and the land surface modification is to restore the shoreline to its configuration prior to this erosion; or~~
 - ~~f) This application is part of an application for a bulkhead approved under subsection (1) of this section. For backfill landward of a bulkhead, see subsection (1)(h) of this section.~~
- ~~d. Public Use Area Required — If the land surface modification within the high waterline yard is proposed as part of a development other than a small moorage facility, the City shall require that part of the high waterline be developed as a Public Use Area. The size and design of the Public Use Area must be specifically approved by the City based on the size of the subject property, the use on the subject property, and the ability to use design features to separate the Public Use Area from the private elements of the development.~~
- ~~e. Material Used for Landfill — The material used in a landfill must be nondissolving and nondecomposing. The fill material must not contain organic or inorganic material that would be detrimental to the water quality of the existing habitat.~~
- ~~f. Use of Vegetation — The applicant shall stabilize exposed areas left after land surface modification with vegetation.~~
- ~~g. Disposition of Excavated Materials — Dredging spoils may not be deposited in Lake Washington and may be deposited on the subject property only if this is part of an approved development activity.~~
- ~~4. Land Surface Modification Landward of the High Waterline Yard — Land surface modification landward of the high waterline yard is regulated like land surface modifications throughout the City. See KMC Title 29 for those regulations.~~
- ~~5. Emergency Measures — An applicant may erect a temporary bulkhead and take other emergency measures to protect against harm to persons or property resulting from imminent and unanticipated natural hazards. The area modified must be restored to the condition that existed immediately prior to any emergency modification as soon as practicable after the emergency.~~

PLA2

~~60.18 Bulkhead and Land Surface Modification~~

- ~~1. Bulkheads — Bulkheads are not permitted in this zone.~~
- ~~2. Land Surface Modification Waterward of the High Waterline
 - ~~a. General — Land surface modification waterward of the high waterline is permitted in this zone subject to all of the conditions and restrictions in this section.~~
 - ~~b. Required Permit — The City will use the City Council Process HB as described in Chapter 152 KZC to review and decide upon an application for a land surface modification waterward of the high waterline.~~
 - ~~c. Allowable Reasons — The City may approve an application for a land surface modification waterward of the high waterline only if the application is filed by a public agency to improve navigability, public recreation, or public safety; and
 - ~~1) No unique or significant natural area of flora or fauna will be destroyed; and~~
 - ~~2) The land surface modification will not result in erosion of the shoreline or undermine stability of neighboring properties.~~~~
 - ~~d. Requirements for Dredging — If the land surface modification involves dredging, the dredging spoils may not be deposited in Lake Washington and may be deposited on the subject property only if this is part of an approved fill on the subject property.~~
 - ~~e. Requirements for Fill — If the land surface modification involves fill, the material for the fill must be nondissolving and nondecomposing. The fill material must not contain organic or inorganic material that would be detrimental to the water quality of the existing habitat.~~
 - ~~f. Use of Vegetation — The applicant shall stabilize exposed areas left after land surface modification with vegetation.~~~~
- ~~3. Land Surface Modification within the Regulated Wetland — Land surface modification within a regulated wetland and within a wetland buffer is regulated by Chapter 90 KZC. This activity may also require a permit from the U.S. Army Corps of Engineers. Consult that agency for further information.~~
- ~~4. Land Surface Modification Other than Waterward of the High Waterline or the Regulated Wetland or Wetland Buffer — See KMC Title 29 for regulations regarding land surface modifications other than waterward of the high waterline or within the regulated wetland or wetland buffer.~~
- ~~5. Emergency Measures — An applicant may take emergency measures to protect against harm to persons or property resulting from imminent and unanticipated natural hazards. The area modified must be restored to the condition that existed immediately prior to any emergency modification as soon as practicable after the emergency.~~

PLA3B

~~60.28 Bulkhead and Land Surface Modification~~

~~1. Bulkheads~~

- ~~a. General — Bulkheads are permitted in this zone subject to all of the conditions and restrictions of this section. A permit may be required from the U.S. Army Corps of Engineers. Consult with that agency for further information.~~
- ~~b. Allowable Reasons — A bulkhead may be constructed only if:
 - ~~1) It is needed to prevent significant erosion due to wave action; and~~
 - ~~2) The use of vegetation will not sufficiently stabilize the shoreline to prevent significant erosion.~~~~
- ~~c. Prohibited Location — A bulkhead may not be erected within a wetland or between a wetland and the lake.~~
- ~~d. Design of Bulkhead — The bulkhead must be designed to minimize the transmittal of wave energy to other properties.~~
- ~~e. Placement of the Bulkhead — The bulkhead may not extend waterward of the high waterline. If there has been severe and unusual erosion within one year preceding the application for the bulkhead, the City may allow the placement of the bulkhead to recover the dryland area lost by this erosion.~~
- ~~f. Change in Configuration of the Land — Except as allowed under subsections (2) and (3) of this section, alteration of the horizontal or vertical configuration of the land must be kept to a minimum.~~
- ~~g. Backfill — The extent and nature of any backfill proposed landward of the bulkhead must be approved by the City.~~

~~2. Land Surface Modification Waterward of the High Waterline~~

- ~~a. General — Land surface modification waterward of the high waterline is permitted in this zone subject to all of the conditions and restrictions in this section.~~
- ~~b. Required Permit — The City will use Process HB, described in Chapter 152 KZC, to review and decide upon an application for a land surface modification waterward of the high waterline. This activity may also require a permit from the U.S. Army Corps of Engineers. Consult that agency for further information.~~
- ~~c. Allowable Reasons — The City may approve an application for a land surface modification waterward of the high waterline only if:
 - ~~1) No unique or significant natural area of flora or fauna will be destroyed;~~
 - ~~2) The land surface modification will not result in erosion of the shoreline or undermine stability of neighboring properties; and~~~~

~~3) Either:~~

~~a) The application is filed by a public agency to improve navigability or public safety; or~~

~~b) The application is to create a public use or recreation area; or~~

~~c) The application is for dredging to remove silt or sediment deposited because of severe and unusual erosion or resulting from the existence of a bulkhead on nearby property; or~~

~~d) At such time as permitted by the Shoreline Master Program, the application is for dredging to provide sufficient draft for boat moorage.~~

~~d. Requirements for Dredging — If the land surface modification involves dredging, the following regulations apply:~~

~~1) Dredging spoils may not be deposited in Lake Washington and may be deposited on the subject property only if this is part of an approved development activity on the subject property.~~

~~2) The applicant shall restore any beneficial vegetation disturbed during dredging.~~

~~3) The dredging shall be the minimum necessary to provide sufficient draft for navigation and moorage.~~

~~e. Requirements for Fill — If the land surface modification involves fill, the following regulations apply:~~

~~1) Material Used for Landfill — The material used in the landfill must be nondissolving and nondecomposing. The fill material must not contain organic or inorganic material that would be detrimental to the water quality of the existing habitat.~~

~~2) Use of Vegetation — Exposed fill areas must be stabilized with vegetation.~~

~~3. Land Surface Modification within the High Waterline Yard~~

~~a. General — Land surface modification in the high waterline yard is permitted in this zone subject to all of the conditions and restrictions of this section. This activity may also require a permit from the U.S. Army Corps of Engineers. Consult with that agency for further information.~~

~~b. Allowable Reasons — The City may approve an application for a land surface modification within the high waterline yard only if:~~

~~1) No unique or significant natural area of flora or fauna will be destroyed; and~~

~~2) Either:~~

- ~~a) The application is filed by a public agency to improve public safety, recreation, or access; or~~
 - ~~b) The application is part of a development proposal for the subject property and is to improve access to a pier or beach; or~~
 - ~~c) The land surface modification is necessary to provide public access; or~~
 - ~~d) The land surface modification is necessary to the structural safety of a structure; or~~
 - ~~e) There has been severe and unusual erosion within the one year directly preceding the application and the land surface modification is to restore the shoreline to its configuration prior to this erosion; or~~
 - ~~f) This application is part of an application for a bulkhead approved under subsection (1) of this section. For backfill landward of a bulkhead, see subsection (1)(g) of this section.~~
- ~~c. Material Used for Landfill — The material used in a landfill must be nondissolving and nondecomposing. The fill material must not contain organic or inorganic material that would be detrimental to the water quality of the existing habitat.~~
- ~~d. Use of Vegetation — The applicant shall stabilize exposed areas left after land surface modification with vegetation.~~
- ~~4. Land Surface Modification Landward of the High Waterline Yard — Land surface modification landward of the high waterline yard is regulated like land surface modifications throughout the City. See KMC Title 29 for those regulations.~~
- ~~5. Emergency Measures — An applicant may erect a temporary bulkhead and take other emergency measures to protect against harm to persons or property resulting from imminent and unanticipated natural hazards. The area modified must be restored to the condition that existed immediately prior to any emergency modification as soon as practicable after the emergency.~~

PLA15A

~~60.173 Bulkhead and Land Surface Modification~~

~~1. Bulkheads~~

- ~~a. General — Bulkheads are permitted in this zone subject to all of the conditions and restrictions of this section.~~
- ~~b. Required Permit — The City will use Process I, described in Chapter 145 KZC, to review and decide upon an application for a bulkhead. A permit may also be required from the U.S. Army Corps of Engineers. Consult that agency for further information.~~
- ~~c. Allowable Reasons — A bulkhead may be constructed only if:
 - ~~1) It is needed to prevent significant erosion due to wave action; and~~
 - ~~2) The use of vegetation will not sufficiently stabilize the shoreline to prevent significant erosion.~~~~
- ~~d. Prohibited Location — A bulkhead may not be erected within a wetland or between a wetland and the lake.~~
- ~~e. Design of Bulkhead — The bulkhead must be designed to minimize the transmittal of wave energy to other properties.~~
- ~~f. Placement of the Bulkhead — The bulkhead may not extend waterward of the high waterline unless it is associated with approved fill.~~
- ~~g. Change in Configuration of the Land — Except as allowed under subsections (2) and (3) of this section, alteration of the horizontal or vertical configuration of the land must be kept to a minimum.~~
- ~~h. Backfill — The extent and nature of any backfill proposed landward of the bulkhead must be approved by the City.~~

~~2. Land Surface Modification Waterward of the High Waterline~~

- ~~a. General — Land surface modification waterward of the high waterline is permitted in this zone subject to all of the conditions and restrictions in this section.~~
- ~~b. Required Permit — The City will use Process HB, described in Chapter 152 KZC, to review and decide upon an application for a land surface modification waterward of the high waterline. This activity may also require a permit from the U.S. Army Corps of Engineers. Consult that agency for further information.~~
- ~~c. Allowable Reasons — The City may approve an application for a land surface modification waterward of the high waterline only if:
 - ~~1) No unique or significant natural area of flora or fauna will be destroyed; and~~
 - ~~2) The land surface modification will not result in erosion of the shoreline or undermine stability of neighboring properties; and~~~~

~~3) Either:~~

- ~~a) The application is filed by a public agency to improve navigability, public recreation, or public safety; or~~
- ~~b) The application is to create a public use or recreation area; or~~
- ~~c) The application is for dredging to remove silt or sediment deposited because of severe and unusual erosion or resulting from the existence of a bulkhead on nearby property; or~~
- ~~d) At such time as permitted by the Shoreline Master Program, the application is for dredging to provide sufficient draft for boat moorages; or~~
- ~~e) The application is consistent with an approved Master Plan for a "development containing attached or stacked dwelling units, restaurants or taverns and general moorage facilities."~~

~~d. Requirements for Dredging — If the land surface modification involves dredging, the following regulations apply:~~

- ~~1) Dredging spoils may not be deposited in Lake Washington and may be deposited on the subject property only if this is part of an approved development activity on the subject property.~~
- ~~2) The applicant shall restore any beneficial vegetation disturbed during dredging.~~
- ~~3) The dredging shall be the minimum necessary to provide sufficient draft for navigation or moorage.~~

~~e. Requirements for Fill — If the land surface modification involves fill, the following regulations apply:~~

- ~~1) Material Used for Landfill — The material used in the landfill must be nondissolving and nondecomposing. The fill material must not contain organic or inorganic material that would be detrimental to the water quality or the existing habitat.~~
- ~~2) Vegetation — Exposed fill areas must be stabilized with vegetation.~~
- ~~3) Public Use Area Required — If the fill is proposed as part of a "Development containing attached or stacked dwelling units, restaurants or taverns and general moorage facilities," part of the high waterline yard shall be developed as a public use area. The size and design of the public use area must be specifically approved by the City based on the size of the subject property, the use on the subject property, and the ability to use design features to separate the public use area from the private elements of the development.~~

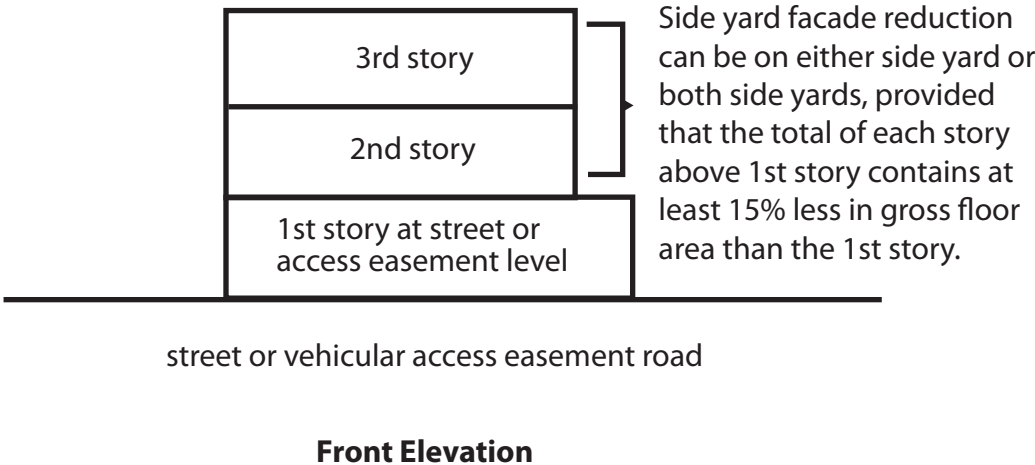
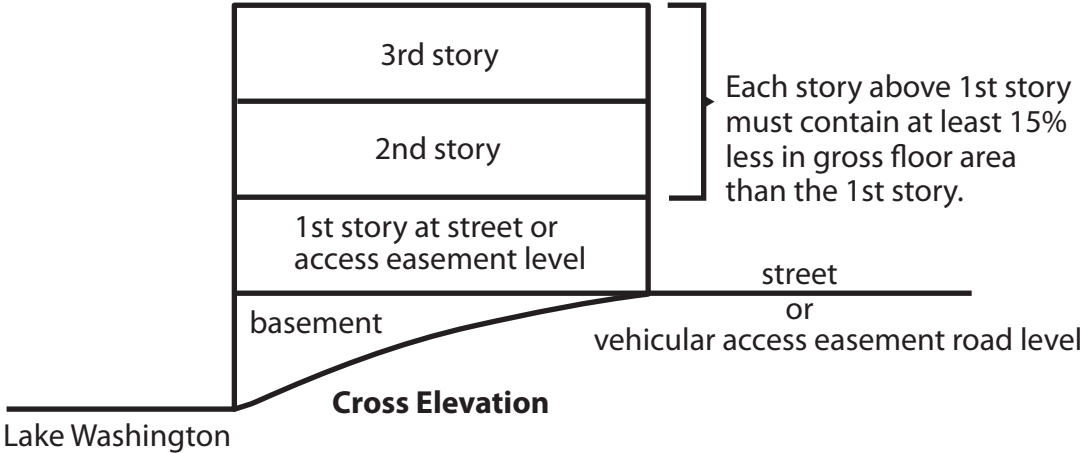
~~3. Land Surface Modification within the High Waterline Yard~~

- ~~a. General — Land surface modification in the high waterline yard is permitted in this zone subject to all of the conditions and restrictions of this section.~~

- ~~b. Required Permit — The City will use Process I, described in Chapter 145 KZC, to review and decide upon an application for land surface modification within the high waterline yard. This activity may also require a permit from the U.S. Army Corps of Engineers. Consult that agency for further information.~~
 - ~~c. Allowable Reasons — The City may approve an application for a land surface modification within the high waterline yard only if:
 - ~~1) No unique or significant natural area of flora or fauna will be destroyed; and~~
 - ~~2) Either:
 - ~~a) The application is filed by a public agency to improve public safety, recreation, or access; or~~
 - ~~b) The application is part of a development proposal for the subject property and is to improve access to a pier or beach; or~~
 - ~~c) The land surface modification is necessary to provide public access; or~~
 - ~~d) The land surface modification is necessary to the structural safety of a structure; or~~
 - ~~e) There has been severe and unusual erosion within the one year directly preceding the application and the land surface modification is to restore the shoreline to its configuration prior to this erosion; or~~
 - ~~f) This application is part of an application for bulkhead approved under subsection (1) of this section. For backfill landward of a bulkhead, see subsection (1)(h) of this section.~~~~~~
- ~~d. Material Used for Landfill — The material used in a landfill must be nondissolving and nondecomposing. The fill material must not contain organic or inorganic material that would be detrimental to the water quality or the existing habitat.~~
- ~~e. Use of Vegetation — The applicant shall stabilize exposed areas left after land surface modification with vegetation.~~
- ~~f. Disposition of Excavated Materials — Dredging spoils may not be deposited in Lake Washington and may be deposited on the subject property only if this is part of an approved development activity.~~
- ~~4. Land Surface Modification Landward of the High Waterline Yard — Land surface modification landward of the high waterline yard is regulated like land surface modifications throughout the City. See KMC Title 29 for those regulations.~~
- ~~5. Emergency Measures — An applicant may erect a temporary bulkhead and take other emergency measures to protect against harm to persons or property resulting from imminent and unanticipated natural hazards. The area modified must be restored to the condition that existed immediately prior to any emergency modification as soon as practicable after the emergency.~~

Plate 36

Story at Street or Access Easement Level



Part 2

ZONING CODE AMENDMENTS

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.

1.-through 22 no change

23. Personal Wireless Service Facilities – Do you want to know the City’s requirements for the installation of communication antennae or towers, cell sites, or other equipment used in wireless communications? If so, see Chapter 117 KZC.
24. Design Review – Do you want to learn about the City’s Design Review and process? If so, read Chapter 92 KZC.
25. Trees – Are you interested in pruning or removing trees or thinking about doing anything on your property that may impact trees, e.g., grading, building, remodeling, or demolishing? If so, you should read Chapter 95 KZC before you begin to design.
26. Landscaping – Are you interested in landscaping your property? If so, you should read KZC 95.52, Prohibited Vegetation.
27. Properties near Lake Washington – Is the subject property located within 200 feet of the ordinary high water mark of Lake Washington or contains a wetland abutting Lake Washington? If so, you should read Chapter 83 KZC, Shoreline Management.

Chapter 5 – DEFINITIONS

Sections:

[5.05](#) User Guide

[5.10](#) Definitions

5.05 User Guide

The definitions in this chapter apply for this code. Also see definitions contained in Chapter 83 KZC for shoreline management, Chapter 90 KZC for drainage basins, Chapter 95 KZC for tree management and required landscaping, and Chapter

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113 KZC for cottage, carriage and two/three-units homes that are applicable to those chapters.

5.10 Definitions

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

- ~~.105 Bulkhead – A wall or embankment used for retaining earth. For properties within jurisdiction of the Shoreline Management Act, see Chapter 83 KZC.~~
- ~~.126 Class A Streams – As defined in Chapter 90 KZC.~~
- ~~.127 Class B Streams – As defined in Chapter 90 KZC.~~
- ~~.128 Class C Streams – As defined in Chapter 90 KZC.~~
- ~~.230 Dredging~~
- ~~– Removal of earth and other materials from the bottom of a body of water or from a wetland.~~
- ~~.235 Dredging Spoils~~
- ~~– The earth and other materials removed from the floor of a body of water or a wetland by the dredging process.~~
- ~~.245 Dry Land~~
- ~~– The area of the subject property landward of the high waterline.~~
- ~~.326 Frequently Flooded Areas – As defined in Chapter 90 KZC. For properties within jurisdiction of the Shoreline Management Act, see Chapter 83 KZC. Otherwise, as defined in Chapter 90 KZC.~~
- ~~.328 Geologically Hazardous Areas – As defined in Chapter 85 KZC. For properties within jurisdiction of the Shoreline Management Act, see Chapter 83 KZC. Otherwise, as defined in Chapter 90 KZC.~~
- ~~.365 High Waterline – This term has the same meaning as “ordinary high waterline”. The line where the water meets the land when the water level of Lake Washington is 21.8 feet above mean sea level based on the Corps of Engineers Datum Point. High Waterline shall be construed to be the same as Ordinary High Water Mark (OHWM), as defined in WAC 173-16-030(10).~~
- ~~.410 Institutional Uses – The following uses: schools, churches, colleges, universities, hospitals, parks, governmental facilities and public utilities. Also see Chapter 83 KZC for properties within jurisdiction of the Shoreline Management Act.~~
- ~~.525 Mean Sea Level – The level of Puget Sound at zero tide as established by the US Army Corps of Engineers.~~

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- .545 Moorage Facility – A pier, dock, ~~buoy~~ or other structure providing docking or moorage space or a buoy for waterborne pleasure craft. For properties within jurisdiction of the Shoreline Management Act, see Chapter 83 KZC.
- .612 Ordinary High Waterline –the mark on the shores of all waters that will be found by examining the bed and banks and ascertaining where the presence and action of waters are so common and usual and so long continued in ordinary years, as to mark upon the soil or vegetation a character distinct from that of the abutting upland, provided that in any area where the ordinary high water line cannot be found, the ordinary high water line adjoining freshwater shall be the elevation of the mean annual flood. This term has the same meaning as “high waterline.”See Chapter 83 KZC for term “ordinary high water mark” applicable to properties within jurisdiction of the Shoreline Management Act.
- .725 Public Access – A portion of private property subject to an easement giving the public the right to stand on or traverse this portion of the property. For properties within jurisdiction of the Shoreline Management Act, see Chapter 83 KZC.
- .837 Shoreline Management Act – The Act as adopted under the authority of Chapter 90.58 RCW and Chapter 173-26 WAC.
- .840 Shoreline Master Program –Consists of Chapters 83 and 141 KZC, the Shoreline Chapter of the Kirkland Comprehensive Plan and the City of Kirkland Restoration Plan.~~The ordinance of the City of Kirkland~~ adopted under the authority of Chapter 90.58 RCW.
- .895 Stream – ~~As defined in Chapter 90 KZC.~~ For properties within jurisdiction of the Shoreline Management Act, see Chapter 83 KZC. Otherwise, as defined in Chapter 90 KZC.
- .985 Wetland – ~~As defined in Chapter 90 KZC.~~ For properties within jurisdiction of the Shoreline Management Act, see Chapter 83 KZC. Otherwise, as defined in Chapter 90 in KZC.

CHAPTER 20.05 MULTIFAMILY RESIDENTIAL (RM) ZONES)

Section 20.08 – General Regulations

New General Regulation No 10.

10) Residential uses may have an associated private shoreline park that is commonly owned and used by residents and guests.

Section 30 19 WATERFRONT DISTRICT II

Section 30.20 – General Regulations

New General Regulation No 5.

5.) Residential uses abutting Lake Washington may have an associated private shoreline park that is commonly owned and used by residents and guests.

Chapter 75 – HISTORIC LANDMARK OVERLAY ZONE AND HISTORIC RESIDENCE DESIGNATION

75.05 User Guide

This chapter establishes mechanisms for designating certain areas or improvements in the City as historic landmarks or historic residences. This chapter also contains regulations that govern the use and alteration of any area or improvement that has been designated as an historic landmark or historic residence.

For properties within jurisdiction of the Shoreline Management Act, see Chapter 83 KZC.

Chapter 85 – GEOLOGICALLY HAZARDOUS AREAS

85.05 User Guide

1. This chapter establishes special regulations that apply to development on property containing geologically hazardous areas. These regulations add to and, in some cases, supersede other regulations of this code. See Chapter 95 KZC for additional regulations that address trees and other vegetation within and outside of geologically hazardous areas.
2. If you are interested in developing property that contains a geologically hazardous area, or if you wish to participate in the City's decision on a proposed development on any of these areas, you should read this chapter.

3. For properties within jurisdiction of the Shoreline Management Act, see Chapter 83 KZC.

Chapter 90 – DRAINAGE BASINS

90.05 User Guide

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~~These~~ The regulations in this chapter apply to activities, work, and conditions in or near any stream, wetland, frequently flooded area, or lake in the City. For properties within jurisdiction of the Shoreline Management Act, the regulations in Chapter 83 KZC must be met. These regulations add to and in some cases supersede other City regulations. Anyone interested in conducting any development activity on or near a wetland, stream, lake, or frequently flooded area; wishing to participate in the City's decision on a proposed development on or near any of these areas, or wishing to have a determination made as to the presence of one of these areas on ~~their~~ his or her property, should read these regulations. See also KZC 95.23.5.d.39, Trees in Critical Areas or Critical Area Buffers; and KZC 95.50.11, Installation Standards for Required Plantings – Mitigation and Restoration Plantings in Critical Areas and Critical Area Buffers.

Chapter 83 KZC contains wetland, stream and flood hazard reduction regulations for properties located within jurisdiction. However, regulations contained in this chapter that are not addressed in Chapter 83 KZC continue to apply, such as bond or performance security, dedication and liability.

90.10 Purpose

These regulations were prepared to comply with the Growth Management Act, Chapter 36.70A RCW. The purpose of these regulations is to protect the environment, human life, and property. This purpose will be achieved by preserving the important ecological functions of wetlands, streams, lakes, and frequently flooded areas. The designation and classification of these sensitive areas is intended to assure their preservation and protection from loss or degradation, and to restrict incompatible land uses.

Sensitive areas perform a variety of valuable biological, chemical, and physical functions that benefit the City and its residents. The functions of sensitive areas include, but are not limited to, the following:

1. Wetlands – Wetlands help maintain water quality; store and convey storm and flood water; recharge ground water; provide fish and wildlife habitat; and serve as areas for recreation, education, scientific study, and aesthetic appreciation. The City's goal is to achieve no net loss of wetlands through retention of wetland functions, values, and acreage within each drainage basin. Wetlands are protected in part by buffers, which are upland areas adjacent to wetlands.

Wetland buffers serve to moderate runoff volume and flow rates; reduce sediment loads; remove waterborne contaminants such as excess nutrients, synthetic organic chemicals (e.g., pesticides, oils, and greases), and metals; provide shade for surface water temperature moderation; provide wildlife habitat; and deter harmful intrusion into wetlands.

The primary purpose of wetland regulations is to achieve a goal of no net loss of wetland function, value, and acreage within each drainage basin, which, where possible, includes enhancing and restoring wetlands.

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2. Streams – Streams and their associated buffers provide important fish and wildlife habitat and travel corridors; help maintain water quality; store and convey storm and flood water; recharge groundwater; and serve as areas for recreation, education, scientific study, and aesthetic appreciation. Streams are protected in part by buffers, which are adjacent upland areas that interact with streams.

Stream buffers – sometimes known as riparian buffers – serve to moderate runoff volume and flow rates; reduce sediment loads; remove waterborne contaminants such as excess nutrients, synthetic organic chemicals (e.g., pesticides, oils, and greases), and metals; provide shade for surface water temperature moderation; provide wildlife habitat; and deter harmful intrusion into streams.

The primary purpose of stream regulations is to avoid reducing stream and riparian corridor functions, and where possible, to enhance and restore streams and riparian areas.

3. Lakes – Lakes provide important fish and wildlife habitat; store and convey storm and flood water; recharge ground water; store ground water discharge; and serve as areas for recreation, education, scientific study, and aesthetic appreciation. Many uses and activities in and around lakes are regulated under the wetland regulations, because the shallow perimeter of most lakes (the littoral zone) often meets the definition of a wetland.

Lake Washington is a Shoreline of the State, and is subject to the Shoreline Management Act. Uses and aActivities near, on or in Lake Washington are regulated by the applicable use zone regulations in Chapters 15 through 60 that include Lake Washington (see the Kirkland Zoning Code) and by the shoreline regulations in Chapter 83 KZC and Chapter 141 KZC. Uses and aActivities in wetlands contiguous to Lake Washington are subject primarily to the wetland regulations in Chapter 83 KZC, but also some applicable regulations in this chapter both the Shoreline Master Program and the wetland regulations. Wetland buffers not located within 200 feet of the ordinary high water mark of Lake Washington are subject to the wetland buffer regulations in this chapter.

The primary purpose of the lake regulations is to avoid impacts to lakes and contiguous riparian areas, and where possible, to enhance and restore lakes.

90.15 Applicability

1. General – These regulations apply to any property that contains any of the following:
 - a. Streams;
 - b. Type 1 or 2 wetlands;
 - c. Type 3 wetlands greater than 1,000 square feet in a primary basin;
 - d. Type 3 wetlands greater than 2,500 square feet in a secondary basin;
 - e. Totem Lake and Forbes Lake;

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- f. Frequently flooded areas; and
 - g. Buffers required for the preceding six features.
2. Conflicting Provisions – ~~The provisions of these~~ regulations in this chapter supersede any conflicting regulations provisions in the Kirkland Zoning Code. For properties within jurisdiction of the Shoreline Management Act, the regulations in Chapter 83 KZC supersede any conflicting regulation in this chapter. If more than one regulation provision of these regulations applies to the subject property, then the regulation that provides the greatest protection to sensitive areas shall apply. ~~If these regulations and the Shoreline Master Program both apply to the subject property, then the regulation that provides the greatest protection to sensitive areas shall apply.~~

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 KZC, 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 0.50. ~~.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.

2. Development Factor – The development factor, consisting of a “percent credit,” to be used in computing the maximum potential number of dwelling units for a site which contains a sensitive area buffer is derived from the following table:

Chapter 95 – TREE MANAGEMENT AND REQUIRED LANDSCAPING

ATTACHMENT A-PART 2

95.30 Tree Retention, Protection and Density Associated with Development Activity

1. Introduction.

The City's objective is to retain as many viable trees as possible on a developing site while still allowing the development proposal to move forward in a timely manner. To that end, the City requires approval of a tree retention plan tree permit in conjunction with all development permits resulting in site disturbance and with any proposed for any tree removal on developed sites not exempted by KZC 95.20. This section includes provisions that allow development standards to be modified in order to retain viable significant trees.

In order to make better decisions about tree retention, particularly during all stages of development, tree removal retention plans permits will require specific information about the existing trees before removal is allowed. Different levels of detail correspond to the scale of the project or activity. Specific tree retention plan review standards are provided in this section KZC 95.35(4) and include establish tree retention priorities, and incentives, and variations to development standards in order to facilitate preservation of healthy, viable, significant trees.

A minimum tree density approach is being used to retain as many viable trees as possible with new development activity. The requirement to meet a minimum tree density applies to new single-family homes, cottages, carriage units, two/three-unit homes and duplex developments and major redevelopments, and new residential subdivisions and short subdivisions. If such a site falls below the minimum density with existing trees, supplemental planting is required. A tree density for existing trees to be retained is calculated to see if new trees are required in order to meet the minimum density for the entire site. Supplemental tree location priority is set as well as minimum size of supplemental trees to meet the required tree density.

The importance of effective protection of retained trees during construction is emphasized with specific protection standards in the last part of this section. These standards must be adhered to and included on demolition, grading and building plans as necessary.

Properties within jurisdiction of the Shoreline Management Act are subject to additional tree retention and protection regulations as set forth in Chapter 83 KZC.

Chapter 100 – SIGNS

100.05 User Guide

Chapters 15 through 60 KZC, which contain the use zone charts, assign a sign category to each use in each zone. This category is either A, B, C, D, E, or F. This chapter contains the specific requirements in each sign category. If you do not know what sign category applies to the subject property, you should consult the appropriate use zone chart.

This chapter also contains regulations regarding special signs (e.g., political, real estate or temporary signs). These regulations are contained in KZC 100.115.

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[For properties within jurisdiction of the Shoreline Management Act, see Chapter 83 KZC.](#)

Chapter 105 – PARKING AREAS, VEHICLE AND PEDESTRIAN ACCESS, AND RELATED IMPROVEMENTS

105.05 User Guide

This chapter contains information on vehicle and pedestrian circulation areas, parking areas, and related improvements. For the most part, this chapter will not tell you how many parking spaces are required for a particular use. This information is listed for most uses in the use zone charts. However, this chapter does provide a mechanism for determining the specific parking requirement for some uses. It also contains a mechanism for requesting permission to increase or decrease the parking requirements of this code. Finally, this chapter contains requirements regarding the location and minimum dimensions of parking areas and other vehicular and pedestrian circulation areas.

[For properties within jurisdiction of the Shoreline Management Act, see Chapter 83 KZC.](#)

Chapter 112 – AFFORDABLE HOUSING INCENTIVES – MULTIFAMILY

4. Dimensional Standards Modification – To the extent necessary to accommodate the bonus units allowed under subsection (2)(b) of this section on site, the following requirements of the Kirkland Zoning Code may be modified through the procedures outlined in this subsection. These modifications may not be used to accommodate the units resulting from the base density calculation.
 - a. Maximum Lot Coverage. The maximum lot coverage may be increased by up to five percentage points over the maximum lot coverage permitted by the underlying use zone. Maximum lot coverage may not be modified through this provision on properties with streams, wetlands, minor lakes or their buffers. [In addition, this modification would require a shoreline variance as set forth in Chapter 141 KZC for properties within jurisdiction of the Shoreline Management Act. See Chapter 83 KZC.](#)
 - b. Parking Requirement. The required parking may be reduced to 1.0 space per affordable housing unit. No additional guest parking is required for affordable housing units. If parking is reduced through this provision, the owner of the affordable housing unit shall sign a covenant, in a form acceptable to the City Attorney, restricting the occupants of each affordable housing unit to a maximum of one automobile.
 - c. Structure Height. Maximum height for structures containing affordable housing units may be increased by up to six feet for those portions of the structure(s) that are at least 20 feet from all property lines. Maximum structure height may not be modified through this provision for any portion of a structure that is adjoining a low density zone. [This modification may be permitted or may require a shoreline variance as set forth in Chapter 141 KZC for properties within jurisdiction of the Shoreline Management Act. See Chapter 83 KZC.](#)

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- d. Required Yards. Structures containing affordable housing units may encroach up to five feet into any required yard except that in no case shall a remaining required yard be less than five feet. A modification to the shoreline setback would require a shoreline variance set forth in Chapter 141 KZC for properties within jurisdiction of the Shoreline Management Act. See Chapter 83 KZC.
- e. Common Recreational Space. Common recreational open space per unit, when required, may be reduced by 50 square feet per affordable housing unit.

Chapter 115 – MISCELLANEOUS USE DEVELOPMENT AND PERFORMANCE STANDARDS

115.40 Fences

1. General

- a. Fences not over six feet in height may be anywhere on the subject property except:
 - 1) A fence may not be within 15 feet of any street curb, or the edge of the street pavement, if no curb exists; or
 - 2) If the applicant can show with a survey, or other reasonable means, the location of his/her property line, the fence can be placed on the property line regardless of the distance from a street curb or the edge of the pavement.
 - 3) A fence may not violate the provisions of KZC 115.135.
 - 4) A detached dwelling unit abutting a neighborhood access or collector street may not have a fence over 3.5 feet in height within the required front yard.

On corner lots with two required front yards, this restriction shall apply only within the front yard adjacent to the front facade of the structure.

- 5) No fence of any height may be placed waterward of the within a shoreline setback required in Chapter 83 KZC high waterline setback yard or within any portion of a side yard north or south property line yard which that coincides is coincident with the shoreline setback, high waterline setback yard.
- b. Fences over six feet in height may not be located in a required setback yard. See KZC 115.115, Required Yards, for regulations relating to fences on retaining walls.
- c. The Planning Official may approve a modification to the fence height requirements, except within the shoreline setback regulated under Chapter 83 KZC, if:
 - 1) The modification is necessary because of the size, configuration, topography or location of the subject property; and

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- 2) The modification will not have any substantial detrimental effect on abutting properties or the City as a whole.

115.45 Garbage and Recycling Receptacles and Enclosures – Storage Space, Placement and Screening

1. Purpose and Intent – The purpose of these regulations is to ensure the provision of areas for the collection, storage, loading and pickup of garbage and recyclable materials by requiring that adequate and convenient space is functionally located at all new projects, except as exempted in subsection (5) of this section.

[For properties within jurisdiction of the Shoreline Management Act, see Chapter 83 KZC.](#)

2. Storage Space – Space provided for garbage and recycling receptacles shall comply with Public Works Pre-approved Plans and Policies.
3. Placement – Garbage and recycling receptacles must comply with the following:
 - a. Be set back a minimum of five feet from side property lines, 10 feet from rear property lines and 10 feet from front property lines; or
 - b. Comply with the setbacks established for the use with which they are associated;
 - c. Be located outside landscape buffers required by Chapter 95 KZC;
 - d. Be located to minimize visibility from any street, pedestrian walkway, or public park; and
 - e. Be located to provide convenient and safe access for residents, service vehicles and employees.
4. Screening – Garbage and recycling receptacles must be screened from view from the street and from adjacent properties by a solid screening enclosure. The screening shall meet or exceed the standards established in the Public Works Pre-approved Plans and Policies.
5. Exemptions
 - a. Detached dwelling units, two/three-unit homes, moorage facilities, parks, and construction sites are exempt from the requirements of this section.
 - b. A Public Works official may approve an exemption to the requirements of this section if the applicant proposes alternative, workable measures that meet the intent of this section.

115.47 Loading and Service Areas Placement and Screening

Loading and service areas must be located so they are not visible from any street or pedestrian walkway. If that location is not physically possible, loading and service

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areas must be screened from public view using a compact evergreen hedge, a solid wall or fence, or in a manner approved by the Planning Official.

[For properties within jurisdiction of the Shoreline Management Act, see Chapter 83 KZC.](#)

115.60 Height Regulations – Exceptions

1. General – No element or feature of a structure, other than as listed in subsection (2) of this section, may exceed the applicable height limitation established for each use in each use zone in Chapters 15 through 60 KZC.

[For properties within jurisdiction of the Shoreline Management Act, see Chapter 83 KZC.](#)

115.90 Calculating Lot Coverage

1. General – The area of all structures and pavement and any other impervious surface on the subject property will be calculated as a percentage of total lot area. If the subject property contains more than one use, the maximum lot coverage requirements for the predominant use will apply to the entire development.
2. Exceptions
 - a. Wood decks may be excluded if constructed with gaps between the boards and if there is pervious surface below the decks.
 - b. An access easement or tract that is not included in the calculation of lot size will not be used in calculating lot coverage for any lot it serves or crosses.
 - c. For detached dwelling units in low density zones and having a front yard, 10 feet of the width of a driveway, outside of the required front yard, serving a garage or carport; provided, that:
 - 1) This exception cannot be used for flag or panhandle lots;
 - 2) The portion of the driveway excepted from lot coverage calculations shall not exceed 10 percent of the lot area; and
 - 3) The portion of the driveway excepted is not located in an access easement.
 - d. Grass grid or brick pavers and compact gravel, when installed over a pervious surface, will be calculated as impervious surface at a ratio of 50 percent of the total area covered.
 - e. Outdoor swimming pools.
 - f. Pedestrian walkways required by [Chapter 83 KZC and](#) KZC 105.18.

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- g. Pervious areas below eaves, balconies, and other cantilevered portions of buildings.
- h. Landscaped areas at least two feet wide and 40 square feet in area located over subterranean structures if the Planning Official determines, based on site-specific information submitted by the proponent and prepared by a qualified expert, soil and depth conditions in the landscaped area will provide cleansing and percolation similar to that provided by existing site conditions.
- i. Retaining walls not immediately adjacent to other impervious areas

115.85 Lighting Regulations

(new number 3)

3. Exterior Lighting Requirements for the Shoreline Management Area

For properties within jurisdiction of the Shoreline Management Act, see Chapter 83 KZC.

115.105 Outdoor Use, Activity and Storage

1. Shoreline Management Area

For properties within jurisdiction of the Shoreline Management Act, see Chapter 83 KZC.

42. Residential Uses

Uses and activities normally associated with a residential use are allowed unless Chapters 15 through 60 KZC limit outside activity for a residential use in a particular zone. The outdoor storage of firewood may be located within setback yards only if (1) it is stacked immediately adjacent to or within a supporting structure, (2) it is visually screened from adjoining properties by a building, solid screening fence, solid screening enclosure, dense evergreen landscaping, rockery or retaining wall, and (3) the height of the firewood stack does not exceed the greater of six feet or the height of either the supporting structure or visual screen.

23. Commercial and Industrial Nonresidential Uses

- a. General – Subject to the requirements of subsections (2)(b) through (f) of this section, the uses and activities that are allowable on a site may be conducted out of doors unless Chapters 15 through 60 KZC limit outside activity for a particular use in a particular zone.

115.115 Required Yards

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1. General – This section establishes what structures, improvements, and activities may be in or take place in required yards as established for each use in each zone in Chapters 15 through 60 KZC.
2. Exceptions and Limitations in Some Zones – Chapters 15 through 60 KZC contain specific regulations regarding what may be located in ~~or take place in~~ required yards. Chapter 83 contains specific regulations regarding what may be located in the required shoreline setback. Where applicable, those specific regulations supersede the provisions of this section.

115.120 Rooftop Appurtenances

1. Scope – The regulations contained in this section apply to all construction except: (a) single-family detached residential, and (b) personal wireless service facilities regulated by Chapter 117 KZC.

For properties within jurisdiction of the Shoreline Management Act, see Chapter 83 KZC.

115.125 Rounding of Fractions of Dwelling Units

In many zones, the number of dwelling units allowed on the subject property is determined by dividing the lot size by the number of square feet this code requires per unit. When this 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~~ 0.50.

Chapter 117 – PERSONAL WIRELESS SERVICE FACILITIES

117.05 User Guide

This chapter establishes the conditions under which personal wireless service facilities (PWSF) may locate and operate in different areas of the City. The provisions of this chapter add to and in some cases supersede the other regulations of this code. If you wish to install, operate, or alter PWSF in Kirkland, you should read the provisions of this chapter.

For properties within jurisdiction of the Shoreline Management Act, see Chapter 83 KZC.

117.30 Prohibited Devices

1. Except as exempted pursuant to KZC 117.25, PWSF that are not permanently affixed to a support structure and which are capable of being moved from location to location (e.g., “cell on wheels”) are prohibited.

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2. Towers are prohibited on properties within jurisdiction of the Shoreline Management Act as set forth in Chapter 83 KZC.

117.35 Permit Required

In all instances, a permit must be obtained from the City before any PWSF may be constructed on any public or private land or right-of-way, including I-405, SR 520, and the Burlington Northern Railroad right-of-way, within the City limits.

117.40 Application Review Process

After the applicant has satisfied the pre-submittal meeting requirements of KZC 117.45, an application to site a PWSF shall be processed according to the table below. This table does not include all requirements for PWSF. Additional requirements and standards affecting design and location of PWSF can be found in KZC 117.65 (PWSF Standards), 117.70 (Equipment Structure Standards), and 117.75 (Screening).

Review Process	Facility Type ¹
1. Planning Official Decision (Planning Official issues decision.)	a) Co-location of antennas on existing towers in nonresidential zones. b) Attachment of antennas to existing buildings or mechanical equipment enclosures in a nonresidential zone. See KZC 117.65(7). c) Attachment of antennas to existing water reservoirs, utility poles, or other support structures in any zone. ² See KZC 117.65(6) and (7). d) Attachment of antennas to replacement utility poles in any zone, where the diameter of the replacement pole will not exceed 18 inches or increase the diameter of the existing pole by more than 50 percent, whichever is less. ² See KZC 117.65(6). e) Attachment of antennas to existing buildings within a public park, regardless of zone, if approved by the Park Board.
2. Process I Permit (Planning Director decision following public notice and comment, per Chapter 145 KZC.)	a) Co-location of antennas on existing towers in residential zones, not resulting in any increase to tower height. b) New towers in nonresidential zones, not exceeding 40 feet in height. ⁴ c) Attachment of antennas to replacement utility poles in any zone, where the diameter of the replacement pole will not exceed 24 inches or increase the diameter of the existing pole by more than 100 percent, whichever is less. ² See KZC 117.65(6). d) Attachment of antennas to nonresidential buildings, such as schools or churches, in residential zones, except when located in a public park. ³ See KZC 117.65(7).
3. Process IIA Permit (Hearing Examiner holds public hearing and issues decision, per Chapter 150 KZC.)	a) New towers in nonresidential zones, exceeding 40 feet in height. ⁴ b) Attachment of antennas to replacement utility poles in any zone, where the diameter of the replacement pole will exceed the diameter of the existing pole by more than 100 percent, or 24 inches, whichever is less. c) Attachment of antennas to multifamily residential buildings in residential zones. ³
4. Process IIB Permit (Hearing Examiner holds public	a) Co-location of antennas on existing towers in residential zones resulting in an increase in tower height. ³

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hearing, City Council issues decision, per Chapter 152 KZC.)	b) New towers in residential zones, not exceeding 40 feet in height. ^{3,4} c) Departures from standards contained in this chapter, subject to the limitations of KZC 117.80. d) Any facility that does not qualify for review as a Planning Official Decision, Process I permit, or Process IIA permit as listed above. ³
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Footnotes:

- 1 Although this table specifically addresses antennas and towers, it is presumed that for each facility there will be associated equipment structures, and there may be structural alterations to existing support structures. Such equipment structures and structural alterations shall be reviewed through the same process as the facility with which they are associated, subject to the limitations of KZC 117.20.
- 2 Attachment of antennas to existing water reservoirs or other support structures, or to existing or replacement utility poles, where such attachment results in a height increase to the original support structure, may be approved only once through the review process indicated. Any subsequent proposal that would result in a height increase shall be reviewed through Process IIB.
- 3 If in a residential zone, the applicant shall demonstrate that a diligent effort has been made to locate the proposed facility in a nonresidential zone, and that due to valid considerations including physical constraints or technological feasibility, no other location is available.
- 4 An application for a new tower shall not be approved unless the applicant demonstrates, to the satisfaction of the City, that an attempt was made to co-locate the proposed antenna on an existing structure, and that such attempt was spatially, structurally, or technically infeasible. [New towers are prohibited on properties within jurisdiction of the Shoreline Management Act as set forth in Chapter 83 KZC.](#)

Chapter 162 – NONCONFORMANCE

162.05 User Guide

This chapter establishes when and under what circumstances nonconforming aspects of a use or development must be brought into conformance with this code. You need to consult the provisions of this chapter only if there is some aspect of the use or development on the subject property that is not permitted under this code.

[For properties within jurisdiction of the Shoreline Management Act, see Chapter 83 KZC.](#)

162.35 Certain Nonconformances Specifically Regulated

7. Nonconforming Height, Yards, and View Corridors

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Any structural alteration of a roof or exterior wall which does not comply with height, required yard, or view corridor standards will require that the nonconforming height, setback or view corridor be brought into conformance. Excepted from this section is the repair or maintenance of structural members. For properties within jurisdiction of the Shoreline Management Act, see Chapter 83 KZC.

8. Nonconformances to Design Regulations in Design Districts

Nonconformances to the design regulations of Chapter 92 KZC are governed by Chapter 142 KZC.

~~9. Nonconforming Waterfront Access Trails~~

~~Nonconforming waterfront access trails are governed by KMC 24.05.210.~~

409. Personal Wireless Service Facilities

Existing or nonconforming personal wireless service facilities are governed by KZC 117.15, New and Existing Facilities. For properties within jurisdiction of the Shoreline Management Act, see Chapter 83 KZC.

4410. Vehicular Access Easement or Tract Standards

Nonconforming access easements and tracts are governed by KZC 105.10(2)(i).

4211. Nonconforming Paddock Areas

- a. Paddock areas as required under KZC 115.20 must be brought into conformance if a proposed alteration or replacement of an existing dwelling unit on the subject property in any 12-month period exceeds 50 percent of the replacement cost of that dwelling unit.
- b. See KZC 162.45, Prohibition on Increasing Nonconformance, for proposed modifications, alterations, or replacements of any other improvements on the subject property.

4312. Any Other Nonconformance

If any nonconformance exists on the subject property, other than as specifically listed in the prior subsections of this section, these must be brought into conformance if:

- a. The applicant is making any alteration or change or doing any other work in a consecutive 12-month period to an improvement that is nonconforming or houses, supports or is supported by the nonconformance, and the cost of the alteration, change or other work exceeds 50 percent of the replacement cost of that improvement; or
- b. The use on the subject property is changed and this code establishes more stringent or different standards or requirements for the nonconforming aspect of the new use than this code establishes for the former use.

PUBLICATION SUMMARY
OF ORDINANCE NO. 4252

AN ORDINANCE OF THE CITY OF KIRKLAND ADOPTING MISCELLANEOUS AMENDMENTS TO ORDINANCE NO. 3719, THE KIRKLAND ZONING ORDINANCE, AND MAKING THE ZONING ORDINANCE COMPATIBLE WITH THE NEWLY ADOPTED SHORELINE MASTER PROGRAM.

Section 1. Adopts various amendments to the Kirkland Zoning Code which make the Zoning Code compatible with the newly adopted Shoreline Master Program Update.

Section 2. Provides a severability clause for the Ordinance.

Section 3. Provides that the Ordinance may be subject to the disapproval jurisdiction of the Houghton Community Council.

Section 4. 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 August 4, 2010.

Section 5. Provides that a certified copy of the Ordinance shall be provided to the King County Department of Assessments.

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the 3rd day of August, 2010.

I certify that the foregoing is a summary of Ordinance 4252 approved by the Kirkland City Council for summary publication.



City Clerk