

ORDINANCE NO. O-4333

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO COMPREHENSIVE PLANNING AND LAND USE AND AMENDING THE KIRKLAND ZONING CODE (TITLE 23 OF THE KIRKLAND MUNICIPAL CODE), AND THE KIRKLAND ZONING MAP, ORDINANCE 3710 AS AMENDED TO IMPLEMENT THE LAKEVIEW NEIGHBORHOOD PLAN UPDATE AND APPROVING A SUMMARY FOR PUBLICATION, FILE NO ZON07-00032.

WHEREAS, the City Council has received a recommendation from the Kirkland Planning Commission and the Houghton Community Council to amend certain portions of the Kirkland Zoning Code (Title 23 of the Kirkland Municipal Code), all as set forth in that certain report and recommendation of the Planning Commission dated September 7, 2011 and bearing Kirkland Department of Planning and Community Development File No. ZON07-00032; and

WHEREAS, prior to making said recommendation the Planning Commission and the Houghton Community Council, following notice thereof as required by RCW 35A.63.070 and RCW 36.70A.035, held public hearings on June 23, 2011 and July 14, 2011, on the amendment proposals and considered the comments received at said hearings; and

WHEREAS, pursuant to the State Environmental Policy Act (SEPA), there has accompanied the legislative proposal and recommendation through the entire consideration process, a SEPA Addendum to Existing Environmental Documents, issued on July 15, 2011 by the responsible official pursuant to WAC 197-11-625; and

WHEREAS, in regular public meeting the City Council considered the environmental documents received from the responsible official, together with the report and recommendation of the Planning Commission and the Houghton Community Council;

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

Section 1. Zoning Text amended: The following specified sections of the text of the Kirkland Zoning Code (Title 23 of the Kirkland Municipal Code) are amended as follows:

- A. Table of Contents:  
Text amendments to Table of Contents as set forth in Exhibit A attached to this ordinance and incorporated by reference.
- B. Chapter 5. Definitions:  
Text amendments to Sections 5.10.145, 5.10.490, 5.10.513, 5.10.595 and 5.10.785 as set forth in Exhibit B attached to this ordinance and incorporated by reference.

- C. Chapter 10. Legal Effect/Applicability:  
Text amendments to Section 10.25 as set forth in Exhibit C attached to this ordinance and incorporated by reference.
- D. Chapter 25. Professional Office Residential (PR) and Professional Office Residential A (PRA) Zones:  
Text amendments as set forth in Exhibit D attached to this ordinance and incorporated by reference.
- E. Chapter 30. Waterfront District (WD) Zones:  
Text amendments to Sections 30.30 and 30.35.010 as set forth in Exhibit E attached to this ordinance and incorporated by reference.
- F. Repeal Chapter 35. Freeway Commercial (FC III) Zone
- G. Add to Chapter 56. Yarrow Bay Business District Subareas YBD 2 and 3 as set forth in Exhibit F attached to this ordinance and incorporated by reference.
- H. Chapter 60. Planned Areas:  
Text amendments to PLA 2 Use Zone Chart as set forth in Exhibit G attached to this ordinance and incorporated by reference.  
  
Delete PLA 3A use zone chart.  
  
Add new Sections 60.19 – 60.22 PLA 3C Use Zone charts as set forth in Exhibit H attached to this ordinance and incorporated by reference.  
  
Text amendments to 60.25 PLA 3B as set forth in Exhibit I attached to this ordinance and incorporated by reference.
- I. Add Yarrow Bay Business District (YBD) Design Regulations to Chapter 92 as set forth in Exhibit J attached to this ordinance and incorporated by reference.
- J. Chapter 100 Signs  
Add Lakeview Drive and NE 60<sup>th</sup> Street to section 100.50 Designated Corridors and Yarrow Bay Business District to 100.52 Certain Signs Prohibited as set forth in Exhibit K attached to this ordinance and incorporated by reference.
- K. Chapter 105 Parking  
Text amendment to Section 105.58.2 as set forth in Exhibit L attached to this ordinance and incorporated by reference.
- L. Chapter 115 Miscellaneous  
Text amendment to Section 115.42 as set forth in Exhibit M attached to this ordinance and incorporated by reference.
- M. Chapter 142 Design Review

Text amendment to Section 142.25 and 142.37 as set forth in Exhibit N attached to this ordinance and incorporated by reference.

- N. Chapter 180 Plates  
Revise Plate 34L and add Plate 34 M as set forth in Exhibit O attached to this ordinance and incorporated by reference.

Section 2. Zoning Map amended: The following specified zones of Ordinance 3710 as amended, the Kirkland Zoning Map, are amended as follows:

- A. Change zoning from RS 12.5 to PLA 3C in area set forth in Exhibit P attached to this ordinance and incorporated by reference.
- B. Change zoning from RM 3.6 to PR 3.6 and delete prefixes in areas set forth in Exhibit Q attached to this ordinance and incorporated by reference.
- C. Change zoning from PO and PLA 3A to YBD 2 and from FCIII to YBD 3 and designate Yarrow Bay Business District Boundary in areas set forth in Exhibit R attached to this ordinance and incorporated by reference.

Section 3. 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 4. This ordinance shall be in full force and effect January 1, 2012, which will be more than five days from and after its passage by the City Council and publication pursuant to Kirkland Municipal Code 1.08.017, in the summary form attached to the original of this ordinance and by this reference approved by the City Council as required by law.

Section 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 15th day of November, 2011.

Signed in authentication thereof this 15th day of November, 2011.

  
MAYOR

Attest:

Nathaniel Anderson  
City Clerk

Approved as to Form:

Kevin L. Johnson  
City Attorney

## Title 23 ZONING

### TABLE OF CONTENTS

This code contains zoning regulations for the Finn Hill, North Juanita, and Kingsgate annexation areas as adopted by the Kirkland City Council through Ordinance 4196. The effective date of the annexation and Ordinance 4196 zoning regulations is June 1, 2011.

[Click here](#) to view adopted ordinances that have not yet been inserted into the Zoning Code as well as pending regulations under consideration.

#### Zoning Code Interpretations

Chapter 1 – User Guide

Chapter 5 – Definitions

Chapter 10 – Legal Effect/Applicability

Chapter 15 – Single-Family Residential (RS) Zones

Chapter 17 – Single-Family Residential X (RSX) Zones

Chapter 18 – Single-Family Residential A (RSA) Zones

Chapter 20 – Multifamily Residential (RM and RMA) Zones

Chapter 25 – Professional Office Residential (PR) and Professional Office Residential A (PRA) Zones

Chapter 27 – Professional Office (PO) Zones

Chapter 30 – Waterfront District (WD) Zones

WDI Zone

WDII Zone

WDIII Zone

Chapter 35 – Freeway Commercial (FC) Zones ~~Chapter 35 FCIII Zone~~

FCIII Zone

Chapter 40 – Neighborhood Business (BN) Zones and Neighborhood Business A (BNA) Zones

Chapter 45 – Community Business (BC, BC 1 and BC 2) Zones

Chapter 47 – Community Business X (BCX) Zones

Chapter 48 – Light Industrial Technology (LIT) Zones

Chapter 49 – Park/Public Use (P) Zones

Chapter 50 – Central Business District (CBD) Zones

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CBD-3

CBD-4

CBD-5

CBD-5A

CBD-6

CBD-7

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50.60 Special Parking Provisions in the CBD 1, 2, and 8 Zones

50.62 Building Height Provisions in the CBD

Chapter 51 – Market Street Corridor (MSC) Zones

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Chapter 52 – Juanita Business District (JBD) Zones

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Chapter 53 – Rose Hill Business District (RHBD) Zones

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RH 2A, 2B, 2C

RH 3

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RH 5A, 5B

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Chapter 54 – North Rose Hill Business District (NRHBD) Zones

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Chapter 55 – Totem Lake (TL) Zones

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TL 3A, 3B, 3C, 3D

TL 4A, 4B, 4C

TL 5

TL 6A, 6B

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TL 8

TL 9A

TL 9B

TL 10A

TL 10B

TL 10C

TL 10D

TL 10E

TL 11

Insert Chapter 56-Yarrow Bay Business District YBD 2, YBD 3 Section 56.18

Chapter 60 – Planned Areas (PLA)

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PLA2

PLA3 –Delete PLA 3A Section 60.19 Use Zone

Insert new PLA 3C Use Zone Chart Section 60.19

PLA5

PLA6

PLA7

PLA9

PLA14

PLA15

PLA16

PLA17

Chapter 70 – Holmes Point Overlay Zone

Chapter 72 – Adult Activities Overlay Zone

Chapter 75 – Historic Landmark Overlay Zone

Chapter 78 – Secure Community Transition Facility Overlay Zone  
Chapter 80 – Equestrian Overlay Zone  
Chapter 83 – Shoreline Management  
Chapter 85 – Geologically Hazardous Areas  
Chapter 90 – Drainage Basins  
Chapter 92 – Design Regulations  
Chapter 95 – Tree Management and Required Landscaping  
Chapter 100 – Signs  
Chapter 105 – Parking Areas, Vehicle and Pedestrian Access, and  
Related Improvements  
Chapter 110 – Required Public Improvements  
Chapter 112 – Affordable Housing Incentives – Multifamily  
Chapter 113 – Cottage, Carriage and Two/Three-Unit Homes  
Chapter 115 – Miscellaneous Use Development and Performance Standards  
Chapter 117 – Personal Wireless Service Facilities  
Chapter 120 – Variances  
Chapter 125 – Planned Unit Development  
Chapter 127 – Temporary Use  
Chapter 130 – Rezone  
Chapter 135 – Amendments to the Text of the Zoning Code  
Chapter 140 – Amendments to the Comprehensive Plan  
Chapter 141 – Shoreline Administration  
Chapter 142 – Design Review  
Chapter 145 – Process I  
Chapter 150 – Process IIA  
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Chapter 160 – Process IV  
Chapter 161 – Process IVA  
Chapter 162 – Nonconformance  
Chapter 165 – Authority  
Chapter 170 – Code Administration  
Chapter 175 – Bonds  
Chapter 180 – Plates  
Revise Plate 34 L Pedestrian Pathways in YBD  
Add new Plate 34 M Street Improvements for YBD

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## Chapter 5 – DEFINITIONS

### 5.10 Definitions

#### .145 Commercial Zones

– The following zones: BN; BNA; BC; BC 1; BC 2; BCX; CBD; JBD 1; JBD 2; JBD 4; JBD 5; JBD 6; MSC 2; MSC 3; NRH 1A; NRH 1B; NRH 4; RH 1A; RH 1B; RH 2A; RH 2B; RH 2C; RH 3; RH 5A; RH 5B; RH 5C; RH 7; TL 2; TL 4A; TL 4B; TL 4C; TL 5; TL 6A; TL 6B; and TL 8, YBD 2, YBD 3.

#### .490 Low Density Zones

– The following zones: RS 35; RSX 35; RS 12.5; RSX 12.5; RS 8.5; RSX 8.5; RSA 8; RS 7.2; RSX 7.2; RS 6.3; RSA 6; RS 5.0; RSX 5.0; RSA 4; RSA 1; PLA 3C, PLA 6C, 6E; PLA 16; WD II; and comparable zones in other adjoining jurisdictions, except properties with approved intent to rezone to zoning designations other than low density.

#### .513 Maximum Units per Acre

– Within RSA and PLA 3C zones, the maximum allowed number of dwelling units shall be computed by multiplying the gross area of the subject property by the applicable residential density number per acre shown on the Zoning Map. In the RSA zone. For the purpose of calculating the maximum units per acre, all road dedications and vehicular access easements and tracts shall be included in the calculation for density. The maximum development potential requirements of Chapter 90 KZC shall apply.

#### .595 Office Zones

– The following zones: PO; PR 8.5; PR 5.0; PR 3.6; PR 2.4; PR 1.8; PRA 1.8; JBD 3; PLA 3A; PLA 5B, C; PLA 6B; PLA 15A; PLA 17A; FC III; MSC 1; MSC 4; NRH 2; NRH 3; NRH 5; NRH 6; RH 4; RH 8; TL 1A; TL 10A, TL 10B, TL 10C, TL 10D and TL 10E.

#### .785 Residential Zone

– The following zones: RS 35; RSX 35; RS 12.5; RSX 12.5; RS 8.5; RSX 8.5; RSA 8; RS 7.2; RSX 7.2; RS 6.3; RSA 6; RS 5.0; RSX 5.0; RSA 4; RSA 1; RM 5.0; RMA 5.0; RM 3.6; RMA 3.6; RM 2.4; RMA 2.4; RM 1.8; RMA 1.8; WD I; WD II; WD III; TL 9B; PLA 2; PLA 3B; PLA 5A, D, E; PLA 6A, C, D, E, F, H, I, J, K; PLA 7A, B, C; PLA 9; PLA 15B; PLA 16; PLA 17; and TL 11; PLA 3C.



**Amendments to KZC 10.25 Zoning Categories Adopted-**

The City is divided into the following zoning categories:

<b>Zoning Category</b>	<b>Symbol</b>
1. Single-Family Residential Zones	RS, RSA and RSX (followed by a designation indicating minimum lot size per dwelling unit or units per acre)
2. Multifamily Residential Zones	RM and RMA (followed by a designation indicating minimum lot size per dwelling unit)
3. Professional Office/Residential Zones	PR and PRA (followed by a designation indicating minimum lot size per dwelling unit)
4. Professional Office Zones	PO
5. Waterfront Districts	WD (followed by a designation indicating which Waterfront District)
6. <del>Freeway Commercial Zones</del> <u>Yarrow Bay Business District</u>	<del>FC (followed by a designation indicating which Freeway Commercial Zone)</del> <u>YBD (followed by a designation indicating which sub-zone within the Yarrow Bay Business District)</u>
7. Neighborhood Business	BN and BNA
8. Community Business	BC, BC 1, BC 2 and BCX
9. Central Business District	CBD (followed by a designation indicating which sub-zone within the Central Business District)
10. Juanita Business District	JBD (followed by a designation indicating which sub-zone within the Juanita Business District)
11. Market Street Corridor	MSC (followed by a designation indicating which sub-zone within the Market Street Corridor)
12. North Rose Hill Business District	NRH (followed by a designation indicating which sub-zone within the North Rose Hill Business District)
13. Rose Hill Business District	RH (followed by a designation indicating which sub-zone within the Rose Hill Business District)
14. Totem Center and Totem Lake Neighborhood	TL (followed by a designation indicating which sub-zone within Totem Center or the Totem Lake Neighborhood)
15. Light Industrial Zones	LIT, TL 7
16. Planned Areas	PLA (followed by a designation indicating which Planned Area, and in some cases, which sub-zone within a Planned Area)
17. Park/Public Use Zones	P

CHAPTER 25 – PROFESSIONAL OFFICE RESIDENTIAL (PR) AND PROFESSIONAL OFFICE RESIDENTIAL A (PRA) ZONES Proposed Amendments

25.05 User Guide.

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

Section 25.08

Zone  
PR, PRA

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. Developments creating four or more new dwelling units shall provide at least 10 percent of the units as affordable housing units as defined in Chapter 5 KZC. Two additional units may be constructed for each affordable housing unit provided. In such cases, the minimum lot size listed in the Use Regulations shall be used to establish the base number of units allowed on the site, but shall not limit the size of individual lots. See Chapter 112 KZC for additional affordable housing incentives and requirements.
3. 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 maximum horizontal facade shall not exceed 50 feet in width.See KZC 115.30, Distance Between Structures/Adjacency to Institutional Use, for further details.
- ~~4. 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).~~
- ~~5.4~~ 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.
- ~~6.5~~ Within the PRA zone, the maximum building height of a structure may be increased to 60 feet above average building elevation if:
  - a. All required yards are increased by one foot for every two feet of height above 35 feet;
  - b. Buildings may not exceed three stories; and
  - c. Rooftop appurtenances may not exceed the maximum height and are screened with sloped roof forms.
- ~~7.6~~ May also be regulated under the Shoreline Master Program; refer to Chapter 83 KZC.

Section 25.10	USE ↓ REGULATIONS ↓	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARDS (See Ch. 115)			Height of Structure					
				Front	Side	Rear						
.010	Detached Dwelling Units	None	8,500 sq. ft. if PR 8.5 zone, 5,000 sq. ft. if PR 5.0 zone, otherwise 3,600 sq. ft.	20'	5'	10'	70%	If adjoining a low density zone other than RSA or RSX, then 25' above average building elevation.  See Spec. Reg. 6.	E	A	2.0 per dwelling unit.	<ol style="list-style-type: none"> <li>For this use, only one dwelling unit may be on each lot regardless of lot size.</li> <li>Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.</li> </ol>
.020	Detached, Attached or Stacked Dwelling Units	Within the NE 85th Street Subarea and Yarrow Bay Business District, D.R., Chapter 142 KZC. Otherwise, none.	8,500 sq. ft. if PR 8.5 zone, 5,000 sq. ft. if PR 5.0 zone, otherwise 3,600 sq. ft. with a density as established on the Zoning Map. See Spec. Reg. 1.	20'	For PR zones: 5' each for detached units and 5' but 2 side yards must equal at least 15' for attached and stacked units. For PRA zones: 5' each side. See Spec. Reg. 4.	10' See Spec. Reg. 5.	70%	Otherwise, for PR zones, 30' above average building elevation and for PRA zones, 35' above average building elevation.  See Gen. Reg. 6-5	D		1.7 per unit.	<ol style="list-style-type: none"> <li>Minimum amount of lot area per dwelling unit is as follows:                             <ol style="list-style-type: none"> <li>In PR 8.5 zones, the minimum lot area per unit is 8,500 sq. ft.</li> <li>In PR 5.0 zones, the minimum lot area per unit is 5,000 sq. ft.</li> <li>In PR 3.6 zones, the minimum lot area per unit is 3,600 sq. ft.</li> <li>In PR 2.4 zones, the minimum lot area per unit is 2,400 sq. ft.</li> <li>In PR 1.8 zones and PRA 1.8 zones, the minimum lot area per unit is 1,800 sq. ft.</li> </ol> </li> <li>Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.</li> <li>Chapter 115 KZC contains regulations regarding common recreational space requirements for this use.</li> <li>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.</li> <li>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.</li> <li>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.</li> </ol>

.030	Office Uses	Within the NE 85th Street Subarea and Yarrow Bay Business District, D.R., Chapter 142 KZC. Otherwise, none.	None	20'	For PR zones: 5' but 2 side yards must equal at least 15'.  For PRA zones: 5' each in the PRA zones.	10'	70%	If adjoining a low density zone other than RSA or RSX, then 25' above average building elevation.  Otherwise, for PR zones, 30' above average building elevation and for PRA zones, 35 feet above average building elevation.  See Gen. Reg. 6-5	C	D	If medical, dental or veterinary office, then one per each 200 sq. ft. of gross floor area. Otherwise one per each 300 sq. ft. of gross floor area.	<ol style="list-style-type: none"> <li>1. The following regulations apply to veterinary offices only:               <ol style="list-style-type: none"> <li>a. May only treat small animals on the subject property.</li> <li>b. Outside runs and other outside facilities for the animals are not permitted.</li> <li>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.</li> </ol> </li> <li>2. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if:               <ol style="list-style-type: none"> <li>a. The ancillary assembled or manufactured goods are subordinate to and dependent on this use.</li> <li>b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.</li> </ol> </li> </ol>
.040	Development Containing Stacked or Attached Dwelling Units and Office Uses. See Spec. Reg. 1.	Within the NE 85th Street Subarea and Yarrow Bay Business District, D.R., Chapter 142 KZC. Otherwise, none.	3,600 sq. ft. with a residential density as established on the Zoning Map. See Spec. Reg. 2.	20'	For PR zones: 5' but 2 side yards must equal at least 15'.  For PRA zones: 5' each in the PRA zones.	10'	70%	If adjoining a low density zone other than RSA or RSX, then 25' above average building elevation.  See Spec. Reg. 5.  Otherwise, for PR zones, 30' above average building elevation and for PRA zones, 35' above average building elevation.  See Gen. Reg. 6-5	C	D	See KZC 105.25.	<ol style="list-style-type: none"> <li>1. A veterinary office is not permitted in any development containing dwelling units.</li> <li>2. Minimum amount of lot area per dwelling unit is as follows:               <ol style="list-style-type: none"> <li>a. In PR 8.5 zones, the minimum lot area per unit is 8,500 square feet.</li> <li>b. In PR 5.0 zones, the minimum lot area per unit is 5,000 square feet.</li> <li>c. In PR 3.6 zones, the minimum lot area per unit is 3,600 square feet.</li> <li>d. In PR 2.4 zones, the minimum lot area per unit is 2,400 square feet.</li> <li>e. In PR 1.8 and PRA 1.8 zones, the minimum lot area per unit is 1,800 square feet.</li> </ol> </li> <li>3. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.</li> <li>4. Chapter 115 KZC contains regulations regarding common recreational space requirements for this use.</li> <li>5. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if:               <ol style="list-style-type: none"> <li>a. The ancillary assembled or manufactured goods are subordinate to and dependent on this use.</li> <li>b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.</li> </ol> </li> <li>6. Where the 25-foot height limitation results solely from an adjoining low density zone occupied by a school that has been allowed to increase its height to at least 30 feet, then a structure height of 30 feet above average building elevation is allowed.</li> </ol>

.050	Restaurant or Tavern	Within the NE 85th Street Subarea, and Yarrow Bay Business District D.R., Chapter 142 KZC. Otherwise, Process I, Chapter 145 KZC.	8,500 sq. ft. if PR 8.5 zone, otherwise 7,200 sq. ft.	20'	10' on each side.	10'	70%	<p>If adjoining a low density zone other than RSA or RSX, then 25' above average building elevation.</p> <p>Otherwise, for PR zones, 30' above average building elevation and for PRA zones, 35' above average building elevation.</p> <p>See Gen. Reg. 6.5</p>	B	E	1 per each 100 sq. ft. floor area.	<p>1. This use is not permitted in a PR 3.6 zone located in the NE 85th Street Subarea.</p> <p>2. This use is allowed in the Lakeview Neighborhood if located south of NE 60<sup>th</sup> Street between Lakeview Dr. and Lake Washington Blvd NE provided that:</p> <p>a. Both the front building facade and vehicular access are not located along Lakeview Dr.</p> <p>b. Internal lit signs are not located along Lakeview Dr and NE 60<sup>th</sup> Street</p> <p>c. Gross floor area shall not exceed 3,000 square feet</p> <p>d. On lots 13 and 14 of Block 2 of Houghton Addition Volume 5 of Plats, Page 71 of King County Records and if a change of use is proposed within a structure that existed on November 15, 2011 and requires additional parking the following shall apply:</p> <p>1) The number of required parking spaces shall be determined based on the actual parking demand pursuant to Section 105.25, KZC. The required additional parking for the new use may be provided by adding parking along the frontage of the subject property or across the street within the NE 60th ST right of way at the developer's expense.</p> <p>2) On Lot 13 a historic interpretive sign shall be installed.</p> <p>3. Drive-in or drive-through facilities are prohibited.</p>
.060	Grocery Store, Drug Store, Laundromat, Dry Cleaners, Barber Shop, or Shoe Repair Shop										1 per each 300 sq. ft. floor area.	<p>1. This use is not permitted in a PR 3.6 zone located in the NE 85th Street Subarea.</p> <p>2. May not be located above the ground floor of a structure.</p> <p>3. Gross floor area shall not exceed 3,000 square feet.</p> <p>4. This use is allowed in the Lakeview Neighborhood if located south of NE 60<sup>th</sup> Street between Lakeview Dr. and Lake Washington Blvd NE provided that:</p> <p>a. Both the front building facade and vehicular access are not located along Lakeview Dr.</p> <p>b. Internal lit signs are not located along Lakeview Dr and NE 60<sup>th</sup> Street</p> <p>c. Gross floor area shall not exceed 3,000 square feet</p> <p>d. On Lots 13 and 14 of Block 2 of Houghton Addition Volume 5 of Plats, Page 71 of King County Records if a change of use is proposed within a structure that existed on November 15, 2011 and requires additional parking the following shall apply:</p> <p>1) The number of required parking spaces shall be determined based on the actual parking demand pursuant to Section 105.25, KZC. The required additional parking for the new use may be provided by adding parking along the frontage of the subject property or across the street within the NE 60th ST right of way at the developer's expense.</p> <p>2) On Lot 13 a historic interpretive sign shall be installed.</p>
.070	Any Retail Establishment other than those specifically listed, limited, or prohibited in this zone, selling				10' on each side	10'			B	E		<p>1. This use is only allowed in the Lakeview Neighborhood and if located south of NE 60<sup>th</sup> Street between Lakeview Dr. and Lake Washington Blvd NE provided that:</p> <p>a. Both the front building facade and vehicular access are not located along Lakeview Dr.</p> <p>b. Internal lit signs are not located along Lakeview Dr and NE 60<sup>th</sup> Street</p>

c. Gross floor area shall not exceed 3,000 square feet

d. On Lots 13 and 14 of Block 2 of Houghton Addition Volume 5 of Plats, Page 71 of King County Records if a change of use is proposed within a structure that existed on November 15, 2011 and requires additional parking the following shall apply:

- 3) The number of required parking spaces shall be determined based on the actual parking demand pursuant to Section 105.25, KZC. The required additional parking for the new use may be provided by adding parking along the frontage of the subject property or across the street within the NE 60th ST right of way at the developer's expense.
- 4) On Lot 13 a historic interpretive sign shall be installed.

e. The following uses are not permitted:

- 1) Vehicle service stations
- 2) Entertainment or recreational activities
- 3) Storage services unless accessory to another permitted use
- 4) The sale, service and/or rental of motor vehicles, sailboats, motor boats, and recreation trailers, heavy equipment and similar vehicles.
- 5) Storage and operation of heavy equipment, except delivery vehicles, associated with retail uses.
- 6) Storage of parts unless conducted entirely within an enclosed structure.
- 7) Uses with drive-in or drive through facilities.

f. A delicatessen, bakery, or other similar use may include accessory seating if:

- 1) The seating and associated circulation area does not exceed more than 10 percent of the gross floor area of the use; and

It can be demonstrated to the City that the floor plan is designed to preclude the seating area from being expanded

	goods or providing services including banking and financial services. See Special Regulation 1										
.070, 080	Funeral Home or Mortuary			20' each side.	20'			C	B		1. This use is not permitted in a PR 3.6 zone located in the NE 85th Street Subarea.
.080, 090	Church									1 for every 4 people based on maximum occupancy load of any area of worship. See Spec. Reg. 1.	1. No parking is required for day-care or school ancillary to this use.
.090, 100	School or DayCare Center	Within the NE 85th Street Subarea, D.R., Chapter 142 KZC. Otherwise,	8,500 sq. ft. if PR 8.5 zone, otherwise 7,200 sq. ft.	If this use can accommodate 50 or more students or children, then: 50' 50' on each side 50'		70%	If adjoining a low density zone other than RSA or RSX, then 25' above average building	D	B	See KZC 105.25.	1. A six-foot-high fence is required only along the property lines adjacent to the outside play areas. 2. Structured play areas must be set back from all property lines as follows: a. Twenty feet if this use can accommodate 50 or more students or children. b. Ten feet if this use can accommodate 13 to 49 students or children.

		none. If this use is adjoining a low density zone, then Process I, Chapter 145 KZC.		If this use can accommodate 13 to 49 students or children, then:  20'   20' on each side   20'				elevation.  Otherwise, for PR zones, 30' above average building elevation and for PRA zones, 35' above average building elevation.  See Gen. Reg. 6-5 and Spec. Reg. 7.				<ol style="list-style-type: none"> <li>3. An on-site passenger loading area must be provided. The City shall determine the appropriate size of the loading area on a case-by-case basis, depending on the number of attendees and the extent of the abutting right-of-way improvements. Carpooling, staggered loading/unloading time, right-of-way improvements or other means may be required to reduce traffic impacts on nearby residential uses.</li> <li>4. May include accessory living facilities for staff persons.</li> <li>5. To reduce impacts on nearby residential uses, hours of operation of the use may be limited and parking and passenger loading areas relocated.</li> <li>6. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388).</li> <li>7. For school use, structure height may be increased, up to 35 feet in PR zones and 40 feet in PRA zones, if:             <ol style="list-style-type: none"> <li>a. The school can accommodate 200 or more students; and</li> <li>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</li> <li>c. The increased height is not specifically inconsistent with the applicable neighborhood plan provisions of the Comprehensive Plan; and</li> <li>d. The increased height will not result in a structure that is incompatible with surrounding uses or improvements. <i>This special regulation is not effective within the disapproval jurisdiction of the Houghton Community Council.</i></li> </ol> </li> <li>8. For a Mini-School or Mini-Day-Care Center use, electrical signs shall not be permitted and the size of signs may be limited to be compatible with nearby residential uses.</li> <li>9. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388).</li> </ol>
.100, 110	Mini-School or Mini-Day-Care	Within the NE 85th Street Subarea, D.R., Chapter 142 KZC. Otherwise, none.	8,500 sq. ft. if PR 8.5 zone, 7,200 sq. ft. if PR 7.2 zone, 5,000 sq. ft. if PR 5.0 zone, otherwise 3,600 sq. ft.	20'	For PR zones: 5' but 2 side yards must equal at least 15'.  For PRA zones: 5' each in the PRA zones.	10'	70%	If adjoining a low density zone other than RSA or RSX, then 25' above average building elevation.  Otherwise, for PR zones, 30' above average building elevation and for PRA zones,	E	B	See KZC 105.25.	<ol style="list-style-type: none"> <li>1. A six-foot-high fence is required along the property lines adjacent to the outside play areas.</li> <li>2. Structured play areas must be set back from all property lines by five feet.</li> <li>3. An on-site passenger loading area may be required depending on the number of attendees and the extent of the abutting right-of-way improvements.</li> <li>4. To reduce impacts on nearby residential uses, hours of operation of the use may be limited and parking and passenger loading areas relocated.</li> <li>5. Electrical signs shall not be permitted. Size of signs may be limited to be compatible with nearby residential uses.</li> <li>6. May include accessory living facilities for staff persons.</li> <li>7. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388).</li> </ol>

<u>140</u> <u>120</u>	Assisted Living Facility							35' above average building elevation.  See Gen. Reg. 6.5	D	A	1.7 per independent unit. 1 per assisted living unit.	<ol style="list-style-type: none"> <li>1. A facility that provides both independent dwelling units and assisted living units shall be processed as an assisted living facility.</li> <li>2. If a nursing home use is combined with an assisted living facility use in order to provide a continuum of care for residents, the required review process shall be the less intensive process between the two uses.</li> <li>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"> <li>a. Project is of superior design, and</li> <li>b. Project will not create impacts that are substantially different than would be created by a permitted multifamily development.</li> </ol> </li> <li>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.</li> <li>5. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use.</li> </ol>
<u>120</u> <u>130</u>	Convalescent Center or Nursing Home	Within the NE 85th Street Subarea, D.R., Chapter 142 KZC.	8,500 sq. ft. if PR 8.5 zone, otherwise 7,200 sq. ft.	20'	10' on each side	10'	70%	If adjoining a low density zone other than RSA and RSX, then 25' above average building elevation.	C	B	1 for each bed.	<ol style="list-style-type: none"> <li>1. If a nursing home use is combined with an assisted living facility use in order to provide a continuum of care for residents, the required review process shall be the less intensive process between the two uses.</li> </ol>
<u>130</u> <u>140</u>	Public Utility	Otherwise, Process I, Chapter 145 KZC.	None		20' on each side	20'		Otherwise, for PR zones, 30' above average building elevation and for PRA zones, 35' above average building elevation.	A		See KZC 105.25.	
<u>140</u> <u>150</u>	Government Facility Community Facility				10' each side	10'		See Gen. Reg. 6.5	C See Spec. Reg. 2.			<ol style="list-style-type: none"> <li>1. Site design must minimize adverse impacts on surrounding residential neighborhoods.</li> <li>2. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.</li> </ol>
<u>160</u> <u>160</u>	Public Park	Development standards will be determined on case-by-case basis. See Chapter 49 KZC for required review process.										



30.29 User Guide, Proposed Amendments

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

Zone  
WDIII

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. Developments creating four or more new dwelling units shall provide at least 10 percent of the units as affordable housing units as defined in Chapter 5 KZC. Two additional units may be constructed for each affordable housing unit provided. In such cases, the minimum lot size listed in the Use Regulations shall be used to establish the base number of units allowed on the site, but shall not limit the size of individual lots. See Chapter 112 KZC for additional affordable housing incentives and requirements.
3. May not use lands waterward of the ordinary high water mark to determine lot size or to calculate allowable density.
4. 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 Chapter 83 KZC, or as otherwise approved under the shoreline setback reduction provisions established in KZC 83.380; and
  - c. The front yard for the complete replacement or the portion of replacement may be reduced one foot for each one foot of the shoreline setback that is increased in dimension from the setback of the existing nonconforming primary structure, provided that subsection (4)(d) of this regulation is met; and
  - d. Within the front yard, each portion of the replaced or portion of replaced primary structure is set back 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; 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).
5. ~~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 Chapter 83 KZC, or as otherwise approved under the shoreline setback reduction provisions established in KZC 83.380; and~~
  - d. ~~Within 30 feet of the front property line, each portion of a structure is set back from the front property line by a distance greater than or equal to the height of that portion above the front property line.~~
5. 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. Substantially, the entire width of the yard (from north to south property line) is developed as a public use area; and,
  - b. 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, Piers, Docks, Boatlifts and Canopies Serving Detached Dwelling Units; Piers, Docks Boat Lifts and Canopies Serving Detached, Attached or Stacked Dwelling Units, Public Park, Public Utility Uses, Boat Launch, or Water Taxi.)
6. May also be regulated under the Shoreline Master Program, Chapter 83 KZC.

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	REQUIRED YARDS (See Ch. 115)			Height of Structure					
				Front	Side Property Line	Shoreline Setback						
.010	Detached Dwelling Unit	None	3,600 sq. ft./unit, except 1,800 sq. ft./unit for up to 2 dwelling units if the public access provisions of KZC 83.420 are met.	30' See also Spec. Reg. 2.	5', but 2 side yards must equal at least 15'.	See Chapter 83 KZC.	80%	30' above average building elevation. This provision may not be varied.	E	A	2.0 per unit.	<ol style="list-style-type: none"> <li>No structures, other than moorage structures or public access piers, may be waterward of the ordinary high water mark. For the regulations regarding moorages and public access piers, see the specific listings in this zone and Chapter 83 KZC.</li> <li>Chapter 83 KZC contains regulations regarding shoreline setbacks, view corridors, and public pedestrian walkways.</li> <li>Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.</li> <li><del>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.</del></li> </ol>
.020	Attached or Stacked Dwelling Units	Process I, Chapter 145 KZC.	3,600 sq. ft. per unit	30'	5', but 2 side yards must equal at least 15'.	See Chapter 83 KZC.		30' above average building elevation. See also Spec. Reg. 3.	D			<ol style="list-style-type: none"> <li>No structures, other than moorage structures or public access piers, may be waterward of the ordinary high water mark. For the regulations regarding moorages and public access piers, see the specific listings in this zone and Chapter 83 KZC.</li> <li>Chapter 83 KZC contains regulations regarding shoreline setbacks, view corridors, and public pedestrian walkways.</li> <li>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               <ol style="list-style-type: none"> <li>The increase is offset by a view corridor that is superior to that required by Chapter 83 KZC.</li> </ol> </li> <li>Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.</li> <li>Any required yard, other than the front required yard or 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.</li> </ol>

O-4333  
**EXHIBIT E**

.030	Public Access Pier or Boardwalk or Public Access Facility	See Chapter 83 KZC.	None	See Chapter 83 KZC.	-	See Chapter 83 KZC.	See Chapter 83 KZC.	See Chapter 83 KZC.	See KZC 105.25.	1. Refer to Chapter 83 KZC for additional regulations.
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**CHAPTER 56 – YBD 2 and YBD 3 – Draft Revised 8-1-2011**

56.15 User Guide.

The charts in KZC 56.20 contain the basic zoning regulations that apply in each YBD 2 and YBD 3 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 56.18  
YBD 2, YBD 3**

Section 56.18 – 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. In addition to the height exceptions established by KZC 115.60, the following exceptions to height regulations in the YBD 2 and YBD 3 zones are allowed:
  - a. Decorative parapets may exceed the height limit by a maximum of four feet; provided that the average height of the parapets around the perimeter of the structure shall not exceed two feet.
  - b. For structures with a peaked roof, the peak may extend eight feet above the height limit if the slope of the roof is equal to or greater than four feet vertical to 12 feet horizontal.
3. A City entry or gateway feature shall be designed and installed on the subject property adjacent Lake Washington Blvd. between the southern city limit line and NE 38<sup>th</sup> PI pursuant to the standards in KZC 110.60. The specific location and design of the gateway shall be evaluated with the Design Review Process.
4. Driveways onto Lake Washington Blvd., NE 38<sup>th</sup> PI. and Northup Way shall be limited to prevent arterial congestion and traffic safety hazards. Shared access points must be utilized where feasible (does not apply to Public Park uses). The Public Works Official shall approve the number, location and design of all driveways.
5. The minimum ground floor story height shall be 13' for retail establishments selling goods or services including banking and financial services, restaurant and tavern, or office.
6. The upper story setback for all floors above the second story within 40' of the property line abutting NE 38<sup>th</sup> Place shall average 15'. For the purpose of this regulation, the term "setback" shall refer to the horizontal distance between the property line and any exterior wall abutting the street prior to any potential right of way dedication. The required upper story setbacks for all floors above the second story shall be calculated as Total Upper Story Setback Area, as shown on Plate 35.
7. Developments in parts of this zone may be limited by chapter 83 or 90 KZC, regarding development near streams, lakes, and wetlands.

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 56.20	USE ↓ REGULATIONS →	Require d 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						
.010	Vehicle Service Station	D.R., Chapter 142 KZC	22,500 sq. ft.	40'	15' on each side  See also Special Regulation 3.	15'	80%	In YBD 2 55' above average building elevation.  In YBD 3 60' above average building elevation.	A	E	See KZC 105.25.	<ol style="list-style-type: none"> <li>1. The following uses and activities are prohibited:                             <ol style="list-style-type: none"> <li>a. The outdoor storage, sale, service and/or rental of motor vehicles, sailboats, motor boats, and recreational trailers.</li> </ol> </li> <li>2. There may not be more than two vehicle service stations at any intersection. This use is only allowed if the subject property abuts Lake Washington Blvd. or Northup Way.</li> <li>3. Gas pump islands may extend 20 feet into the front yard. Canopies or covers over gas pump islands may not be closer than 10 feet to any property line. Outdoor parking and service areas may not be closer than 10 feet to any property line. See KZC 115.105, Outdoor Use, Activity and Storage, for further regulations</li> </ol>
.020	Restaurant or Tavern	D.R., Chapter 142 KZC	None	0' adjacent to NE 38 <sup>th</sup> PI and Northup Way otherwise 20'	0'	0'			B		1 per each 100 sq. ft. of gross floor area.	<ol style="list-style-type: none"> <li>1. The following uses and activities are prohibited:                             <ol style="list-style-type: none"> <li>a. Drive in or drive through facilities.</li> </ol> </li> <li>2. The gross floor area of individual retail establishments may not exceed 15,000 sq. ft. except within a mixed use development in which the floor area of other uses exceeds the floor area of retail establishments.</li> </ol>



more than 10 percent of the gross floor area of the use; and  
 b. It can be demonstrated to the City that the floor plan is designed to preclude the seating area from being expanded.

.060	Stacked Dwelling Units	D.R. Chapter 142, KZC	None	0' adjacent to NE 38 <sup>th</sup> PI and Northup Way otherwise 20'	0'	0'	80%	In YBD 2 55' above average building elevation.  In YBD 3 60' above average building elevation.	D	A	1.7 per unit	1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.070	Assisted Living Facility, Convalescent Center or Nursing Home			0' adjacent to NE 38 <sup>th</sup> PI and Northup Way otherwise 20'	0"	0"			C		Independent unit: 1.7 per unit. Assisted living unit: 1 per unit. Convalescent Center or Nursing Home: 1 per each bed.	1. A facility that provides both independent dwelling units and assisted living units shall be processed as an assisted living facility. 2. 3. 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.
.080	Private Lodge or Club	D.R. Chapter 142, KZC	None	0' adjacent to NE 38 <sup>th</sup> PI and Northup Way otherwise 20'	0'	0'	80%	In YBD 2 55' above average building elevation.  In YBD 3 60' above average building elevation.	C	B	1 per each 300 sq. ft. of gross floor area	
.090	Hospital Facility	D.R. Chapter 142, KZC	None	0' adjacent to NE 38 <sup>th</sup> PI and Northup Way otherwise 20'	0'	0'	80%	In YBD 2 55' above average building elevation.  In YBD 3 60' above average building elevation.	B	B	See KZC 105.25	

.100	Public Utility	D.R. Chapter 142, KZC	None	0' adjacent to NE 38 <sup>th</sup> PI and Northup Way otherwise 20'	0'	0'	80%	In YBD 2 55' above average building elevation.  In YBD 3 60' above average building elevation.	A	B	See KZC 105.25	
.110	Church			0' adjacent to NE 38 <sup>th</sup> PI and Northup Way otherwise 20'	0'	0'			C	B	1 for every 4 people based on maximum occupant load of any area of worship. See Special Reg 2	<ol style="list-style-type: none"> <li>1. May include accessory living facilities for staff persons.</li> <li>2. No parking is required for day-care or school ancillary to the use.</li> </ol>
.120	School or Day-Care Center	D.R. Chapter 142, KZC	None	0' adjacent to NE 38 <sup>th</sup> PI and Northup Way otherwise 20'	0'	0'	80%	In YBD 2 55' above average building elevation.  In YBD 3 60' above average building elevation.	D	B	See KZC 105.25.	<ol style="list-style-type: none"> <li>1. A six-foot-high fence is required only along the property lines adjacent to the outside play areas.</li> <li>2. Structured play areas must be setback from all property lines by at least five feet.</li> <li>3. An on-site passenger loading area must be provided depending on the number of attendees and the extent of the abutting right-of-way improvements.</li> <li>4. May include accessory living facilities for staff persons.</li> </ol>
.130	Mini-School or Mini-Day-Care	D.R. Chapter 142, KZC	None	0' adjacent to NE 38 <sup>th</sup> PI and Northup Way otherwise 20'	0'	0'	80%	In YBD 2 55' above average building elevation.  In YBD 3 60' above average building elevation.	E	B	See KZC 105.25.	<ol style="list-style-type: none"> <li>1. A six-foot-high fence is required along the property lines adjacent to the outside play areas.</li> <li>2. Structured play areas must be setback from all property lines by at least five feet.</li> <li>3. An on-site passenger loading area must be provided depending on the number of attendees and the extent of the abutting right-of-way improvements.</li> <li>4. May include accessory living facilities for staff persons.</li> </ol>
.140	Government Facility Community Facility								C See Spec. Reg. 1			<ol style="list-style-type: none"> <li>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.</li> </ol>
.150	Public Park	Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.										



**60.14** User Guide. Proposed Amendments

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**

**Zone  
PLA2**

**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. Developments creating four or more new dwelling units shall provide at least 10 percent of the units as affordable housing units as defined in Chapter 5 KZC. Two additional units may be constructed for each affordable housing unit provided. In such cases, the minimum lot size listed in the Use Regulations shall be used to establish the base number of units allowed on the site, but shall not limit the size of individual lots. See Chapter 112 KZC for additional affordable housing incentives and requirements.
3. 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.
4. May not use lands waterward of the ordinary high water mark to determine lot size or to calculate allowable density.
5. May also be regulated under the Shoreline Master Program; refer to Chapter 83 KZC.

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)			Height of Structure					
				Front	Side	Rear						
.010	Attached or Stacked Dwelling Unit	Process IIB, Chapter 152 KZC.	35,000 sq. ft. per unit	20'	5', but 2 side yards must equal at least 15'.	10'	60%	25' above average building elevation. See Spec. Reg. 3.	D	A	1.7 per unit.	<ol style="list-style-type: none"> <li>1. No structure may be waterward of the ordinary high water mark.</li> <li><del>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.</del></li> <li><del>3.2. The height of a structure may be increased as long as neither of the following maximums is exceeded:</del> <ol style="list-style-type: none"> <li>a. The structure may not exceed 60 feet above average building elevation.</li> <li>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.</li> </ol> </li> <li><del>4.3. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use.</del></li> <li><del>5.4. 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.</del></li> <li><del>6.5. 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.</del></li> </ol>

.020	Mini-School or Mini-Day-Care	Process IIB, Chapter 152 KZC.	35,000 sq. ft.	20'	5', but 2 side yards must equal at least 15'.	10'	60%	25' above average building elevation. See Spec. Reg. 23.	D	B	See KZC 105.25.	<ol style="list-style-type: none"> <li>1. No structure may be waterward of the ordinary high water mark.</li> <li>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.</li> <li>23. The height of a structure may be increased as long as neither of the following maximums is exceeded:             <ol style="list-style-type: none"> <li>a. The structure may not exceed 60 feet above average building elevation.</li> <li>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.</li> </ol> </li> <li>34. May locate on the subject property if:             <ol style="list-style-type: none"> <li>a. It will serve the immediate neighborhood in which it is located; or</li> <li>b. It will not be detrimental to the character of the neighborhood in which it is located.</li> </ol> </li> <li>45. A six-foot-high fence is required along the property lines adjacent to the outside play areas.</li> <li>56. Hours of operation may be limited by the City to reduce impacts on nearby residential areas.</li> <li>67. Structured play areas must be set back from all property lines by five feet.</li> <li>78. 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.</li> <li>89. The location of parking and passenger loading areas shall be designed to reduce impacts on nearby residential areas.</li> <li>940. May include accessory living facilities for staff persons.</li> <li>1044. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388).</li> </ol>
.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.	<ol style="list-style-type: none"> <li>1. Site design must minimize adverse impacts on surrounding residential neighborhoods.</li> <li>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.</li> </ol>
.040	Government Facility				10' on each side				B See Spec. Reg. 2.	B		
.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.										<ol style="list-style-type: none"> <li>1. Portions of the park located within the wetlands must be devoted exclusively to passive recreation that is not consumptive of the natural environment.</li> </ol>

**Proposed New KZC Section 60.19 PLA 3C USE ZONE CHART -8-5-2011**

**User Guide.** The charts in KZC 60.22 contain the basic zoning regulations that apply in the PLA 3A 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 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 provisions of this code may apply to the subject property.
2. If any portion of a structure is adjoining a detached or attached 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.
  - c. See KZC 115.30, Distance Between Structures/Adjacency to Institutional Use, for further details.  
(Does not apply to Detached Dwelling Unit, Attached or Stacked Dwelling Unit and Mini-School or Mini-Day-Care Center uses).
3. Development shall be subject to the following development standards:
  - a. Structures must be clustered and located so that they will not significantly impact slope stability, drainage patterns, erosion or landslide hazards, and steep ravine areas on the subject property or adjacent property.
  - b. Vegetative cover shall be retained to the maximum extent possible to stabilize slopes.
  - c. Pursuant to the requirements of Chapter 85.15.1-4 KZC, the applicant shall submit a geotechnical report prepared by a qualified geotechnical engineer evaluating the potential geologic hazard areas of the subject and adjacent properties to minimize damage to life and property. Specific structural designs and construction techniques to ensure long term stability shall be considered as part of the analysis. The applicant's geotechnical report and recommendations shall be reviewed by a qualified geotechnical engineer selected and retained by the City at the applicant's expense. The applicant shall comply with the performance standards contained in 85.25 KZC and 85.45 KZC.
  - d. The City may require traffic control devices, shared access points, right of way realignment, or limit development if necessary to further reduce traffic impacts.
  - e. Development must ensure that the City has the ability to access and provide necessary emergency services.
4. May also be regulated under the Shoreline Master Program, refer to KZC Chapter 83.

**USE ZONE CHARTS Section 60.22**

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**Use: Detached Dwelling Unit**

Required Review Process: None

Minimums:

Lot Size: 12,500 sq. ft. See Special Regulation 1, 2, and 3

Required Yards:

Front: 20' See Special Regulation 5

Side: Minimum 5' but 2 sides must equal at least 15'

Rear: 10'

Maximums:

Lot Coverage: 50%.

Height of Structures: 25' above average building elevation.

Landscape Category: E

Sign Category: A

Required Parking: 2.0 per dwelling unit.

Special Regulations:

1. Maximum dwelling units per acre is 6 dwelling units. Not more than one dwelling unit may be on each lot regardless of the size of the lot.
2. Within a subdivision or short plat the minimum lot size is 5,000 sq. ft.
3. Road dedication and vehicular access easements or tracts may not be included in the density calculation or in the minimum lot size per dwelling unit.
4. For lots containing less than 7,200 sq. ft., the Floor Area Ratio (FAR) requirements of KZC Section 115.42 shall apply. The maximum Floor Area Ratio is 50% of the lot size provided that F.A.R. may be increased to 60% if:
  - a. The primary roof form of all structures on the site is peaked with a minimum pitch of four feet vertical to 12 feet horizontal and
  - b. A setback of at least 7.5 feet is provided along each side yard.See KZC 115.42 Floor Area Ratio (FAR) calculation for Detached dwelling Units in Low Density Residential Zones for additional information.
5. 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).
6. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.

**Use: Attached Dwelling Units**

Required Review Process: Process I, KZC Chapter 145

Minimums:

Lot Size: See Special Regulation 1, 2 and 3

Required Yards:

Front: 20' See Special Regulation 6

Side: 10' See Special Regulation 7

Rear: 10' See Special Regulation 7

Maximums:

Lot Coverage: 50%.

Height of Structures: 25' above average building elevation.

Landscape Category: E

Sign Category: A

Required Parking: 2.0 per dwelling unit.

Special Regulations:

1. Maximum dwelling units per acre is 6 dwelling units. Not more than one dwelling unit may be on each lot regardless of the size of the lot.
2. Within a subdivision or short plat the minimum lot size is 5,000 sq. ft.
3. Road dedication and vehicular access easements or tracts may not be included in the density calculation or in the minimum lot size per dwelling unit.
4. No more than two units may be attached to each other.
5. For lots containing less than 7,200 sq. ft., the Floor Area Ratio (FAR) requirements of KZC Section 115.42 shall apply. The maximum Floor Area Ratio is 50% of the lot size provided that F.A.R. may be increased to 60% if the primary roof form of all structures on the site is peaked with a minimum pitch of four feet vertical to 12 feet horizontal.  
See KZC 115.42 Floor Area Ratio (FAR) calculation for Detached dwelling Units in Low Density Residential Zones for additional information.
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).
7. The side or rear yard may be reduced to zero feet if the side or rear of the dwelling unit is attached to a dwelling unit on an adjoining lot within the short plat or subdivision.
8. Attached dwelling units must be designed to look like a detached single family house using such techniques as limiting the points of entry on each façade, providing pitched roofs and covered porches.
9. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.

**Section:**

**Use: Church**

Required Review Process: Process IIA, Chapter 150 KZC

**Minimums:**

Lot Size: 12,500 sq. ft.

Required Yards:

Front: 20'

Side: 20' on each side

Rear: 20'

**Maximums:**

Lot Coverage: 50%.

Height of Structures: 25' above average building elevation. See General Regulations.

Landscape Category: C

Sign Category: B

Required Parking: 1 for every 4 people based on maximum occupancy load of any area of worship. See Special Reg. 1

**Special Regulations:**

1. No parking is required for day-care or school ancillary to the use.
2. The property must be served by a collector or arterial street.

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**Section:**

**Use: School or Daycare Center**

Required Review Process: Process IIA, Chapter 150 KZC.

**Minimums:**

Lot Size: 12,500 sq. ft.

Required Yards:

If this use can accommodate 50 or more students or children, then: 50' front 50' on each side 50' rear

If this use can accommodate 13 to 49 students or children, then: 20' front 20' on each side 20' rear

**Maximums:**

Lot Coverage: 50%

Height of Structures: 25' above average building elevation. See General Regulations.

Landscape Category: D

Sign Category: B

Required Parking: See KZC 105.25

**School Special Regulations:**

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 minimizes adverse impacts on surrounding residential neighborhoods.
  - c. The property is served by a collector or arterial street.
2. A six-foot-high fence along the side and rear property lines is required only along the property lines adjacent to the outside play areas.
3. Hours of operation and maximum number of attendees at one time may be limited to reduce impacts on nearby residential uses.
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 area on a case-by-case basis, depending on the number of attendees and the extent of the abutting right-of-way improvements. The location of parking and passenger loading areas shall be designed to reduce impacts on nearby residential uses.
6. Electrical signs shall not be permitted.
7. May include accessory living facilities for staff persons.

---

**Section:**

**Use: Mini School or Mini Day Care Center**

Required Review Process: Process I, Chapter 145 KZC.

Minimums:

Lot Size: 12,500 sq. ft.

Required Yards:

Front: 20'

Side: 5' but 2 side yards must equal at least 15'

Rear: 20'

Maximums:

Lot Coverage: 50%.

Height of Structures: 25' above average building elevation.

Landscape Category: E

Sign Category: B

Required Parking: See KZC 105.25

Special Regulations:

1. May locate on the subject property if:
  - a. It will not be materially detrimental to the character of the neighborhood in which it is located.
  - b. Site design must minimize adverse impacts on surrounding residential neighborhoods.
2. A six-foot-high fence is required along the property lines adjacent to the outside play areas.
3. Hours of operation and maximum number of attendees may be limited by the City to reduce impacts on nearby residential uses.
4. Structured play areas must be setback from all property lines by five feet.
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. The location of parking and passenger loading areas shall be designated to reduce impacts on nearby residential uses.
7. Electrical signs shall not be permitted. Size of signs may be limited to be compatible with nearby residential uses.



8. May include accessory living facilities for staff persons.

**Section:**

**Use: Public Utility**

Required Review Process: Process IIA, Chapter 150 KZC

Minimums:

Lot Size: None  
Required Yards:  
Front: 20'  
Side: 20' on each side  
Rear: 20'

Maximums:

Lot Coverage: 50%.  
Height of Structures: 25' above average building elevation. See General Regulations

Landscape Category: A See Special Regulation 2

Sign Category: B

Required Parking: See KZC 105.25

Special Regulations:

1. Site and building design minimizes adverse impacts on surrounding residential neighborhoods.
2. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.

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**Section:**

**Use: Government Facility Community Facility**

Required Review Process: Process IIA, Chapter 150, KZC

Minimums:

Lot Size: None.  
Required Yards:  
Front: 20'  
Side: 10' on each side  
Rear: 10'

Maximums:

Lot Coverage: 50%.  
Height of Structures: 25' above average building elevation. See General Regulations

Landscape Category: C See special regulation 2

Sign Category: B

Required Parking: See KZC 105.25

Special Regulations:

1. Site and building design minimizes adverse impacts on surrounding residential neighborhoods.
2. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.

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**Section:**

**Use: Public Park**

Development standards will be determined on a case-by-case basis. See chapter 49 KZC for required review process.

60.24 User Guide. Proposed Amendments

The charts in KZC 60.27 contain the basic zoning regulations that apply in Planned Area 3B, 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 60.25

Zone  
PLA3B

Section 60.25 – 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. Developments creating four or more new dwelling units shall provide at least 10 percent of the units as affordable housing units as defined in Chapter 5 KZC. Two additional units may be constructed for each affordable housing unit provided. In such cases, the minimum lot size listed in the Use Regulations shall be used to establish the base number of units allowed on the site, but shall not limit the size of individual lots. See Chapter 112 KZC for additional affordable housing incentives and requirements.
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 Chapter 83 KZC, or as otherwise approved under the shoreline setback reduction provisions established in KZC 83.380; and
  - c. The front yard for the complete replacement or the portion of replacement may be reduced one foot for each one foot of the shoreline setback that is increased in dimension from the setback of the existing nonconforming primary structure; ~~provided, that subsection (3)(d) of this section is met; and~~
  - d. ~~Within the front yard, each portion of the primary structure that is replaced is set back from the front property line by a distance greater than or equal to the maximum height of that portion above the front property line.~~
4. The required 30-foot front yard may be reduced one foot for each 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 set back from the front property line by a distance greater than or equal to the height of that portion above the front property line; and~~
  - ba. Substantially, the entire width of this yard (from north to south property lines) is developed as a public use area; and
  - cb. 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; Boat Launch; Piers, Docks, Boat Lifts and Canopies Serving Detached Dwelling Unit; Piers, Decks, Boat Lifts and Canopies Serving Detached, Attached or Stacked Dwelling Units; Public Park; Public Utility uses; or Water Taxi).
5. A view corridor must be maintained across 30 percent of the average parcel width. Refer to Chapter 83 KZC for additional details.
6. May not use lands waterward of the high water mark to determine lot size or to calculate allowable density.
7. May also be regulated under the Shoreline Master Program. Refer to Chapter 83 KZC.

## Chapter 92 – DESIGN REGULATIONS-Proposed Amendments

### 92.05 Introduction

1. General
2. Applicability
3. Design Review Procedures
4. Relationship to Other Regulations
5. Dedication
6. Design Districts in Rose Hill Business District
7. Design Districts in the Totem Lake Neighborhood

### 92.10 Site Design, Building Placement and Pedestrian-Oriented Facades

1. Building Placement in JBD
2. Pedestrian-Oriented Facades Defined for RHBD and TLN
3. Building Placement In RHBD, ~~and~~ TLN, ~~and~~ YBD
4. Multi-Story Buildings on Sites Adjacent to a Low Density Zone in RHBD and TLN
5. Multifamily Buildings Located in TLN
6. Building Location at Street Corners in the RHBD and TLN Zones
7. Building Location at Street Corners in CBD

### 92.15 Pedestrian-Oriented Improvements on or Adjacent to the Subject Property

1. All Zones – Pedestrian Oriented Space and Plazas in Parking Areas
2. Pedestrian-Oriented Space and Plazas in TC, CBD, NRHBD, RHBD and TLN Zones
3. Blank Wall Treatment
4. Parking Garages

### 92.30 Architectural and Human Scale

1. Techniques To Moderate Bulk and Mass in the CBD
2. Horizontal Definition in All Zones
3. Techniques To Moderate Bulk and Mass in the RHBD and TLN Zones
4. Techniques To Achieve Architectural Scale in All Zones
5. Techniques To Achieve Architectural Scale in the RHBD and the TLN Zones
6. Achieving Human Scale in All Zones

### 92.35 Building Material, Color and Detail

1. Required Elements
2. Prohibited Materials – All Zones
3. Metal Siding – All Zones
4. Concrete Block – All Zones
5. Awnings – All Zones
6. Covering of Existing Facades – All Zones
7. Building Cornerstone or Plaque – All Zones
8. Required On-Site Improvements – All Zones

### 92.05 Introduction

1. General – This chapter establishes the design regulations that apply to development in Design Districts including the Central Business District (CBD), Market Street Corridor (MSC), Juanita Business District (JBD), Rose Hill Business District (RHBD), Totem Lake Neighborhood (TLN), North Rose Hill Business District (NRHBD), Totem Center (TC), Yarrow Bay Business District (YBD) and in areas indicated on the use zone charts for PLA 5C.

Special provisions that apply to a particular Design District are noted in the section headings of the chapter.

## 92.10 Site Design, Building Placement and Pedestrian-Oriented Facades

This section contains regulations which establish the location of a building on the site in relationship to the adjacent sidewalk, pedestrian pathway or pedestrian-oriented elements on or adjacent to the subject property.

1. Building Placement in JBD – All buildings must front on a right-of-way or through-block pathway (see Plate 34).
2. Pedestrian-Oriented Facades Defined for RHBD and TLN – To meet the definition of a pedestrian-oriented facade (see Figure 92.10.A):
  - a. The building's primary entrance must be located on this facade and facing the street. For purposes of this chapter, "primary entrance" shall be defined as the primary or principle pedestrian entrance of all buildings along that street. The primary entrance is the entrance designed for access by pedestrians from the sidewalk. This is the principal architectural entrance even though customers or residents may use a secondary entrance associated with a garage, parking area, driveway or other vehicular use area more frequently.
  - b. Transparent windows and/or doors must occupy at least 75 percent of the facade area between two and seven feet above the sidewalk.
  - c. Weather protection feature(s) at least five feet wide must be provided over at least 75 percent of the facade. This could include awnings, canopies, marquees, or other permitted treatments that provide functional weather protection.
3. Building Placement In RHBD, ~~and~~ TLN, ~~and~~ YBD
  - a. ~~Building Location Featuring Pedestrian-Oriented Facades in RHBD, ~~and~~ TLN, ~~and~~ YBD~~ Zones – Buildings may be located adjacent to the sidewalk of any street (except west of 124th Avenue NE in the TLN) and in YBD (except for Lake Washington Blvd and Northup Way), if they contain a pedestrian-oriented facade along that street frontage pursuant to the standards in subsection (2) of this section. As part of the Design Review process, required yards, setbacks or other development standards may be modified along the street frontage. Buildings not featuring a pedestrian-oriented facade along a street must provide a building setback of at least 10 feet from any public street (except areas used for pedestrian or vehicular access) landscaped with a combination of trees, shrubs, and groundcover per the requirements of supplemental landscape standards of KZC 95.41(2).

## 92.30 Architectural and Human Scale

6. Achieving Human Scale in All Zones
  - a. General
    - 1) CBD – Except as provided in subsection (6)(a)(3) of this section, the applicant shall use at least two of the elements or techniques listed in subsection (6)(b) of this section in the design and construction of each facade of a building facing a street or public park.
    - 2) JBD, NRHBD, RHBD, MSC, TC, YBD and TLN – Except as provided in subsection (6)(a)(3) of this section, the applicant shall use at least one of the elements or techniques listed in subsection (6)(b) of this section in the design and construction of each facade of a one-story building facing a street or through-block pathway, and at least two of the elements or techniques for a two-story building facing a street or through-block pathway (see Plate 34 in Chapter 180 KZC).

**Kirkland Zoning Code Amendments:**

**100.50 Designated Corridors**

1. General – KZC 100.45 contains limitations on sign area along the following designated corridors:
  - a. Market Street between Central Way and N.E. 106th Street.
  - b. State Street, between N.E. 68th Street and 2nd Avenue South.
  - c. Lake Washington Boulevard and Lake Street South between N.E. 38th Street and 3rd Avenue South.
  - d. Lakeview Drive and NE 60<sup>th</sup> Street.
2. Electrical Signs Prohibited – Electrical signs shall not be located along designated corridors.

**100.52 CBD and JBD – Certain Signs Prohibited**

Cabinet signs shall be prohibited in all Central Business District (Chapter 50 KZC), and Juanita Business District zones (Chapter 52 KZC) and Yarrow Bay Business District (Chapter 56, KZC).

105.58 Location of Parking Areas Specific to Design Districts

If the subject property is located in a Design District, the applicant shall locate parking areas on the subject property according to the following requirements:

1. Location of Parking Areas in the CBD, TC (TL 1, TL 2, TL 3) Zones
  - a. Parking areas shall not be located between a pedestrian-oriented street and a building unless specified in a Conceptual Master Plan in TL 2. (See Plate 34 in Chapter 180 KZC and Chapters 92 and 110 KZC for additional requirements regarding pedestrian-oriented streets).
  - b. On all other streets, parking lots shall not be located between the street and the building on the subject property unless no other feasible alternative exists.
2. Location of Parking Areas in the JBD 2, and the NRHBD and YBD Zones – Parking areas shall not be located between the street and the building unless no other feasible alternative exists on the subject property.
3. Location of Parking Areas in the MSC Zones – Parking areas in the MSC zones shall not be located between the street and the building unless the Planning Official determines that the proposed landscape design provides superior visual screening of the parking area.
4. Location of Parking Areas in Certain TLN and RHBD Zones – Parking areas and vehicular access may not occupy more than 50 percent of the street frontage in the following zones (see Figure 105.58.A):
  - a. TL 4, only properties fronting on 120th Avenue NE;
  - b. TL 5;
  - c. TL 6A, only properties fronting on 124th Avenue NE. Auto dealers in this zone are exempt from this requirement;
  - d. TL 6B, only properties fronting on NE 124th Street;
  - e. TL 10E.

Alternative configurations may be considered through the Design Review process, if the project meets the objectives of the KMC Design Guidelines for the Totem Lake Neighborhood.

- f. In the Regional Center (RH 1A, RH 2A, RH 3 and RH 5A zones west of 124th Avenue). For parcels over two acres in size, parking lots and vehicular access areas may not occupy more than 50 percent of the NE 85th Street property frontage (see Figure 105.58.A). Alternative configurations will be considered through the Design Review process, if the project meets the intent of the KMC Design Guidelines for the Rose Hill Business District.

Insert: and attached dwelling unit in PLA 3C

### 115.42 Floor Area Ratio (F.A.R.) Calculation for Detached Dwelling Units in Low Density Residential Zones

Insert: and  
attached  
dwelling  
units in  
PLA 3C

1. Gross floor area for purposes of calculating F.A.R. and maximum floor area for detached dwelling units in low density residential zones does not include the following:
  - a. Attic area with less than five (5) feet of ceiling height, as measured between the finished floor and the supporting members for the roof.
  - b. Floor area with a ceiling height less than six (6) feet above finished grade. The ceiling height will be measured to the top of the structural members for the floor above. The finished grade will be measured along the outside perimeter of the building (see Plate 23).
  - c. On lots less than 8,500 square feet, the first 500 square feet of an accessory dwelling unit or garage contained in an accessory structure, when such accessory structure is located more than 20 feet from and behind the main structure (see KZC 115.30 for additional information on the required distance between structures); provided, that the entire area of an accessory structure, for which a building permit was issued prior to March 6, 2007, shall not be included in the gross floor area used to calculate F.A.R. For purposes of this section, "behind" means located behind an imaginary plane drawn at the back of the main structure at the farthest point from, and parallel to, the street or access easement serving the residence.
  - d. On lots greater than or equal to 8,500 square feet, the first 800 square feet of an accessory dwelling unit or garage contained in an accessory structure, when such accessory structure is located more than 20 feet from and behind the main structure (see KZC 115.30 for additional information on the required distance between structures); provided, that the entire area of an accessory structure, for which a building permit was issued prior to March 6, 2007, shall not be included in the gross floor area used to calculate F.A.R.
  - e. Uncovered and covered decks, porches, and walkways.
2. Floor area with a ceiling height greater than 16 feet shall be calculated as follows:
  - a. The first 100 square feet of such floor area, in aggregate, shall be calculated only once toward allowable F.A.R.;
  - b. Floor area in excess of the first 100 square feet shall be calculated at twice the actual floor area toward allowable F.A.R.
3. *This section is not effective within the disapproval jurisdiction of the Houghton Community Council.*

Insert: except for those lots in PLA 3C that are less than 7200 sq. ft. or lots that have less than the minimum lot size created through the small lot provisions of Subdivision 22.28.042.



## Zoning Code Amendments to Chapter 142:

### 142.25 Administrative Design Review (A.D.R.) Process

1. Authority – The Planning Official shall conduct A.D.R. in conjunction with a related development permit pursuant to this section.

The Planning Official shall review the A.D.R. application for compliance with the design regulations contained in Chapter 92 KZC. In addition, the following guidelines and policies shall be used to interpret how the regulations apply to the subject property:

- a. Design guidelines for pedestrian-oriented business districts, as adopted in KMC 3.30.040.
  - b. Design guidelines for the Rose Hill Business District (RHBD), ~~and~~ the Totem Lake Neighborhood (TLN) and Yarrow Bay Business District (YBD) as adopted in KMC 3.30.040.
  - c. For review of attached or stacked dwelling units within the NE 85th Street Subarea and the Market Street Corridor, Appendix C, Design Principles for Residential Development contained in the Comprehensive Plan.
2. Application – As part of any application for a development permit requiring A.D.R., the applicant shall show compliance with the design regulations in Chapter 92 KZC by submitting an A.D.R. application on a form provided by the Planning Department. The application shall include all documents and exhibits listed on the application form, as well as application materials required as a result of a pre-design conference.
  3. Pre-Design Conference – Before applying for A.D.R. approval, the applicant may schedule a pre-design meeting with the Planning Official. The meeting will be scheduled by the Planning Official upon written request by the applicant. The purpose of this meeting is to provide an opportunity for an applicant to discuss the project concept with the Planning Official and for the Planning Official to designate which design regulations apply to the proposed development based primarily on the location and nature of the proposed development.
  4. A.D.R. Approval
    - a. The Planning Official may grant, deny, or conditionally approve the A.D.R. application. The A.D.R. approval or conditional approval will become conditions of approval for any related development permit, and no development permit will be issued unless it is consistent with the A.D.R. approval or conditional approval.
    - b. Additions or Modifications to Existing Buildings
      - 1) Applications involving additions or modifications to existing buildings shall comply with the design regulations of Chapter 92 KZC to the extent feasible depending on the scope of the project. The Planning Official may waive compliance with a particular design regulation if the applicant demonstrates that it is not feasible given the existing development and scope of the project.
      - 2) The Planning Official may waive the A.D.R. process for applications involving additions or modifications to existing buildings if the design regulations are not applicable to the proposed development activity.

5. Lapse of Approval – The lapse of approval for the A.D.R. decision shall be tied to the development permit and all conditions of the A.D.R. approval shall be included in the conditions of approval granted for that development permit.
6. Design departure and minor variations may be requested pursuant to KZC 142.37.

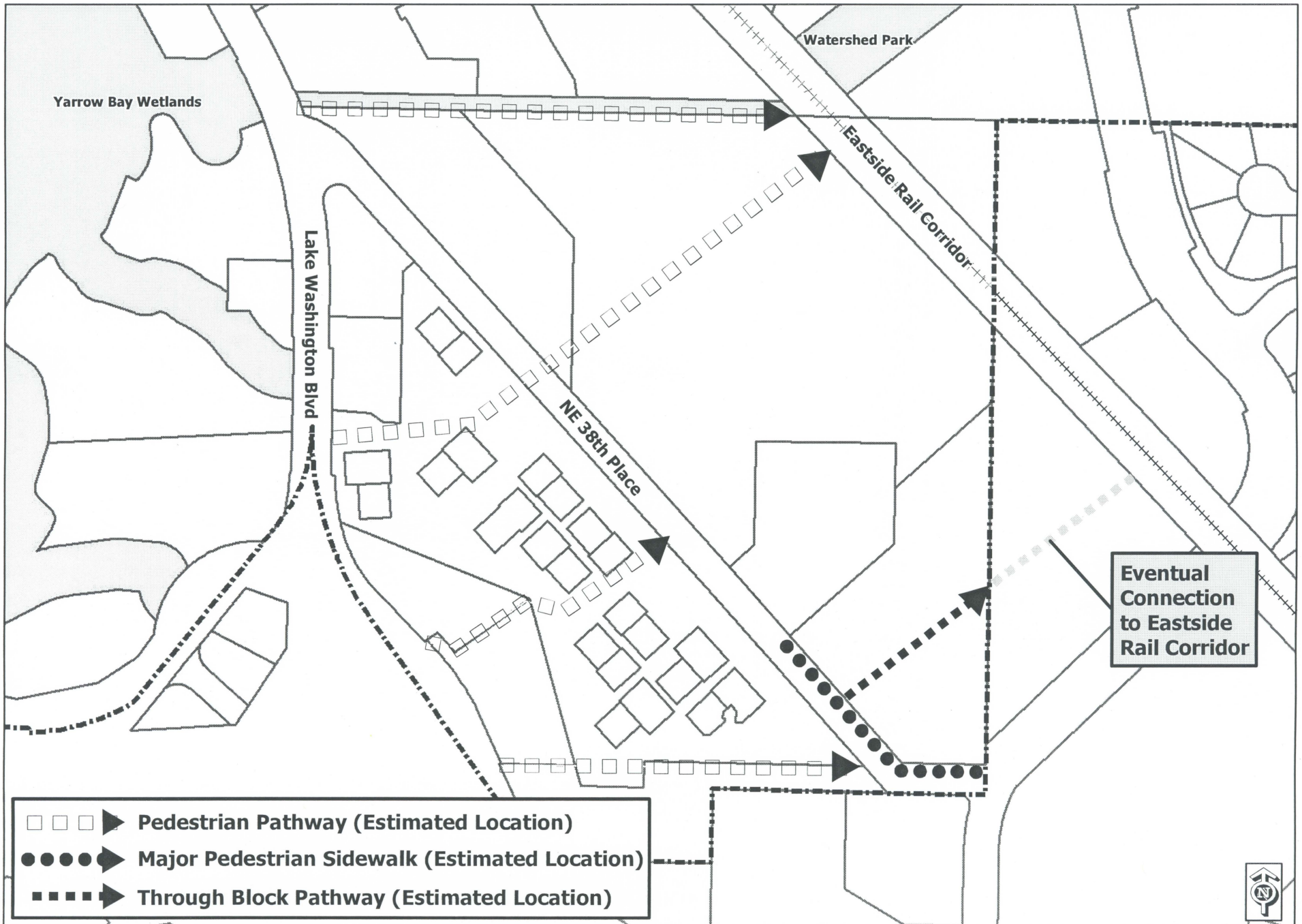
### **142.37 Design Departure and Minor Variations**

1. General – This section provides a mechanism for obtaining approval to depart from strict adherence to the design regulations or for requesting minor variations from requirements in the following zones:
  - a. In the CBD and YBD: minimum required yards; and
  - b. In the Totem Center: minimum required yards, floor plate maximums and building separation requirements; and
  - c. In the RHBD and the TLN: minimum required yards, landscape buffer and horizontal facade requirements; and
  - d. In the MSC 1 and MSC 4 zones of the Market Street Corridor: minimum required front yards and horizontal facade requirements; and
  - e. In the MSC 2 zone of the Market Street Corridor: height (up to an additional five (5) feet), minimum required front yards and horizontal facade requirements; and
  - f. In the MSC 3 zone of the Market Street Corridor: horizontal facade requirements.

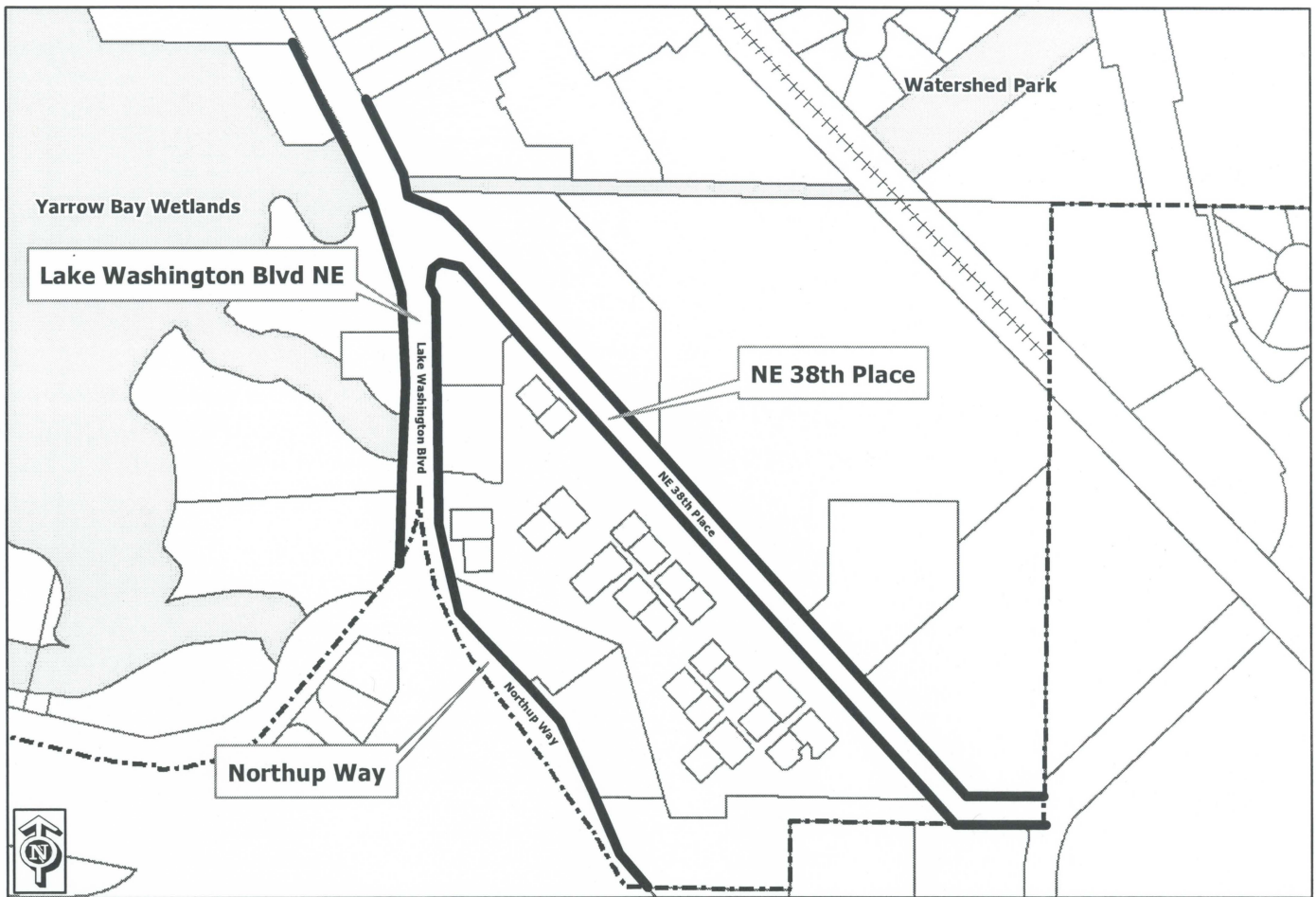
This section does not apply when a design regulation permits the applicant to propose an alternate method for complying with it or the use zone chart allows the applicant to request a reduced setback administratively.

2. Process – If a design departure or minor variation is requested, the D.R. decision, including the design departure or minor variation, will be reviewed and decided upon using the D.B.R. process.
3. Application Information – The applicant shall submit a complete application on the form provided by the Planning Department, along with all information listed on that form, including a written response to the criteria in subsection (4) of this section.
4. Criteria – The Design Review Board may grant a design departure or minor variation only if it finds that all of the following requirements are met:
  - a. The request results in superior design and fulfills the policy basis for the applicable design regulations and design guidelines;
  - b. The departure will not have any substantial detrimental effect on nearby properties and the City or the neighborhood.

# Plate 34L: PEDESTRIAN CIRCULATION IN YBD



## Plate 34M: Street Improvements in YBD



**Required street improvements for NE 38th Pl, Lake Washington Blvd NE, and Northup Way in the Yarrow Bay Business District:**

**NE 38th Pl:**

- 70-80 feet of public right of way**
- 10 foot wide sidewalks with street trees in landscape strip or tree grates on both sides of street and decorative street light fixtures**
- On-street parking strongly encouraged along street**

**Lake Washington Blvd NE:**

- 60 – 80 feet of public right of way**
- 10 foot wide sidewalks with street trees in landscape strip or tree grates on both sides of street and decorative street light fixtures**

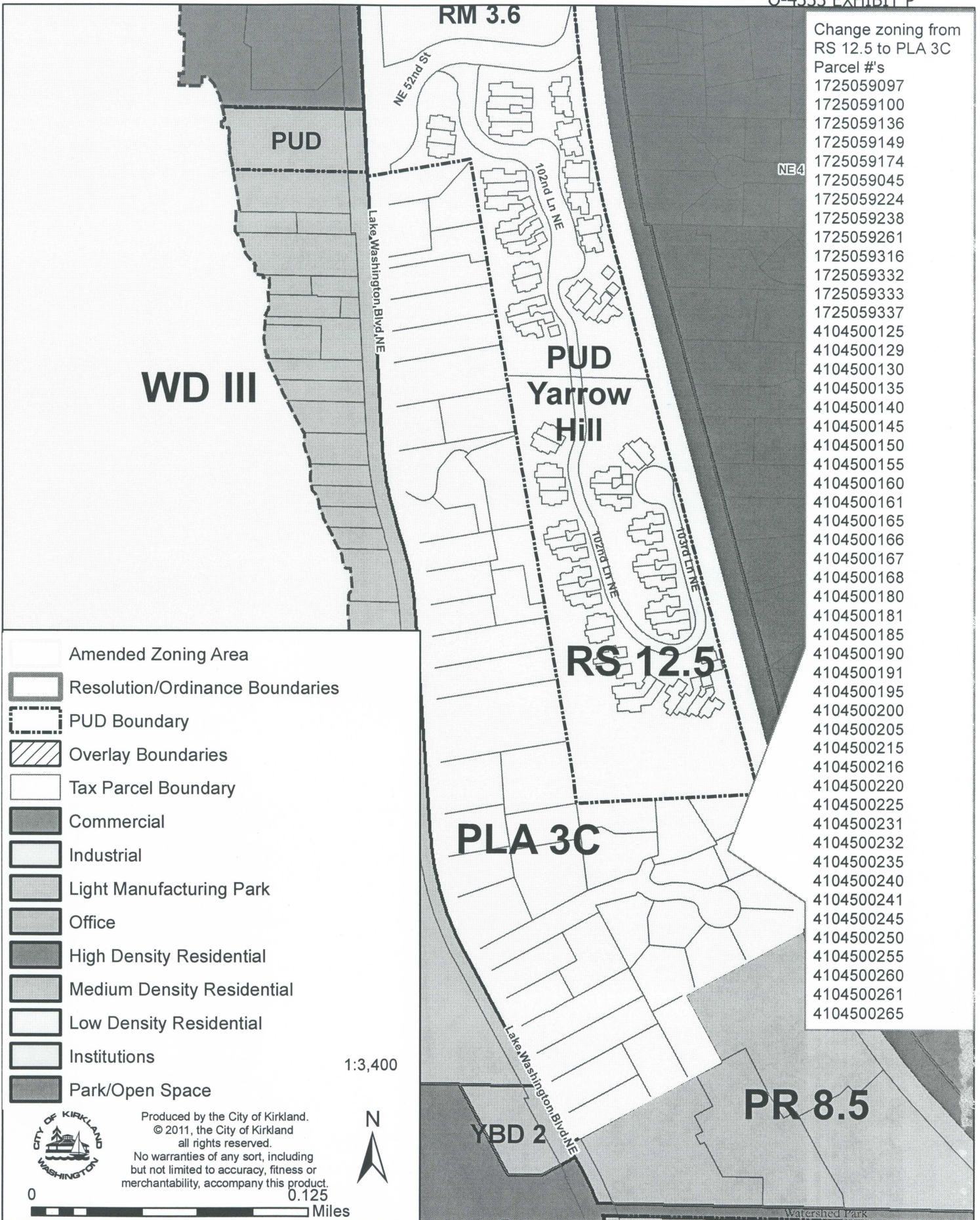
**Northup Way:**

- 10 foot wide sidewalks with street trees in landscape strip or tree grates on both sides of street and decorative street light fixtures.**

**Note: The precise right of way specifications may vary and shall be determined by the Public Works Director**

Potential Comprehensive Plan & Zoning Map Changes

O-4333 EXHIBIT P



- Change zoning from RS 12.5 to PLA 3C  
Parcel #'s
- 1725059097
  - 1725059100
  - 1725059136
  - 1725059149
  - 1725059174
  - 1725059045
  - 1725059224
  - 1725059238
  - 1725059261
  - 1725059316
  - 1725059332
  - 1725059333
  - 1725059337
  - 4104500125
  - 4104500129
  - 4104500130
  - 4104500135
  - 4104500140
  - 4104500145
  - 4104500150
  - 4104500155
  - 4104500160
  - 4104500161
  - 4104500165
  - 4104500166
  - 4104500167
  - 4104500168
  - 4104500180
  - 4104500181
  - 4104500185
  - 4104500190
  - 4104500191
  - 4104500195
  - 4104500200
  - 4104500205
  - 4104500215
  - 4104500216
  - 4104500220
  - 4104500225
  - 4104500231
  - 4104500232
  - 4104500235
  - 4104500240
  - 4104500241
  - 4104500245
  - 4104500250
  - 4104500255
  - 4104500260
  - 4104500261
  - 4104500265

Amended Zoning Area

Resolution/Ordinance Boundaries

PUD Boundary

Overlay Boundaries

Tax Parcel Boundary

Commercial

Industrial

Light Manufacturing Park

Office

High Density Residential

Medium Density Residential

Low Density Residential

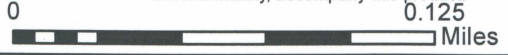
Institutions

Park/Open Space

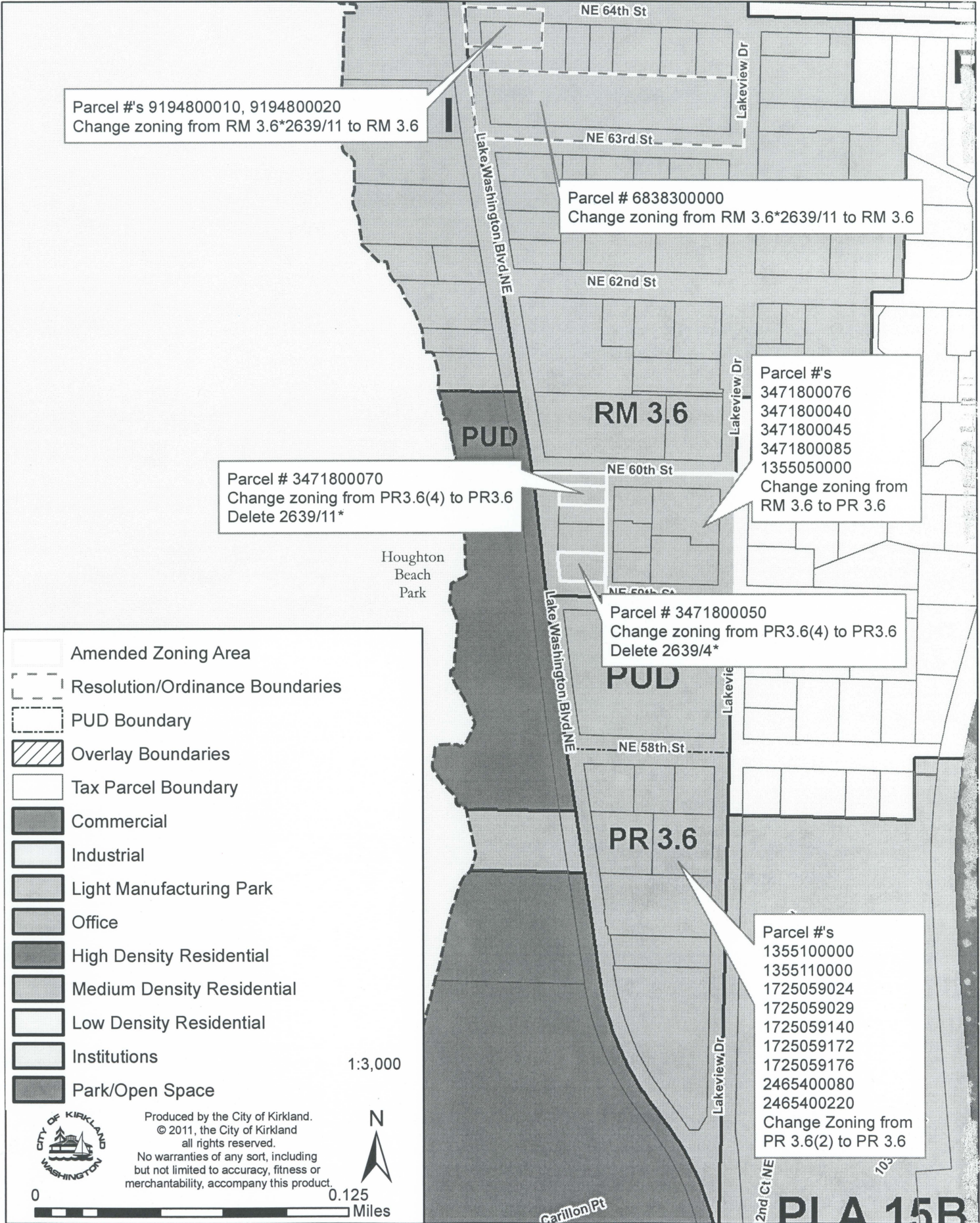
1:3,400



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but not limited to accuracy, fitness or  
merchantability, accompany this product.



Watershed Park



Parcel #'s 9194800010, 9194800020  
Change zoning from RM 3.6\*2639/11 to RM 3.6

Parcel # 6838300000  
Change zoning from RM 3.6\*2639/11 to RM 3.6

Parcel # 3471800070  
Change zoning from PR3.6(4) to PR3.6  
Delete 2639/11\*

Parcel #'s  
3471800076  
3471800040  
3471800045  
3471800085  
1355050000  
Change zoning from  
RM 3.6 to PR 3.6

Parcel # 3471800050  
Change zoning from PR3.6(4) to PR3.6  
Delete 2639/4\*

Parcel #'s  
1355100000  
1355110000  
1725059024  
1725059029  
1725059140  
1725059172  
1725059176  
2465400080  
2465400220  
Change Zoning from  
PR 3.6(2) to PR 3.6

Amended Zoning Area

Resolution/Ordinance Boundaries

PUD Boundary

Overlay Boundaries

Tax Parcel Boundary

Commercial

Industrial

Light Manufacturing Park

Office

High Density Residential

Medium Density Residential

Low Density Residential

Institutions

Park/Open Space

1:3,000

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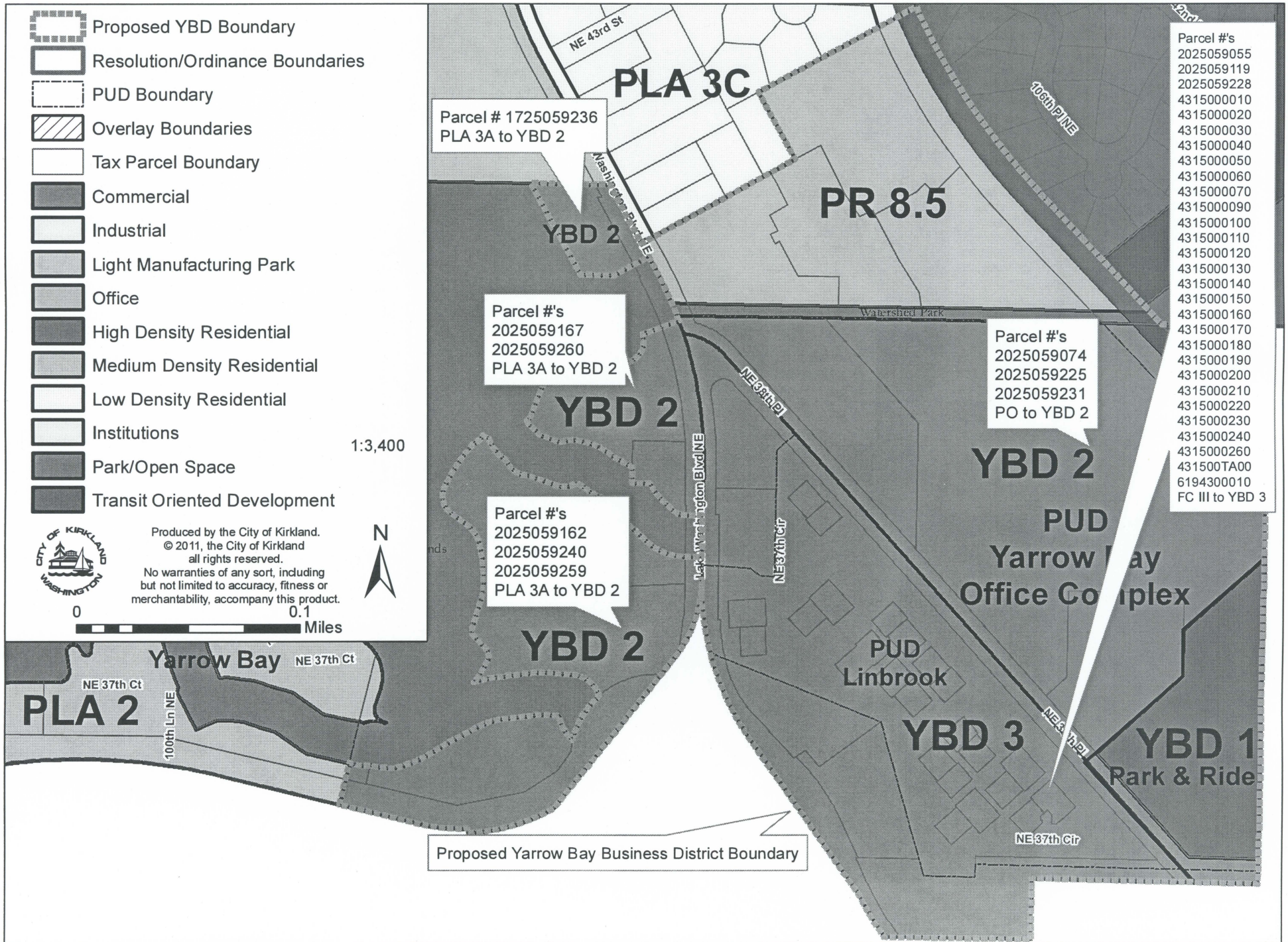
0 0.125 Miles

CITY OF KIRKLAND WASHINGTON

N

# Yarrow Bay Business District Zoning Map Changes

O-4333 EXHIBIT R



PUBLICATION SUMMARY  
OF ORDINANCE NO. O-4333

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO COMPREHENSIVE PLANNING AND LAND USE AND AMENDING THE KIRKLAND ZONING CODE (TITLE 23 OF THE KIRKLAND MUNICIPAL CODE), AND THE KIRKLAND ZONING MAP, ORDINANCE 3710 AS AMENDED TO IMPLEMENT THE LAKEVIEW NEIGHBORHOOD PLAN UPDATE AND APPROVING A SUMMARY FOR PUBLICATION, FILE NO ZON07-00032.

SECTION 1. Amends the following specific portions of the Kirkland Zoning Code:

- A. Amend Table of Contents;
- B. Amend Chapter 5. Definitions;
- C. Amend Chapter 10. Legal Effect/Applicability;
- D. Amend Chapter 25. Professional Office Residential (PR) and Professional Office Residential A (PRA) Zones;
- E. Amend Chapter 30. Waterfront District (WD) Zones;
- F. Repeal Chapter 35. Freeway Commercial (FCIII) Zone;
- G. Add new section to Chapter 56. Yarrow Bay Business District Subareas YBD 2 and YBD 3;
- H. Chapter 60. Planned Areas:
  - a. Amend PLA 2 Use Zone Chart;
  - b. Delete PLA 3A Use Zone Chart;
  - c. Add new Sections 60.19 – 60.22 PLA 3C Use Zone Chart;
  - d. Text amendments to 60.25 PLA 3B;
- I. Add Yarrow Bay Business District (YBD) Design Regulations to Chapter 92;
- J. Amend Chapter 100. Signs;
- K. Amend Chapter 105. Parking;
- L. Amend Chapter 115. Miscellaneous;
- M. Amend Chapter 142. Design Review;
- N. Amend Chapter 180 Plates.

SECTION 2. Amends the Kirkland Zoning Map as set forth in Exhibit P, Exhibit Q and Exhibit R.

SECTION 3. Provides a severability clause for the ordinance.


SECTION 4. Authorizes publication of the ordinance by summary, which summary is approved by the City Council pursuant to Kirkland Municipal Code 1.08.017 and establishes the effective date as January 1, 2012, which will be more than five days after publication of summary.

SECTION 5. Establishes certification by City Clerk and notification of King County Department of Assessments.



The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the 15th day of November, 2011.

I certify that the foregoing is a summary of Ordinance O-4333 approved by the Kirkland City Council for summary publication.

  
\_\_\_\_\_  
City Clerk