

ORDINANCE O-4345

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, PLANNING, AND LAND USE AND AMENDING ORDINANCE 3719 AS AMENDED, THE KIRKLAND ZONING ORDINANCE AND APPROVING A SUMMARY ORDINANCE FOR PUBLICATION, FILE NO. ZON11-00045.

WHEREAS, the City Council has received a recommendation from the Kirkland Department of Planning and Community Development to amend certain sections of the text of the Kirkland Zoning Code, Ordinance 3719 as amended, as set forth in a report and recommendation of the Department dated January 5, 2012, and bearing Kirkland Department of Planning and Community Development File No. ZON11-00045; and

WHEREAS, following notice thereof as required by RCW 35A.63.070, on January 17, 2012, the Kirkland City Council held a public hearing, on the amendment proposal and considered the comments received at said hearing; and

WHEREAS, pursuant to the State Environmental Policy Act (SEPA), there has accompanied the legislative proposal and recommendation throughout the entire consideration process, a SEPA Addendum to Existing Environmental Documents issued 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 Department of Planning and Community Development;

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 Ordinance 3719 as amended, the Kirkland Zoning Ordinance, be and they hereby are amended to read as set forth in Attachment A attached to this ordinance and incorporated by reference.

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

Section 3. This ordinance shall be in full force and effect five days from and after its passage by the Kirkland 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 4. 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 17th day of January, 2012.


Signed in authentication thereof this 17th day of January, 2012.

  
MAYOR

Attest:

  
City Clerk

Approved as to Form:

  
City Attorney

**Chapter 48 – LIGHT INDUSTRIAL TECHNOLOGY (LIT) ZONES**

**48.05** User Guide. The charts in KZC 48.15 contain the basic zoning regulations that apply in the LIT 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 48.10**

Zone  
LIT

**Section 48.10 – GENERAL REGULATIONS**

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

1. Refer to Chapter 1 KZC to determine what other provision of this code may apply to the subject property.
2. If any portion of a structure is adjoining a low density zone, then either:
  - a. The height of that portion of the structure shall not exceed 20 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.  
(Does not apply to Hazardous Waste Treatment and Storage Facilities uses).
3. Except if adjoining a low density zone, structure height may be increased above 35 feet in height through a Process IIA, Chapter 150 KZC, if:
  - a. It will not block local or territorial views designated in the Comprehensive Plan;
  - b. The increased height is not specifically inconsistent with the applicable neighborhood plan provisions of the Comprehensive Plan; and
  - c. The required yard of any portion of the structure may be increased up to a maximum of one foot for each foot that any portion of the structure exceeds 35 feet above average building elevation. The need for additional setback yards will be determined as part of the review of any request to increase structure height.(Does not apply to Hazardous Waste Treatment and Storage Facilities and Public Parks uses).
4. If the property is located in the NE 85th Street Subarea, the applicant shall install a through-block pedestrian pathway to connect an east-west pathway designated in the Comprehensive Plan between 124th Avenue NE and 120th Avenue NE pursuant to the through-block pathway standards in KZC 105.19(3) (See Plate 34K).
5. Retail uses are prohibited unless otherwise allowed in the use zone charts.

Section 48.15

Zone  
LIT

USE ZONE CHART

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

Section 48.15	USE ↓ REGULATIONS ↑	Required Review Process	MINIMUMS			MAXIMUMS		Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	(does not apply to institutional uses in low density zones) (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARDS (See Ch. 115)									
				Front	Side	Rear							
.010	Packaging of Prepared Materials Manufacturing See Spec. Regs. 1 and 2.	Within the NE 85th Street Subarea, D.R., Chapter 142 KZC. Otherwise, none.	None	20'	0'	0'	90%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 35' above average building elevation <del>with a maximum of two stories, exclusive of parking levels.</del>	A	C	1 per each 1,000 sq. ft. of gross floor area.	<ol style="list-style-type: none"> <li>The following manufacturing uses are permitted:                             <ol style="list-style-type: none"> <li>Food, drugs, stone, clay, glass, china, ceramics products, electrical equipment, scientific or photographic equipment, fabricated metal products;</li> <li>Fabricated metal products, but not fabrication of major structural steel forms, heavy metal processes, boiler making, or similar activities;</li> <li>Cold mix process only of soap, detergents, cleaning preparations, perfumes, cosmetics, or other toilet preparations;</li> <li>Packaging of prepared materials;</li> <li>Textile, leather, wood, paper and plastic products from pre-prepared material; and</li> <li>Other compatible uses which may involve manufacturing, processing, assembling, fabrication and handling of products, and research and technological processes.</li> </ol> </li> <li>May include as part of this use, accessory retail sales, office or service utilizing not more than 20 percent of the gross floor area. The landscaping and parking requirements for these accessory uses will be the same as for the primary use.</li> </ol>	
.020	A Retail Establishment providing storage services									E	See KZC 105.25.	<ol style="list-style-type: none"> <li>May include accessory living facilities for resident security manager.</li> </ol>	
.030	Warehouse Storage Service									C	1 per each 1,000 sq. ft. of gross floor area.	<ol style="list-style-type: none"> <li>May include, as part of this use, accessory retail sales, office or service utilizing no more than 20 percent of the gross floor area. The landscaping and parking requirements for these accessory uses will be the same as for the primary use.</li> </ol>	
.040	Wholesale Trade												
.050	Industrial Laundry Facility												
.060	Wholesale Printing or Publishing												

Section 48.15

Zone  
LIT

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS													
Section 48.15	USE ↓ REGULATIONS ↓	Required Review Process	MINIMUMS			MAXIMUMS		Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARDS (See Ch. 115)									
				Front	Side	Rear							
.070	Wholesale Establishment or Contracting Services in Building Construction, Plumbing, Electrical, Landscaping, or Pest Control	Within the NE 85th Street Subarea, D.R., Chapter 142 KZC. Otherwise, none.	None	20'	0'	0'	80%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 35' above average building elevation <del>with a maximum of two stories, exclusive of parking levels.</del>	B	E	1 per each 1,000 sq. ft. of gross floor area.	1. Outdoor storage for this use must be buffered as established in Chapter 95 KZC for Landscape Category A.	
.075	A Retail Establishment providing rental services												
.080	A Retail Establishment providing banking and related financial services										1 per each 300 sq. ft. of gross floor area.		1. This use is permitted if accessory to a primary use, and: a. It will not exceed 20 percent of the gross floor area of the building; b. The use is integrated into the design of the building; and c. There is no vehicle drive-in or drive-through.
.090	High Technology										A		D

(does not apply to institutional uses in low density zones)

Section 48.15	USE ↓ REGULATIONS ↑	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulation (See also General Regu	
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.100	Office Use	Within the NE 85th Street Subarea, D.R., Chapter 142 KZC. Otherwise, none.	None	20'	0'	0'	70%	35' above average building elevation <del>with a maximum of two stories, exclusive of parking levels</del> except as specified in Spec. Reg. 2.	C See also Spec. Reg. 1a.	E	If a medical, dental, or veterinary office, then 1 per each 200 sq. ft. of gross floor area. Otherwise, 1 per each 300 sq. ft. of gross floor area.	<ol style="list-style-type: none"> <li>The following regulations apply only to veterinary offices:                             <ol style="list-style-type: none"> <li>If there are outdoor runs or other outdoor facilities for the animals, then use must comply with Landscape Category A.</li> <li>Outside runs and other outside facilities for the animals must be set back at least 10 feet from each property line and must be surrounded by a fence or wall sufficient to enclose the animals. See KZC 115.105, Outdoor Use, Activity and Storage, for further regulations.</li> </ol> </li> <li> <ol style="list-style-type: none"> <li>If adjoining a low density zone other than RSX, then 25 feet above average building elevation; and</li> <li>In the Nor Kirk Neighborhood, south of 7th Avenue and west of 8th Street, maximum height is 40 feet above average building elevation, <del>with no limit on number of stories.</del></li> </ol> </li> </ol>
.110	Auction House See Spec. Reg. 1.	Within the NE 85th Street Subarea, D.R., Chapter 142 KZC. Otherwise, none.	None	20'	0'	0'	80%	If adjoining a low density zone other than RSX, then 25' above average building elevation.	B	E	1 per each 300 sq. ft. of gross floor area.	<ol style="list-style-type: none"> <li>Livestock auctions are not permitted.</li> <li>Outdoor storage for this use must be buffered as established in Chapter 95 KZC for Landscaping Category A.</li> </ol>
.120	Kennel	Within the NE 85th Street Subarea, D.R., Chapter 142 KZC. Otherwise, none.	None	20'	0'	0'	80%	Otherwise, 35' above average building elevation <del>with a maximum of two stories, exclusive of parking levels.</del>				<ol style="list-style-type: none"> <li>Outside runs and other facilities for the animals must be set back at least 10 feet from each property line and must be surrounded by a fence or wall sufficient to enclose the animals. See KZC 115.105, Outdoor Use, Activity and Storage, for further regulations.</li> <li>Must provide suitable shelter for the animals.</li> <li>Must maintain a clean, healthful environment for the animals.</li> </ol>
.130	Day-Care Center See Spec. Reg. 1.	Within the NE 85th Street Subarea, D.R., Chapter 142 KZC. Otherwise, none.	None	20'	0'	0'	80%	If adjoining a low density zone other than RSX, then 25' above average building elevation.	D	B	See KZC 105.25.	<ol style="list-style-type: none"> <li>This use is permitted if accessory to a primary use, and:                             <ol style="list-style-type: none"> <li>It will not exceed 20 percent of the gross floor area of the building;</li> <li>The use is integrated into the design of the building.</li> </ol> </li> <li>A six-foot-high fence is required along the property lines adjacent to the outside play areas.</li> <li>Hours of operation may be limited to reduce impacts on nearby residential uses.</li> <li>Structured play areas must be set back from all property lines as follows:                             <ol style="list-style-type: none"> <li>Twenty feet if this use can accommodate 50 or more students or children.</li> <li>Ten feet if this use can accommodate 13 to 49 students or children.</li> </ol> </li> </ol> <p style="text-align: center;">REGULATIONS CONTINUED ON NEXT PAGE</p>

(does not apply to institutional uses in low density zones)

Section 48.15

Zone  
LIT

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS													
Section 48.15	USE ↓ REGULATIONS ↓	Required Review Process	MINIMUMS			MAXIMUMS		Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARDS (See Ch. 115)									
				Front	Side	Rear							
.130	Day-Care Center (continued)												<p>REGULATIONS CONTINUED FROM PREVIOUS PAGE</p> <p>5. An on-site passenger loading area may be provided. The City shall determine the appropriate size of the loading areas on a case-by-case basis, depending on the number of attendees and the extent of the abutting right-of-way improvements. Carpooling, staggered loading/unloading time, right-of-way improvements or other means may be required to reduce traffic impacts on any nearby residential uses.</p> <p>6. May include accessory living facilities for staff persons.</p> <p>7. The location of parking and passenger loading areas shall be designed to reduce impacts on any nearby residential uses.</p> <p>8. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388).</p>
.140	Mini-Day-Care See Spec. Reg. 1.	Within the NE 85th Street Subarea, D.R., Chapter 142 KZC. Otherwise, none.	None	20'	0'	0'	80%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 35' above average building elevation with <del>a maximum of two stories, exclusive of parking levels.</del>	D	B	See KZC 105.25.	<p>1. This use is permitted if accessory to a primary use, and:</p> <p>a. It will not exceed 20 percent of the gross floor area of the building;</p> <p>b. The use is integrated into the design of the building.</p> <p>2. A six-foot-high fence is required along the property lines adjacent to the outside play areas.</p> <p>3. To reduce impacts on nearby residential uses, hours of operation of the use may be limited and parking and passenger loading areas relocated.</p> <p>4. Structured play areas must be set back from all property lines by five feet.</p> <p>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.</p> <p>6. The location of parking and passenger loading areas shall be designed to reduce impacts on nearby residential uses.</p> <p>7. May include accessory living facilities for staff persons.</p> <p>8. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388).</p>	

(does not apply to institutional uses in low density zones)

Section 48.15

Zone  
LIT

USE ZONE CHART

Section 48.15	USE ↓ REGULATIONS ↑	DIRECTIONS: FIRST, read down to find use... (does not apply to institutional uses in low density zones)										REGULATIONS
		Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
			Front	Side	Rear							
.150	Recycling Center	Within the NE 85th Street Subarea, D.R., Chapter 142 KZC. Otherwise, none.	None	20'	0'	0'	80%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 35' above average building elevation with a maximum of two stories, exclusive of parking levels.	A	C	See KZC 105.25.	1. May deal in metal cans, glass, and paper. Other materials may be recycled if the Planning Director determines that the impacts are no greater than those associated with recycling metal cans, glass, or paper. The individual will have the burden of proof in demonstrating similar impacts.  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.
.160	Public Utility								C	B		
.170	Government Facility Community Facility								See Spec. Reg. 1.			
.180	Hazardous Waste Treatment and Storage Facilities	Within the NE 85th Street Subarea, D.R., Chapter 142 KZC. Otherwise, none.	None	30'	0'	0'	90%	35' above average building elevation with a maximum of two stories, exclusive of parking levels. See Spec. Reg. 2.	A	C	1 per each 1,000 sq. ft. of gross floor area.	1. Must comply with the state siting criteria adopted in accordance with RCW 70.105.210. 2. Structure height may be increased above 35 feet in height through a Process IIA, Chapter 150 KZC, if: a. It will not block local or territorial views designated in the Comprehensive Plan; and b. The increased height is not specifically inconsistent with the applicable neighborhood plan provisions of the Comprehensive Plan; and c. The need for an increase in height is directly related to the hazardous waste treatment and/or storage activity; and d. The required yard of any portion of the structure may be increased up to a maximum of one foot for each foot that any portion of the structure exceeds 35 feet above average building elevation. The need for additional setback yards will be determined as part of the review of any request to increase structure height.
.190	Vehicle or Boat Repair, Services, Storage, or Washing									E		
			20'									

(Revised 4/11)



Section 48.15

Zone  
LIT

USE ZONE CHART

Section 48.15		USE ↓ REGULATIONS ↓		DIRECTIONS: FIRST, down for MINIMUMS. THEN, across for REGULATIONS											
				Required Review Process	Lot Size	MINIMUMS			MAXIMUMS				Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
						REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure	Landscaping Category (See Ch. 105)	Sign Category (See Ch. 105)			
Front	Side	Rear													
.195	Automobile Sales	Process I, Chapter 145 KZC	None	20'	0'	0'	80%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 35' above average building elevation <del>with a maximum of two stories, exclusive of parking levels.</del>				A	C See Spec. Reg. 7.	See KZC 105.25.	<ol style="list-style-type: none"> <li>1. This use is permitted only on properties that adjoin 8th Street or 7th Avenue in the Norkirk Neighborhood.</li> <li>2. Outdoor automobile sales, storage, and display are not permitted.</li> <li>3. Outdoor sound systems are not permitted.</li> <li>4. Outdoor balloons, streamers, and inflatable objects are not permitted.</li> <li>5. Test drives must be accompanied by an employee through the LIT zone and limited to 8th Street, 7th Avenue, and either 6th Street or 114th Avenue NE enroute to Central Way/NE 85th Street.</li> <li>6. Hours of operation are limited to 7:00 a.m. to 8:00 p.m.</li> <li>7. Cabinet signs are not permitted.</li> <li>8. This use primarily entails the sale of alternative fuel vehicles such as biodiesel, ethanol, and electric vehicles.</li> </ol>
.200	Restaurant See Spec. Reg. 1.	Within the NE 85th Street Subarea, D.R., Chapter 142 KZC. Otherwise, none.										B	E	1 per each 100 sq. ft. of gross floor area.	<ol style="list-style-type: none"> <li>1. This use is permitted if accessory to a primary use, and:               <ol style="list-style-type: none"> <li>a. It will not exceed 20 percent of the gross floor area of the building;</li> <li>b. The use is integrated into the design of the building; and</li> <li>c. There is no vehicle drive-in or drive-through.</li> </ol> </li> </ol>
.210	Public Park	Development standards will be determined on case-by-case basis. See Chapter 49 KZC for required review process.													

(does not apply to institutional uses in low density zones)

**60.84** User Guide. The charts in KZC 60.87 contain the basic zoning regulations that apply in Planned Area 6G, 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 60.85**

Zone  
PLA6G

**Section 60.85 – GENERAL REGULATIONS**

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

1. Refer to Chapter 1 KZC to determine what other provision of this code may apply to the subject property.
2. Developments 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 20 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.  
(Does not apply to Detached, Attached or Stacked Dwelling Units).
4. The required yard of any portion of the structure must be increased one foot for each foot that any portion of the structure exceeds 25 feet above average building elevation (does not apply to Detached, Attached or Stacked Dwelling Units, Assisted Living Facility and Public Park uses).
5. Except if adjoining a low density zone, structure height may be increased above 35 feet in height through a Process IIA, Chapter 150 KZC, if:
  - a. It will not block local or territorial views designated in the Comprehensive Plan;
  - b. The increased height is not specifically inconsistent with the applicable neighborhood plan provisions of the Comprehensive Plan; and
  - c. The need for additional setback yards to compensate for the added height and bulk will be determined as part of the review of any request to increase structure height.(Does not apply to Detached, Attached or Stacked Dwelling Units, Assisted Living Facility and Public Park uses).
6. All vehicular access shall be from the east. The site access shall be configured to structurally prevent the use of 7th Avenue South or other residential streets (does not apply to Detached, Attached or Stacked Dwelling Units, Assisted Living Facility and Public Park uses).

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 60.87	USE ↓ REGULATIONS ↑	Required Review Process	MINIMUMS			MAXIMUMS		Lot Coverage	Height of Structure (See Ch. 105)	Special Regulations (See also General Regulations)		
			Lot Size	REQUIRED YARD (See Ch. 115)								
				Front	Side	Rear						
.010	Manufacturing See Special Regulation 1.	None	None	20'	0'	0'	90%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 35' above average building elevation with a maximum of two stories, exclusive of parking levels.	A	C	1 per each 1,000 sq. ft. of gross floor area.	1. The following manufacturing uses are permitted: a. Food, drugs, stone, clay, glass, china, ceramic products, electrical equipment, scientific or photographic equipment, fabricated metal products; b. Fabricated metal products, but not fabrication of major structural steel forms, heavy metal processes, boiler making, or similar activities; c. Cold mix process only of soap, detergents, cleaning preparations, perfumes, cosmetics, or other toilet preparations; d. Packaging of prepared materials; e. Textile, leather, wood, paper and plastic products from pre-prepared material; and f. Other compatible uses which may involve manufacturing, processing, assembling, fabrication and handling of products, and research and technological processes. 2. Prior to issuance of a development permit, documentation must be provided and stamped by a licensed professional verifying that the expected noise to be emanating from the site adjoining to any residential zoned property complies with the standards set forth in WAC 173-60-040(1) for a Class B source property and a Class A receiving property. 3. Outdoor storage and fabrication is not permitted. 4. May include as part of this use accessory wholesale, office or retail trade utilizing not more than 20 percent of the gross floor area. The landscaping and parking requirements for these accessory uses will be the same as for the primary use. 5. Use shall not create noise, glare, light, dust, fumes, and other adverse conditions which disrupt the residential character of the surrounding area. 6. Site and building design shall be complementary with surrounding residential, through use of design elements such as roof forms, building modulation, setbacks, and landscaping. The City may require revision of the building design, site plan or landscaping plan in order to minimize noise and enhance the visual character of the area. 7. The Planning Director may allow incidental visitor parking to access from 7th Avenue South; provided, that the applicant can demonstrate that the visitor parking will not adversely affect the residential character of the neighborhood, the parking will not be used by delivery vehicles, and the design precludes expanded use of this parking.
.020	Warehouse Storage Service											
.030	Wholesale Trade											
.040	Industrial Laundry Facility											
.050	Wholesale Printing and Publishing											
.060	Wholesale Establishment or Contracting Services in Building Construction, Plumbing, Electrical, Landscaping, or Pest Control											

(does not apply to institutional uses in low density zones)

Section 60.87

Zone  
PLA6G

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 60.87	USE ↓ REGULATIONS ↑	Required Review Process	MINIMUMS			MAXIMUMS		Lot Coverage	Height of Structure	Use	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARD (See Ch. 115)								
				Front	Side	Rear						
.070	Retail Establishment Providing Storage Services. See also Special Regulation 1.	None	None	20'	0'	0'	80%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 35' above average building elevation with a maximum of two stories, exclusive of parking levels.	A	E	See KZC 105.25.	<ol style="list-style-type: none"> <li>May include accessory living facilities for resident security manager.</li> <li>Site and building design shall be complementary with surrounding residential, through use of design elements such as roof forms, building modulation, setbacks, and landscaping. The City may require revision of the building design, site plan or landscaping plan in order to minimize noise and enhance the visual character of the area.</li> <li>The Planning Director may allow incidental visitor parking to access from 7th Avenue South; provided, that the applicant can demonstrate that the visitor parking will not adversely affect the residential character of the neighborhood, the parking will not be used by delivery vehicles, and the design precludes expanded use of this parking.</li> </ol>
.080	High Technology									D	<p>If manufacturing then 1 per each 1,000 sq. ft. of gross floor area. If office then 1 per 300 sq. ft. of gross floor area. Otherwise, See KZC 105.25.</p>	<ol style="list-style-type: none"> <li>This use may include research and development, testing, assembly, repair or manufacturing or offices that support businesses involved in the pharmaceutical and biotechnology, communications and information technology, electronics and instrumentation, computers and software sectors.</li> <li>Prior to issuance of a development permit, documentation must be provided and stamped by a licensed professional verifying that the expected noise to be emanating from the site adjoining any residentially zoned property complies with the standards set forth in WAC 173-60-040(1) for a Class B source property and a Class A receiving property.</li> <li>Refer to KZC 105.115 for provisions regarding Outside Use, Activity and Storage.</li> <li>The Planning Director may allow incidental visitor parking to access from 7th Avenue South; provided, that the applicant can demonstrate that the visitor parking will not adversely affect the residential character of the neighborhood, the parking will not be used by delivery vehicles, and the design precludes expanded use of this parking.</li> <li>Use shall not create noise, glare, light, dust, fumes, and other adverse conditions which disrupt the residential character of the surrounding area.</li> <li>Site and building design shall be complementary with surrounding residential, through use of design elements such as roof forms, building modulation, setbacks, and landscaping. The City may require revision of the building design, site plan or landscaping plan in order to minimize noise and enhance the visual character of the area.</li> </ol>

(does not apply to institutional uses in low density zones)

Section 60.87

Zone  
PLA6G

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS													
Section 60.87	USE ↓ REGULATIONS ↑	Required Review Process	MINIMUMS			MAXIMUMS		Lot Coverage	Height of Structure	C See Spec. Reg. 5.	D	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage						Height of Structure
				Front	Side	Rear							
.090	Office Use	None	None	20'	0'	0'	70%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 35' above average building elevation with a maximum of two stories, exclusive of parking levels.	C See Spec. Reg. 5.	D	If a Medical, Dental, or Veterinary office, then 1 per each 200 sq. ft. of gross floor area. Otherwise, 1 per each 300 sq. ft. of gross floor area.	<ol style="list-style-type: none"> <li>The Planning Director may allow incidental visitor parking to access from 7th Avenue South; provided, that the applicant can demonstrate that the visitor parking will not adversely affect the residential character of the neighborhood, the parking will not be used by delivery vehicles, and the design precludes expanded use of this parking.</li> <li>Use shall not create noise, glare, light, dust, fumes, and other adverse conditions which disrupt the residential character of the surrounding area.</li> <li>Site and building design shall be complementary with surrounding residential, through use of design elements such as roof forms, building modulation, setbacks, and landscaping. The City may require revision of the building design, site plan or landscaping plan in order to minimize noise and enhance the visual character of the area.</li> <li>Prior to issuance of a development permit, documentation must be provided and stamped by a licensed professional verifying that the expected noise to be emanating from the site adjoining any residentially zoned property complies with the standards set forth in WAC 173-60-040(1) for a Class B source property and a Class A receiving property.</li> <li>The following regulations apply only to veterinary offices:                             <ol style="list-style-type: none"> <li>If there are outdoor runs or other facilities for the animals, then use must comply with Landscape Category A.</li> <li>Outside runs and other outside facilities for the animals must be setback at least 10 feet from each property line and must be surrounded by a fence by a fence or wall sufficient to enclose the animals. See KZC 115.105, Outdoor Use, Activity and Storage, for further regulations.</li> </ol> </li> </ol>	

(does not apply to institutional uses in low density zones)

Section 60.87

Zone  
PLA6G

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 60.87	USE ↓ REGULATIONS ↑	Required Review Process	MINIMUMS			MAXIMUMS		Lot Coverage	Height of Structure	Use District	Primary Use District	Special Regulations (See also General Regulations)
			REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure					
			Front	Side	Rear							
.100	Day-Care Center See Special Regulation 7.	None	None	20'	0'	0'	80%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 35' above average building elevation with a maximum of two stories, exclusive of parking levels.	D	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. Hours of operation may be limited to reduce impacts on nearby residential uses.</li> <li>3. Structured play areas must be setback from all property lines as follows:                             <ol style="list-style-type: none"> <li>a. 20 feet if this use can accommodate 50 or more students or children.</li> <li>b. 10 feet if this use can accommodate 13 to 49 students or children.</li> </ol> </li> <li>4. An on-site passenger loading area must be provided if this use can accommodate five or more children. The City shall determine the appropriate size of the loading areas on a case-by-case basis, depending on the number of attendees and the extent of the abutting right-of-way improvements. Carpooling, staggered loading/unloading time, right-of-way improvements or other means may be required to reduce traffic impacts on any nearby residential uses.</li> <li>5. May include accessory living facilities for staff persons.</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. This use is permitted if accessory to a primary use, and:                             <ol style="list-style-type: none"> <li>a. It will not exceed 20 percent of the gross floor area of the building; and</li> <li>b. The use is integrated into the design of the building.</li> </ol> </li> </ol>
.110	Mini-Day-Care See Special Regulation 8.			30'					E		<ol style="list-style-type: none"> <li>1. A six-foot-high fence is required along the property lines adjacent to the outside play area.</li> <li>2. Hours of operation may be limited by the City to reduce impacts in nearby residential uses.</li> <li>3. Structured play areas must be setback from all property lines by five feet.</li> <li>4. An on-site passenger loading area may be required depending on the number of attendees and the extent of the abutting right-of-way improvements.</li> <li>5. The location of parking and passenger loading areas shall be designed to reduce impacts on 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> <li>8. This use is permitted if accessory to a primary use, and:                             <ol style="list-style-type: none"> <li>a. It will not exceed 20 percent of the gross floor area of the building; and</li> <li>b. The use is integrated into the design of the building.</li> </ol> </li> </ol>	

(does not apply to institutional uses in low density zones)

Section 60.87

Zone  
PLA6G

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 60.87	USE ↓ REGULATIONS ↑	Required Review Process	MINIMUMS			MAXIMUMS		Lot Coverage	Height of Structure	Density (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARD (See Ch. 115)								
				Front	Side	Rear						
.120	Assisted Living Facility	None	3,600 sq. ft.	20'	5', but 2 side yards must equal at least 15'	10'	60%	If adjoining a low density zone other than RSX, then 25' above average building elevation. <del>Otherwise, 35' above average building elevation.</del>	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. 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 subject 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>3. A nursing home use may be permitted as part of an assisted living facility use in order to provide a continuum of care for residents. If a nursing home use is included, the following parking standards shall apply to the nursing home portion of the facility:               <ol style="list-style-type: none"> <li>a. One parking stall shall be provided for each bed.</li> </ol> </li> <li>4. The assisted living facility shall provide usable recreational 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 recreational 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> <li>6. Site design must provide for a bicycle and pedestrian path connection to Lakeview Elementary School and be available for public use.</li> <li>7. All vehicular access shall be from 7th Avenue So. Access from 5th Place South is prohibited.</li> <li>8. This use is permitted south of 7th Avenue South and only if the entire PLA 6G zone south of 7th Avenue South is included.</li> </ol>

(does not apply to institutional uses in low density zones)

Section 60.87

Zone  
PLA6G

USE ZONE CHART

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

Section 60.87	USE ↓ REGULATIONS ↑	Required Review Process	MINIMUMS			MAXIMUMS		Density (per 100)	Special Regulations (See also General Regulations)		
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage			Height of Structure (See Ch. 115)	
				Front	Side	Rear					
.130	Detached, Attached or Stacked Dwelling Units. See Special Regulation 6.	None	3,600 sq. ft. per dwelling unit	20'	5' for detached units. For attached or stacked units, 5', but 2 side yards must equal at least 15'. See Spec. Reg. 7.	10' See Spec. Reg. 8.	60%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above average building elevation. See Spec. Reg. 9.	D A	1.7 per unit.	<ol style="list-style-type: none"> <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>If any portion of a structure is adjoining a low density zone, then either:               <ol style="list-style-type: none"> <li>The height of that portion of the structure shall not exceed 15 feet above average building elevation, or</li> <li>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.</li> </ol> </li> <li>Site design must provide for a bicycle and pedestrian path connection to Lakeview Elementary School and be available for public use.</li> <li>All vehicular access shall be from 7th Avenue South. Access from 5th Place South is prohibited.</li> <li>This use is only permitted south of 7th Avenue South and only if the entire PLA6G zone south of 7th Avenue South is included.</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><del>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.</del></li> </ol>

(does not apply to institutional uses in low density zones)





Section 60.87

Zone  
PLA6G

USE ZONE CHART

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

Section 60.87	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 YARD (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.140	Public Utility	Process IIA, Chapter 150 KZC.	None	20'	0'	0'	80%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 35' above average building elevation, <b>exclusive of parking levels.</b>	A	B	See KZC 105.25.	<div style="border: 1px solid red; padding: 2px; color: red; font-weight: bold;">(does not apply to institutional uses in low density zones)</div>
.150	Government Facility or Community Facility							C See Spec. Reg. 1.				
.160	Public Park	Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.										

PUBLICATION SUMMARY  
OF ORDINANCE O-4345

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, PLANNING, AND LAND USE AND AMENDING ORDINANCE 3719 AS AMENDED, THE KIRKLAND ZONING ORDINANCE AND APPROVING A SUMMARY ORDINANCE FOR PUBLICATION, FILE NO. ZON11-00045.

SECTION 1. Amends Zoning Code Sections 48.15.010.195 and Sections 60.87.010.150 regarding the maximum height of structures in the Light Industrial Technology and Planned Area 6G zones. Eliminates the maximum height of two stories and the 25' maximum height adjoining an institutional use in a low density zone.

SECTION 2. Provides a severability clause for the Ordinance.

SECTION 3. Authorizes publication of the Ordinance by summary, which summary is approved by the City Council pursuant to Section 1.08.017 Kirkland Municipal Code and establishes the effective date as five days after publication of summary.

SECTION 4. Requests that the Ordinance be certified by the City Clerk and sent to the King County Department of Assessments.

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

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

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