

ORDINANCE O-4381

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, PLANNING, AND LAND USE, ADOPTING A NEW "RESIDENTIAL SUITES" USE CATEGORY, AND ADOPTING REGULATIONS GOVERNING RESIDENTIAL SUITES USES.

WHEREAS, the City Council has received recommendations from the Kirkland Planning Commission to amend certain sections of the text of the Kirkland Zoning Code, Ordinance 3719 as amended, all as set forth in that certain staff report approved by the Planning Commission dated October 5, 2012 and bearing Kirkland Department of Planning and Community Development File No. ZON12-00002 (File #4); and

WHEREAS, prior to making said recommendation, the Kirkland Planning Commission, following notice thereof as required by RCW 35A.63.100, on October 4, 2012 held a public hearing, on the amendment proposals 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 through 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 Planning Commission and Houghton Community Council;

NOW, THEREFORE, the City Council of the City of Kirkland does 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 follows:

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 force and effect five days from and after its passage by the Kirkland City Council and publication pursuant to Section 1.08.017, Kirkland Municipal Code

in the summary form attached to the original of this ordinance and by this reference approved by the City Council.

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 16th day of October, 2012.

SIGNED IN AUTHENTICATION thereof this 16th day of October, 2012.




Mayor

Attest:



City Clerk

Approved as to Form:



City Attorney

Section 50.12

Zone
CBD-1A,
1B

USE ZONE CHART

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

Section 50.12	USE REGULATIONS	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)		
		Required Review Process	Lot Size	REQUIRED YARDS (See Ch. 115)							Lot Coverage	Height of Structure
				Front	Side	Rear						
.030	Hotel or Motel	D.R., Chapter 142 KZC	None	0'	0'	0'	100%	CBD 1A - 45' above each abutting right-of-way. CBD 1B - 55' above each abutting right-of-way.	D	E	One for each room. See Spec. Reg. 2 and KZC 50.60. See KZC 50.60 and 105.25.	1. The following uses are not permitted in this zone: a. Vehicle service stations. b. Vehicle and/or boat sale, repair, service or rental. c. Drive-in facilities and drive-through facilities. 2. The parking requirement for hotel or motel use does not include parking requirements for ancillary meetings and convention facilities. Additional parking requirements for ancillary uses shall be determined on a case-by-case basis.
.040	Entertainment, Cultural and/or Recreational Facility											
.060	Private Club or Lodge											
.070	Office Use											
.080	Stacked or Attached Dwelling Units											
Insert Residential Suites Use and regulations (attached)												
.090	School, Day-Care Center or Mini School or Day-Care Center											

These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388).

Section 50.17

Zone
CBD-2

USE ZONE CHART

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

Section 50.17	USE ↑ REGULATIONS ↑	MINIMUMS		MAXIMUMS		Sign Category (See Ch. 100)	Landscape Category (See Ch. 95)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)			
		Required Review Process	Lot Size	REQUIRED YARDS (See Ch. 115)						Lot Coverage	Height of Structure	
				Front	Side							Rear
.050	School, Day-Care Center, or Mini School or Day-Care Center	D.R., Chapter 142 KZC.	None	0'	0'	0'	100%	28' above the abutting right-of-way measured at the midpoint of the frontage of the subject property on each right-of-way.	D	E	See KZC 50.60 and 105.25.	<ol style="list-style-type: none"> The following provisions, which supersede any conflicting provisions of this chapter, apply only if the subject property is within 200 feet of or includes a portion of Lake Washington: <ol style="list-style-type: none"> Chapter 83 KZC contains regulations regarding shoreline setbacks and public pedestrian walkways. No structure, other than moorage structures, may be waterward of the ordinary high water mark. For regulations regarding moorages, see the moorage listings in this zone and Chapter 83 KZC. A six-foot-high fence is required along all property lines adjacent to outside play areas. Structured play areas must be set back from all property lines by at least five feet. Hours of operation may be limited by the City to reduce impacts on nearby residential uses. 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. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388).

Section 50.17

Zone
CBD-2

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS													
Section 50.17	USE ↑	REGULATIONS ↑	MINIMUMS			MAXIMUMS				Special Regulations (See also General Regulations)			
			Lot Size	REQUIRED YARDS (See Ch. 115)		Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)		Required Parking Spaces (See Ch. 105)		
				Front	Side	Rear							
.090	Stacked or Attached Dwelling Units		None	0'	0'	0'	100%	28' above the abutting right-of-way measured at the midpoint of the frontage of the subject property on each right-of-way.	D	A	1.7 per unit. See KZC 50.60.	1. The following provisions, which supersede any conflicting provisions of this chapter, apply only if the subject property is within 200 feet of or includes a portion of Lake Washington: a. Chapter 83 KZC contains regulations regarding shoreline setbacks and public pedestrian walkways. b. No structure, other than moorage structures, may be waterward of the ordinary high water mark. For regulations regarding moorages, see the moorage listings in this zone and Chapter 83 KZC. 2. This use may be located on the street level floor of a building only if there is a retail space extending a minimum of 30 feet of the building depth between this use and the abutting right-of-way. The Planning Director may approve a reduction to the depth requirement for the retail space if the applicant demonstrates that the proposed configuration of the retail use provides an adequate dimension for a viable retail tenant and provides equivalent or superior visual interest and potential foot traffic as would compliance with the required dimension.	
	Insert Residential Suites Use and regulations (attached)												
.100	Public Access Pier, Boardwalk, or Public Access Facility			Landward of the ordinary high water mark	0'	0'	-	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.	
.110	Piers, Docks, Boat Lifts and Canopies Serving Detached Dwelling Unit			Landward of the ordinary high water mark	0'	0'							None
.115	Piers, Docks, Boat Lifts and Canopies Serving Detached, Attached or Stacked Dwelling Units			0'	0'	0'							

Section 50.27

USE ZONE CHART

Zone
CBD-3

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

Section 50.27	USE ↑	REGULATIONS ↑	Required Review Process	MINIMUMS			MAXIMUMS		Special Regulations (See also General Regulations)			
				Lot Size	REQUIRED YARDS (See Ch. 115)		Height of Structure	Landscaping Category (See Ch. 95)				
				Front	Side	Rear	Lot Coverage					
.070	Stacked or Attached Dwelling Units See Spec. Reg. 1.		D.R., Chapter 142 KZC.	20' See Spec. Reg. 2.	0'	0'	80%	41' above average building elevation.	D	A	See Spec. Reg. 3.	1. This use may be located on the street level floor of a building only if there is a retail space extending a minimum of 30 feet of the building depth between this use and the abutting right-of-way. The Planning Director may approve a reduction to the depth requirement for the retail space if the applicant demonstrates that the proposed configuration of the retail use provides an adequate dimension for a viable retail tenant and provides equivalent or superior visual interest and potential foot traffic as would compliance with the required dimension. This special regulation shall not apply along portions of State Street and Second Avenue South not designated as pedestrian-oriented streets. 2. Ground floor porches and similar entry features may encroach into the required front yard, provided the total horizontal dimensions of such elements may not exceed 25 percent of the length of the facade of the structure. 3. This use must provide a minimum of one parking stall per bedroom or studio unit and an average of at least 1.3 parking stalls per unit for each development. In addition, guest parking shall be provided at a rate of 0.1 stalls per bedroom or studio unit with a minimum of two guest parking stalls provided per development.
Insert Residential Suites Use and regulations (attached)												
.080	Detached Dwelling Units		None	20'	5'	10'	70%	If adjoining a low density zone, then 25' above average building elevation. Otherwise, 30' above average building elevation.	D	A	2.0 per unit.	1. For this use, only one dwelling unit may be on each lot regardless of size. 2. This use may only be located west of State Street. 3. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use.

Section 50.27

Zone
CBD-3

USE ZONE CHART

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

Section 50.27	USE ↑	REGULATIONS ↑	MINIMUMS		MAXIMUMS		Special Regulations (See also General Regulations)					
			Lot Size	REQUIRED YARDS (See Ch. 115) Front Side Rear	Lot Coverage	Height of Structure						
.090	Church		None	20' See Spec. Reg. 4.	0'	0'	80%	41' above average building elevation.	D See Spec. Reg. 3.	B	One per every four people based on maximum occupancy of any area of worship. See Spec. Reg. 2.	1. Primary vehicular access to the subject property may not be directly from Second and Avenue South between Second Street South and State Street unless no other alternative exists. 2. No parking is required for day-care or school ancillary to the use. 3. Landscape Category C is required if the subject property is adjacent to Planned Areas 6C, 6D, or 6J. 4. Ground floor porches and similar entry features may encroach into the required front yard, provided the total horizontal dimensions of such elements may not exceed 25 percent of the length of the facade of the structure.
.100	School, Day-Care Center, or Mini-School or Day-Care Center		None	20' See Spec. Reg. 7.	0'	0'	80%	41' above average building elevation.	D	B	See KZC 105.25.	1. A six-foot-high fence is required along all property lines adjacent to outside play areas. 2. Primary vehicular access to the subject property may not be directly from Second and Avenue South between Second Street South and State Street unless no other alternative exists. 3. Structured play areas must be set back from all property lines by at least five feet. 4. Hours of operation may be limited by the City to reduce impacts on nearby residential uses. 5. An on-site passenger loading area may be required depending on the number of attendees and the extent of the building right-of-way improvements. 6. These uses are subject to the requirements established by the Department of Social and Health Services (WSA Title 388). 7. Ground floor porches and similar entry features may encroach into the required front yard, provided the total horizontal dimensions of such elements may not exceed 25 percent of the length of the facade of the structure.

Attachment A

Section 50.32

Zone
CBD-4

USE ZONE CHART

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

Section 50.32	USE ↑	REGULATIONS ↑	MINIMUMS			MAXIMUMS		Special Regulations (See also General Regulations)					
			Required Review Process	Lot Size	REQUIRED YARDS (See Ch. 115)		Height of Structure		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)		
					Front	Side						Rear	
.080	Stacked or Attached Dwelling Units		D.R., Chapter 142 KZC.	None	10'	0'	0'	100%	54' above average building elevation or existing grade.	D See Spec. Reg. 1.	A	See Spec. Reg. 2.	1. Landscape Category C is required if subject property is adjacent to Planned Area 6C. 2. This use must provide a minimum of one parking stall per bedroom or studio unit and an average of at least 1.3 parking stalls per unit for each development. In addition, guest parking shall be provided at a rate of 0.1 stalls per bedroom or studio unit with a minimum of two guest parking stalls provided per development.
Insert Residential Suites Use and regulations (attached)													
.090	School, Day-Care or Mini-School or Day-Care Center									D	B	See KZC 105.25.	1. A six-foot-high fence is required along all property lines adjacent to outside play areas. 2. Primary vehicular access to the subject property may not be directly from Second Avenue South between Second Street South and State Street unless no other alternative exists. 3. Structured play areas must be set back from all property lines by at least five feet. 4. Hours of operation may be limited by the City to reduce impacts on nearby residential uses. 5. An on-site passenger loading area may be required depending on the number of attendees and the extent of the building's right-of-way, approval of the Social and Health Services (WAC Title 368). 6. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 368).
.100	Assisted Living Facility									D See Spec. Reg. 3.	A	1.7 per independent unit. 1 per assisted living unit.	1. A facility that provides both independent dwelling units and assisted living units shall be processed as an assisted living facility. 2. A nursing home use may be permitted as part of an assisted living facility use in order to provide a continuum of care for residents. If a nursing home use is included, the following parking standard shall apply to the nursing home portion of the facility: a. One parking stall shall be provided for each bed. 3. Landscape Category C is required if subject property is adjacent to Planned Area 6C.
.110	Detached Dwelling Units				20'	5'	10'	60%	If adjoining a low density zone, then 25' above average building elevation. Otherwise, 30' above building elevation.	E	A	2.0 per unit.	1. For this use, only one dwelling unit may be on each lot regardless of lot size. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use.

(Revised 4/11)

Section 50.47

Zone
CBD-7

USE ZONE CHART

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

Section 50.47	Office Use See Spec. Reg. 4.	REGULATIONS	MINIMUMS			MAXIMUMS		Special Regulations (See also General Regulations)						
			Required Review Process	Lot Size	REQUIRED YARDS (See Ch. 115)		Height of Structure							
					Front	Side			Rear					
.090	Office Use See Spec. Reg. 4.	REGULATIONS	None	20'	0'	0'	80%	41' above average building elevation.	D See Spec. Reg. 3.	D	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	<p>1. Ancillary assembly and manufacture of goods on premises may be permitted as part of office use if:</p> <ul style="list-style-type: none"> a. The ancillary assembled or manufactured goods are subordinate to and dependent upon this office use; and b. The outward appearance and impacts of this office use with ancillary assembly or manufacturing activities must be no different from other office uses. <p>2. The following regulations apply to veterinary offices only:</p> <ul style="list-style-type: none"> a. May only treat small animals on the subject property. b. Outside runs and other outside facilities for the animals are not permitted. c. Site must be designed so that noise from this use will not be audible off the subject property. A certification to this effect signed by an acoustical engineer must be submitted with the D.R. and building permit applications. d. A veterinary office is not permitted if the subject property contains dwelling units. <p>3. Landscape Category C is required if the subject property is adjacent to Planned Area 7B.</p> <p>4. This use may be located on the street level floor of a building only if there is a retail space extending a minimum of 30 feet of the building depth between this use and the abutting right-of-way. The Planning Director may approve a reduction to the depth requirement for the retail space if the applicant demonstrates that the proposed configuration of the retail use provides an adequate dimension for a viable retail tenant and provides equivalent or superior visual interest and potential foot traffic as would compliance with the required dimension.</p>
.100	School, Day-Care Center, or Mini-School or Day-Care Center See Spec. Reg. 6.	REGULATIONS							D	B	See KZC 105.25.	<p>1. A six-foot-high fence is required along all property lines adjacent to outside play areas.</p> <p>2. Structured play areas must be set back from all property lines by at least five feet.</p> <p>3. Hours of operation may be limited by the City to reduce impacts on nearby residential uses.</p> <p>4. An on-site passenger loading area may be required depending on the number of attendees and the amount of the abutting right-of-way, reviewable.</p> <p>5. These uses are subject to the requirements established by the Department of Social and Health Services (WSA Title 296C).</p> <p>6. This use may be located on the Central Way level of a building only if there is an intervening retail storefront between this use and the right-of-way.</p>		

Attachment A

Attachment A

O-4381

Section 50.47

Zone
CBD-7

USE ZONE CHART

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

Section 50.47	USE REGULATIONS	MINIMUMS		MAXIMUMS		Landscaping Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
		Lot Size	REQUIRED YARDS (See Ch. 115) Front Side Rear	Lot Coverage	Height of Structure				
.110	Assisted Living Facility See Spec. Reg. 3. 142 KZC.	None	20' 0' 0'	80%	41' above average building elevation.	D	A	1.7 per independent unit. 1 per assisted living unit.	<p>1. A facility that provides both independent dwelling units and assisted living units shall be processed as an assisted living facility.</p> <p>2. A nursing home use may be permitted as part of an assisted living facility use in order to provide a continuum of care for residents. If a nursing home use is included, the following parking standard shall apply to the nursing home portion of the facility:</p> <p>a. One parking stall shall be provided for each bed.</p> <p>3. This use may be located on the street level floor of a building only if there is a retail space extending a minimum of 30 feet of the building depth between this use and the abutting right-of-way. The Planning Director may approve a reduction to the depth requirement for the retail space if the applicant demonstrates that the proposed configuration of the retail use provides an adequate dimension for a viable retail tenant and provides equivalent or superior visual interest and potential foot traffic as would compliance with the required dimension.</p>
.120	Stacked or Attached Dwelling Units See Special Regulation 1.							See Spec. Reg. 2.	<p>1. This use may be located on the street level floor of a building only if there is a retail space extending a minimum of 30 feet of the building depth between this use and the abutting right-of-way. The Planning Director may approve a reduction to the depth requirement for the retail space if the applicant demonstrates that the proposed configuration of the retail use provides an adequate dimension for a viable retail tenant and provides equivalent or superior visual interest and potential foot traffic as would compliance with the required dimension.</p> <p>2. This use must provide a minimum of one parking stall per bedroom or studio unit and an average of at least 1.3 parking stalls per unit for each development. In addition, guest parking shall be provided at a rate of 0.1 stalls per bedroom or studio unit with a minimum of two guest parking stalls provided per development.</p>
Insert Residential Suites Use and regulations (attached)									
.130	Public Utility, Government Facility, or Community Facility					D See Spec. Reg. 1.	B	See KZC 105.25.	<p>1. Landscape Category C is required if the subject property is adjacent to Planned Area 7B. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on nearby uses.</p>
.140	Public Park								

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

Section 50.52

Zone
CBD-8

USE ZONE CHART

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

Section 50.52	USE ↑	REGULATIONS ↑	MINIMUMS		MAXIMUMS		Special Regulations (See also General Regulations)					
			Lot Size	REQUIRED YARDS (See Ch. 115)		Height of Structure		Landscape Category (See Ch. 95)				
				Front	Side				Rear			
.080	Church See Special Regulation 1.		None	10'	0'	0'	100%	30 feet above the elevation of 3rd Avenue or 4th Avenue as measured at the projected midpoint of the frontage of the subject property on the nearest applicable right-of-way.	D See Spec. Reg. 3.	B	1 per every four people based on maximum occupancy load of any area of worship. See Spec. Reg. 2 and Section 60 of this Chapter.	1. This use is permitted only if the subject property abuts Central Way. If the subject property abuts Third Avenue between First Street and Second Street or Fourth Avenue, the site and buildings must be designed to provide residential character and scale adjacent to Third Avenue and Fourth Avenue. 2. No parking is required for daycare or school ancillary to the use. 3. Landscape Category C is required if the subject property is adjacent to Planned Areas 7A or 7B, or PR 3.6 zones. 4. Ground floor porches and similar entry features may encroach into the front yard, provided the total horizontal dimension of such elements may not exceed 25 percent of the length of the facade of the structure.
.090	School, Day-Care Center or Mini-School or Day-Care Center			0'	0'	0'			D		See KZC 50.60 and 105.25.	1. If the subject property abuts Third Avenue between First Street and Second Street, or Fourth Avenue, the site and buildings must be designed to provide residential character and scale adjacent to Third Avenue and Fourth Avenue. 2. A six-foot-high fence is required along all property lines adjacent to outside play areas. 3. Structured play areas must be setback from all property lines by at least 5 feet. 4. Hours of operation may be limited by the City to reduce impacts on nearby residential uses. 5. An on-site passenger loading area may be required depending on the number of attendees and the extent of the abutting right-of-way improvements. 6. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388).

Section 50.52

Zone
CBD-8

USE ZONE CHART

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

Section 50.52	USE REGULATIONS	MINIMUMS		MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)		
		Required Review Process	Lot Size	REQUIRED YARDS (See Ch. 115)						Lot Coverage	Height of Structure
				Front	Side						
.100	Assisted Living Facility See Special Regulation 3.	D.R., Chapter 142 KZC.	None	10' 0' 0'	0' 0' 0'	100%	D	A	1.7 per independent unit. 1 per assisted living unit. See KZC 50.60.	1. A facility that provides both independent dwelling units and assisted living units shall be processed as an assisted living facility. 2. A nursing home use may be permitted as part of an assisted living facility use in order to provide a continuum of care for residents. If a nursing home use is included, the following parking standard shall apply to the nursing home portion of the facility. a. One parking stall shall be provided for each bed. 3. This use may be located on the street level floor of a building only if there is a retail space extending a minimum of 30 feet of the building depth between this use and the abutting right-of-way. The Planning Director may approve a reduction to the depth requirement for the retail space if the applicant demonstrates that the proposed configuration of the retail use provides an adequate dimension for a viable retail tenant and provides equivalent or superior visual interest and potential foot traffic as would compliance with the required dimension. 4. This use is not permitted on the street level floor adjacent to Central Way. 5. If the subject property abuts Third Avenue between First Street and Second Street, or Fourth Avenue, the site and buildings must be designed to provide residential character and scale adjacent to Third Avenue and Fourth Avenue. 6. Ground floor porches and similar entry features may encroach into the front yard, provided the total horizontal dimension of such elements may not exceed 25 percent of the length of the facade of the structure.	
.110	Stacked or Attached Dwelling Units			10' 0' 0'	See Special Regulation 3.				1. This use is not permitted on the street level floor adjacent to Central Way. 2. If the subject property abuts Third Avenue between First Street and Second Street, or Fourth Avenue, the site and buildings must be designed to provide residential character and scale adjacent to Third Avenue and Fourth Avenue. 3. Ground floor porches and similar entry features may encroach into the front yard, provided the total horizontal dimension of such elements may not exceed 25 percent of the length of the facade of the structure.		
Insert Residential Suites Use and regulations (attached)				0' 0' 0'							
.120	Public Utility, Government Facility, or Community Facility						D See Spec. Reg. 1.	See KZC 50.60 and 105.25.	1. Landscape Category C is required if the subject property is adjacent to Planned Areas 7A or 7B, or PR 3.6 zones. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on nearby uses.		
.130	Public Park								Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.		

(Revised 4/07)

Section 55.09

Zone TL 1A

USE ZONE CHART

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

Section 55.09	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				
.020	Restaurant or Tavern	D.R., Chapter 142 KZC	Same as primary use. See Spec. Reg. 1.							1 per each 100 sq. ft. of gross floor area.	1. This use is only permitted as an accessory use to another permitted use within this zone. It may not be located in a separate structure from the primary use.	
.030	Any Retail Establishment, other than those specifically listed in this zone, selling goods and providing services including banking and other financial services									1 per each 300 sq. ft. of gross floor area.	1. This use is only permitted as an accessory use to another permitted use within this zone. It may not be located in a separate structure from the primary use. 2. The location of drive-through facilities may not compromise pedestrian movement. 3. The following uses and activities are prohibited: a. The sale, service, and/or rental of motor vehicles, sailboats, motor boats, and recreational trailers; provided, that motorcycle sales, service, or rental is permitted if conducted indoors; b. Retail establishments providing storage services unless accessory to another permitted use; c. Storage and operation of heavy equipment except normal delivery vehicles associated with retail uses; d. Outdoor storage of bulk commodities, except in the following circumstances: 1) If the square footage of the storage area is less than 10 percent of the retail structure, 2) If the commodities represent growing stock in connection with horticultural nurseries, whether the stock is in open ground, pots, or containers.	
.040	Attached or Stacked Dwelling Units or Residential Suites			None	10'	0'	0'	85% See Spec. Reg. 6.	30' to 160' above average building elevation. See Spec. Reg. 5.	See KZC 105.25.	1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use. 2. Residential development must provide a minimum density of 50 dwelling units per gross acre. 3. The maximum floor area ratio (FAR) for development over 65 feet in height on the subject property is 3.0, or 300 percent of lot size, except as provided in Special Regulation 4 below. When combined with office use, the maximum FAR for this use is determined as follows: (% office use x 2) + (% residential use x 3) = FAR of each use allowed on the subject property. Maximum FAR is determined based on parcel size, prior to any road dedication required pursuant to General Regulation 5 for this zone.	

REGULATIONS FOR THIS USE CONTINUED ON THE NEXT PAGE

Section 55.09

Zone
TL 1A

USE ZONE CHART

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

Section 55.09	USE →	REGULATIONS ↑	MINIMUMS		MAXIMUMS			Special Regulations (See also General Regulations)				
			Required Review Process	Lot Size	REQUIRED YARD (See Ch. 115)	Lot Coverage	Height of Structure		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	
												Front
.040	Attached or Stacked Dwelling Units (continued)	↑	or Residential Suites									<p>4. On parcels where road dedication is required pursuant to General Regulation 5, the maximum floor area ratio (FAR) for development over 65 feet in height may be increased by an additional 0.30 FAR for each 10 percent or portion thereof of the subject property required to be dedicated. Where this use is combined with office use, the maximum FAR for the office use may be increased by an additional 0.2 of office use for each 10 percent or portion thereof of the subject property required to be dedicated.</p> <p>5. Building height may be increased as follows:</p> <ul style="list-style-type: none"> a. Building height may exceed 30 feet above average building elevation, if: <ul style="list-style-type: none"> 1) One of the following public improvements is provided: <ul style="list-style-type: none"> a) Dedication and improvement of new streets pursuant to General Regulation 5; or b) Where General Regulation 5 does not apply, the development of pedestrian-oriented elements that exceed the requirements of KZC 92.15 and Chapter 105 KZC. Examples include pedestrian walkways through the subject property, public plazas, public art and fountains; and 2) Provides for at least 10 percent of the units in new residential developments of four units or greater as affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives. <p>b. Building height may exceed 80 feet and be increased up to 160 feet above average building elevation, with the height increases to be based on the following considerations:</p> <ul style="list-style-type: none"> 1) Development on the subject property complies with 5(a) above. 2) Design of buildings meets guidelines for towers set forth in Design Guidelines (Chapter 142 KZC, and Chapter 3.30 KMC). 3) Floor plates may not exceed 10,000 square feet per floor, for those parcels where road dedication is required pursuant to General Regulation 5. On these parcels, floor plates may not exceed 20,000 square feet on floors between 80 feet and 120 feet in height. Beyond 120 feet in height, floor plates may not exceed 10,000 square feet per floor.

REGULATIONS FOR THIS USE CONTINUED ON THE NEXT PAGE

Section 55.09

USE ZONE CHART

Zone TL 1A

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

Section 55.09	USE ↑	REGULATIONS ↑	MINIMUMS		MAXIMUMS		Required Review Process	Lot Size	Front	Side	Rear	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)		
			REQUIRED YARD (See Ch. 115)			40' average building elevation. See Spec. Reg. 3.												80%	40' above average building elevation. See Spec. Reg. 5.
			None	10'	0'														
.040	Attached or Stacked Dwelling Units (continued)																4) Portions of structures exceeding 80 feet in height must be separated by at least 60 feet, both on the subject property and from taller building elements on adjacent properties. 6. Increases in lot coverage may be considered if: a. Land dedication on the subject property provided pursuant to General Regulation 5 limits area available for development on the property, and/or b. Other techniques used to provide open space result in superior landscaping, such as the use of gardens on lower portions of structures or on rooftops, the provision of visual and pedestrian access to public garden areas, or other approaches that provide for useable green space.		
.050	Church	D.R., Chapter 142 KZC	None	10'	0'	0'	80%	40' average building elevation. See Spec. Reg. 3.									1. May include accessory living facilities for staff persons. 2. No parking is required for day-care or school ancillary to this use. 3. When included as an accessory use within the structure of a primary use with a taller height limit, the height limit for the primary use applies.		
.060	School, Day-Care Center or Mini-School or Mini-Day-Care			10'	0'	0'		See Spec. Reg. 3.	See Spec. Reg. 3.	See Spec. Reg. 3.							1. A six-foot high fence is required along property lines adjacent to outside play areas. 2. Hours of operation may be limited by the City to reduce impacts on nearby residential uses. 3. Structured play areas must be set back from all property lines by at least five feet. 4. An on-site passenger loading area may be required depending on the number of attendees and the extent of the abutting right-of-way improvements. 5. When included as an accessory use within the structure of a primary use with a taller height limit, the height limit for the primary use applies.		

Section 55.15



USE ZONE CHART

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

Section 55.15	USE →	REGULATIONS ↑	MINIMUMS		MAXIMUMS		Special Regulations (See also General Regulations)						
			Required Review Process	Lot Size	REQUIRED YARD (See Ch. 115)			Height of Structure					
					Front	Side			Rear				
.020	Development Containing Both Office Use and Attached or Stacked Dwelling Units	<div style="border: 1px solid black; padding: 2px; display: inline-block;"> or Residential Suites </div>	D.R., Chapter 142 KZC	None	10' See Spec. Reg. 3.	0'	0'	85% See Spec. Reg. 5.	30' to 160' above average building elevation. See Spec. Reg. 4.	C	D	See Chapter 105 KZC.	1. The maximum floor area ratio (FAR) for this use is determined as follows: (% office use x 2) + (% residential use x 3) = FAR of each use allowed on the subject property. The maximum floor area ratio (FAR) for office use is 1.0. 2. On parcels where land dedication is required pursuant to General Regulation 4, the maximum floor area ratio (FAR) may be increased by an additional 0.3 of residential use for each 10 percent or portion thereof of the subject property required to be dedicated. 3. Twenty-foot yard required where properties abut NE 132nd Street. 4. Building height is regulated as follows: a. Building height may exceed 30 feet above average building elevation, if: 1) One of the following public improvements is provided: a) Dedication and improvement of new streets pursuant to General Regulation 4; or b) Where General Regulation 4 does not apply, the development of pedestrian-oriented elements that exceed the requirements of KZC 92.15 and Chapter 105 KZC. Examples include pedestrian walkways through the subject property, public plazas, public art and fountains; and 2) Provides for at least 10 percent of the units in new residential developments of four units or greater as affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives. b. Building height may be increased up to 160 feet above average building elevation; provided, that: 1) Development on the subject property complies with 4(a) above, 2) Design of buildings meets guidelines for towers set forth in Design Guidelines (Chapter 142 KZC, and Chapter 3.30 KMC). 3) Floor plates may not exceed 10,000 square feet per floor, for the portion of the building above 80 feet in height. 4) Methods for mitigating any significant shadowing and lighting impacts of the increased building height on the residential areas to the north are proposed.

REGULATIONS FOR THIS USE CONTINUED ON THE NEXT PAGE

Section 55.15

Zone
TL 1B

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS								
Section 55.15	USE ↑	REGULATIONS ↑	MINIMUMS		MAXIMUMS			
			Required Review Process	Lot Size	REQUIRED YARD (See Ch. 115) Front Side Rear	Lot Coverage	Height of Structure	
					Landscaping Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	
.020	Development Containing Both Office Use and Attached or Stacked Dwelling Units (continued)	or Residential Suites						<p>Special Regulations (See also General Regulations)</p> <p>REGULATIONS CONTINUED FROM PREVIOUS PAGE</p> <p>5) Taller elements of buildings would be stepped back from the perimeter of TL 1B boundaries, away from adjacent residential zones.</p> <p>6) Portions of structures exceeding 80 feet in height must be separated by at least 60 feet, both on the subject property and from taller building elements on adjacent properties.</p> <p>5. Increases in lot coverage may be considered if:</p> <p>a. Land dedication on the subject property provided pursuant to General Regulation 4 limits area available for development on the property; and/or</p> <p>b. Other techniques used to provide open space result in superior landscaping, such as the use of gardens on lower portions of structures or on rooftops, the provision of visual and pedestrian access to public garden areas, or other approaches that provide for useable green space.</p> <p>6. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if:</p> <p>a. The assembled or manufactured goods are subordinate to and are dependent upon this use.</p> <p>b. The outward appearance and impacts of this use with ancillary assembly or manufacturing must be no different from other uses.</p> <p>7. The following regulations apply to veterinary offices only:</p> <p>a. May only treat small animals on the subject property.</p> <p>b. Outside runs and other outside facilities for the animals are not permitted.</p> <p>c. Site must be designed so noise from this use is not audible off the subject property. A certification to this effect, signed by an acoustical engineer, must be submitted with the development permit application.</p> <p>d. A veterinary office is not permitted if the subject property contains dwelling units.</p>
.030	Restaurant or Tavern	D.R., Chapter 142 KZC	See Spec. Reg. 1.				<p>1 per each 100 sq. ft. of gross floor area.</p> <p>1. This use is only permitted as an accessory use to another permitted use within this zone. It may not be located in a separate structure from the primary use.</p> <p>2. This use is not allowed within 100 feet of NE 132nd Street. Access to this use from NE 132nd Street is not permitted.</p>	

Section 55.15

Zone
TL 1B

USE ZONE CHART

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

Section 55.15	USE →	REGULATIONS ↑	MINIMUMS		MAXIMUMS		Special Regulations (See also General Regulations)		
			Required Review Process	Lot Size	REQUIRED YARD (See Ch. 115)			Height of Structure	
					Front	Side			Rear
.040	Any Retail Establishment, other than those specifically listed in this zone and those prohibited by Special Regulation 3, selling goods and providing services including banking and other financial services	D.R., Chapter 142 KZC	See Spec. Reg. 1.	See Spec. Reg. 1.	See Spec. Reg. 1.	See Spec. Reg. 1.	<p>1. This use is only permitted as an accessory use to another permitted use within this zone. It may not be located in a separate structure from the primary use.</p> <p>2. The location of drive-through facilities may not compromise pedestrian movement.</p> <p>3. The following uses and activities are prohibited:</p> <ul style="list-style-type: none"> a. Vehicle and/or boat sales, repair, service or rental facilities; b. Retail establishments providing storage services unless accessory to another permitted use; c. Storage and operation of heavy equipment except normal delivery vehicles associated with retail uses; d. Outdoor storage of bulk commodities, except in the following circumstances: <ul style="list-style-type: none"> 1) If the square footage of the storage area is less than 10 percent of the retail structure, 2) If the commodities represent growing stock in connection with horticultural nurseries, whether the stock is in open ground, pots, or containers. <p>4. Floor area for this use may not exceed 5,000 square feet.</p>		
.050	Attached or Stacked Dwelling Units or Residential Suites		None	10' See Spec. Reg. 5.	0'	0'	<p>85% See Spec. Reg. 7.</p> <p>30' to 160' above average building elevation. See Spec. Reg. 6.</p>	<p>1 per each 300 sq. ft. of gross floor area.</p> <p>1 per each 300 sq. ft. of gross floor area.</p>	<p>1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use.</p> <p>2. Residential development must provide a minimum density of 50 dwelling units per gross acre.</p> <p>3. The maximum floor area ratio (FAR) for development over 65 feet in height on the subject property is 3.0, or 300 percent of lot size. Maximum FAR is determined based on parcel size, prior to any road dedication required pursuant to General Regulation 4 for this zone.</p> <p>4. On parcels where road dedication is required pursuant to General Regulation 4, the maximum floor area ratio (FAR) may be increased by an additional 0.30 for each 10 percent or portion thereof of the subject property required to be dedicated.</p> <p>5. Twenty-foot yard required where properties abut NE 132nd Street.</p>

REGULATIONS FOR THIS USE CONTINUED ON THE NEXT PAGE

Section 55.15

Zone
TL 1B

USE ZONE CHART

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

Section 55.15	USE ↑	REGULATIONS ↑	MINIMUMS		MAXIMUMS		Required Review Process	Lot Size	Required Parking Spaces (See Ch. 105)	Sign Category (See Ch. 100)	Landscape Category (See Ch. 95)	Height of Structure	Special Regulations (See also General Regulations)
			REQUIRED YARD (See Ch. 115)		Lot Coverage								
			Front	Rear									
.050	Attached or Stacked Dwelling Units (continued)												<p>REGULATIONS CONTINUED FROM PREVIOUS PAGE</p> <p>6. Building height is regulated as follows:</p> <p>a. Building height may exceed 30 feet above average building elevation, if:</p> <ol style="list-style-type: none"> 1) One of the following public improvements is provided: <ol style="list-style-type: none"> a) Dedication and improvement of new streets pursuant to General Regulation 4; or b) Where General Regulation 4 does not apply, the development of pedestrian-oriented elements that exceed the requirements of KZC 92.15 and Chapter 105 KZC. Examples include pedestrian walkways through the subject property, public plazas, public art and fountains; and 2) Provides for at least 10 percent of the units in new residential developments of four units or greater as affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives. <p>b. Building height may be increased up to 160 feet above average building elevation; provided, that:</p> <ol style="list-style-type: none"> 1) Development on the subject property complies with 6(a) above. 2) Design of buildings meets guidelines for towers set forth in Design Guidelines (Chapter 142 KZC, and Chapter 3.30 KMC). 3) Floor plates may not exceed 10,000 square feet per floor, for the portion of the building above 80 feet in height. 4) Methods for mitigating any significant shadowing and lighting impacts of the increased building height on the residential areas to the north are proposed. 5) Taller elements of buildings would be stepped back from the perimeter of TL 1B boundaries, away from adjacent residential zones. 6) Portions of structures exceeding 80 feet in height must be separated by at least 60 feet, both on the subject property and from taller building elements on adjacent properties. <p>7. Increases in lot coverage may be considered if:</p> <ol style="list-style-type: none"> a. Land dedication on the subject property provided pursuant to General Regulation 4 limits area available for development on the property; and/or b. Other techniques used to provide open space result in superior landscaping, such as the use of gardens on lower portions of structures or on rooftops, the provision of visual and pedestrian access to public garden areas, or other approaches that provide for useable green space.

or Residential Suites

Section 55.21

Zone TL 2

USE ZONE CHART

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

Section 55.21	USE ↑	REGULATIONS ↑	MINIMUMS			MAXIMUMS			Special Regulations (See also General Regulations)				
			Required Review Process	Lot Size	REQUIRED YARDS (See Ch. 115)			Height of Structure		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	
					Front	Side	Rear						
.050	Office Use		D.R., Chapter 142 KZC.	Less than 1.5 acres.	0'	0'	0'	80%	30' above average building elevation.	B	D	See Spec. Reg. 4.	<ol style="list-style-type: none"> Must be developed to be compatible with the approved Conceptual Master Plan for adjacent properties, with respect to signs, parking and pedestrian and vehicular access. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: <ol style="list-style-type: none"> The assembled or manufactured goods are subordinate to and are dependent upon this use. The outward appearance and impacts of this use with ancillary assembly or manufacturing must be no different from other office uses. The following regulations apply to veterinary offices only: <ol style="list-style-type: none"> May only treat small animals on the subject property. Outside runs and other outside facilities for the animals are not permitted. Site must be designed so noise from this use is not audible off the subject property. A certification to this effect, signed by an Acoustical Engineer, must be submitted with the development permit application. A veterinary office is not permitted if the subject property contains dwelling units. If a medical, dental or veterinary office, then one per each 200 square feet of gross floor area. Otherwise, one per 300 square feet of floor area. A reduction in the number of parking stalls required will be considered per KZC 105.103, due to the proximity to the transit center.
.060	Attached or Stacked Dwelling Units or Residential Suites									D	A	See KZC 105.25.	<ol style="list-style-type: none"> Must be developed to be compatible with the approved Conceptual Master Plan for adjacent properties, with respect to signs, parking and pedestrian and vehicular access. This use may not be located on the ground floor of a structure, except for lobbies, which shall not exceed 10 percent of the ground floor of the structure. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.

5.10.778 Residential Suites

- A structure containing single room living units with a minimum floor area of 120 square feet and maximum floor area of 350 square feet offered on a monthly basis or longer where residents share bathroom and/or kitchen facilities. "Residential Suites" does not include dwelling units, assisted living facility, bed and breakfast house, convalescent center, nursing home, facility housing individuals who are incarcerated as the result of a conviction or other court order, or secure community transition facility. For purposes of zones where minimum density or affordable housing is required, each living unit shall equate to one dwelling unit.

Note - The Use "Residential Suites" is added to the following Use Zone Charts subject to the regulations noted.

50.12.085 (CBD 1A, 1B)

Use: Residential Suites

Required Review Process: D.R. Chapter 142 KZC

Lot Size: None

Required Yards:

Front: 0'

Side: 0'

Rear: 0'

Lot Coverage: 100%

Height of Structure: CBD 1A – 45' above each abutting right-of-way. CBD 1B – 55' above each abutting right-of-way.

Landscape Category: D

Sign Category: A

Required Parking Spaces: See Special Regulation 1

Special Regulations:

1. For parking managed pursuant to Special Regulation 2, parking shall be provided at a rate of .5 per living unit plus 1 per on-site employee. Otherwise parking shall be provided at a rate of 1 per living unit plus 1 per on-site employee and modifications to decrease the requirement are prohibited. See KZC 50.60.
2. The required parking shall be .5 per living unit where the parking is managed as follows and the property owner agrees to the following in a form approved by the City and recorded with King County:
 - a. Rentals shall be managed such that the total demand for parking does not exceed the available supply of required private parking. If the demand for parking equals or exceeds the supply of required private parking, the property owner shall either restrict occupancy of living units or restrict leasing to only tenants who do not have cars.
 - b. The property owner shall prepare a Transportation Management Plan (TMP) for review and approval by the City and recording with King County. At a minimum, the TMP shall include the following requirements:

50.17.095 (CBD 2)Use: Residential SuitesRequired Review Process: D.R. Chapter 142 KZCLot Size: NoneRequired Yards: Front: 0' Side: 0' Rear: 0'Lot Coverage: 100%Height of Structure: CBD 1A – 45' above each abutting right-of-way. CBD 1B – 55' above each abutting right-of-way.Landscape Category: DSign Category: ARequired Parking Spaces: See Special Regulation 1Special Regulations:

1. For parking managed pursuant to Special Regulation 2, parking shall be provided at a rate of .5 per living unit plus 1 per on-site employee. Otherwise parking shall be provided at a rate of 1 per living unit plus 1 per on-site employee and modifications to decrease the requirement are prohibited. See KZC 50.60.
2. The required parking shall be .5 per living unit where the parking is managed as follows and the property owner agrees to the following in a form approved by the City and recorded with King County:
 - a. Rentals shall be managed such that the total demand for parking does not exceed the available supply of required private parking. If the demand for parking equals or exceeds the supply of required private parking, the property owner shall either restrict occupancy of living units or restrict leasing to only tenants who do not have cars.
 - b. The property owner shall prepare a Transportation Management Plan (TMP) for review and approval by the City and recording with King County. At a minimum, the TMP shall include the following requirements:
 - i. Charge for on-site parking, unbundled from the rent, for tenants who have cars.
 - ii. Bus pass or equivalent alternative transportation mode subsidies for tenants who don't have cars.
 - iii. Lease provisions and monitoring requirements for the property owner to ensure that tenants are not parking off-site to avoid parking charges.
 - iv. Adequate secured and sheltered bicycle parking to meet anticipated demand.
 - v. Designation of a Transportation Coordinator to manage the TMP, provide commute information to all new tenants, and be a point of contact for the City
 - vi. At the time the project attains 90% occupancy, the property owner shall provide an accurate and detailed report of initial resident parking demand and alternative commute travel. The report format shall be reviewed and approved by the City.

- vii. Following the initial survey, the property owner shall submit a biennial survey of residents prepared and conducted by a licensed transportation engineer or other qualified professional documenting on-site and potential off-site parking utilization and alternative commute travel. The Planning Director may increase or decrease the frequency of the survey based on the documented success of the TMP.
- viii. Acknowledgement by the property owner that it shall be a violation of this Code for the actual parking demand for the project to exceed the available supply of required parking or to fail to comply with the provisions of the TMP or reporting requirements.
- c. After one year of project occupancy, the Planning Official may allow a decrease in the required number of spaces if the number of spaces proposed is documented by an adequate and thorough parking demand and utilization study of the property. The study shall be prepared by a licensed transportation engineer or other qualified professional, and shall analyze the operational characteristics of the use which justify a parking reduction. The scope of the study shall be proposed by the transportation engineer and approved by the City traffic engineer. The study shall provide at least two (2) days of data for morning, afternoon and evening hours, or as otherwise approved or required by the City traffic engineer.
3. All Residential Suites and all required parking within a project shall be under common ownership and management.
4. Development shall be designed, built and certified to achieve or exceed one or more of the following green building standards: Built Green 5 star certified, LEED Gold certified, or Living Building Challenge certified.

50.27.075 (CBD 3)Use: Residential SuitesRequired Review Process: D.R, Chapter 142 KZCLot Size: NoneRequired Yards:Front: 0'Side: 0'Rear: 0'Lot Coverage: 100%Height of Structure: CBD 1A – 45' above each abutting right-of-way. CBD 1B – 55' above each abutting right-of-way.Landscape Category: DSign Category: ARequired Parking Spaces: See Special Regulation 1Special Regulations:

1. For parking managed pursuant to Special Regulation 2, parking shall be provided at a rate of .5 per living unit plus 1 per on-site employee. Otherwise parking shall be provided at a rate of 1

per living unit plus 1 per on-site employee and modifications to decrease the requirement are prohibited. See KZC 50.60.

2. The required parking shall be .5 per living unit where the parking is managed as follows and the property owner agrees to the following in a form approved by the City and recorded with King County:
 - a. Rentals shall be managed such that the total demand for parking does not exceed the available supply of required private parking. If the demand for parking equals or exceeds the supply of required private parking, the property owner shall either restrict occupancy of living units or restrict leasing to only tenants who do not have cars.
 - b. The property owner shall prepare a Transportation Management Plan (TMP) for review and approval by the City and recording with King County. At a minimum, the TMP shall include the following requirements:
 - i. Charge for on-site parking, unbundled from the rent, for tenants who have cars.
 - ii. Bus pass or equivalent alternative transportation mode subsidies for tenants who don't have cars.
 - iii. Lease provisions and monitoring requirements for the property owner to ensure that tenants are not parking off-site to avoid parking charges.
 - iv. Adequate secured and sheltered bicycle parking to meet anticipated demand.
 - v. Designation of a Transportation Coordinator to manage the TMP, provide commute information to all new tenants, and be a point of contact for the City
 - vi. At the time the project attains 90% occupancy, the property owner shall provide an accurate and detailed report of initial resident parking demand and alternative commute travel. The report format shall be reviewed and approved by the City.
 - vii. Following the initial survey, the property owner shall submit a biennial survey of residents prepared and conducted by a licensed transportation engineer or other qualified professional documenting on-site and potential off-site parking utilization and alternative commute travel. The Planning Director may increase or decrease the frequency of the survey based on the documented success of the TMP.
 - viii. Acknowledgement by the property owner that it shall be a violation of this Code for the actual parking demand for the project to exceed the available supply of required parking or to fail to comply with the provisions of the TMP or reporting requirements.
 - c. After one year of project occupancy, the Planning Official may allow a decrease in the required number of spaces if the number of spaces proposed is documented by an adequate and thorough parking demand and utilization study of the property. The study shall be prepared by a licensed transportation engineer or other qualified professional, and shall analyze the operational characteristics of the use which justify a parking reduction. The scope of the study shall be proposed by the transportation engineer and approved by the City traffic engineer. The study shall provide at least two (2) days of data for morning, afternoon and evening hours, or as otherwise approved or required by the City traffic engineer.

3. All Residential Suites and all required parking within a project shall be under common ownership and management.
4. Development shall be designed, built and certified to achieve or exceed one or more of the following green building standards: Built Green 5 star certified, LEED Gold certified, or Living Building Challenge certified.

50.32.085 (CBD 4)Use: Residential SuitesRequired Review Process: D.R. Chapter 142 KZCLot Size: NoneRequired Yards:Front: 0'Side: 0'Rear: 0'Lot Coverage: 100%Height of Structure: CBD 1A – 45' above each abutting right-of-way. CBD 1B – 55' above each abutting right-of-way.Landscape Category: DSign Category: ARequired Parking Spaces: See Special Regulation 1Special Regulations:

1. For parking managed pursuant to Special Regulation 2, parking shall be provided at a rate of .5 per living unit plus 1 per on-site employee. Otherwise parking shall be provided at a rate of 1 per living unit plus 1 per on-site employee and modifications to decrease the requirement are prohibited. See KZC 50.60.
2. The required parking shall be .5 per living unit where the parking is managed as follows and the property owner agrees to the following in a form approved by the City and recorded with King County:
 - a. Rentals shall be managed such that the total demand for parking does not exceed the available supply of required private parking. If the demand for parking equals or exceeds the supply of required private parking, the property owner shall either restrict occupancy of living units or restrict leasing to only tenants who do not have cars.
 - b. The property owner shall prepare a Transportation Management Plan (TMP) for review and approval by the City and recording with King County. At a minimum, the TMP shall include the following requirements:
 - i. Charge for on-site parking, unbundled from the rent, for tenants who have cars.
 - ii. Bus pass or equivalent alternative transportation mode subsidies for tenants who don't have cars.
 - iii. Lease provisions and monitoring requirements for the property owner to ensure that tenants are not parking off-site to avoid parking charges.
 - iv. Adequate secured and sheltered bicycle parking to meet anticipated demand.

- v. Designation of a Transportation Coordinator to manage the TMP, provide commute information to all new tenants, and be a point of contact for the City
 - vi. At the time the project attains 90% occupancy, the property owner shall provide an accurate and detailed report of initial resident parking demand and alternative commute travel. The report format shall be reviewed and approved by the City.
 - vii. Following the initial survey, the property owner shall submit a biennial survey of residents prepared and conducted by a licensed transportation engineer or other qualified professional documenting on-site and potential off-site parking utilization and alternative commute travel. The Planning Director may increase or decrease the frequency of the survey based on the documented success of the TMP.
 - viii. Acknowledgement by the property owner that it shall be a violation of this Code for the actual parking demand for the project to exceed the available supply of required parking or to fail to comply with the provisions of the TMP or reporting requirements.
 - c. After one year of project occupancy, the Planning Official may allow a decrease in the required number of spaces if the number of spaces proposed is documented by an adequate and thorough parking demand and utilization study of the property. The study shall be prepared by a licensed transportation engineer or other qualified professional, and shall analyze the operational characteristics of the use which justify a parking reduction. The scope of the study shall be proposed by the transportation engineer and approved by the City traffic engineer. The study shall provide at least two (2) days of data for morning, afternoon and evening hours, or as otherwise approved or required by the City traffic engineer.
3. All Residential Suites and all required parking within a project shall be under common ownership and management.
 4. Development shall be designed, built and certified to achieve or exceed one or more of the following green building standards: Built Green 5 star certified, LEED Gold certified, or Living Building Challenge certified.

50.47.125 (CBD 7)Use: Residential SuitesRequired Review Process: D.R. Chapter 142 KZCLot Size: NoneRequired Yards:Front: 0'Side: 0'Rear: 0'Lot Coverage: 100%Height of Structure: CBD 1A – 45' above each abutting right-of-way. CBD 1B – 55' above each abutting right-of-way.Landscape Category: D

Sign Category: ARequired Parking Spaces: See Special Regulation 1Special Regulations:

1. For parking managed pursuant to Special Regulation 2, parking shall be provided at a rate of .5 per living unit plus 1 per on-site employee. Otherwise parking shall be provided at a rate of 1 per living unit plus 1 per on-site employee and modifications to decrease the requirement are prohibited. See KZC 50.60.
2. The required parking shall be .5 per living unit where the parking is managed as follows and the property owner agrees to the following in a form approved by the City and recorded with King County:
 - a. Rentals shall be managed such that the total demand for parking does not exceed the available supply of required private parking. If the demand for parking equals or exceeds the supply of required private parking, the property owner shall either restrict occupancy of living units or restrict leasing to only tenants who do not have cars.
 - b. The property owner shall prepare a Transportation Management Plan (TMP) for review and approval by the City and recording with King County. At a minimum, the TMP shall include the following requirements:
 - i. Charge for on-site parking, unbundled from the rent, for tenants who have cars.
 - ii. Bus pass or equivalent alternative transportation mode subsidies for tenants who don't have cars.
 - iii. Lease provisions and monitoring requirements for the property owner to ensure that tenants are not parking off-site to avoid parking charges.
 - iv. Adequate secured and sheltered bicycle parking to meet anticipated demand.
 - v. Designation of a Transportation Coordinator to manage the TMP, provide commute information to all new tenants, and be a point of contact for the City
 - vi. At the time the project attains 90% occupancy, the property owner shall provide an accurate and detailed report of initial resident parking demand and alternative commute travel. The report format shall be reviewed and approved by the City.
 - vii. Following the initial survey, the property owner shall submit a biennial survey of residents prepared and conducted by a licensed transportation engineer or other qualified professional documenting on-site and potential off-site parking utilization and alternative commute travel. The Planning Director may increase or decrease the frequency of the survey based on the documented success of the TMP.
 - viii. Acknowledgement by the property owner that it shall be a violation of this Code for the actual parking demand for the project to exceed the available supply of required parking or to fail to comply with the provisions of the TMP or reporting requirements.
 - c. After one year of project occupancy, the Planning Official may allow a decrease in the required number of spaces if the number of spaces proposed is documented by an adequate and thorough parking demand and utilization study of the property. The study shall be prepared by a licensed transportation engineer or other qualified professional,

and shall analyze the operational characteristics of the use which justify a parking reduction. The scope of the study shall be proposed by the transportation engineer and approved by the City traffic engineer. The study shall provide at least two (2) days of data for morning, afternoon and evening hours, or as otherwise approved or required by the City traffic engineer.

3. All Residential Suites and all required parking within a project shall be under common ownership and management.
4. Development shall be designed, built and certified to achieve or exceed one or more of the following green building standards: Built Green 5 star certified, LEED Gold certified, or Living Building Challenge certified.

50.52.115 (CBD 8)

Use: Residential Suites

Required Review Process: D.R. Chapter 142 KZC

Lot Size: None

Required Yards:

Front: 0'

Side: 0'

Rear: 0'

Lot Coverage: 100%

Height of Structure: CBD 1A – 45' above each abutting right-of-way. CBD 1B – 55' above each abutting right-of-way.

Landscape Category: D

Sign Category: A

Required Parking Spaces: See Special Regulation 1

Special Regulations:

1. For parking managed pursuant to Special Regulation 2, parking shall be provided at a rate of .5 per living unit plus 1 per on-site employee. Otherwise parking shall be provided at a rate of 1 per living unit plus 1 per on-site employee and modifications to decrease the requirement are prohibited. See KZC 50.60.
2. The required parking shall be .5 per living unit where the parking is managed as follows and the property owner agrees to the following in a form approved by the City and recorded with King County:
 - a. Rentals shall be managed such that the total demand for parking does not exceed the available supply of required private parking. If the demand for parking equals or exceeds the supply of required private parking, the property owner shall either restrict occupancy of living units or restrict leasing to only tenants who do not have cars.
 - b. The property owner shall prepare a Transportation Management Plan (TMP) for review and approval by the City and recording with King County. At a minimum, the TMP shall include the following requirements:
 - i. Charge for on-site parking, unbundled from the rent, for tenants who have cars.

- ii. Bus pass or equivalent alternative transportation mode subsidies for tenants who don't have cars.
 - iii. Lease provisions and monitoring requirements for the property owner to ensure that tenants are not parking off-site to avoid parking charges.
 - iv. Adequate secured and sheltered bicycle parking to meet anticipated demand.
 - v. Designation of a Transportation Coordinator to manage the TMP, provide commute information to all new tenants, and be a point of contact for the City
 - vi. At the time the project attains 90% occupancy, the property owner shall provide an accurate and detailed report of initial resident parking demand and alternative commute travel. The report format shall be reviewed and approved by the City.
 - vii. Following the initial survey, the property owner shall submit a biennial survey of residents prepared and conducted by a licensed transportation engineer or other qualified professional documenting on-site and potential off-site parking utilization and alternative commute travel. The Planning Director may increase or decrease the frequency of the survey based on the documented success of the TMP.
 - viii. Acknowledgement by the property owner that it shall be a violation of this Code for the actual parking demand for the project to exceed the available supply of required parking or to fail to comply with the provisions of the TMP or reporting requirements.
- c. After one year of project occupancy, the Planning Official may allow a decrease in the required number of spaces if the number of spaces proposed is documented by an adequate and thorough parking demand and utilization study of the property. The study shall be prepared by a licensed transportation engineer or other qualified professional, and shall analyze the operational characteristics of the use which justify a parking reduction. The scope of the study shall be proposed by the transportation engineer and approved by the City traffic engineer. The study shall provide at least two (2) days of data for morning, afternoon and evening hours, or as otherwise approved or required by the City traffic engineer.
- 3. All Residential Suites and all required parking within a project shall be under common ownership and management.
 - 4. Development shall be designed, built and certified to achieve or exceed one or more of the following green building standards: Built Green 5 star certified, LEED Gold certified, or Living Building Challenge certified.

55.09.040 (TL 1A)

Use: Attached or Stacked Dwelling Units or Residential Suites

Special Regulations:

- 7. Residential Suites development shall be designed, built and certified to achieve or exceed one or more of the following green building standards: Built Green 5 star certified, LEED Gold certified, or Living Building Challenge certified.

55.15.020 (TL 1B)

Use: Development Containing Both Office Use and Attached or Stacked Dwelling Units or Residential Suites

Special Regulations:

8. Residential Suites development shall be designed, built and certified to achieve or exceed one or more of the following green building standards: Built Green 5 star certified, LEED Gold certified, or Living Building Challenge certified.

55.15.050 (TL 1B)

Use: Attached or Stacked Dwelling Units or Residential Suites

Special Regulations:

9. Residential Suites development shall be designed, built and certified to achieve or exceed one or more of the following green building standards: Built Green 5 star certified, LEED Gold certified, or Living Building Challenge certified.

55.21.060 (TL 2)

Use: Attached or Stacked Dwelling Units or Residential Suites

Special Regulations:

3. Residential Suites development shall be designed, built and certified to achieve or exceed one or more of the following green building standards: Built Green 5 star certified, LEED Gold certified, or Living Building Challenge certified.

PUBLICATION SUMMARY
OF ORDINANCE O-4381

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, PLANNING, AND LAND USE, ADOPTING A NEW "RESIDENTIAL SUITES" USE CATEGORY, AND ADOPTING REGULATIONS GOVERNING RESIDENTIAL SUITES USES.

SECTION 1. Creates a "Residential Suites" use and adopts regulations governing residential suites in certain zones of the City.

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. Provides that the City Clerk shall send a certified copy of the ordinance 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 16th day of October, 2012.

I certify that the foregoing is a summary of Ordinance O-4381 approved by the Kirkland City Council for summary publication.



City Clerk