

ORDINANCE O-4413

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, AND LAND USE; AMENDING ZONING PROVISIONS RELATING TO COMMERCIAL USES AND ZONES; AMENDING THE FOLLOWING CHAPTERS OF THE KIRKLAND ZONING ORDINANCE 3719, AS AMENDED: 25, 27, 40, 45, 47, 48, 50, 51, 52, 53, 54, 55, 56, 60, 105, AND 142; AND APPROVING A SUMMARY ORDINANCE FOR PUBLICATION, FILE NO. CAM13-00185.

WHEREAS, the City Council has received a recommendation from the Kirkland Planning Commission to amend certain sections of the text of the Kirkland Zoning Code, Ordinance 3719, as amended, as set forth in the report and recommendation of the Planning Commission dated June 7, 2013; and bearing Kirkland Department of Planning and Community Development File No.; CAM13-00185 and

WHEREAS, prior to making the recommendation, the Kirkland Planning Commission, following notice as required by RCW 35A.63.070, on May 23, 2013, held a public hearing on the amendment proposals and considered the comments received at the hearing; and

WHEREAS, on May 6, 2013, draft regulations were forwarded to the Washington State Department of Commerce for review, as required by RCW 36.70A.106; 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 197-11-600 and 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.

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 No. 3719, as amended, the Kirkland Zoning Ordinance, are amended 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. To the extent the subject matter of this ordinance, pursuant to Ordinance 2001, is subject to the disapproval jurisdiction of the Houghton Community Council, this ordinance shall become effective within the Houghton Community Municipal Corporation only upon approval of the Houghton Community Council or the failure of said Community Council to disapprove this ordinance within 60 days of the date of the passage of this ordinance.

Section 4. This Ordinance shall be in full force and effect on September 1, 2013 and after its passage by the City Council and publication pursuant to Kirkland Municipal Code 1.08.017, in the summary form attached to the original of this Ordinance and by this reference approved by the City Council.

Passed by majority vote of the Kirkland City Council in open meeting this 2nd day of July, 2013.


Signed in authentication thereof this 2nd day of July, 2013.


MAYOR

Attest:


City Clerk

Approved as to Form:


City Attorney

**KZC Text Amendments
File No. CAM13-00185**

45.08 (BC Zone), General Regulation 9:

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

47.08 (BCX Zone), General Regulation 4:

- ~~4. Except if adjoining a low density zone, structure height may be increased above 33 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.~~
~~(Does not apply to Public Park and Automotive Service Center uses).~~

(Renumber general regulations accordingly)

48.10 (LIT Zone), General Regulation 3:

- ~~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).~~

(Renumber general regulations accordingly)

60.85 (PLA 6G Zone), General Regulation 5:

~~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).~~

(Renumber general regulations accordingly)

50.47.120 (CBD 7 Zone), Special Regulation 1:

50.47.125 (CBD 7 Zone), Special Regulation 1:

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 on Fourth Avenue.

105.60 Parking Area Design – General

105.60 Parking Area Design – General

1. The minimum dimensions for parking spaces and parking areas are displayed in plates in Chapter 180 KZC. These plates apply to parking for all uses except detached dwelling units. Columns may encroach a maximum of six inches into the specified minimum dimensions for parking stall width provided:
 - a. The columns are set back at least two feet from the required parking aisle so as not to encumber vehicles turning into the stall, and
 - b. The columns are not within the center eight feet of the specified minimum dimensions for parking stall length so as to not interfere with opening of vehicle doors of parked cars.
2. Driveways which are not driving aisles within a parking area shall be a minimum width of 20 feet.
3. Parking areas must be constructed so that car wheels are kept at least two (2) feet from pedestrian and landscape areas; provided, that parking areas may be constructed in a manner which allows vehicles to overhang a pedestrian or landscape area by up to two (2) feet if the pedestrian or landscape area within the area of vehicle overhang is not required by this or any other code (see Figure 105.60.A).
4. Shared parking lot entrances and driveways between properties shall be installed whenever feasible as determined by the Planning Official.
5. Parking areas must have adequate lighting. Lights in parking lots must be nonglare and must be mounted no more than 20 feet above the ground.

105.103 Modifications

1. General – The provisions of this section establish under what circumstances the requirements of this chapter may be modified.
2. Authority to Grant and Duration

- a. If the proposed development of the subject property requires approval through Process I, IIA, or IIB, described in Chapters 145, 150 and 152 KZC, respectively, a request for a modification will be considered as part of that process under the provisions of this section. The City must find that the applicant meets the criteria listed below in subsection (3) of this section. If granted under Process I, IIA, or IIB, the modification is binding on the City for all development permits issued for that development under the Building Code within five (5) years of the granting of the modification.
 - b. For projects requiring Design Review described in Chapter 142 KZC, a request to modify the requirements in KZC 105.18 or 105.19 will be considered as part of the Design Review process. The Design Review Board must find that the applicant meets the criteria listed below in subsection (3)(b) of this section.
 - c. If subsection (2)(a) and/or (2)(b) of this section does not apply, the Planning Official may grant a modification in writing under the provisions of this section.
3. Modifications – A modification to improvement requirements of this chapter may be required or granted if the applicant demonstrates on submitted plans and/or in writing that the following criteria have been met for modifications to the applicable sections:
- a. For a modification to KZC 105.10 for vehicular access easements or tracts and for KZC 105.60.2, 105.60.3, and 105.97 for parking area design, the requirements may be modified if:
 - 1) The modifications will not affect the ability to provide any property with police, fire, emergency medical, or other essential services; and
 - 2) One (1) of the following requirements is met:
 - a) The modification is necessary because of a preexisting physical condition; or
 - b) The modification will produce a site design superior to that which would result from adherence to the adopted standard.
 - 3) Exception: KZC 105.10(2)(g) relating to screening for access easements or tracts will use the modification criteria for buffering in subsection (3)(g) of this section.
 - b. For a modification to KZC 105.18 or 105.19 the requirements for pedestrian access may be modified if:
 - 1) The modification is necessary because of the size, configuration, topography or location of the subject property;
 - 2) The modification will provide for equal or improved pedestrian and bicycle safety and convenience; and
 - 3) The modification will not have any substantial detrimental effect on nearby properties and the City as a whole.
 - c. For a modification to KZC 105.20 and 105.45, a decrease in the required number of spaces may be granted if the number of spaces proposed is documented by an adequate and thorough parking demand and utilization study to be sufficient to fully serve the use. The study shall be prepared by a licensed transportation engineer or other qualified professional, and shall analyze the operational characteristics of the proposed 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. Approval of a parking reduction shall be solely at the discretion of the City. A decrease in the minimum required number of spaces may be based in whole or part on the provision of nationally accepted TDM (transportation demand management) measures. Data supporting the effectiveness of the TDM measures shall be provided as part of the parking demand and utilization study and approved by the City traffic engineer.

The Planning Official shall not approve or deny a modification to decrease the number of parking spaces without first providing notice of the modification request to the owners and residents of property within 300 feet of the subject property and providing opportunity for comment. The Planning Official shall use mailing labels provided by the applicant, or, at the discretion of the Planning Official, by the City. Said comment period shall not be less than seven (7) calendar days.

- d. For a modification to KZC 105.40, the requirements for parking area location may be modified if:
 - 1) The proposed parking area will have no adverse impacts on adjacent properties;
 - 2) It is reasonable to expect that the proposed parking area will be used by the subject use; and
 - 3) A safe pedestrian and/or shuttle connection exists, or will be created, between the subject use and the proposed parking area.
- e. For a modification to the landscape requirements for parking and driving areas, see Chapter 95 KZC.
- f. For a modification to 105.60.1 for parking area design, the requirements may be modified if the reduced dimensions are supported by an adequate and thorough parking design and operational study demonstrating functional and user-friendly parking operations. The study shall be prepared by a licensed transportation engineer or other qualified professional and shall analyze the operational characteristics of the proposed parking, including parking maneuvers, queuing, turn-over frequency, safety, and traffic volumes. The scope of the study shall be proposed by the transportation engineer and approved by the City traffic engineer. Approval of reduced dimensions shall be solely at the discretion of the City.
- fg. For a modification to KZC 105.77, the curbing requirement for parking areas and driveways may be modified if:
 - 1) The modification would result in superior landscaping and/or increased retention of significant natural vegetation;
 - 2) The modification will not result in increased hazards for pedestrians or vehicles; and
 - 3) The modification will not result in increased erosion of unpaved areas onto the parking area, driveway, or rights-of-way.
- gh. See Chapter 95 KZC for a modification of the buffering requirements for parking and driving areas. For a modification to KZC 105.10(2)(g), the screening requirements for access easements or tracts may be modified if:
 - 1) The existing topography of or adjacent to the subject property decreases or eliminates the need for visual screening; or
 - 2) The modification will be of more benefit to the adjoining property by causing less impairment of view or sunlight; or
 - 3) The modification will provide a visual screen that is comparable or superior to the buffer required by KZC 105.10(2)(g).
- hi. For a modification to KZC 105.100, the surface material requirement for parking areas and driveways may be modified if:
 - 1) The surfacing material will not enter into the drainage system, or onto public or other private property; and
 - 2) The material will provide a parking surface which is usable on a year-round basis.

142.40 Appeals of Design Review Board Decisions

11. Decision on the Appeal

- a. Criteria – Unless substantial relevant information is presented which was not considered by the Design Review Board, the decision of the Design Review Board shall be accorded substantial weight. The decision may be reversed or modified if, after considering all of the evidence in light of the authority of the Design Review Board pursuant to 142.35.3 design regulations, design guidelines, and Comprehensive Plan, the hearing body or officer determines that a mistake has been made. Specific allowances established by the applicable use zone charts may not be appealed unless the Design Review Board has approved exceptions to those allowances.
- b. General – The hearing body or officer shall consider all information and material within the scope of the appeal submitted by the appellant. The hearing body or officer shall adopt findings and conclusions and either:
 - 1) Affirm the decision being appealed; or
 - 2) Reverse the decision being appealed; or
 - 3) Modify the decision being appealed.

- c. Issuance of Written Decision – Within eight (8) calendar days after the public hearing, the hearing body or officer shall issue a written decision on the appeal. Within four (4) business days after it is issued, the hearing body or officer shall distribute the decision by mail to the appellant and the applicant.
- d. Effect – If the appeal hearing is combined with an open record hearing for a related development permit, the decision on the appeal shall become part of the decision on the related development permit. The final decision of the City on the appeal of the Design Review Board decision shall occur at the same stage as the final decision of the City on the related development permit. Any appeal or challenge of the action of the hearing body or officer on the appeal of the Design Review Board decision shall be limited to the scope of the initial appeal.

Various Zones/Code Sections. School and Daycare Revisions. Setbacks for Structured Play Areas and Incorrect References to State Statutes:

Delete the following Special Regulations and renumber remaining special regulations and references accordingly:

Zone – Code Section	Special Regulation Number
BC, BC 1, BC 2 – 45.10.130 & .140	#3
BCX – 47.10.130 & .140	#3
CBD 1A, 1B – 50.12.090	#2
CBD 2, 50.17.050	#3
CBD 3, 50.27.100	#3
CBD 4, 50.32.090	#3
CBD 5, 50.35.090	#2 & #5
CBD 6, 50.42.090	#5 & #8
CBD 7, 50.47.100	#2
CBD 8, 50.52.090	#3
JBD 1, 52.12.140 & .150	#2
JBD 2, 52.17.130 & .140	#2
JBD 3, 52.22.040 & .050	#2 & #5
JBD 4, 52.27.110 & .120	#2
JBD 5, 52.32.100 & .110	#2
JBD 6, 52.42.090 & .100	#2
RH 1A, 53.06.110	#2
RH 1B, 53.12.060	#2 & #6
RH 2A, 2B, 2C, 53.24.120	#2
RH 5A, 5B, 53.54.110	#2
RH 7, 53.74.100	#2
RH 8, 53.84.080	#2
NRH 2, 54.18.050 & .060	#3 & #7
NRH 5, 54.36.050	#3 & #7
NRH 6, 54.36.050	#3 & #7
TL 1A, 55.09.060	#3
TL 1B, 55.15.070	#5
TL 7, 55.51.220	#3
TL 8, 55.57.100	#2
TL 9A, 55.61.130 & .140	#4

TL 10D, 55.87.110	#4
PLA 6G, 60.87.100	#3 & #6
PLA 6G, 60.87.110	#3 & #7
PLA 17A, 60.192.060	#2 & #6

Section 25.10

Zone
PR, PRA

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 25.10	USE ↓ REGULATIONS ↑	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.100	School or Day-Care Center	<p>Within the NE 85th Street Sub-area, D.R., Chapter 142 KZC. Otherwise, none.</p> <p>If this use is adjoining a low density zone, then Process I, Chapter 145 KZC.</p>	<p>8,500 sq. ft. if PR 8.5 zone, otherwise 7,200 sq. ft.</p>	<p>If this use can accommodate 50 or more students or children, then:</p> <p>50' 50'-on each side 50'</p> <p>If this use can accommodate 13 to 49 students or children, then:</p> <p>20' 20'-on each side 20'</p>	<p>70%</p>	<p>If adjoining a low density zone other than RSA or RSX, then 25' above average building elevation.</p> <p>Otherwise, for PR zones, 30' above average building elevation and for PRA zones, 35' above average building elevation.</p> <p>See Gen. Reg. 5 and Spec. Reg. 7. 5</p>	D	B	See KZC 105.25.	<ol style="list-style-type: none"> 1. A six-foot-high fence is required only along the property lines adjacent to the outside play areas. 2. Structured play areas must be set back from all property lines as follows: <ol style="list-style-type: none"> a. Twenty feet if this use can accommodate 50 or more students or children. b. Ten feet if this use can accommodate 13 to 49 students or children. 2 3. An on-site passenger loading area must be provided. The City shall determine the appropriate size of the loading area on a case-by-case basis, depending on the number of attendees and the extent of the abutting right-of-way improvements. Carpooling, staggered loading/unloading time, right-of-way improvements or other means may be required to reduce traffic impacts on nearby residential uses. 3 4. May include accessory living facilities for staff persons. 4 5. To reduce impacts on nearby residential uses, hours of operation of the use may be limited and parking and passenger loading areas relocated. 5 6. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388). 5 7. For school use, structure height may be increased, up to 35 feet in PR zones and 40 feet in PRA zones, if: <ol style="list-style-type: none"> a. The school can accommodate 200 or more students; and b. The required side and rear yards for the portions of the structure exceeding the basic maximum structure height are increased by one foot for each additional one foot of structure height; and c. The increased height is not specifically inconsistent with the applicable neighborhood plan provisions of the Comprehensive Plan; and d. The increased height will not result in a structure that is incompatible with surrounding uses or improvements. <p><i>This special regulation is not effective within the disapproval jurisdiction of the Houghton Community Council.</i></p> 6 8. For a Mini-School or Mini-Day-Care Center use, electrical signs shall not be permitted and the size of signs may be limited to be compatible with nearby residential uses. 9. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388). 		

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 25.10	USE ↓ REGULATIONS ↑	Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.110	Mini-School or Mini-Day-Care	Within the NE 85th Street Sub-area, D.R., Chapter 142 KZC. Otherwise, none.	8,500 sq. ft. if PR 8.5 zone, 7,200 sq. ft. if PR 7.2 zone, 5,000 sq. ft. if PR 5.0 zone, otherwise 3,600 sq. ft.	20'	For PR zones: 5' but 2 side yards must equal at least 15'. For PRA zones: 5' each in the PRA zones.	10'	70%	If adjoining a low density zone other than RSA or RSX, then 25' above average building elevation. Otherwise, for PR zones, 30' above average building elevation and for PRA zones, 35' above average building elevation.	E	B	See KZC 105.25.	<ol style="list-style-type: none"> 1. A six-foot-high fence is required along the property lines adjacent to the outside play areas. 2. Structured play areas must be set back from all property lines by five feet. 3. An on-site passenger loading area may be required depending on the number of attendees and the extent of the abutting right-of-way improvements. 4. To reduce impacts on nearby residential uses, hours of operation of the use may be limited and parking and passenger loading areas relocated. 5. Electrical signs shall not be permitted. Size of signs may be limited to be compatible with nearby residential uses. 6. May include accessory living facilities for staff persons. 7. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388).
.120	Assisted Living Facility							See Gen. Reg. 5.	D	A	1.7 per independent unit. 1 per assisted living unit.	<ol style="list-style-type: none"> 1. A facility that provides both independent dwelling units and assisted living units shall be processed as an assisted living facility. 2. If a nursing home use is combined with an assisted living facility use in order to provide a continuum of care for residents, the required review process shall be the less intensive process between the two uses. 3. For density purposes, two assisted living units shall constitute one dwelling unit. Total dwelling units may not exceed the number of stacked dwelling units allowed on the subject property. Through Process IIB, Chapter 152 KZC, up to 1 1/2 times the number of stacked dwelling units allowed on the property may be approved if the following criteria are met: <ol style="list-style-type: none"> a. Project is of superior design, and b. Project will not create impacts that are substantially different than would be created by a permitted multifamily development. 4. The assisted living facility shall provide usable recreation space of at least 100 square feet per unit, in the aggregate, for both assisted living units and independent dwelling units, with a minimum of 50 square feet of usable recreation space per unit located outside. 5. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use.

Section 27.10



USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 27.10	USE ↓ REGULATIONS ↑	Required Review Process	Lot Size	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
				REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.060	Church	None	None	20'	20' on each side	20'	70%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above average building elevation. See Spec. Reg. 8-	C	B	1 for every 4 people based on maximum occupant load of any area of worship. See Spec. Reg. 1.	1. No parking is required for day-care or school ancillary to the use.
.070	School or Day-Care Center			If this use can accommodate 50 or more students or children, then: 50' 50' on each side 50' If this use can accommodate 13 to 49 students or children, then: 20' 20' on each side 20' 20' 5' but two side yards must equal at least 15' 10'			If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above average building elevation. See Spec. Reg. 8- 6	D	See KZC 105.25.	1. A six-foot-high fence is required only along the property lines adjacent to the outside play areas. 2. Hours of operation may be limited to reduce impacts on nearby residential uses. 3. Structured play areas must be setback from all property lines as follows: a. 20 feet if this use can accommodate 50 or more students or children; b. 10 feet if this use can accommodate 13 to 49 students or children; 3 4. An on-site passenger loading area must be provided. The City shall determine the appropriate size of the loading areas on a case-by-case basis, depending on the number of attendees and the extent of the abutting right-of-way improvements. Carpooling, staggered loading/unloading time, right-of-way improvements or other means may be required to reduce traffic impacts on any nearby residential uses. 4 5. May include accessory living facilities for staff persons. 5 6. The location of parking and passenger loading areas shall be designed to reduce impacts on any nearby residential uses. 7. These uses are subject to the requirements established by the Department of Social Health Services (WAC Title 388). 6 8. For school use, structure height may be increased, up to 35 feet, if: a. The school can accommodate 200 or more students; and b. The required side and rear yards for the portions of the structure exceeding the basic maximum structure height are increased by one foot for each additional one foot of structure height; and c. The increased height is not specifically inconsistent with the applicable neighborhood plan provisions of the Comprehensive Plan. d. The increased height will not result in a structure that is incompatible with surrounding uses or improvements. This special regulation is not effective within the disapproval jurisdiction of the Houghton Community Council.		

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS													
Section 27.10	USE ↓ REGULATIONS ↑	Required Review Process	Lot Size	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
				REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure					
				Front	Side	Rear							
.080	Mini-School or Mini-Day-Care	None	None	20'	5', but 2 side yards must equal at least 15'.	10'	70%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above average building elevation.	E	B	See KZC 105.25.	<ol style="list-style-type: none"> 1. A six-foot-high fence is required along the property lines adjacent to the outside play areas. 2. Hours of operation may be limited by the City to reduce impacts on nearby residential uses. 3. Structured play areas must be setback from all property lines by five feet. 3. 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 4. 5. The location of parking and passenger loading areas shall be designed to reduce impacts on nearby residential uses. 5. 6. May include accessory living facilities for staff persons. 7. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388). 	
.090	Convalescent Center or Nursing Home	Process I, Chapter 145 KZC.			10' on each side	20'			C		1 for each bed.		
.100	Hospital Facility	Process IIA, Chapter 150 KZC.	One Acre						B		See KZC 105.25.		
.110	Public Utility	Process I, Chapter 145 KZC.	None						A			1. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.	
.120	Government Facility Community Facility								C See Spec. Reg. 1.				

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 40.10	USE ↓ REGULATIONS →	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.120	School or Day-Care Center	D.R., Chapter 142 KZC	None	<p>If this use can accommodate 50 or more students or children, then:</p> <p>60' 50' on 50' each side</p> <p>If this use can accommodate 13 to 40 students or children, then:</p> <p>20' 20' on 20' each side</p>	80	<p>If adjoining a low density zone other than RSX or RSA, then 25' above average building elevation.</p> <p>Otherwise, for BN zone, 30' above average building elevation and for BNA zone, 35' above average building elevation.</p> <p>See Spec. Reg. 7. 6.</p> <p>See Gen. Reg. 4.b.</p>	B See Gen. Reg. 7.	B	See KZC 105.25.	<ol style="list-style-type: none"> 1. A six-foot-high fence is required only along the property lines adjacent to the outside play areas. 2. Hours of operation may be limited to reduce impacts on nearby residential uses. 3. Structured play areas must be setback from all property lines as follows: <ol style="list-style-type: none"> a. 20 feet if this use can accommodate 50 or more students or children. b. 10 feet if this use can accommodate 13 to 40 students or children. 3. 4. An on-site passenger loading area must be provided. The City shall determine the appropriate size of the loading areas on a case-by-case basis, depending on the number of attendees and the extent of the abutting right-of-way improvements. Carpooling, staggered loading/unloading time, right-of-way improvements or other means may be required to reduce traffic impacts on nearby residential uses. 4. 6. The location of parking and passenger loading areas shall be designed to reduce impacts on nearby residential uses. 5. 6. May include accessory living facilities for staff persons. 6. 7. For school use, structure height may be increased, up to 35 feet, if: <ol style="list-style-type: none"> a. The school can accommodate 200 or more students; and b. The required side and rear yards for the portions of the structure exceeding the basic maximum structure height are increased by one foot for each additional one foot of structure height; and c. The increased height is not specifically inconsistent with the applicable neighborhood plan provisions of the Comprehensive Plan. d. The increased height will not result in a structure that is incompatible with surrounding uses or improvements. <p><i>This special regulation is not effective within the disapproval jurisdiction of the Houghton Community Council.</i></p> 		
			BN zone: 0'	10' on each side	10'							

Section 40.10

Zone
BN, BNA

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 40.10	USE ↓ REGULATIONS ↑	Required Review Process	Lot Size	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
				REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.130	Mini-School or Mini-Day-Care	D.R., Chapter 142 KZC	None	BN zone: 20' <input type="checkbox"/>	10' on each side	10'	80%	If adjoining a low density zone other than RSX and RSA, then 25' average building elevation. Otherwise, for BN zone, 30' above average building elevation and for BNA zone, 35' above average building elevation. See Gen. Reg. 4.b.	B See Gen. Reg. 7.	B	See KZC 105.25.	<ol style="list-style-type: none"> 1. A six-foot-high fence is required along the property lines adjacent to the outside play areas. 2. Hours of operation may be limited by the City to reduce impacts on nearby residential uses. <input type="checkbox"/> 3. Structured play areas must be setback from all property lines by five feet. <input type="checkbox"/> 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. <input type="checkbox"/> 5. The location of parking and passenger loading areas shall be designed to reduce impacts on nearby residential uses. <input type="checkbox"/> 6. May include accessory living facilities for staff persons.
				BNA zone: 10'								
.140	Assisted Living Facility See Spec. Regs. 3, 4 and 5.			Same as the regulations for the ground floor use.					A	1.7 per independent unit. 1 per assisted living unit.	<ol style="list-style-type: none"> 1. A facility that provides both independent dwelling units and assisted living units shall be processed as an assisted living facility. 2. If a nursing home use is combined with an assisted living facility use in order to provide a continuum of care for residents, the required review process shall be the least intensive process between the two uses. 3. This use is only allowed on the street level floor subject to the provisions of General Regulation 4. 4. In the BNA zone, the gross floor area of this use shall not exceed 50 percent of the total gross floor area on the subject property. 5. 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. 6. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use. 	

Section 48.15



USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 48.15	USE ⇓ REGULATIONS ⇓	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.130	Day-Care Center <i>See Spec. Reg. 1.</i>	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 (does not apply to institutional uses in low density zones). Otherwise, 35' above average building elevation.	D	B	See KZC 105.25.	<ol style="list-style-type: none"> 1. This use is permitted if accessory to a primary use, and: <ol style="list-style-type: none"> 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. 2. A six-foot-high fence is required along the property lines adjacent to the outside play areas. 3. Hours of operation may be limited to reduce impacts on nearby residential uses. 4. Structured play areas must be set back from all property lines as follows: <ol style="list-style-type: none"> a. Twenty feet if this use can accommodate 50 or more students or children. b. Ten feet if this use can accommodate 13 to 49 students or children. 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. 6. May include accessory living facilities for staff persons. 7. The location of parking and passenger loading areas shall be designed to reduce impacts on any nearby residential uses.

School or

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 48.15	USE ⇓ REGULATIONS ⇓	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 96)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.140	Mini-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 (does not apply to institutional uses in low density zones). Otherwise, 35' above average building elevation.	D	B	See KZC 105.25.	<ol style="list-style-type: none"> 1. This use is permitted if accessory to a primary use, and: <ol style="list-style-type: none"> 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. 2. A six-foot-high fence is required along the property lines adjacent to the outside play areas. 3. To reduce impacts on nearby residential uses, hours of operation of the use may be limited and parking and passenger loading areas relocated. 4. Structured play areas must be set back from all property lines by five feet. 5. An on-site passenger loading area may be required depending on the number of attendees and the extent of the abutting right-of-way improvements. 6. The location of parking and passenger loading areas shall be designed to reduce impacts on nearby residential uses. 7. May include accessory living facilities for staff persons.
.150	Recycling Center	Within the NE 85th Street Subarea, D.R., Chapter 142 KZC.	None	20'	0'	0'	80%	If adjoining a low density zone other than RSX, then 25' above average building elevation (does not apply to institutional uses in low density zones). Otherwise, 35' above average building elevation.	A	C	See KZC 105.25.	<ol style="list-style-type: none"> 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.
.160	Public Utility	Other- wise, none.							C See Spec. Reg. 1.	B		<ol style="list-style-type: none"> 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.
.170	Government Facility Community Facility											

Section 51.10

Zone
MSC 1.4

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 51.10	USE ↓ REGULATIONS ↑	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.040	Restaurant or Tavern	D.R., Chapter 142 KZC.	None	10' in MSC 4, otherwise 20'	5' but 2 side yards must equal at least 15'	10'	70%	If adjoining a low density zone, then 25' above average building elevation. Otherwise, 30' above average building elevation.	B C. See Spec. Reg. 4	E	1 per each 100 sq. ft. floor area.	<ol style="list-style-type: none"> This use is limited to 2,000 sq. ft. maximum. Drive-in or drive-through facilities are not permitted. Prior to issuance of a development permit, documentation must be provided by a qualified acoustical consultant, for approval by the Planning Official, 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.
											4. Any outdoor seating areas are subject to Landscape Category B	

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 51.10	USE REGULATIONS	Required Review Process	Lot Size	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
				REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.050	Any Retail Establishment, other than those specifically listed, limited or prohibited in this zone, selling goods or providing services, including banking and related financial services.	D.R., Chapter 142 KZC.	None	10' in MSC 4, otherwise 20'	5' but 2 side yards must equal at least 15'	10'	70%	If adjoining a low density zone, then 25' above average building elevation. Otherwise, 30' above average building elevation.	B C	E	1 per each 300 sq. ft. floor area.	1. The following uses are not permitted in this zone: <ol style="list-style-type: none"> Vehicle service stations. Automotive service centers. Uses with drive-in facilities or drive-through facilities. Retail establishments providing storage services unless accessory to another permitted use. Retail establishments involving the sale, service or repair of automobiles, trucks, boats, motorcycles, recreational vehicles, heavy equipment and similar vehicles. Storage and operation of heavy equipment, except delivery vehicles associated with retail uses. Storage of parts unless conducted entirely within an enclosed structure. 2. Prior to issuance of a development permit, documentation must be provided by a qualified acoustical consultant, for approval by the Planning Official, 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. 3. Gross floor area cannot exceed 2,000 square feet. 4. 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 directly related to and are dependent upon this use, and are available for purchase and removal from the premises. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other retail uses.
.060	Church				20' on each side.	20'			C	B	1 for every 4 people based on maximum occupancy load of any area of worship. See Spec. Reg. 1.	1. No parking is required for day-care or school ancillary to this use.

Section 51.10

Zone
MSC 1.4

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 51.10	USE ↓ REGULATIONS ↑	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.070	School or Day-Care Center	D.R., Chapter 142 KZC.	7,200 sq. ft.	<p>If this use can accommodate 50 or more students or children, then:</p> <p>50' 50' on 50' each side</p> <p>If this use can accommodate 13 to 49 students or children, then:</p> <p>10' in 20' on 20' MSC 4, each other side wise 20'</p>	10' but two side yards must equal at least 15'	10'	70%	If adjoining a low density zone, then 25' above average building elevation. Otherwise, 30' above average building elevation. See Spec. Reg. 7. 5.	D	B	See KZC 105.25.	<ol style="list-style-type: none"> 1. A six-foot-high fence is required only along the property lines adjacent to the outside play areas. 2. Structured play areas must be set back from all property lines as follows: <ol style="list-style-type: none"> a. Twenty feet if this use can accommodate 50 or more students or children. b. Ten feet if this use can accommodate 13 to 49 students or children. 2. An on-site passenger loading area must be provided. The City shall determine the appropriate size of the loading area on a case-by-case basis, depending on the number of attendees and the extent of the abutting right-of-way improvements. Carpooling, staggered loading/unloading time, right-of-way improvements or other means may be required to reduce traffic impacts on nearby residential uses. 3. May include accessory living facilities for staff persons. 4. To reduce impacts on nearby residential uses, hours of operation of the use may be limited and parking and passenger loading areas relocated. 6. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388). 5. 7. For school use, structure height may be increased, up to 35 feet, if: <ol style="list-style-type: none"> a. The school can accommodate 200 or more students; and b. The required side and rear yards for the portions of the structure exceeding the basic maximum structure height are increased by one foot for each additional one foot of structure height; and c. The increased height is not specifically inconsistent with the applicable neighborhood plan provisions of the Comprehensive Plan; and d. The increased height will not result in a structure that is incompatible with surrounding uses or improvements. 8. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388).

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 51.10	USE ↓ REGULATIONS ↑	Required Review Process	Lot Size	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
				REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.080	Mini-School or Mini-Day-Care	D.R., Chapter 142 KZC.	3,600 sq. ft.	10' in MSC 4, otherwise 20'	5' but 2 side yards must equal at least 15'	10'	70%	If adjoining a low density zone, then 25' above average building elevation. Otherwise, 30' above average building elevation.	E	B	See KZC 105.25.	<ol style="list-style-type: none"> 1. A six-foot-high fence is required along the property lines adjacent to the outside play areas. 2. Structured play areas must be set back from all property lines by five feet. 2. 3. An on-site passenger loading area may be required depending on the number of attendees and the extent of the abutting right-of-way improvements. 3. 4. To reduce impacts on nearby residential uses, hours of operation of the use may be limited and parking and passenger loading areas relocated. 4. 5. Electrical signs shall not be permitted. Size of signs may be limited to be compatible with nearby residential uses. 5. 6. May include accessory living facilities for staff persons. 7. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388).
.090	Assisted Living Facility								D	A	1.7 per independent unit. 1 per assisted living unit.	<ol style="list-style-type: none"> 1. A facility that provides both independent dwelling units and assisted living units shall be processed as an assisted living facility. 2. For density purposes, two assisted living units shall constitute one dwelling unit. Total dwelling units may not exceed the number of stacked dwelling units allowed on the subject property. Through Process IIB, Chapter 152 KZC, up to 1 1/2 times the number of stacked dwelling units allowed on the property may be approved if the following criteria are met: <ol style="list-style-type: none"> a. Project is of superior design; and b. Project will not create impacts that are substantially different than would be created by a permitted multifamily development. 3. The assisted living facility shall provide usable recreation space of at least 100 square feet per unit, in the aggregate, for both assisted living units and independent dwelling units, with a minimum of 50 square feet of usable recreation space per unit located outside. 3. 4. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use.

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 51.20	USE ↓ REGULATIONS ↑	Required Review Process	Lot Size	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
				REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.060	Church	D.R., Chapter 142 KZC.	None	20'	10' on each side	10'	80%	If adjoining a low density zone, then 25' above average building elevation. Otherwise, 30' above average building elevation.	C	B	1 for every 4 people based on maximum occupancy load of any area of worship. See also Spec. Reg. 2.	<ol style="list-style-type: none"> May include accessory living facilities for staff persons. No parking is required for day-care or school ancillary to this use.
.070	School or Day-Care Center			<p>If this use can accommodate 60 or more students or children, then:</p> <p>50' 50' on each side 50'</p> <p>If this use can accommodate 13 to 40 students or children, then:</p> <p>0' along Market Street, otherwise 20'</p> <p>20' on Market Street, otherwise 20'</p> <p>10' on each side 10'</p>			<p>If adjoining a low density zone, then 25' above average building elevation. Otherwise, 30' above average building elevation. See Spec. Reg. 7. 6.</p>	B See Gen. Reg. 6.	See KZC 105.25.	<ol style="list-style-type: none"> A six-foot-high fence is required only along the property lines adjacent to the outside play areas. Hours of operation may be limited to reduce impacts on nearby residential uses. Structured play areas must be setback from all property lines as follows: <ol style="list-style-type: none"> 20 feet if this use can accommodate 60 or more students or children. 10 feet if this use can accommodate 13 to 40 students or children. 3. An on-site passenger loading area must be provided. The City shall determine the appropriate size of the loading areas on a case-by-case basis, depending on the number of attendees and the extent of the abutting right-of-way improvements. Carpooling, staggered loading/unloading time, right-of-way improvements or other means may be required to reduce traffic impacts on nearby residential uses. 4. The location of parking and passenger loading areas shall be designed to reduce impacts on nearby residential uses. 5. May include accessory living facilities for staff persons. 6. For school use, structure height may be increased, up to 35 feet, if: <ol style="list-style-type: none"> The school can accommodate 200 or more students; and The required side and rear yards for the portions of the structure exceeding the basic maximum structure height are increased by one foot for each additional one foot of structure height; and The increased height is not specifically inconsistent with the applicable neighborhood plan provisions of the Comprehensive Plan. The increased height will not result in a structure that is incompatible with surrounding uses or improvements. 		

Section 51.20

Zone
MSC 2

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 51.20	USE ↓ REGULATIONS →	Required Review Process	Lot Size	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
				REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.080	Mini-School or Mini-Day-Care	D.R., Chapter 142 KZC.	None	0' along Market Street, otherwise 20'	10' on each side	10'	80%	If adjoining a low density zone, then 25' above average building elevation. Otherwise, 30' above average building elevation.	B See Gen. Reg. 6.	B	See KZC 105.25.	<ol style="list-style-type: none"> 1. A six-foot-high fence is required along the property lines adjacent to the outside play areas. 2. 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 five feet. 3. An on-site passenger loading area may be required depending on the number of attendees and the extent of the abutting right-of-way improvements. 4. The location of parking and passenger loading areas shall be designed to reduce impacts on nearby residential uses. 5. May include accessory living facilities for staff persons.
.090	Assisted Living Facility See Gen. Reg. 4.			Same as the regulations for the ground floor use.					A	1.7 per independent unit. 1 per assisted living unit.	<ol style="list-style-type: none"> 1. A facility that provides both independent dwelling units and assisted living units shall be processed as an assisted living facility. 2. For density purposes, two assisted living units shall constitute one dwelling unit. Total dwelling units may not exceed the number of attached or stacked dwelling units allowed on the subject property. 3. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use. 	
.100	Convalescent Center or Nursing Home			20'	10' on each side	10'	80%	If adjoining a low density zone, then 25' above average building elevation. Otherwise, 30' above average building elevation.	C	B	1 for each bed.	
.110	Public Utility				20' on each side	20'			A		See KZC 105.25.	<ol style="list-style-type: none"> 1. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.
.120	Government Facility Community Facility				10' on each side	10'			C See Spec. Reg. 1			
.130	Public Park	Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.										

51.25 User Guide. The charts in KZC 51.30 contain the basic zoning regulations that apply in the MSC 3 zone of the City. Use these charts by reading down the left hand column entitled Use. Once you locate the use in which you are interested, read across to find the regulations that apply to that use.

Section 51.28



Zone
MSC 3

Section 51.28 – GENERAL REGULATIONS

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

1. Refer to Chapter 1 KZC to determine what other provisions of this code may apply to the subject property.
2. If any portion of a structure is adjoining a low density zone, then either:
 - a. The height of that portion of the structure shall not exceed 15 feet above average building elevation; or
 - b. The maximum horizontal facade shall not exceed 50 feet in width.
 See KZC 115.30, Distance Between Structures/Adjacency to Institutional Use, for further details.
3. Some development standards or design regulations may be modified as part of the design review process. See Chapters 92 and 142 KZC for requirements.
- ~~4. At least 75 percent of the total gross floor area located on the ground floor of all structures on the subject property must contain retail establishments, restaurants, taverns, hotels or motels, or offices. These uses shall be oriented to an adjacent arterial, a major pedestrian sidewalk, a through-block pedestrian pathway or an internal pathway.~~

4. The following commercial frontage requirements shall apply to all development that includes dwelling units or assisted living uses:
 - a. The street level floor of all buildings shall be limited to one or more of the following uses: Retail; Restaurant or Tavern; Hotel or Motel; Entertainment, Cultural and/or Recreational Facility; or Office. These uses shall be oriented toward Market Street and have a minimum depth of 20 feet and an average depth of at least 30 feet (as measured from the face of the building along the street). The Design Review Board (or Planning Director if not subject to D.R.) may approve a minor reduction in the depth requirements if the applicant demonstrates that the requirement is not feasible given the configuration of existing or proposed improvements and that the design of the commercial frontage will maximize visual interest. The Design Review Board (or Planning Director if not subject to D.R.) may modify the frontage requirement where the property abuts residential zones in order to create a more effective transition between uses.
 - b. The commercial floor shall be a minimum of 13 feet in height. The height of the structure may exceed the maximum height of structure by three feet for a three story building with the required 13 foot commercial floor.
 - c. Other uses allowed in this zone and parking shall not be located on the street level floor unless an intervening commercial frontage is provided between the street and those other uses or parking subject to the standards above. Lobbies for residential or assisted living uses may be allowed within the commercial frontage provided they do not exceed 20 percent of the building's linear commercial frontage along the street.
5. Surface parking areas shall not be located between the street and building unless no feasible alternative exists. Parking areas located to the side of the building are allowed provided that the parking area and vehicular access occupies less than 30 percent of the property frontage and design techniques adequately minimize the visibility of the parking.

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 51.30	 USE  REGULATIONS	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.010	Restaurant or Tavern	D.R., Chapter 142 KZC.	None	0'	0'	0'	80%	30' above average building elevation. See Gen. Reg. 4.b	B C. See Spec. Reg. 4	E	1 per each 100 sq. ft. of gross floor area.	1. This use is limited to 4,000 sq. ft. maximum. 2. Drive-in or drive-through facilities are not permitted. 3. Prior to issuance of a development permit, documentation must be provided by a qualified acoustical consultant, for approval by the Planning Official, 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. 4. Any outdoor seating areas are subject to Landscape Category B

Section 51.30

Zone
MSC 3

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 51.30	USE ↓ REGULATIONS ↑	Required Review Process	Lot Size	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
				REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.020	Any retail establishment other than those specifically listed in this zone, selling goods, or providing services including banking and related financial services	D.R., Chapter 142 KZC.	None	0'	0'	0'	80%	30' above average building elevation. See Gen. Reg. 4.b	B C	E	1 per each 300 sq ft. of gross floor area.	<ol style="list-style-type: none"> Gross floor area for this use may not exceed 4,000 square feet maximum. The following uses are not permitted in this zone: <ol style="list-style-type: none"> Vehicle service stations. Automotive service centers. Uses with drive-in facilities or drive-through facilities. Retail establishments providing storage services unless accessory to another permitted use. Retail establishments involving the sale, service or repair of boats, recreational vehicles, heavy equipment and similar vehicles except those existing as of June 15, 2007. Storage and operation of heavy equipment, except delivery vehicles associated with retail uses. Storage of parts unless conducted entirely within an enclosed structure. 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 directly related to and are dependent upon this use, and are available for purchase and removal from the premises. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other retail uses. A delicatessen, bakery, or other similar use may include, as part of the use, accessory seating if: <ol style="list-style-type: none"> The seating and associated circulation area does not exceed more than 10 percent of the gross floor area of the use; and It can be demonstrated to the City that the floor plan is designed to preclude the seating area from being expanded. Prior to issuance of a development permit, documentation must be provided by a qualified acoustical consultant, for approval by the Planning Official, 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.

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 51.30	USE ↓ REGULATIONS ↑	Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.030	Office Use	D.R., Chapter 142 KZC.	None	0'	0'	0'	80%	30' above average building elevation. <u>See Gen. Reg. 4.b</u>	C	D	If a medical, dental or veterinary office, then 1 per each 200 sq. ft. of gross floor area. Otherwise, 1 per each 300 sq. ft. of gross floor area.	1. The following regulations apply to veterinary offices only: <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. Prior to issuance of a development permit, documentation must be provided by a qualified acoustical consultant, for approval by the Planning Official, 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. 2. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: <ol style="list-style-type: none"> The ancillary assembled or manufactured goods are subordinate to and dependent on this use. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.

Section 51.30

Zone
MSC 3

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 51.30	USE ↓ REGULATIONS →	Required Review Process	Lot Size	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
				REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.040	Hotel or Motel	D.R., Chapter 142 KZC.	None	0'	0'	0'	80%	30' above average building elevation. See Gen. Reg. 4.b	B C	E	1 per each room. See also Spec. Reg. 2.	1. May include ancillary meeting and convention facilities. 2. Excludes parking requirements for ancillary meeting and convention facilities. Additional parking requirement for these ancillary uses shall be determined on a case-by-case basis. 3. Prior to issuance of a development permit, documentation must be provided by a qualified acoustical consultant, for approval by the Planning Official, 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.
.050	A Retail Establishment providing entertainment, recreational or cultural activities										1 per every 4 fixed seats.	1. Prior to issuance of a development permit, documentation must be provided by a qualified acoustical consultant, for approval by the Planning Official, 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.
.060	Private Lodge or Club								C	B	1 per each 300 sq. ft. of gross floor area.	
.070	Stacked Dwelling Unit. See Special Regulation 1.			Same as the regulations for the ground floor use. See Spec. Reg. 1.						A	1.7 per unit.	1. This use, with the exception of a lobby, may not be located on the ground floor of a structure. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.080	Church			0'	0'	0'	80%	30' above average building elevation. See Gen. Reg. 4.b	C	B	1 for every 4 people based on maximum occupancy load of any area of worship. See also Spec. Reg. 2.	1. May include accessory living facilities for staff persons. 2. No parking is required for day-care or school ancillary to this use.

1. This use is only allowed on the street level floor subject to the provisions of General Regulation 4

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 51.30	USE ↓ REGULATIONS ↑	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.090	School or Day-Care Center	D.R., Chapter 142 KZC.	None	30'	0'	0'	80%	30' above average building elevation.	D	B	See KZC 105.25.	1. A six-foot-high fence is required only along the property lines adjacent to the outside play areas.
	0'			See Gen. Reg. 4.b				2. Hours of operation may be limited to reduce impacts on nearby residential uses.				
.100	Mini-School or Mini-Day-Care											3. Structured play areas must be setback from all property lines as follows:
								4. An on-site passenger loading area must be provided. The City shall determine the appropriate size of the loading areas on a case-by-case basis, depending on the number of attendees and the extent of the abutting right-of-way improvements. Carpooling, staggered loading/unloading time, right-of-way improvements or other means may be required to reduce traffic impacts on nearby residential uses.				
												4. An on-site passenger loading area may be required depending on the number of attendees and the extent of the abutting right-of-way improvements.
												5. The location of parking and passenger loading areas shall be designed to reduce impacts on nearby residential uses.
												6. May include accessory living facilities for staff persons.
												7. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388).

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 51.30	USE ↓ REGULATIONS ↓	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.110	Assisted Living Facility	D.R., Chapter 142 KZC.	None	Same as the regulations for the ground floor use. 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. 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 HB, Chapter 152 KZC, up to 1 1/2 times the number of stacked dwelling units allowed on the property may be approved if the following criteria are met: a. Project is of superior design; and b. Project will not create impacts that are substantially different than would be created by a permitted multifamily development. 3. This use may not be located on the ground floor of a structure. 4. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use.	
				2. This use is only allowed on the street level floor subject to the provisions of General Regulation 4						3.		
.120	Convalescent Center or Nursing Home			0'	0'	0'	80%	30' above average building elevation.	C	B	1 for each bed.	
.130	Public Utility							See Gen. Reg. 4.b	A		See KZC 105.25.	1. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.
.140	Government Facility Community Facility								C See Spec. Reg. 1			
.150	Public Park	Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.										

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 53.34	USE REGULATIONS	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.010	Development containing: retail establishments selling goods, or providing services including banking and other financial services, restaurants, taverns	D.R., Chapter 142 KZC. See Spec. Regs. 1 and 2.	More than 6 acres See Spec. Reg. 7	As established with design review process.			80%	45' - 67' above average building elevation along the north end of the zone with a maximum of 45' measured above NE 85th Street. See Spec. Regs. 5 and 7.	See Spec. Reg. 3- 2	See Spec. Reg. 4.	As established in the CMP.	<ol style="list-style-type: none"> 1. May also include one or more of the other uses allowed in this zone. Development regulations of this section apply to all uses developed within a Conceptual Master Plan (CMP). 2. Development must be part of a Conceptual Master Plan (CMP) for the entire subject property. The proposed CMP shall be reviewed using the Design Review process provisions of KZC 142.35. Subsequent development proposals shall follow DR or ADR as set forth in the Notice of Approval for the Conceptual Master Plan. The Conceptual Master Plan shall incorporate the design guidelines contained in the Design Guidelines for the Rose Hill Business District pertaining to the RH 3 zone. 3. Location of drive-through facilities will not compromise the pedestrian orientation of the development. See KZC 105.96 for other requirements. 4. Signs for a development approved under this provision must be proposed within a Master Sign Plan application pursuant to KZC 100.80 for all signs within the project. 5. Building height shall be 45 feet measured above the midpoint of the frontage of the subject property along NE 85th Street, or if the subject property does not front on NE 85th Street, at the midpoint of the property frontage along any other public right-of-way. If the property abuts more than one public right-of-way, the applicant may select the right-of-way from which to measure. 6. At least 10 percent of the units provided in new residential developments of four units or greater shall be affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives. 7. Maximum building height for a development including residential use is 67 feet above average building elevation. However, the equivalent of the additional gross floor area constructed above 45 feet over ABE must be dedicated to residential use. Residential use may be located anywhere in the building above the ground floor. 8. Parcels smaller than six acres may be added to a previously approved Conceptual Master Plan (CMP) if the applicable criteria set forth in the Notice of Approval from the approved CMP are met.

Section 53.34

Zone
RH 3

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 53.34	USE ↓ REGULATIONS ↑	Required Review Process	Lot Size	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
				REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.020	Vehicle Service Station	D.R., Chapter 142 KZC.	Less than 6 acres.	20'	0'	0'	80%	35' above average building elevation.	A	E	See KZC 105.25.	<ol style="list-style-type: none"> Gas pump islands must be set back at least 20 feet from all property lines. Canopies or covers over gas pump islands may not be closer than 10 feet to any property line. Outdoor parking and service areas may not be closer than 10 feet to any property line. See KZC 95.40 through 95.45, required landscaping, for further regulations.
.030	Automotive Service Center See Spec. Reg. 1.			10'	0'	0'					1 per each 250 sq. ft. of gross floor area. See Spec. Reg. 1.	<ol style="list-style-type: none"> Ten percent of the required parking spaces on site must have a minimum dimension of 10 feet wide by 30 feet long for motor home/travel trailer use. Parts and tires must be stored entirely within an enclosed structure. Outdoor vehicle parking or storage must be buffered as required for a parking area in KZC 95.45. See KZC 115.105, Outdoor Use, Activity and Storage, for additional regulations.
.040	Restaurant or Tavern										1 per each 100 sq. ft. of gross floor area.	<ol style="list-style-type: none"> For restaurants with drive-in or drive-through facilities: <ol style="list-style-type: none"> One outdoor waste receptacle shall be provided for every eight parking stalls. Access for drive-through facilities shall be approved by the Public Works Department. Drive-through facilities shall be designed so that vehicles will not block traffic in the right-of-way while waiting in line to be served.
.050	Any Retail Establishment other than those specifically listed, limited or prohibited in this zone, selling goods or providing services, including banking and related financial services.								B C		1 per each 300 sq. ft. of gross floor area.	<ol style="list-style-type: none"> 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 directly related to and are dependent upon this use, and are available for purchase and removal from the premises. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other retail uses. A delicatessen, bakery, or other similar use may include, as part of the use, accessory seating if: <ol style="list-style-type: none"> The seating and associated circulation area does not exceed more than 10 percent of the gross floor area of the use; and It can be demonstrated to the City that the floor plan is designed to preclude the seating area from being expanded.

REGULATIONS CONTINUED ON NEXT PAGE

(Revised 11/12)

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 53.34	USE ↓ REGULATIONS →	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.050	Any Retail Establishment other than those specifically listed, limited or prohibited in this zone, selling goods or providing services, including banking and related financial services. (continued)										REGULATIONS CONTINUED FROM PREVIOUS PAGE 3. For a retail establishment involving the sale, lease, repair or service of automobiles, trucks, boats, motorcycles, recreational vehicles, heavy equipment, and similar vehicles, the following shall apply: a. For the number of required parking stalls see KZC 105.25. b. Parts must be stored entirely within an enclosed structure. c. See KZC 95.40 through 95.45, required landscaping, for further regulations.	
.0 0	Hotel or Motel	D.R., Chapter 142 KZC.	Less than 6 acres.	10'	0'	0'	80%	35' above average building elevation.	B C	E	1 per each room. See also Spec. Reg. 2.	1. May include ancillary meeting and convention facilities. 2. Excludes parking requirements for ancillary meeting and convention facilities. Additional parking requirement for these ancillary uses shall be determined on a case-by-case basis.
.0 0	Entertainment, Cultural and/or Recreational Facility										See KZC 105.25.	
.0 0	Office Use								C	D	If a medical, dental or veterinary office, then 1 per each 200 sq. ft. of gross floor area. Otherwise, 1 per each 300 sq. ft. of gross floor area.	1. The following regulations apply to veterinary offices only: a. May only treat small animals on the subject property. b. Outside runs and other outside facilities for the animals are not permitted. 2. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The ancillary assembled or manufactured goods are subordinate to and dependent on this use. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.

Section 53.34



USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 53.34	USE ↓ REGULATIONS ↑	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.090	Private Lodge or Club	D.R., Chapter 142 KZC.	Less than 6 acres.	10'	0'	0'	80%	35' above average building elevation.	C	B	1 per each 300 sq. ft. of gross floor area.	
.100	Church			1 per every 4 people based on maximum occupancy load of any area of worship. See Spec. Reg. 2.	1. May include accessory living facilities for staff persons. 2. No parking is required for day-care or school ancillary to the use.							
.110	School, Day-Care Center, Mini-School or Mini-Day-Care Center			See KZC 105.25.	<ol style="list-style-type: none"> 1. A six-foot-high fence is required only along the property lines adjacent to the outside play areas. 2. Structured play areas must be set back from all property lines as follows: <ol style="list-style-type: none"> a. Twenty feet if this use can accommodate 50 or more students or children. b. Ten feet if this use can accommodate 13 to 40 students or children. c. Five feet for a Mini-School or Mini-Day-Care Center. 3. An on-site passenger loading area must be provided. The City shall determine the appropriate size of the loading areas on a case-by-case basis, depending on the number of attendees and the extent of the abutting right-of-way improvements. Carpooling, staggered loading/unloading time, right-of-way improvements or other means may be required to reduce traffic impacts on nearby residential uses. 4. May include accessory living facilities for staff persons. 6. Hours of operation of the use may be limited and parking and passenger loading areas shall be located to reduce impacts on nearby residential uses. 							
.120	Stacked Dwelling Units										1.7 per unit.	1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
	. Assisted Living Facility										1 per assisted living unit	

dwelling or independent

(Revised 11/12)

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 53.34	USE ↓ REGULATIONS ↑	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.130	Assisted Living Facility, Convalescent Center or Nursing Home	D.R., Chapter 142 KZC.	Less than 6 acres.	10'	0'	0'	80%	35' above average building elevation.	A Convalescent Center or Nursing Home: C	A Convalescent Center or Nursing Home: B	Independent units: 1.7 per unit. Assisted Living Facility: 1 per unit. Convalescent Center or Nursing Home: 1 per each bed.	1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.140	Public Utility	D.R., Chapter 142 KZC.	Less than 6 acres.	10'	0'	0'	80%	35' above average building elevation.	A	B	See KZC 105.25.	1. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.
.150	Government Facility Community Facility								C See Spec. Reg. 1.			
.1 0	Public Park	Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.										

Section 53.44

Zone
RH 4

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 53.44	USE ↓ REGULATIONS ↑	Required Review Process	Lot Size	MINIMUMS			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 YARDS (See Ch. 115)								
				Front	Side	Rear						
.100	School or Day-Care Center	D.R., Chapter 142 KZC.	7,200 sq. ft.	50'	50'-on each side	50'	70%	30' above average building elevation.	D	B	See KZC 105.25.	<ol style="list-style-type: none"> 1. A six-foot-high fence is required only along the property lines adjacent to the outside play areas. 2. Structured play areas must be set back from all property lines as follows: <ol style="list-style-type: none"> a. Twenty feet if this use can accommodate 50 or more students or children. b. Ten feet if this use can accommodate 13 to 49 students or children. 2. An on-site passenger loading area must be provided. The City shall determine the appropriate size of the loading areas on a case-by-case basis, depending on the number of attendees and the extent of the abutting right-of-way improvements. Carpooling, staggered loading/unloading time, right-of-way improvements or other means may be required to reduce traffic impacts on nearby residential uses.
.110	Mini-School or Mini-Day-Care		3,600 sq. ft.	20'	5' but 2 side yards must equal to least 15'.	10'			E			<ol style="list-style-type: none"> 3. May include accessory living facilities for staff persons. 4. To reduce impacts on nearby residential uses, hours of operation of the use may be limited and parking and passenger loading areas relocated. 5. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388). 5. Electrical signs shall not be permitted for mini-school or mini-day-care uses. Size of signs may be limited to be compatible with nearby residential uses.
.120	Public Utility		None		20' on each side.	20'			A			
.130	Government Facility Community Facility				10' on each side.	10'			C See Spec. Reg. 2.			<ol style="list-style-type: none"> 1. Site design must minimize adverse impacts on surrounding residential neighborhoods. 2. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.
.140	Public Park	Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.										

CHAPTER 54 – NRH BUSINESS DISTRICT (NRHBD) ZONES

54.02 User Guide. The charts in KZC 54.06 contain the basic zoning regulations that apply in the NRHBD 1A zone of the City. Use these charts by reading down the left hand column entitled Use. Once you locate the use in which you are interested, read across to find the regulations that apply to that use.

Section 54.04

Zone
NRH1A

Section 54.04 – GENERAL REGULATIONS

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

1. Refer to Chapter 1 KZC to determine what other provisions of this code may apply to the subject property.
2. In cases where the height of a structure is specified in number of stories, the following applies:
 - a. Height measured at the midpoint of the frontage of the subject property on the abutting right-of-way. If the site abuts more than one right-of-way, the applicant may select the right-of-way from which to measure.
 - b. The following heights per story are allowed:
 - i. Ground floor retail; ground floor restaurant and tavern; ground floor entertainment/cultural and/or recreational facility shall be a minimum of 13 feet in height and a maximum of 15 feet.
 - ii. Office; private club or lodge; church; school; day-care center; public utility, government facility, or community facility; public park, ground floor hotel or motel; retail above the ground floor shall be a maximum of 13 feet.
 - iii. Residential; hotel or motel above the ground floor shall be a maximum of 10 feet.
 - c. To determine the allowed height of a structure, determine the number of stories allowed in the use zone charts and apply the allowed height per story specified in subsection (2)(b) of this section. For example, if three stories are allowed and the proposed use is ground floor retail with two stories of residential above, the allowed height would be 35 feet.
 - d. Height shall be measured above the point of measurement (e.g., above average building elevation, or above right-of-way) as specified in the particular use zone charts. For purposes of measuring building height above the abutting right(s)-of-way, alleys shall be excluded.
 - e. In addition to the height exceptions established by KZC 115.60, the following exceptions to height regulations in NRHBD zones are established:
 - i. Decorative parapets may exceed the height limit by a maximum of four feet; provided, that the average height of the parapet around the perimeter of the structure shall not exceed two feet.
 - ii. For structures with a peaked roof, the peak may extend eight feet above the height limit if the slope of the roof is equal or greater than four feet vertical to 12 feet horizontal.
3. The minimum required front yard is 10 feet, unless otherwise prescribed in the use zone chart. Ground floor canopies and similar entry features may encroach into the front yard; provided, the total horizontal dimension of such elements may not exceed 25 percent of the length of the structure. No parking may encroach into the required 10-foot front yard.
4. A pedestrian connection should be developed to link Slater Avenue NE with NE 116th Street.

5. The following commercial frontage requirements shall apply to all development that includes dwelling units or assisted living uses:

a. The street level floor of all buildings shall be limited to one or more of the following uses: Retail; Restaurant or Tavern; Hotel or Motel; Entertainment, Cultural and/or Recreational Facility; or Office. These uses shall be oriented toward Market Street and have a minimum depth of 20 feet and an average depth of at least 30 feet (as measured from the face of the building along the street).

The Design Review Board (or Planning Director if not subject to D.R.) may approve a minor reduction in the depth requirements if the applicant demonstrates that the requirement is not feasible given the configuration of existing or proposed improvements and that the design of the commercial frontage will maximize visual interest.

b. Other uses allowed in this zone and parking shall not be located on the street level floor unless an intervening commercial frontage is provided between the street and those other uses or parking subject to the standards above. Lobbies for residential or assisted living uses may be allowed within the commercial frontage provided they do not exceed 20 percent of the building's linear commercial frontage along the street.



DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 54.06	USE REGULATIONS	Required Review Process	Lot Size	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
				REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.080	Private Lodge or Club	D.R., Chapter 142 KZC.	None	10'	0'	0'	80%	2 stories above abutting right-of-way.	C	D	1 per each 300 square feet of gross floor area.	
.090	Stacked Dwelling Unit See Spec. Regs. 1 and 2.			Same as regulations for the ground floor use.				5 stories above abutting right-of-way.	Same as regulations for the ground floor use.	A	See KZC 105.25.	1. This use may not be located on the ground floor of a structure. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 1. This use is only allowed on the street level floor subject to the provisions of General Regulation 5
.100	Church See Spec. Reg. 1			10'	0'	0'	80%	30' above average building elevation.	C	B	1 for every four people based on maximum occupancy load of any area of worship. See Spec. Reg. 2.	1. May include accessory living facilities for staff persons. 2. No parking is required for day-care or school ancillary to this use.
.110	School or Day-Care Center See Spec. Regs. 2, 5, and 7.			10' See Spec. Reg. 3.	0' See Spec. Reg. 3.	0' See Spec. Reg. 3.		2 stories above abutting right-of-way. See Spec. Reg. 1.	D		See KZC 105.25. See Spec. Regs. 4 and 6. 3 and 5.	1. A six-foot-high fence is required only along the property lines adjacent to the outside play areas. 2. Hours of operation may be limited to reduce impacts on nearby residential uses. 3. Structured play areas must be setback from all property lines as follows: a. Twenty feet if this use can accommodate 50 or more students or children; b. 10 feet if this use can accommodate 13 to 49 students or children; c. Otherwise, five feet. 4. An on-site passenger loading area must be provided. The City shall determine the appropriate size of the loading areas on a case-by-case basis, depending on the number of attendees and the extent of the abutting right-of-way improvements. Carpooling, staggered loading/unloading time, right-of-way improvements or other means may be required to reduce traffic impacts on nearby residential uses. 5. May include accessory living facilities for staff persons. 6. The location of parking and passenger loading areas shall be designed to reduce impacts on nearby residential uses. 7. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388).

Section 54.06

Zone
NRH1A

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 54.06	USE REGULATIONS	Required Review Process	Lot Size	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
				REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.120	Mini-School or Mini-Day-Care See Spec. Regs. 2, 6, and 7.	D.R., Chapter 142 KZC.	None	10' See Spec. Reg. 3.	0' See Spec. Reg. 3.	0' See Spec. Reg. 3.	80%	2 stories above abutting right-of-way. See Spec. Reg. 1.	D	B	See KZC 105.25. See Spec. Regs. 4 and 5. 3 and 5.	<ol style="list-style-type: none"> 1. A six-foot-high fence is required only along the property lines adjacent to the outside play area. 2. Hours of operation may be limited to reduce impacts on nearby residential uses. 3. Structured play areas must be setback from all property lines 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. The location of parking and passenger loading areas shall be designed to reduce impacts on nearby residential uses. 6. May include accessory living facilities for staff persons. 7. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388).
.130	Assisted Living Facility See Spec. Regs. 1 and 2.	D.R., Chapter 142 KZC.	None	Same as regulations for the ground floor use.			80%	5 stories above abutting right-of-way.	B	A	1 per assisted living unit.	<ol style="list-style-type: none"> 1. This use may be located on the street level floor of a building only if there is a commercial 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 commercial space if the applicant demonstrates that the proposed configuration of the commercial 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. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.140	Convalescent Center or Nursing Home			10'	0'	0'		2 stories above abutting right-of-way.	C	B	1 for each bed.	<ol style="list-style-type: none"> 1. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with this use.
.150	Public Utility			Same as regulations for the ground floor use					A	B	See KZC 105.25.	
.160	Government Facility or Community Facility	Same as regulations for the ground floor use			C See Spec. Reg. 1.	B	See KZC 105.25.					
.170	Public Park	Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.										

1. This use is only allowed on the street level floor subject to the provisions of General Regulation 5

54.08 User Guide. The charts in KZC 54.12 contain the basic zoning regulations that apply in the NRHBD 1B zone of the City. Use these charts by reading down the left hand column entitled Use. Once you locate the use in which you are interested, read across to find the regulations that apply to that use.

Section 54.10

Zone
NRH1B

Section 54.10 – 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. In cases where the height of a structure is specified in number of stories, the following applies:
 - a. Height measured at the midpoint of the frontage of the subject property on the abutting right-of-way. If the site abuts more than one right-of-way, the applicant may select the right-of-way from which to measure.
 - b. The following heights per story are allowed:
 - i. Ground floor retail; ground floor restaurant and tavern; ground floor entertainment/cultural and/or recreational facility shall be a minimum of 13 feet in height and a maximum of 15 feet.
 - ii. Office; private club or lodge; church; school; day-care center; public utility, government facility, or community facility; public park, ground floor hotel or motel; retail above the ground floor shall be a maximum of 13 feet.
 - iii. Residential; hotel or motel above the ground floor shall be a maximum of 10 feet.
 - c. To determine the allowed height of a structure, determine the number of stories allowed in the use zone charts and apply the allowed height per story specified in subsection (2)(b) of this section. For example, if three stories are allowed and the proposed use is ground floor retail with two stories of residential above, the allowed height would be 35 feet.
 - d. Height shall be measured above the point of measurement (e.g., above average building elevation, or above right-of-way) as specified in the particular use zone charts. For purposes of measuring building height above the abutting right(s)-of-way, alleys shall be excluded.
 - e. In addition to the height exceptions established by KZC 115.60, the following exceptions to height regulations in NRHBD zones are established:
 - i. Decorative parapets may exceed the height limit by a maximum of four feet; provided, that the average height of the parapet around the perimeter of the structure shall not exceed two feet.
 - ii. For structures with a peaked roof, the peak may extend eight feet above the height limit if the slope of the roof is equal or greater than four feet vertical to 12 feet horizontal.
3. If any portion of a structure is adjoining a low density zone, then either:
 - a. The height of that portion of the structure shall not exceed 15 feet above average building elevation, or
 - b. The maximum horizontal facade shall not exceed 50 feet in width.

See KZC 115.30, Distance Between Structures/Adjacency to Institutional Use, for further details.
(Does not apply to Detached Dwelling Units uses).
4. The minimum required front yard is 10 feet, unless otherwise prescribed in the use zone chart. Ground floor canopies and similar entry features may encroach into the front yard; provided, the total horizontal dimension of such elements may not exceed 25 percent of the length of the structure. No parking may encroach into the required 10-foot front yard.

5. The following commercial frontage requirements shall apply to all development that includes dwelling units or assisted living uses:

a. The street level floor of all buildings shall be limited to one or more of the following uses: Retail; Restaurant or Tavern; Hotel or Motel; Entertainment, Cultural and/or Recreational Facility; or Office. These uses shall be oriented toward Market Street and have a minimum depth of 20 feet and an average depth of at least 30 feet (as measured from the face of the building along the street).

The Design Review Board (or Planning Director if not subject to D.R.) may approve a minor reduction in the depth requirements if the applicant demonstrates that the requirement is not feasible given the configuration of existing or proposed improvements and that the design of the commercial frontage will maximize visual interest.

b. Other uses allowed in this zone and parking shall not be located on the street level floor unless an intervening commercial frontage is provided between the street and those other uses or parking subject to the standards above. Lobbies for residential or assisted living uses may be allowed within the commercial frontage provided they do not exceed 20 percent of the building's linear commercial frontage along the street.

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 54.12	USE REGULATIONS ↓ ↑	Required Review Process	Lot Size	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
				REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.050	Automotive Service Center See Spec. Regs. 1, 2, 3, 5 and 6.	D.R., Chapter 142 KZC.	None	10'	0'	0'	80%	2 stories above abutting right-of-way.	A	D	1 per each 250 sq. ft. of gross floor area. See Spec. Reg. 4.	<ol style="list-style-type: none"> Gross floor area for this use may not exceed 10,000 square feet. This use specifically excludes new or used vehicle or boat sales or rentals, and any vehicle or boat body work. No openings (i.e., doors, windows which open, etc.) shall be permitted in any facade of the building adjoining a residential use. Windows are permitted if they are triple-paned and unable to be opened. Ten percent of the required parking spaces on site must have a minimum dimension of 10 feet wide by 30 feet long for motor home/travel trailer use. Storage of used parts and tires must be conducted entirely within an enclosed structure. Outdoor vehicle parking or storage areas must be buffered as required for a parking area in KZC 95.45. See KZC 115.105, Outdoor Use, Activity and Storage, for additional regulations. Site must be designed so noise from this use adjoining to any residential use complies with the standards set forth in WAC 173-60-040(1) for a Class B source property and a Class A receiving property. A certification to this effect, stamped by an Acoustical Engineer, must be submitted with the development permit application.
.060	Private Lodge or Club See Spec. Reg. 1.								B		1 per each 300 sq. ft. of gross floor area.	<ol style="list-style-type: none"> Gross floor area for this use may not exceed 10,000 square feet.
.070	Stacked Dwelling Unit See Spec. Regs. 1 and 2.			Same as regulations for the ground floor use.				5 stories above abutting right-of-way.	Same as regulations for the ground floor use.	A	See KZC 105.25.	<ol style="list-style-type: none"> This use may not be located on the ground floor of a structure. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> 1. This use is only allowed on the street level floor subject to the provisions of General Regulation 5 </div>
.080	Church See Spec. Reg. 1.			10'	0'	0'	80%	30' above average building elevation.	C	B	1 for every four people based on maximum occupancy load of any area of worship. See Spec. Reg. 2.	<ol style="list-style-type: none"> May include accessory living facilities for staff persons. No parking is required for day-care or school ancillary to this use.

Section 54.12



USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 54.12	USE ↓ REGULATIONS ↑	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.090	School or Day-Care Center See Spec. Regs. 2, 5, and 7.	D.R., Chapter 142 KZC.	None	10' See Spec. Reg. 3.	0' See Spec. Reg. 3.	0' See Spec. Reg. 3.	80%	2 stories above abutting right-of-way. See Spec. Reg. 1.	D	B	See KZC 105.25. See Spec. Regs. 4 and 6. 3 and 5. 3. 4. 5.	<ol style="list-style-type: none"> 1. A six-foot-high fence is required only along the property lines adjacent to the outside play areas. 2. Hours of operation may be limited to reduce impacts on nearby residential uses. 3. Structured play areas must be setback from all property lines as follows: <ol style="list-style-type: none"> a. Twenty feet if this use can accommodate 50 or more students or children. b. 10 feet if this use can accommodate 13 to 49 students or children. c. Otherwise, five feet. 4. An on-site passenger loading area must be provided. The City shall determine the appropriate size of the loading areas on a case-by-case basis, depending on the number of attendees and the extent of the abutting right-of-way improvements. Carpooling, staggered loading/unloading time, right-of-way improvements or other means may be required to reduce traffic impacts on nearby residential uses. 5. May include accessory living facilities for staff persons. 6. The location of parking and passenger loading areas shall be designed to reduce impacts on nearby residential uses. 7. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388).
.100	Mini-School or Mini-Day-Care See Spec. Regs. 2, 6, and 7.										See KZC 105.25. See Spec. Regs. 4 and 5. 3 and 5. 3. 4. 5.	<ol style="list-style-type: none"> 1. A six-foot-high fence is required only along the property lines adjacent to the outside play area. 2. Hours of operation may be limited to reduce impacts on nearby residential uses. 3. Structured play areas must be setback from all property lines by five feet. 4. An on-site passenger loading area may be required depending on the number of attendees and the extent of the abutting right-of-way improvements. 5. The location of parking and passenger loading areas shall be designed to reduce impacts on any nearby residential uses. 6. May include accessory living facilities for staff persons. 7. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388).

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS															
Section 54.12	USE ↓ REGULATIONS ↑	Required Review Process	Lot Size	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)			
				REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure							
				Front	Side	Rear									
.110	Assisted Living Facility See Spec. Regs. 1 and 2.	D.R., Chapter 142 KZC.	None	Same as regulations for the ground floor use.			80%	5 stories above abutting right-of-way.	Same as regulations for the ground floor use.	A	1 per assisted living unit.	1. This use may be located on the street level floor of a building only if there is a commercial 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 commercial space if the applicant demonstrates that the proposed configuration of the commercial 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. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.			
.120	Convalescent Center or Nursing Home			10'	0'	0'		5 stories above abutting right-of-way.					C	B	1 for each bed.
.130	Public Utility			2 stories above abutting right-of-way.	A	B		See KZC 105.25.							
.140	Government Facility or Community Facility			C See Spec. Reg. 1.	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.										
.150	Public Park	Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.													

1. This use is only allowed on the street level floor subject to the provisions of General Regulation 5

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 55.21	USE ↓ REGULATIONS ↓	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.100	School, Day-Care Center or Mini-School or Mini-Day-Care	D.R., Chapter 142 KZC.	Less than 1.5 acres.	10' See Spec. Reg. 4.	0' See Spec. Reg. 4.	0' See Spec. Reg. 4.	80%	30' above average building elevation.	D	B	See KZC 105.25. See Spec. Reg. 5. 4. 6. An on-site passenger loading area may be required depending on the number of attendees and the extent of the abutting r-o-w improvements.	
.110	Assisted Living Facility			0'	0'	0'			B D	A	1 per assisted living unit. 1. 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. 2. This use may not be located on the ground floor of a structure. 3. The development must be designed to limit potential impacts from surrounding commercial uses on residents of the subject property. 4. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use.	
.120	Convalescent Center or Nursing Home								C	B	1 for each bed. 1. 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. 2. This use may not be located on the ground floor of a structure.	
.130	Public Utility, Government Facility and Community Facility								D See Spec. Reg. 2.		See KZC 105.25. 1. 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. 2. Landscape Category B or C may be required depending on the type of use on the subject property and the impacts associated with this use.	
.140	Public Park	Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.										

except for lobbies, which shall not exceed 10% of the ground floor of the structure.

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 55.33	USE ↓ REGULATIONS ↓	Required Review Process	Lot Size	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 YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.010	Vehicle Service Station	D.R., Chapter 142 KZC	22,500 sq. ft.	40'	15' on each side	15'	80%	30' average building elevation.	A	E	See KZC 105.25.	<ol style="list-style-type: none"> May not be more than two vehicle service stations at any intersection. Gas pump islands may extend 20 feet into the front yard. Canopies or covers over gas pump islands may not be closer than 10 feet to any property line. Outdoor parking and service areas may not be closer than 10 feet to any property line. See KZC 115.105, Outdoor Use, Activity and Storage, for further regulations.
.020	A Retail Establishment providing storage services. See also Spec. Reg. 1.	D.R., Chapter 142 KZC	None	10'	0'	0'	80%	65' above average building elevation.	A	E	See KZC 105.25.	<ol style="list-style-type: none"> May include accessory living facilities for resident security manager.
.030	A Retail Establishment providing vehicle or boat sales or vehicle or boat service or repair. See Spec. Reg. 2.			See Spec. Reg. 2.	<ol style="list-style-type: none"> Outdoor vehicle or boat parking or storage areas must be buffered as required for a parking area in KZC 95.45. See KZC 115.105, Outdoor Use, Activity and Storage, for additional regulations. Vehicle and boat rental and used vehicles or boat sales are allowed as part of this use. 							
.040	Restaurant or Tavern											
.050	Any Retail Establishment, other than those specifically listed in this zone, selling goods, or providing services including banking and related financial services								C		1 per each 300 sq. ft. of gross floor area.	<ol style="list-style-type: none"> 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 directly related to and are dependent upon this use, and are available for purchase and removal from the premises. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other retail uses.

Section 55.33



USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 55.33	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						
.060	Office Use	D.R., Chapter 142 KZC	None	10'	0'	0'	80%	65' above average building elevation.	C	D	If a medical, dental or veterinary office, then 1 per each 200 sq. ft. of gross floor area. Otherwise, 1 per each 300 sq. ft. of gross floor area.	1. The following regulations apply to veterinary offices only: <ol style="list-style-type: none"> May only treat small animals on the subject property. Outside runs and other outside facilities for the animals are not permitted. Site must be designed so that noise from this use will not be audible off the subject property. A certification to this effect, signed by an acoustical engineer, must be submitted with the development permit application. A veterinary office is not permitted in any development containing dwelling units. 2. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: <ol style="list-style-type: none"> The ancillary assembled or manufactured goods are subordinate to and dependent on this use. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.
.070	Hotel or Motel								B C	E	1 per each room. See also Spec. Reg. 2.	1. May include ancillary meeting and convention facilities. 2. Excludes parking requirements for ancillary meeting and convention facilities. Additional parking requirement for these ancillary uses shall be determined on a case-by-case basis.
.080	Entertainment, Cultural and/or Recreational Facility										1 per every 4 fixed seats.	
.090	Private Lodge or Club								C	B	1 per each 300 sq. ft. of gross floor area.	

Section 55.33

Zone
TL 4A, 4B,
4C

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 55.33	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						
.120	School, Day-Care Center, Mini-School or Mini-Day-Care Center	D.R., Chapter 142 KZC	None	10' See Spec. Reg. 3.	0'	0'	80%	65' above average building elevation.	D	B	See KZC 105.25. 1. A six-foot high fence is required only along the property lines adjacent to the outside play areas. 2. Hours of operation may be limited to reduce impacts on nearby residential uses. 3. Structured play areas must be set back from all property lines as follows: a. Twenty feet if this use can accommodate 50 or more students or children. b. Ten feet if this use can accommodate 13 to 40 students or children. c. Five feet for a mini school or mini day care center. 3. 4. An on-site passenger loading area must be provided. The City shall determine the appropriate size of the loading areas on a case-by-case basis, depending on the number of attendees and the extent of the abutting right-of-way improvements. Carpooling, staggered loading/unloading time, right-of-way improvements or other means may be required to reduce traffic impacts on nearby residential uses. 4. 6. May include accessory living facilities for staff persons. 5. 6. The location of parking and passenger loading areas shall be designed to reduce impacts on nearby residential uses.	
.130	Assisted Living Facility Convalescent Center Nursing Home See Spec. Reg. 1.			10'					A	Assisted Living: 1.7 per independent unit. 1 per assisted living unit. Convalescent Center or Nursing Home: 1 per bed.	1. Development must include commercial use on the ground floor with gross floor area equal to or greater than 20 percent of the area of the subject property. Minor floor area reductions may be approved by the Planning Official if the applicant demonstrates that meeting the requirement is not feasible given the configuration of existing or proposed improvements and that the commercial space is configured to maximize its visibility and pedestrian orientation. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use.	
.140	Public Utility								A	B	See KZC 105.25.	1. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.
.150	Government Facility or Community Facility								C See Spec. Reg. 1.			

Section 55.39

Zone
TL 5

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS																		
Section 55.39	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	Vehicle Service Station	D.R., Chapter 142 KZC.	22,500 sq. ft.	40'	15' on each side	15'	80%	35' above average building elevation.	A	E	See KZC 105.25.	1. May not be more than two vehicle service stations at any intersection.						
				See Spec. Reg. 2.														2. Gas pump islands may extend 20 feet into the front yard. Canopies or covers over gas pump islands may not be closer than 10 feet to any property line. Outdoor parking and service areas may not be closer than 10 feet to any property line. See KZC 115.105, Outdoor Use, Activity and Storage, for further regulations.
.030	A Retail Establishment providing vehicle or boat sales or vehicle or boat service or repair. See Spec. Reg. 1.		None	10'	0'	0'												1. Vehicle and boat rental and used vehicles or boat sales are allowed as part of this use.
																		2. Outdoor vehicle or boat parking or storage areas must be buffered as required for a parking area in KZC 95.45. See KZC 115.105, Outdoor Use, Activity and Storage, for additional regulations.
.040	Restaurant or Tavern								B		1 per each 100 sq. ft. of gross floor area.	1. For restaurants with drive-in or drive-through facilities: a. One outdoor waste receptacle shall be provided for every eight parking stalls. b. Access for drive-through facilities shall be approved by the Public Works Department. Drive-through facilities shall be designed so that vehicles will not block traffic in the right-of-way while waiting in line to be served.						
									C									
.050	A Retail Establishment providing storage services. See also Spec. Reg. 1.										See KZC 105.25.	1. May include accessory living facilities for resident security manager.						

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS														
Section 55.39	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								
.060	Any Retail Establishment other than those specifically listed in this zone, selling goods, or providing services including banking and related financial services	D.R., Chapter 142 KZC.	None	10'	0'	0'	80%	35' above average building elevation.	B	E	1 per each 300 sq. ft. of gross floor area.	1. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The assembled or manufactured goods are directly related to and are dependent upon this use, and are available for purchase and removal from the premises. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other retail uses.		
	C													
.070	Office Use								C	D	If a medical, dental or veterinary office, then 1 per each 200 sq. ft. of gross floor area. Otherwise, 1 per each 300 sq. ft. of gross floor area.	1. The following regulations apply to veterinary offices only: a. May only treat small animals on the subject property. b. Outside runs and other outside facilities for the animals are not permitted. c. Site must be designed so that noise from this use will not be audible off the subject property. A certification to this effect, signed by an acoustical engineer, must be submitted with the development permit application. 2. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The ancillary assembled or manufactured goods are subordinate to and dependent on this use. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.		
.080	Hotel or Motel								B	E	1 per each room. See also Spec. Reg. 2.	1. May include ancillary meeting and convention facilities. 2. Excludes parking requirements for ancillary meeting and convention facilities. Additional parking requirement for these ancillary uses shall be determined on a case-by-case basis.		
		C												
.090	Entertainment, Cultural and/or Recreational Facility									1 per every 4 fixed seats.				
.100	Private Lodge or Club							C	B	1 per each 300 sq. ft. of gross floor area.				

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 55.39	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						
.130	School, Day-Care Center, Mini-School or Mini-Day-Care Center	D.R., Chapter 142 KZC.	None	10'	0'	0'	80%	35' above average building elevation.	D	B	See KZC 105.25.	<ol style="list-style-type: none"> 1. A six-foot high fence is required only along the property lines adjacent to the outside play areas. 2. Hours of operation may be limited to reduce impacts on nearby residential uses. 3. Structured play areas must be set back from all property lines as follows: <ol style="list-style-type: none"> a. Twenty feet if this use can accommodate 50 or more students or children. b. Ten feet if this use can accommodate 13 to 49 students or children. c. Five feet for a mini school or mini day care center. 4. An on-site passenger loading area must be provided. The City shall determine the appropriate size of the loading areas on a case-by-case basis, depending on the number of attendees and the extent of the abutting right-of-way improvements. Carpooling, staggered loading/unloading time, right-of-way improvements or other means may be required to reduce traffic impacts on nearby residential uses. 5. May include accessory living facilities for staff persons. 6. The location of parking and passenger loading areas shall be designed to reduce impacts on nearby residential uses.
.140	Assisted Living Facility Convalescent Center Nursing Home See Spec. Reg. 1.								A	A	Assisted Living: 1.7 per independent unit. 1 per assisted living unit. Convalescent Center or Nursing Home: 1 per bed.	<ol style="list-style-type: none"> 1. Development must include commercial use with gross floor area on the ground floor equal to or greater than 20 percent of the parcel size of the subject property. Minor reductions may be approved by the Planning Official if the applicant demonstrates that meeting the requirement is not feasible given the configuration of existing or proposed improvements and that the commercial space is configured to maximize its visibility and pedestrian orientation. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use.
.150	Public Utility									B	See KZC 105.25.	<ol style="list-style-type: none"> 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	Government Facility Community Facility								C See Spec. Reg. 1			
.170	Public Park	Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.										

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 55.45	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						
.050	Any Retail Establishment, other than those specifically listed in this zone, selling goods or providing services, including banking and related financial services	D.R., Chapter 142 KZC. See Gen. Reg. 6.	None	10'	0'	0'	80%	45' above average building elevation. See Gen. Reg. 11.	B C	E	1 per each 300 sq. ft. of gross floor area.	1. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The assembled or manufactured goods are directly related to and are dependent upon this use, and are available for purchase and removal from the premises. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other retail uses.
.060	Office Use								C	D	If a medical, dental or veterinary office, then 1 per each 200 sq. ft. of gross floor area. Otherwise, 1 per each 300 sq. ft. of gross floor area.	1. The following regulations apply to veterinary offices only: a. May only treat small animals on the subject property. b. Outside runs and other outside facilities for the animals are not permitted. c. Site must be designed so that noise from this use will not be audible off the subject property. A certification to this effect, signed by an acoustical engineer, must be submitted with the development permit application. d. A veterinary office is not permitted in any development containing dwelling units. 2. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The ancillary assembled or manufactured goods are subordinate to and dependent on this use. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.
.070	Hotel or Motel								B C	E	1 per each room. See also Spec. Reg. 2.	1. May include ancillary meeting and convention facilities. 2. Excludes parking requirements for ancillary meeting and convention facilities. Additional parking requirement for these ancillary uses shall be determined on a case-by-case basis.
.080	Entertainment, Cultural and/or Recreational Facility										1 per every 4 fixed seats.	

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 55.45	USE ↓ REGULATIONS ↓	Required Review Process	Lot Size	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 YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.120	Church	D.R., Chapter 142 KZC. See Gen. Reg. 6.	None	10'	5' on each side	10'	80%	45' above average building elevation. See Gen. Reg. 11.	C	B	1 for every 4 people based on maximum occupancy load of any area of worship. See also Spec. Reg. 2.	<ol style="list-style-type: none"> 1. May include accessory living facilities for staff persons. 2. No parking is required for day-care or school ancillary to this use.
.130	School, Day-Care Center, Mini-School or Mini-Day-Care Center				0'	0'			D	B	See KZC 105.25.	<ol style="list-style-type: none"> 1. A six-foot high fence is required only along the property lines adjacent to the outside play areas. 2. Hours of operation may be limited to reduce impacts on nearby residential uses. 3. Structured play areas must be set back from all property lines as follows: <ol style="list-style-type: none"> a. Twenty feet if this use can accommodate 50 or more students or children. b. Ten feet if this use can accommodate 13 to 40 students or children. c. Five feet for a mini school or mini day care center. 3. An on-site passenger loading area must be provided. The City shall determine the appropriate size of the loading areas on a case-by-case basis, depending on the number of attendees and the extent of the abutting right-of-way improvements. Carpooling, staggered loading/unloading time, right-of-way improvements or other means may be required to reduce traffic impacts on nearby residential uses. 4. May include accessory living facilities for staff persons. 5. The location of parking and passenger loading areas shall be designed to reduce impacts on nearby residential uses.

Section 55.69

Zone
TL 10A

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 55.69	USE ↓ REGULATIONS ↑	Required Review Process	Lot Size	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 YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.020	Office Use High Technology	D.R., Chapter 142 KZC. See Gen. Reg. 5.	None	10'	5' but 2 side yards must equal at least 15'	10'	80%	See Spec. Reg. 2.	C See Spec. Reg. 3.	D	If manufacturing, then 1 per each 1,000 sq. ft. of gross floor area. If office, then 1 per each 300 sq. ft. of gross floor area. If a medical, dental, or veterinary office, then 1 per each 200 sq. ft. of gross floor area. Otherwise, see KZC 105.25.	<ol style="list-style-type: none"> Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: <ol style="list-style-type: none"> The ancillary assembled or manufactured goods are subordinate to and dependent on this use. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses. Maximum building height for this use is as follows: <ol style="list-style-type: none"> If adjoining a residential zone other than TL 11, then 25 feet above average building elevation. South of either NE 120th Street or NE 118th Street, 35 feet above average building elevation. Elsewhere in this zone, 55 feet above average building elevation. Outdoor storage is prohibited. The following regulations apply only to veterinary offices: <ol style="list-style-type: none"> If there are outdoor runs or other outdoor facilities for the animals, then use must comply with Landscape Category A. Outdoor runs and other outdoor 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.

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 55.69	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						
.040	Any Retail Establishment other than those specifically listed in this zone, selling goods, or providing services including banking and related financial services. See Spec. Regs. 1 and 2.	D.R., Chapter 142 KZC. See Gen. Reg. 5.	None	10'	0'	0'	80%	55' above average building elevation.	B C	E	1 per each 300 sq. ft. of gross floor area.	1. This use is only allowed on parcels with frontage on NE 124th Street. 2. The following uses and activities are prohibited: a. The sale, service, and/or rental of motor vehicles, sailboats, motor boats, and recreational trailers are not permitted; 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 unless the square footage of the storage area is less than 10 percent of the retail structure. 3. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The assembled or manufactured goods are subordinate to and dependent upon this use, and are available for purchase and removal from the premises. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other retail uses.
.050	Hotel or Motel										1 per each room. See also Spec. Reg. 3.	1. This use is only allowed on parcels with frontage on NE 124th Street. 2. May include ancillary meeting and convention facilities. 3. Excludes parking requirements for ancillary meeting and convention facilities. Additional parking requirement for these ancillary uses shall be determined on a case-by-case basis.
.060	Convalescent Center or Nursing Home							See Spec. Reg. 2.		A	1 per bed.	1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use. 2. Maximum building height for this use is as follows: a. If adjoining a residential zone other than TL 11, then 25 feet above average building elevation. b. South of either NE 120th Street or NE 118th Street, 35 feet above average building elevation. c. Elsewhere in this zone, 55 feet above average building elevation.

Section 55.69

Zone
TL 10A

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 55.69	USE ↓ REGULATIONS ↓	Required Review Process	Lot Size	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 YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.070	School, Day-Care Center, Mini-School or Mini-Day-Care Center	D.R., Chapter 142 KZC. See Gen. Reg. 5.	None	10'	0'	0'	80%	See Spec. Reg. 6. <input type="checkbox"/> 5.	D	B	See KZC 105.25.	<ol style="list-style-type: none"> 1. A six-foot-high fence is required only along the property lines adjacent to the outside play areas. 2. Structured play areas must be set back from all property lines as follows: <ol style="list-style-type: none"> a. Twenty feet if this use can accommodate 50 or more students or children. b. Ten feet if this use can accommodate 13 to 40 students or children. c. Five feet for a mini school or mini day care center. <input type="checkbox"/> 2. An on-site passenger loading area must be provided. The City shall determine the appropriate size of the loading areas on a case-by-case basis, depending on the number of attendees and the extent of the abutting right-of-way improvements. Carpooling, staggered loading/unloading time, right-of-way improvements or other means may be required to reduce traffic impacts on any nearby residential uses. <input type="checkbox"/> 3. May include accessory living facilities for staff persons. <input type="checkbox"/> 4. The location of parking and passenger loading areas shall be designed to reduce impacts on any nearby residential uses. <input type="checkbox"/> 5. Maximum building height for this use is as follows: <ol style="list-style-type: none"> a. If adjoining a residential zone other than TL 11, then 25 feet above average building elevation. b. South of either NE 120th Street or NE 118th Street, 35 feet above average building elevation. c. Elsewhere in this zone, 55 feet above average building elevation.
.080	Church			5' but 2 side yards must equal at least 15'	10'		See Spec. Reg. 2.	C		1 for every 4 people based on maximum occupancy load of any area of worship. See Spec. Reg. 1.	<ol style="list-style-type: none"> 1. No parking is required for day-care or school ancillary to the use. 2. Maximum building height for this use is as follows: <ol style="list-style-type: none"> a. If adjoining a residential zone other than TL 11, then 25 feet above average building elevation. b. South of either NE 120th Street or NE 118th Street, 35 feet above average building elevation. c. Elsewhere in this zone, 55 feet above average building elevation. 	

(Revised 8/12)

Section 55.75

Zone
TL 10B

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 55.75	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						
.090	High Technology	D.R., Chapter 142 KZC. See Gen. Reg. 5.	None	10'	0'	0'	70%	55' above average building elevation.	C See Spec. Reg. 3.	D	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.	<ol style="list-style-type: none"> 1. 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. 2. Refer to KZC 115.105 for provisions regarding outside use, activity and storage. 3. Any outdoor storage area shall be buffered according to Landscape Category A.
.095	Vehicle or Boat Repair, Services, Washing or Rental See Spec. Reg. 1.								E	See KZC 105.25.	<ol style="list-style-type: none"> 1. The use is permitted only on parcels that abut 120th Avenue NE. 2. Outdoor vehicle or boat parking or storage areas must be buffered as required for a parking area in KZC 95.45. See KZC 115.105, Outdoor Use, Activity and Storage, for additional regulations. 3. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses. 	
.100	Mini-Day-Care See Spec. Reg. 6-5.								D	B	<ol style="list-style-type: none"> 1. A six-foot-high fence is required along the property lines adjacent to the outside play area. 2. Hours of operation may be limited to reduce impacts on nearby residential uses. 3. Structured play areas must be set back from all property lines by five feet. 3. An on-site passenger loading area may be required depending on the number of attendees and the extent of the abutting right-of-way improvements. 4. The location of parking and passenger loading areas shall be designed to reduce impacts on nearby residential uses. 5. May include accessory living facilities for staff persons. 6. This use is permitted if accessory to a primary use, and: <ol style="list-style-type: none"> a. It will not exceed 20 percent of the gross floor area of the building; and b. The use is integrated into the design of the building. 	

Section 55.75



USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 55.75	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						
.160	School or Day-Care Center	D.R., Chapter 142 KZC. See Gen. Reg. 5.	None	<p>If this use can accommodate 50 or more students or children, then:</p> <p>50' 50' on 50' each side</p> <p>If this use can accommodate 13 to 40 students or children, then:</p> <p>20' 20' on 20' each side</p> <p>Otherwise:</p> <p>20' 5' but 2 40' side yards must equal at least 15'</p>	70%	55' above average building elevation.	C	B	See KZC 105.25.	<p>1. A six-foot-high fence along the side and rear property lines is required only along the property lines adjacent to the outside play areas.</p> <p>2. Hours of operation and maximum number of attendees at one time may be limited to reduce impacts on nearby residential uses.</p> <p>3. Structured play areas must be set back from all property lines as follows:</p> <p>a. Twenty feet if this use can accommodate 50 or more students or children.</p> <p>b. Ten feet if this use can accommodate 13 to 40 students or children.</p> <p>e. Otherwise, five feet.</p> <p>4. An on-site passenger loading area must be provided. The City shall determine the appropriate size of the loading area on a case-by-case basis, depending on the number of attendees and the extent of the abutting right-of-way improvements. Carpooling, staggered loading/unloading time, right-of-way improvements or other means may be required to reduce traffic impacts on nearby residential uses.</p> <p>5. The location of parking and passenger loading areas shall be designed to reduce impacts on any nearby residential uses.</p> <p>6. Electrical signs shall not be permitted.</p> <p>7. May include accessory living facilities for staff persons.</p>		
			10'	0'	0'							

(Revised 8/12)

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 55.81	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						
.070	A Retail Establishment providing banking and related financial services	D.R., Chapter 142 KZC. See Gen. Reg. 5.	None	10'	0'	0'	80%	Same as primary use.	B <input type="checkbox"/>	E	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. It will not be located in a separate structure from the primary use; c. It will not exceed 50 percent of the ground floor area of the building; d. The use is integrated into the design of the building; and e. There is no vehicle drive-in or drive-through.
.080	Office Use						Where adjoining a low density zone, then 30' above average building elevation. Otherwise, 45' above average building elevation. See also Spec. Regs. 2 and 3.	C See also Spec. Reg. 1(a).	D	If medical, dental or veterinary office, then 1 per each 200 sq. ft. of gross floor area. Otherwise, 1 per each 300 sq. ft. of gross floor area.	1. The following regulations apply only to veterinary offices: a. If there are outdoor runs or other outdoor facilities for the animals, then use must comply with Landscape Category A. b. 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. 2. When three stories of this use are developed in a mixed-use project with attached or stacked dwelling units, building height may be increased by 10 feet per floor of residential use, not to exceed 65 feet above average building elevation. 3. No portion of a structure may exceed the following heights above the elevation of NE 116th Street, as measured at the midpoint of the frontage of the subject property on NE 116th Street: a. Within 20 feet of NE 116th Street, 35 feet. b. Within 30 feet of NE 116th Street, 45 feet. c. Within 40 feet of NE 116th Street, 55 feet.	

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 55.81	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						
.100	School, Day-Care Center, Mini-School or Mini-Day-Care Center See Spec. Reg. 1.	D.R., Chapter 142 KZC. See Gen. Reg. 5.	None	10' See Spec. Reg. 4.	0'	0'	80%	Same as primary use.	D	B	See KZC 105.25.	<ol style="list-style-type: none"> This use is permitted if accessory to a primary use, and: <ol style="list-style-type: none"> It will not exceed 20 percent of the gross floor area of the building. The use is integrated into the design of the building. A six-foot-high fence is required along the property lines adjacent to the outside play areas. Hours of operation may be limited to reduce impacts on nearby residential uses. Structured play areas must be set back from all property lines as follows: <ol style="list-style-type: none"> Twenty feet if this use can accommodate 50 or more students of children. Ten feet if this use can accommodate 13 to 40 students or children. Five feet for a mini school or day care center. 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. May include accessory living facilities for staff persons.
.110	Public Utility			10'				Where adjoining a low density zone, then 30' above average building elevation. Otherwise, 45' above average building elevation. See also Spec. Regs. 2 and 3.	C See Spec. Reg. 1.			<ol style="list-style-type: none"> 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. When three stories of this use are developed in a mixed-use project with attached or stacked dwelling units, building height may be increased by 10 feet per floor of residential use, not to exceed 65 feet above average building elevation. No portion of a structure may exceed the following heights above the elevation of NE 116th Street, as measured at the midpoint of the frontage of the subject property on NE 116th Street: <ol style="list-style-type: none"> Within 20 feet of NE 116th Street, 35 feet. Within 30 feet of NE 116th Street, 45 feet. Within 40 feet of NE 116th Street, 55 feet.
.120	Government Facility Community Facility											
.130	Vehicle or Boat Sales, Repair, Services. Washing or Rental See Spec. Reg. 1.								A	E		<ol style="list-style-type: none"> Vehicle or boat sales or rental uses are only permitted if the property abuts NE 116th Street. Outdoor vehicle or boat parking or storage areas must be buffered as required for a parking area in KZC 95.45. See KZC 115.105, Outdoor Use, Activity and Storage, for additional regulations.

Section 55.81

Zone
TL 10C

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS													
Section 55.81	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 YARD (See Ch. 115)									
				Front	Side	Rear							
.140	Restaurant or Tavern See Spec. Reg. 1.	D.R., Chapter 142 KZC. See Gen. Reg. 5.	None	10'	0'	0'	80%	Same as primary use.	B C	E	1 per each 100 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. It is not located in a separate structure from the primary use; c. The use is integrated into the design of the building; d. There is no vehicle drive-in or drive-through.	
.150	Public Park	Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.											
.160	Entertainment, Cultural and/or Recreational Facility	D.R., Chapter 142 KZC. See Gen. Reg. 5.	None	20'	0'	0'	80%	Where adjoining a low density zone, 30' above average building elevation. Otherwise, 35' above average building elevation.	A	E	See KZC 105.25.	1. The use shall be conducted within a wholly enclosed building. 2. The structure containing the use shall have been in existence on June 1, 2004, and shall not be altered, changed, or otherwise modified to accommodate the use if the cost of such alteration, change, or modification exceeds 30 percent of the replacement cost of that building. 3. The use must be discontinued when there is an alteration, change, or other work in a consecutive 12-month period to the space in which the use is located, and the cost of the alteration, change or other work exceeds 30 percent of the replacement cost of that space.	

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 56.10	USE ↓ REGULATIONS ↓	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.010	Attached or Stacked Dwelling Units (continued)										REGULATIONS CONTINUED FROM PREVIOUS PAGE 16. Development shall be designed, built and certified to achieve or exceed the following green building standards: a. Evergreen Standard or Built Green 4 star certified for all housing units. b. For the parking garage and nonresidential uses, either a LEED Silver CS (Core and Shell) certified or LEED CS checklist with a third party independent verification and inspection to meet the LEED CS Silver Standard. 17. This use must be part of a development that includes an increase in the number of parking stalls available exclusively to users of the Park and Ride facility. 18. Parking stalls to serve the use must be in addition to those provided as part of the expansion of capacity for the Park and Ride facility.	
.020	Office Uses	D.R., Chapter 142 KZC	None	20'	5', but 2 side yards must equal at least 15'	10'	70%	30' above average building elevation.	C	D	If medical, dental, or veterinary office, then one per each 200 sq. ft. of gross floor area. Otherwise, one per each 300 sq. ft. of gross floor area. 1. The following regulations apply to veterinary offices only: a. May only treat small animals on the subject property. b. Outside runs and other outside facilities for the animals are not permitted. c. Site must be designed so that noise from this use will not be audible off the subject property. A certification to this effect, signed by an acoustical engineer, must be submitted with the development permit application. 2. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The ancillary assembled or manufactured goods are subordinate to and dependent on this use. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.	
.030	Restaurant or Tavern				X 40' on each side	20'			B C	E	One per each 100 sq. ft. of gross floor area. 1. Drive-in or drive-through facilities are prohibited.	
.040	Funeral Home or Mortuary				20' on each side	20'			C	B	One per each 300 sq. ft. of gross floor area.	

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

Section 56.10

Zone
YBD 1

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 56.10	USE ↓ REGULATIONS ↑	Required Review Process	MINIMUMS			MAXIMUMS		Landscaping Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.050	Grocery Store, Drug Store, Laundromat, Dry Cleaners, Barber Shop, or Shoe Repair Shop	D.R., Chapter 142 KZC	None	20'	10' on each side	20'	70%	30' above average building elevation.	B	E	1 per each 300 sq. ft. of gross floor area.	1. May not be located above the ground floor of a structure. 2. Gross floor area cannot exceed 3,000 sq. ft.
					5', but two side yards must equal at	10'						
.060	Retail Establishment providing banking or related financial service											1. May not be located above the ground floor of a structure.
.070	Church				20' on each side			C	B	1 for every 4 people based on maximum occupant load of any area of worship. See Spec. Reg. 1.		1. No parking is required for day-care or school ancillary to the use.

(Revised 9/11)

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 56.10	USE ↓ REGULATIONS ↑	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.080	School or Day-Care Center	D.R., Chapter 142 KZC	None	<p>If this use can accommodate 50 or more students or children, then:</p> <p>50' 50'-on 50' each side</p> <p>If this use can accommodate 13 to 49 students or children, then:</p> <p>20' 20'-on 20' each side</p>	70%	30' above average building elevation. See Spec. Reg. 8.	D	B	See KZC 105.25.	<ol style="list-style-type: none"> 1. A six-foot-high fence is required only along the property lines adjacent to the outside play areas. 2. Hours of operation may be limited to reduce impacts on nearby residential uses. 3. Structured play areas must be set back from all property lines as follows: <ol style="list-style-type: none"> a. 20 feet if this use can accommodate 50 or more students or children. b. 10 feet if this use can accommodate 13 to 49 students or children. 4. An on-site passenger loading area must be provided. The City shall determine the appropriate size of the loading areas on a case-by-case basis, depending on the number of attendees and the extent of the abutting right-of-way improvements. Carpooling, staggered loading/unloading time, right-of-way improvements or other means may be required to reduce traffic impacts on any nearby residential uses. 5. May include accessory living facilities for staff persons. 6. The location of parking and passenger loading areas shall be designed to reduce impacts on any nearby residential uses. 7. These uses are subject to the requirements established by the Department of Social Health Services (WAC Title 388). 8. For school use, structure height may be increased, up to 35 feet, if: <ol style="list-style-type: none"> a. The school can accommodate 200 or more students; and b. The required side and rear yards for the portions of the structure exceeding the basic maximum structure height are increased by one foot for each additional one foot of structure height; and c. The increased height is not specifically inconsistent with the applicable neighborhood plan provisions of the Comprehensive Plan; d. The increased height will not result in a structure that is incompatible with surrounding uses or improvements. <p><i>This special regulation is not effective within the disapproval jurisdiction of the Houghton Community Council.</i></p> 		
			20'	5' but two side yards must equal at least 15'	10'							

Section 56.10

Zone
YBD 1

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS																			
Section 56.10	USE ↓ REGULATIONS ↑	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)								
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage					Height of Structure							
				Front	Side	Rear													
.090	Mini-School or Mini-Day-Care	D.R., Chapter 142 KZC	None	20'	5', but 2 side yards must equal at least 15'	10'	70%	30' above average building elevation.	E	B	See KZC 105.25.	<ol style="list-style-type: none"> 1. A six-foot-high fence is required along the property lines adjacent to the outside play areas. 2. 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 five feet. 4. An on-site passenger loading area may be required depending on the number of attendees and the extent of the abutting right-of-way improvements. 5. The location of parking and passenger loading areas shall be designed to reduce impacts on nearby residential uses. 6. May include accessory living facilities for staff persons. 7. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388). 							
.100	Convalescent Center or Nursing Home												One Acre	10' on each side	20'	C	One for each bed.		
.110	Hospital Facility																	A	
.120	Public Utility																		C
.130	Government Facility Community Facility																		
.140	Public Park	Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.																	

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 56.20	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						
.010	Vehicle Service Station	D.R., Chapter 142 KZC	2,250 sq. ft.	40'	15' on each side. See also Spec. Reg. 3.	15'	80%	In YBD 2, 55' above average building elevation. In YBD 3, 60' above average building elevation.	A	E	See KZC 105.25.	<ol style="list-style-type: none"> The following uses and activities are prohibited: <ol style="list-style-type: none"> The outdoor storage, sale, service and/or rental of motor vehicles, sailboats, motor boats, and recreational trailers. There may not be more than two vehicle service stations at any intersection. This use is only allowed if the subject property abuts Lake Washington Boulevard or Northup Way. Gas pump islands may extend 20 feet into the front yard. Canopies or covers over gas pump islands may not be closer than 10 feet to any property line. Outdoor parking and service areas may not be closer than 10 feet to any property line. See KZC 115.105, Outdoor Use, Activity and Storage, for further regulations.
.020	Restaurant or Tavern		None	0' adjacent to NE 38th Place and Northup Way.	0'	0'			B		1 per each 100 sq. ft. of gross floor area.	<ol style="list-style-type: none"> The following uses and activities are prohibited: <ol style="list-style-type: none"> Drive-in or drive-through facilities. The gross floor area of individual retail establishments may not exceed 15,000 square feet except within a mixed use development in which the floor area of other uses exceeds the floor area of retail establishments.
.030	Office Use			0' adjacent to NE 38th Place and Northup Way. Otherwise, 20'					C	D	If medical, dental or veterinary office, then one 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"> The following regulations apply to veterinary offices only: <ol style="list-style-type: none"> May only treat small animals on the subject property. Outside runs and other outside facilities for the animals are not permitted. Site must be designed so that noise from this use will not be audible off the subject property. A certification to this effect, signed by an Acoustical Engineer, must be submitted with the development permit application. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: <ol style="list-style-type: none"> The ancillary assembled or manufactured goods are subordinate to and dependent on this use. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.

Section 56.20

Zone
YBD 2,
YBD 3

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS													
Section 56.20	USE ↓ REGULATIONS ↓	Required Review Process	Lot Size	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 YARD (See Ch. 115)			Lot Coverage	Height of Structure					
				Front	Side	Rear							
.040	Hotel or Motel	D.R., Chapter 142 KZC	None	0' adjacent to NE 38th Place and Northup Way. Otherwise, 20'.	0'	0'	80%	In YBD 2, 55' above average building elevation.	B C	E	1 per each room. See also Spec. Reg. 2. 1 per each 300 sq. ft. of gross floor area.	1. May include ancillary meeting and convention facilities.	2. Excludes parking requirements for ancillary meeting and convention facilities. Additional parking requirement for these ancillary uses shall be determined on a case-by-case basis.
.050	A Retail Establishment other than those specifically listed, limited, or prohibited in the zone, selling goods, or providing services including banking and related financial services											In YBD 3, 60' above average building elevation.	1. The following uses and activities are prohibited: a. The outdoor storage, sale, service and/or rental of motor vehicles, sailboats, motor boats, and recreational trailers. b. Vehicle repair. c. Retail establishment providing storage services unless accessory to another permitted use. d. Storage and operation of heavy equipment, except delivery vehicles associated with retail uses. e. Storage of parts unless conducted entirely within an enclosed structure. f. Drive-in or drive-through facilities. 2. The gross floor area of individual retail establishments may not exceed 15,000 square feet except within a mixed use development in which the floor area of other uses exceeds the floor area of retail establishments. 3. A delicatessen, bakery, or other similar use may include, as part of the use, accessory seating if: a. The seating and associated circulation area do not exceed more than 10 percent of the gross floor area of the use; and b. It can be demonstrated to the City that the floor plan is designed to preclude the seating area from being expanded.
.060	Stacked Dwelling Units								D	A	1.7 per unit.	1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.	
.070	Assisted Living Facility, Convalescent Center or Nursing Home								C		Independent unit: 1.7 per unit. Assisted living unit: 1 per unit. Convalescent center or nursing home: 1 per each bed.	1. A facility that provides both independent dwelling units and assisted living units shall be processed as an assisted living facility. 2. If a nursing home use is combined with an assisted living facility use in order to provide a continuum of care for residents the required review process shall be the least intensive process between the two uses.	

Section 56.20



USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 56.20	USE ↓ REGULATIONS ↓	Required Review Process	Lot Size	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 YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.120	School or Day-Care Center	D.R., Chapter 142 KZC	None	0' adjacent to NE 38th Place and Northup Way. Otherwise, 20'.	0'	0'	80%	In YBD 2, 55' above average building elevation.	D	B	See KZC 105.25.	<ol style="list-style-type: none"> 1. A six-foot-high fence is required along the property lines adjacent to the outside play areas. 2. Structured play areas must be set back from all property lines by five feet. 2. 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. 3. May include accessory living facilities for staff persons. 4. Electrical signs shall be permitted at junior high/middle schools and high schools. One pedestal sign with a readerboard having electronic programming is allowed per site only: <ol style="list-style-type: none"> a. It is a pedestal sign (see Plate 12) having a maximum 40 square feet of sign area per sign face; b. The electronic readerboard is no more than 50 percent of the sign area; c. Moving graphics and text or video are not part of the sign; d. The electronic readerboard does not change text and/or images at a rate less than one every seven seconds and shall be readily legible given the text size and the speed limit of the adjacent right-of-way; e. The electronic readerboard displays messages regarding public service announcements or school events only; f. The intensity of the display shall not produce glare that extends to adjacent properties and the signs shall be equipped with a device which automatically dims the intensity of the lights during hours of darkness; g. The electronic readerboard is turned off between 10:00 p.m. and 6:00 a.m.; h. The school is located on a collector or arterial street. The City shall review and approve the location of the sign on the site. The sign shall be located to have the least impact on surrounding residential properties. If it is determined that a proposed electronic readerboard would constitute a traffic hazard the Planning Director may impose restrictions or deny the readerboard. 6.
.130	Mini-School or Mini-Day-Care								E			



DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 60.42	USE ↓ REGULATIONS →	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.060	School or Day-Care Center	D.R., Chapter 142 KZC.	7,200 sq. ft.	<p>If this use can accommodate 60 or more students or children, then:</p> <p>40' 50' on each side 50'</p> <p>If this use can accommodate 13 to 40 students or children, then:</p> <p>10' 20' on each side 20'</p> <p>5' but 2 side yards must equal at least 15'. From easterly edge of PLA 5C - 15'.</p>	10'	70%	60' above average building elevation, except for properties within 325' of the PLA 5C eastern boundary, then 40' above average building elevation.	D	B	See KZC 105.25.	<ol style="list-style-type: none"> 1. The City may limit access points onto 6th Street and require traffic control devices and right-of-way realignment. 2. May locate on the subject property only if: <ol style="list-style-type: none"> a. It will serve the immediate neighborhood in which it is located; or b. It will not be detrimental to the character of the neighborhood in which it is located. 3. A six-foot-high fence is required only along the property lines adjacent to the outside play areas. 4. Hours of operation may be limited to reduce impacts on nearby residential uses. 5. Structured play areas must be setback from all property lines as follows: <ol style="list-style-type: none"> a. 20 feet if this use can accommodate 60 or more students or children. b. 10 feet if this use can accommodate 13 to 40 students or children. 6. An on-site passenger loading area must be provided. The City shall determine the appropriate size of the loading areas on a case-by-case basis, depending on the number of attendees and the extent of the abutting right-of-way improvements. Carpooling, staggered loading/unloading time, right-of-way improvements or other means may be required to reduce traffic impacts on any nearby residential uses. 7. May include accessory living facilities for staff persons. 8. The location of parking and passenger loading areas shall be designed to reduce impacts on any nearby residential uses. 9. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388). 10. For properties abutting PLA 5D, any portion of a building exceeding 30 feet above ABE shall be no closer than 50 feet to the easterly edge of PLA 5C. 	

Section 60.42

Zone
PLA5C

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 60.42	USE REGULATIONS	Required Review Process	Lot Size	MINIMUMS			Lot Coverage	MAXIMUMS Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
				REQUIRED YARDS (See Ch. 115)								
				Front	Side	Rear						
.070	Mini-School or Mini-Day-Care	D.R., Chapter 142 KZC.	3,600 sq. ft.	10'	5', but 2 side yards must equal at least 15'. From easterly edge of PLA 5C - 15'.	10'	70%	<ul style="list-style-type: none"> If the development contains at least 1 acre, 60' above average building elevation, except for properties within 325' of the PLA 5C eastern boundary, then 40' above average building elevation. If the development is south of 4th Avenue and within 180' east of 6th Street, and contains at least 0.8 acres, 52' above average building elevation. If the development is south of 4th Avenue and within 180 feet east of 6th Street, and contains at least 0.4 acres, 40' above average building elevation. Otherwise, 30' above average building elevation. 	E	B	See KZC 105.25.	<ol style="list-style-type: none"> The City may limit access points onto 6th Street and require traffic control devices and right-of-way realignment. A six-foot-high fence is required along the property lines adjacent to the outside play areas. Hours of operation may be limited by the City to reduce impacts on nearby residential uses. Structured play areas must be setback from all property lines by 6 feet. 6. An on-site passenger loading area may be required depending on the number of attendees and the extent of the abutting right-of-way improvements. 6. The location of parking and passenger loading areas shall be designed to reduce impacts on any nearby residential uses. 7. May include accessory living facilities for staff persons. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388). 9. For properties abutting PLA 5D, any portion of a building exceeding 30 feet above ABE shall be no closer than 50 feet to the easterly edge of PLA 5C.

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 60.62	USE ↓ REGULATIONS ↑	Required Review Process	Lot Size	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
				REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.070	School or Day-Care Center	None	7,200 sq ft.	If this use can accommodate 50 or more students or children, then: 50' 50' on each side 50'	70%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above building elevation. See Spec. Reg. 6.	D	B	See KZC 105.25.	1. A six-foot-high fence is required only along the property lines adjacent to the outside play areas. 2. Hours of operation may be limited to reduce impacts on nearby residential uses. 3. Structured play areas must be setback from all property lines as follows: a. 20 feet if this use can accommodate 50 or more students or children; b. 10 feet if this use can accommodate 13 to 49 students or children. 4. An on-site passenger loading area must be provided. The City shall determine the appropriate size of the loading areas on a case-by-case basis, depending on the number of attendees and the extent of the abutting right-of-way improvements. Carpooling, staggered loading/unloading time, right-of-way improvements or other means may be required to reduce traffic impacts on any nearby residential uses. 5. May include accessory living facilities for staff persons. 6. The location of parking and passenger loading areas shall be designed to reduce impacts on any nearby residential uses. 7. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388). 8. For school use, structure height may be increased, up to 35 feet, if: a. The school can accommodate 200 or more students; and b. The required side and rear yards for the portions of the structure exceeding the basic maximum structure height are increased by one foot for each additional one foot of structure height; and c. The increased height is not specifically inconsistent with the applicable neighborhood plan provisions of the Comprehensive Plan. d. The increased height will not result in a structure that is incompatible with surrounding uses or improvements.		
			If this use can accommodate 13 to 49 students or children, then: 20' 20' on each side 20'									
			20' 5', but two side yards must equal at least 15' 10'									

Section 60.62

Zone
PLA6B

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 60.62	USE ↓ REGULATIONS ↑	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.080	Mini-School or Mini-Day-Care	None	3,600 sq. ft.	20'	5', but 2 side yards must equal at least 15'.	10'	70%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above building elevation.	E	B	See KZC 105.25.	<ol style="list-style-type: none"> Hours of operation may be limited by the City to reduce impacts on nearby residential uses. Structured play areas must be setback from all property lines by five feet. An on-site passenger loading area may be required depending on the number of attendees and the extent of the abutting right-of-way improvements. The location of parking and passenger loading areas shall be designed to reduce impacts on any nearby residential uses. May include accessory living facilities for staff persons. A six-foot-high fence is required only along the property lines adjacent to the outside play areas. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388).
.090	Assisted Living Facility								D	A	1.7 per independent unit. 1 per assisted living unit.	<ol style="list-style-type: none"> A facility that provides both independent dwelling units and assisted living units shall be processed as an assisted living facility. If a nursing home use is combined with an assisted living facility use in order to provide a continuum of care for residents, the required review process shall be the least intensive process between the two uses. 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, 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"> Project is of superior design, and Project will not create impacts that are substantially different than would be created by a permitted multifamily development. 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. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use.

PUBLICATION SUMMARY
OF ORDINANCE O-4413

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, AND LAND USE; AMENDING ZONING PROVISIONS RELATING TO COMMERCIAL USES AND ZONES; AMENDING THE FOLLOWING CHAPTERS OF THE KIRKLAND ZONING ORDINANCE 3719, AS AMENDED: 25, 27, 40, 45, 47, 48, 50, 51, 52, 53, 54, 55, 56, 60, 105, AND 142; AND APPROVING A SUMMARY ORDINANCE FOR PUBLICATION, FILE NO. CAM13-00185.

SECTION 1. Amends numerous sections of the Kirkland Zoning Code relating to commercial uses and zones.

SECTION 2. Provides a severability clause for the Ordinance.

SECTION 3. Establishes that this ordinance, to the extent it is subject to disapproval jurisdiction, will be effective within the disapproval jurisdiction of the Houghton Community Council Municipal Corporation upon approval by the Houghton Community Council or the failure of said Community Council to disapprove this ordinance within 60 days of the date of the passage of this ordinance.

SECTION 4. Authorizes publication of the Ordinance by summary, which summary is approved by the City Council pursuant to Section 1.08.017 Kirkland Municipal Code and establishes the effective date as five days after publication of summary.

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the 2nd day of July, 2013.

I certify that the foregoing is a summary of Ordinance O-4413 approved by the Kirkland City Council for summary publication.



City Clerk