ORDINANCE 0-4479

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO LAND USE AND ZONING, REPEALING ORDINANCES O-4439, O-4446, O-4447, O-4453 AND O-4462; PERMITTING STATE-LICENSED MARIJUANA PRODUCTION AND PROCESSING FACILITIES IN THE TOTEM LAKE (TL) 7 AND 9A ZONES AND IN LIGHT INDUSTRIAL (LIT) ZONES; PERMITTING STATE-LICENSED RETAIL FACILITIES IN TL 7, TL 9A AND LIT ZONES WHERE AT LEAST 50 PERCENT OF THE ZONE IS BOUNDED BY COMMERCIAL ZONES; PROHIBITING STATE-LICENSED RETAIL FACILITIES IN MARKET STREET CORRIDOR (MSC) 1 AND 2 ZONES; PROHIBITING STATE-LICENSED RETAIL SALES IN ALL ZONES ON PROPERTIES ABUTTING DESIGNATED SCHOOL WALK ROUTES; AND AMENDING KIRKLAND ZONING CODE SECTION 115.100 TO ADD AN ODOR REGULATION FOR PROCESSING AND PRODUCTION FACILITIES; PROVIDING FOR SEVERABILITY, AND APPROVING A PUBLICATION SUMMARY, FILE NO. CAM14-0237.

WHEREAS, Initiative 502 approved by Washington voters in November 2012, provides a framework for licensing and regulating the production, processing, and retail sale of recreational marijuana; and

WHEREAS, the Washington State Liquor Control Board has adopted rules pertaining to the licensing of marijuana producers, processors, and retailers and has accepted applications, and is currently issuing licenses for these marijuana businesses; and

WHEREAS, the State Liquor Control Board has determined that two state licenses for the retail sale of recreational marijuana may be issued for the City of Kirkland, but there is not a limit on the number of production and processing licenses that could be issued within the City; and

WHEREAS, on January 16, 2014, the Washington State Attorney General issued a formal opinion which concluded that I-502 does not prevent local governments from regulating or banning marijuana businesses; and

WHEREAS, in 2014 the City Council passed a series of ordinances which adopted interim zoning regulations regarding the retail sale of recreational marijuana and odor control for marijuana processing and production facilities; and

WHEREAS, the City Council directed City staff to draft permanent regulations to govern state-licensed retail, processing and production facilities and refer to the Kirkland Planning Commission for review, public hearing and recommendation for inclusion in the Kirkland Zoning Code; and

WHEREAS, on December 8, 2014, draft development regulations were forwarded to the Washington State Department of Commerce as required by RCW 36.70A.106(1); and

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WHEREAS, as required by the State Environmental Policy Act (SEPA), a SEPA addendum issued by the responsible official and dated December 26, 2014, has accompanied the legislative proposal and recommendation through the entire consideration process; and

WHEREAS, on January 22, 2015, following notice as required by RCW 35A.63.070, the Kirkland Planning Commission held a public hearing on the amendment proposals and considered the comments received at the hearing; and

WHEREAS, on February 23, 2015, the Houghton Community Council held a public hearing on the amendment proposals and considered the comments received at the hearing; and

WHEREAS, the City Council has received the recommendation of
 approval from both the Planning Commission and Houghton Community
 Council; and

53 WHEREAS, the City Council believes that health, safety, and 54 welfare of the community is best served by establishing permanent 55 regulations related to state-licensed marijuana facilities.

57 NOW, THEREFORE, the City Council of the City of Kirkland do 58 ordain as follows:

Section 1.

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- a. Kirkland Zoning Code (KZC) Chapter 30, Office Zones, Section 30.20.250, is amended to add a reference to and add a new Permitted Uses (PU) Special Regulation, PU-39, which prohibits retail establishments selling marijuana or products containing marijuana on properties abutting the school walk routes shown on Plate 46.
- b. KZC Chapter 35, Commercial Zones, Section 35.20.170, is amended to add a reference to and add a new Permitted Uses Special Regulation, PU-30, which prohibits retail establishments selling marijuana or products containing marijuana on properties abutting the school walk routes shown on Plate 46.

The amendments in Section 1 are shown in Attachment A attached to this Ordinance and incorporated by reference.

Section 2.

a. KZC Chapter 40, Industrial Zones, is amended to add Section 40.20.245, a new use listing in the LIT Zone, to the Permitted Uses Table, to permit retail establishments selling marijuana or products containing marijuana and add references to new Special Regulation PU-30, permitting marijuana retail establishments only where 50 percent of the boundaries of the LIT Zone adjoin commercial zones and Special

Regulation PU-31, not permitting marijuana retail 87 88 establishments on school walk routes shown on Plate 46. 89 b. KZC Chapter 40, Industrial Zones, is amended to add Section 40.30.245, a new use listing, to the Density/Dimensions 90 91 Table. 92 93 The amendments in Section 2 are shown in Attachment B attached to this Ordinance and incorporated by reference. 94 95 Section 3. 96 97 a. The Use Zone Chart for the Market Street Corridor (MSC) 1, 98 4, KZC Section 51.10.050, is amended to prohibit retail 99 100 establishments selling marijuana or products containing 101 marijuana within the MSC 1 Zone. b. The Use Zone Chart for MSC 2, KZC Section 51.20.010, is 102 103 amended to prohibit the sale of marijuana or products 104 containing marijuana. 105 The amendments in Section 3 are shown in Attachment C 106 attached to this Ordinance and incorporated by reference. 107 108 Section 4. The Use Zone Chart for Rose Hill (RH) 5A, 5B, KZC 109 110 Section 53.54.050, the Use Zone Chart for RH 7, KZC Section 53.74.020, and the Use Zone Chart for RH 8, Section 53.84.040, are amended to 111 prohibit retail establishments selling marijuana or products containing 112 marijuana on properties abutting school walk routes shown on Plate 46 113 as shown in Attachment D attached to this Ordinance and incorporated 114 115 by reference. 116 Section 5. The Use Zone Chart for Totem Lake (TL) 7, KZC 117 Section 55.51.085, and the Use Zone Chart for TL 9A, Section 118 55.61.075, are amended to allow retail establishments selling marijuana 119 120 or products containing marijuana as shown in Attachment E attached to this Ordinance and incorporated by reference. 121 122 Section 6. KZC 115.100, Odor, is amended to read as shown in 123 124 Attachment F attached to this Ordinance and incorporated by reference. 125 Section 7. KZC Chapter 180, Plates, is amended to add Plate 46, 126 "School Walk Routes," as shown in Attachment G attached to this 127 128 Ordinance and incorporated by reference. 129 Section 8. Severability. Should any provision of this Ordinance 130 131 or its application to any person or circumstance be held invalid, the remainder of the ordinance or the application of the provision to other 132 133 persons or circumstances shall not be affected. 134 Section 9. Effective Date. This Ordinance shall be in force and 135 136 effect March 26, 2015, after its passage by the Kirkland City Council and publication pursuant to Section 1.08.017, Kirkland Municipal Code in the 137 summary form attached to this Ordinance and by this reference 138 139 approved by the City Council.

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Signed in authentication thereof this 3rd day of March, 2015.

Passed by majority vote of the Kirkland City Council in open meeting this 3rd day of March, 2015.

MAYOR MAYOR

Attest:

A on City Clerk

Publication Date: March 9, 2015

Approved as to Form:

kinson M City Attorney

U-44479 Attachment A

30.20 Permitted Uses

Permitted Uses Table – Office Zones (PO; PR 8.5; PR 5.0; PR 3.6; PR 2.4; PR 1.8; PRA 1.8; PLA 5B, C; PLA 6B; PLA 15A; PLA 17A)

		Required R	Required Review Process:					
	U	I = Process I, Cha IIA = Process IIA, IIB = Process IIB,	 I = Process I, Chapter 145 KZC IIA = Process IIA, Chapter 150 KZC IIB = Process IIB, Chapter 152 KZC 	KZC 150 KZC 152 KZC	DR = Design None = No R	DR = Design Review, Chapter 142 KZ None = No Required Review Process	DR = Design Review, Chapter 142 KZC None = No Required Review Process	
			# = App	NP =	<pre>NP = Use Not Permitted # = Applicable Special Regulations (listed after the table)</pre>	nitted (listed after t	he table)	
	Use	РО	PR, PRA	PLA 5B	PLA 5C	PLA 6B	PLA 15A	PLA 17A
30.20.010	Assisted Living Facility	dN	None 1, 2, 3, 4	None 2, 3, 4	DR 2, 4, 5	None 2, 3, 4	ЧN	ЧN
30.20.020	Boat Launch for Nonmotorized and/or Motorized Boats	dz	AN	ЧN	ЧN	ЧN	- 19	NP
30.20.030	Church	None	- 12	-	DR 5	None	ЧN	DR
0.20.040	30.20.040 Community Facility	-	1, 13	-	DR 5	ЧI	en IIA	DR 14
30.20.050	Convalescent Center	-	1.3	- ന	DR 5	- ო	ЧN	DR
30.20.060	Detached. Attached or Stacked Dwelling Units	d.	None 12	None 31	5 5	None	IIB 6, 7, 8, 9, 10, 31	DR 11, 31
30.20.070	Detached Dwelling Unit	dz	None 15	dN	None 15	None 15	- 1	None 15
30.20.080	Development containing: Attached or Stacked Dwelling Units; and Restaurant or Tavern; and Marina	۵. Z	d.	d Z	ďZ	ЧN	17, 18	R

U-4479 Attachment A

Permitted Uses Table – Office Zones (Continued) (PO; PR 8.5; PR 5.0; PR 3.6; PR 2.4; PR 1.8; PRA 1.8; PLA 5B, C; PLA 6B; PLA 15A; PLA 17A)

		Required Re	Required Review Process:					
		I = Process I IIA = Process IIB = Process	I = Process I, Chapter 145 KZC IIA = Process IIA, Chapter 150 KZC IIB = Process IIB, Chapter 152 KZC	KZC 50 KZC 52 KZC	DR = Design Review, Chapter 142 KZC None = No Required Review Process	Review, Chal equired Revie	pter 142 KZC ew Process	
			ddY = #	NP =	<pre>MP = Use Not Permitted # = Applicable Special Regulations (listed after the table)</pre>	itted (listed after th	le table)	
	Use	РО	PR, PRA	PLA 5B	PLA 5C	PLA 6B	PLA 15A	PLA 17A
30.20.090	Development Containing Stacked or Attached Dwelling Units and Office Uses	NN	None 12, 19, 20	None 19, 20, 21	DR 5, 19, 20	None 19, 20	ЧN	NP
30.20.100	Funeral Home or Mortuary	None	1 12, 22	ЧN	dN	-	dz	R
30.20.110	Government Facility	-	1, 13	-	DR 5	IIA	IIA 6	DR 14
30.20.120	Grocery Store, Drug Store, Laundromat, Dry Cleaners, Barber Shop, or Shoe Repair Shop	None 23	1 12, 22, 23, 24	dN	đ	ď	ЧN	ц. Х
30.20.130	Hospital Facility	IIA	NP	NP	ЧN	ЧN	ЧN	NP
30.20.140	Marina	NP	dN	dN	dN	NP	11B 25	NP
30.20.150	Mini-School or Mini-Day-Care Center	None 26, 27, 28	None 1, 26, 28, 29	None 26, 27, 28, 30	DR 5, 26, 27, 28	None 26, 27, 28, 30	ЧN	DR 26, 28, 29
30.20.160	30.20.160 Nursing Home	-	1, 3	- v	DR 5	3 –	ЧN	DR
30.20.170	Office Uses	None 20, 33	None 12, 20, 33	None 20, 33	DR 5, 20, 33	None 20, 33	IIB 6. 7. 8. 9. 10	DR 20

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U-4419 Attachment A

Permitted Uses Table – Office Zones (Continued) (PO; PR 8.5; PR 5.0; PR 3.6; PR 2.4; PR 1.8; PRA 1.8; PLA 5B, C; PLA 6B; PLA 15A; PLA 17A) (See also KZC 30.30, Density/Dimensions Table, and KZC 30.40, Development Standards Table)

		Required R	Required Review Process:					
		I = Process IIA = Proces IIB = Proces	 I = Process I, Chapter 145 KZC IIA = Process IIA, Chapter 150 KZC IIB = Process IIB, Chapter 152 KZC 	KZC 150 KZC 152 KZC	DR = Design None = No R	DR = Design Review, Chapter 142 KZC None = No Required Review Process	pter 142 KZC ew Process	
			# = Wpp	Icable Speci	<pre>MP = Use Not Permitted # = Applicable Special Regulations (listed after the table)</pre>	nitted (listed after th	e table)	
	Use	РО	PR, PRA	PLA 5B	PLA 5C	PLA 6B	PLA 15A	PLA 17A
30.20.180	Passenger Only Ferry Terminal	NP	dN	ЧN	đ	dN	- 2	dN
30.20.190	Piers, Docks, Boat Lifts and Canopies Serving Detached, Attached or Stacked Dwelling Units	d Z	ЧN	ЧN	ЧN	dN	- 1	d N
30.20.200	Piers, Docks, Boat Lifts and Canopies Serving Detached Dwelling Unit	ЧN	ЧN	ЧN	ЧZ	ЧN	- 1	ЧN
30.20.210	Public Access Pier, Public Access Facility, or Boardwalk	NP	AN	g	d	ЧN	E	dN
30.20.220	Public Park		0	ee KZC 45.5	See KZC 45.50 for required review process.	eview process		
30.20.230	Public Utility	-	Ξ	-	DR 5	All	e IIA	DR 14
30.20.240	Restaurant or Tavern	None 34	1 12, 22, 24, 34	ЧN	ЧN	ЧN	đ	d. Z
30.20.250	Retail Establishment other than those specifically listed, limited, or prohibited in this zone, selling goods or providing services including banking and financial services	đ	1 12, 24, 35, 36 <u>, 39</u>	d. Z	۵. Z	AN	d N	d. Z

	b. It can be demonstrated to the City that the floor plan is designed to preclude the seating area from being expanded.
U-37.	PU-37. If this use is adjoining a low density zone, then Process I, Chapter 145 KZC.
U-38	PU-38. 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.
PU-39.	. Retail establishments selling marijuana or products containing marijuana are not permitted on properties abutting the school walk routes shown on Plate 46.

Permitted Uses Table – Commercial Zones (BN, BNA, BC, BC 1, BC 2, BCX) (Continued) (See also KZC 35.30, Density/Dimensions Table, and KZC 35.40, Development Standards Table)

	Required Review Process:	:52	
	 I = Process I, Chapter 145 KZC IIA = Process IIA, Chapter 150 KZC IIB = Process IIB, Chapter 152 KZC 	5 KZC 150 KZC 152 KZC	DR = Design Review, Chapter 142 KZC None = No Required Review Process
	# = Apr	<pre>MP = Use Not Permitted # = Applicable Special Regulations (listed after the table)</pre>	ermitted is (listed after the table)
Use	BN, BNA	BC, BC 1, BC 2	BCX
35.20.120 Office Use	DR 18, 19, 20, 21	None 18, 19	None 18, 19
35.20.130 Private Lodge or Club	DR	None	None
35.20.140 Public Park	05	See KZC 45.50 for required review process	d review process.
35.20.150 Public Utility	IIA	None	None
35.20.160 Restaurant or Tavern	DR 11, 12, 13	None 11, 13	None 11, 13
35.20.170 Retail Establishment other than those specifically listed in this zone, selling goods, or providing services including banking and related financial services	ЧN	None 12, 22, 23 <u>, 30</u>	None 12, 22, 23, 24
35.20.180 Retail Establishment providing banking and related financial services	DR 11, 12, 13	dN	a. Z
35.20.190 Retail Establishment providing laundry, dry cleaning, barber, beauty or shoe repair services	DR 11, 12, 13	ЧN	a. Z
35.20.200 Retail Establishment providing storage services	ЧN	None 25, 26	None 25
35.20.210 Retail Establishment providing vehicle or boat sales or vehicle or boat service or repair	NP	None 27	a. Z
35.20.220 Retail Establishment selling drugs, books, flowers, liquor, hardware supplies, garden supplies or works of art	DR 11, 23 <u>, 30</u>	a. Z	d. Z

Ancillary assembly and manufact a. The ancillary assembled or m b. The outward appearance and uses. At least 75 percent of the total grc lishments, restaurants, taverns, h a through-block pedestrian pathw For properties located within the I Access from drive-through faciliti vehicles will not block traffic in the Access from drive-through faciliti vehicles will not block traffic in the A delicatessen, bakery, or other s a. The seating and associated o b. It can be demonstrated to the the rental is permitted if conducted May include accessory living facil May include accessory living facil May not be more than two vehicle This use not permitted in BC 1 ar Vehicle and boat rental are allow May not be more than two vehicle This use not allowed in the BN zo Retail establishments selling mai shown on Plate 46.		
At least 75 percent of the total gross floor area located on the ground floor of all structures lishments, restaurants, taverns, hotels or motels, or offices. These uses shall be oriented to a through-block pedestrian pathway or an internal pathway. For properties located within the Moss Bay neighborhood, this use not allowed above the Access from drive-through facilities must be approved by the Public Works Department, vehicles will not block traffic in the right-of-way while waiting in line to be served. A delicatessen, bakery, or other similar use may include, as part of the use, accessory set a. The seating and associated circulation area does not exceed more than 10 percent of b. It can be demonstrated to the City that the floor plan is designed to preclude the seating and associated circulation area does not exceed more than 10 percent of b. It can be demonstrated to the City that the floor plan is designed to preclude the seating b. It can be demonstrated to the City that the floor plan is designed to preclude the seating b. It can be demonstrated to the City that the floor plan is designed to preclude the seating and associated circulation area does not exceed more than 10 percent of b. It can be demonstrated to the City that the floor plan is designed to preclude the seating and associated circulation area does not exceed more than 10 percent of b. It can be demonstrated to the City that the floor plan is designed to preclude the seating and associated circulation area does not exceed more than 10 percent of b. It can be demonstrated to the City that the floor plan is designed to preclude the seating in line to be served. The sale, service and/or rental of motor vehicles, saliboats, motor boats, and recreational to or rental is permitted if conducted indoors. May include accessory living facilities for resident security manager. This use not permitted in BC 1 and BC 2 zones or if any portion of the property is located vehicle and boat rental are allowed as part of this use. May not be more than two veh	PU-19.	Anc a.
For properties located within the Moss Bay neighborhood, this use not allowed above the Access from drive-through facilities must be approved by the Public Works Department, vehicles will not block traffic in the right-of-way while waiting in line to be served. A delicatessen, bakery, or other similar use may include, as part of the use, accessory see a. The seating and associated circulation area does not exceed more than 10 percent of b. It can be demonstrated to the City that the floor plan is designed to preclude the seatin b. It can be demonstrated to the City that the floor plan is designed to preclude the seatin b. It can be demonstrated to the City that the floor plan is designed to preclude the seatin or rental is permitted if conducted indoors. May include accessory living facilities for resident security manager. This use not permitted in BC 1 and BC 2 zones or if any portion of the property is located. Vehicle and boat rental are allowed as part of this use. May not be more than two vehicle service stations at any intersection. This use not allowed in the BN zone. Ray not be more than two vehicle service stations at any intersection. This use not allowed in the BN zone. Retail establishments selling marijuana or products containing marijuana are not permitt shown on Plate 46.	PU-20.	
Access from drive-through facilities must be approved by the Public Works Department, vehicles will not block traffic in the right-of-way while waiting in line to be served. A delicatessen, bakery, or other similar use may include, as part of the use, accessory see a. The seating and associated circulation area does not exceed more than 10 percent of b. It can be demonstrated to the City that the floor plan is designed to preclude the seatin The sale, service and/or rental of motor vehicles, sailboats, motor boats, and recreational to or rental is permitted if conducted indoors. May include accessory living facilities for resident security manager. This use not permitted in BC 1 and BC 2 zones or if any portion of the property is located vehicle and boat rental are allowed as part of this use. May not be more than two vehicle service stations at any intersection. This use not allowed in the BN zone. Retail establishments selling marijuana or products containing marijuana are not permitt shown on Plate 46.	PU-21.	For properties located within the
	PU-22.	
	PU-23.	A delicatessen, bakery, or other similar use may include, as part of the use, accessory seating if: a. The seating and associated circulation area does 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.
	PU-24.	
	PU-25.	May include accessory living facilities for resident security manager.
	PU-26.	
	PU-27.	
	PU-28.	
	PU-29.	
	PU-30.	

0-44/9 Attachment B

		Required Review Process:	
		I = Process I, Chapter 145 KZC IIA = Process IIA, Chapter 150 KZC IIB = Process IIB, Chapter 152 KZC	DR = Design Review, Chapter 142 KZC None = No Required Review Process
		NP = U # = Applicable Special F	NP = Use Not Permitted # = Applicable Special Regulations (listed after the table)
	Use	LIT	PLA 6G
0.20.190	40.20.190 Public Utility	None 7	11A 12
40.20.200	Recycling Center	None 7, 26	đ
0.20.210	40.20.210 Restaurant	None 7, 19, 27	đ
40.20.220	Retail Establishment Providing Banking and Related Financial Services	None 7, 19, 27	đ
0.20.230	40.20.230 Retail Establishment Providing Rental Services	None 7	ď
0.20.240	40.20.240 Retail Establishment Providing Storage Services	None 7, 28, 29	None 28, 29
40.20.245	Retail Establishment Selling Marijuana or Products Containing Marijuana	<u>None</u> 7, 30, 31	d
0.20.250	40.20.250 School or Day-Care Center	None 7, 16, 17, 18	Schools are NP, see KZC 40.20.060 for Day-Care Centers
40.20.260	Vehicle or Boat Repair, Services, Storage, or Washing	None 7, 25	đ
0.20.270	40.20.270 Warehouse Storage Service	None 7, 14	None 11, 12, 13, 14, 15

Permitted Uses Table – Industrial Zones (LIT, PLA 6G) (Continued) also KZC 40.30. Density/Dimensions Table. and KZC 40.40. Development Standard

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	O-111/9 Attachment B
	b. The use is integrated into the design of the building.
PU-20.	Must comply with the state siting criteria adopted in accordance with RCW 70.105.210.
PU-21.	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.
PU-22.	Reserved.
PU-23.	Must provide suitable shelter for the animals.
PU-24.	PU-24. Must maintain a clean, healthful environment for the animals.
PU-25.	Access from drive-through facilities must be approved by the Public Works Department. Drive-through facilities must be designed so that vehicles will not block traffic in the right-of-way while waiting in line to be served.
PU-26.	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.
PU-27.	This use is permitted if accessory to a primary use, and there is no vehicle drive-in or drive-through.
PU-28.	May include accessory living facilities for resident security manager.
PU-29.	PU-29. This use not permitted if any portion of the subject property is located within 150 feet of the Cross Kirkland Corridor.
PU-30.	PU-30. Permitted only where 50 percent of the boundaries of the LIT zone adjoin commercial zones.

PU-31. Not permitted on school walk routes shown on Plate 46.

ABE = Average Building Elevation Maximum Height of Structure 35' above ABE.10 35' above ABE.³ Development standards will be determined on a case-by-case basis. See KZC 45.50. 35' above ABE.³ 35' above ABE. Maximum Lot PLA 6G: 80% PLA 6G: 90% Coverage LIT: 90% LIT: 80% %06 80% 80% 80% 80% 80% 80% 80% 80% %06 %06 Rear 0 ò 0 0 0 ò ō 0 ò ō 0 ò 0 REQUIRED YARDS (See Ch. 115) Side 0 ò 0 ò 0 ō ò 0 ō 0 0 ò ò Front 20' 20' 20' 20' 20' 20' 20' 20' 20' 20' 20' 20' 20' Minimum Lot Size None Marijuana or Products Containing Construction, Plumbing, Electrical Packaging of Prepared Materials Wholesale Printing or Publishing Vehicle or Boat Repair, Services, Contracting Services in Building Retail Establishment Providing Retail Establishment Providing Retail Establishment Providing Banking and Related Financial Landscaping, or Pest Control Wholesale Establishment or Warehouse Storage Service Retail Establishment Selling School or Day-Care Center Storage, or Washing Recycling Center Storage Services Rental Services USE Manufacturing Public Utility Public Park Restaurant Marijuana Services 40.30.200 40.30.210 40.30.170 40.30.180 40.30.190 40.30.245 40.30.270 40.30.280 40.30.220 40.30.230 40.30.240 40.30.250 40.30.260 40.30.290

(Refer to KZC 40.20, Permitted Uses Table, to determine if a use is allowed in the zone; see also KZC 40.40, Development Standards Table) Density/Dimensions Table – Industrial Zones (LIT, PLA 6G) (Continued)

5/11-0 Attachment B

PLA 6G: 1 per each 300 sq. ft. of gross floor area.4, 12 PLA 6G: 1 per each 1,000 sq. ft. of gross floor area.⁴ PLA 6G: 1 per each 1,000 sq. ft. of gross floor area.⁴ PLA 6G: 1 per each 1,000 sq. ft. of gross floor area. (Refer to KZC 40.20, Permitted Uses Table, to determine if a use is allowed in the zone; see also KZC 40.30, Density/Dimensions Table) LIT: 1 per each 1,000 sq. ft. of gross floor area.¹⁵ 12 Development standards will be determined on a case-by-case basis. See KZC 45.50. LIT: 1 per each 1,000 sq. ft. of gross floor area. LIT: 1 per each 1,000 sq. ft. of gross floor area. LIT: 1 per each 300 sq. ft. of gross floor area. 1 per each 1,000 sq. ft. of gross floor area. Required Parking Spaces 1 per each 100 sq. ft. of gross floor area. per each 300 sq. ft. of gross floor area 1 per each 300 sq. ft. of gross floor area (Chapter 105 KZC) PLA 6G: See KZC 105.25.4 See KZC 105.25.10, 13 LIT: See KZC 105.25. See KZC 105.25.14 See KZC 105.25. See KZC 105.25. Sign Category (Chapter 100 KZC) PLA 6G: D PLA 6G: C LIT: E LIT: E 0 0 B 0 ш ш ш ш ш 8 ш Landscape Category (Chapter 95 KZC) PLA 6G: A5 PLA 6G: A PLA 6G: A PLA 6G: A LIT: A¹⁵ LIT: A¹⁵ LIT: C⁵ LIT: B¹ C¹¹ 4 В 8 4 0 4 0 m Wholesale Establishment or Contracting Retail Establishment Providing Banking Retail Establishment Providing Storage Retail Establishment Selling Marijuana Retail Establishment Providing Rental Plumbing, Electrical, Landscaping, or Services in Building Construction, or Products Containing Marijuana Packaging of Prepared Materials Vehicle or Boat Repair, Services, and Related Financial Services Warehouse Storage Service³ School or Day-Care Center Storage, or Washing Recycling Center Use Manufacturing Pest Control³ Public Utility Public Park Restaurant Office Use Services Services 40.40.210 40.40.250 40.40.270 40.40.280 40.40.160 40.40.180 40.40.190 40.40.200 40.40.220 40.40.230 40.40.240 40.40.245 40.40.170 40.40.260

Development Standards Table – Industrial Zones (LIT, PLA 6G) (Continued)

U-441 کا Attachment C

Zone USI

CHART

ZONE

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Section 55.51

Special Regulations (See also General Regulations) DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS Ch. 105) Spaces (See Parking 1 per each 300 sq. ft. of gross floor area p,bəy Category ubis ш (See Ch. 95) (See Ch. 95) Pandscape MAXIMUMS Height of Structure 45' above average building elevation Coverage LOL 80% Rear REQUIRED YARDS (See Ch. 115) 6 SMUMINIM Side 6 Front 10' Lot Size None Required Review Process <u>D.R.</u> Chapter 142. See Gen. Reg. <u>3</u>. A Retail Establishment selling marijuana or products containing REGULATION S . marijuana US = .085 Section 55.51

0-4479 Attachment C

> Zone TL 9A

> > Section 55.61

USE ZONE CHART

		ations	egulations)	
VS: FIRST, read down to find use THEN, across for REGULATIONS		Special Regulations	(See also General Kegulations)	
e THEN,		Parking (See Ch. (20	Spaces	1 per each 300 sq. ft. of gross floor area
n pu		(00T '43 Alobate;) a92) Sign C	ш
'n to fi	·u	y (See Cl (See Cl Scape	Categor	<u>م</u> ا
T, read dow	MAXIMUMS	Height of	Structure	45' above average building elevation
FIRS		agerage	Lot Cove	80%
ONS:		RDS 5)	Rear	òl
DIRECTION	MINIMUMS	REQUIRED YARDS (See Ch. 115)	Side	6
IQ	MII	REQUI (See	Front	10'
		Lot Size		None
		Required Review	Process	None
SN	OI	галоэя		iment ia or
		USE		A Retail Establishment selling marijuana or products containing marijuana
		19'55	Section	.075

O-4479 Attachment C

Section 51.10

MSC 1, 4

Zone

CHART ш z 0 N ш S 0

c. 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 ema-1. For this use, only one dwelling unit may be on each lot regardless of Chapter 115 KZC contains regulations regarding home occupations a. In MSC 1 zone, the minimum lot area per unit is 3,600 sq. ft.
 b. In MSC 4 zone west of Market Street, the minimum lot area per unit is 3,600 sq. ft., and east of Market Street, the minimum lot Chapter 115 KZC contains regulations regarding home occupations a. May only treat small animals on the subject property.
 b. Outside runs and other outside facilities for the animals are not nating from the site adjoining any residentially zoned property complies with the standards set forth in VVAC 173-60-040(1) for and other accessory uses, facilities and activities associated with and other accessory uses, facilities and activities associated with Ancillary assembly and manufacture of goods on the premises of a Class B source property and a Class A receiving property. d. Not permitted in any development containing dwelling units Minimum amount of lot area per dwelling unit is as follows: If medical, dental 1. The following regulations apply to veterinary offices only: See also General Regulations) Special Regulations area per unit is 1,800 sq. ft. DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS permitted. this use. this use. lot size. N N per each 300 sq. ft. of gross floor See Ch. 105) 2.0 per dwelling unit. per each 200 sq. office, then one ft. of gross floor Otherwise one Required Parking Spaces or veterinary 1.7 per unit. area. area. Sign Category (See Ch. 100) 0 4 Landscape (See Ch. 95) (56 Ch. 95) ш 0 average building f adjoining a low above average Height of Structure then 25' above Otherwise, 30' density zone, MAXIMUMS elevation. building elevation. %02 Lot Coverage Rear REQUIRED YARDS 10' (See Ch. 115) units, 5', but 2 equal at least 15'. detached units. For attached equal at least 15'. stacked Side 5' but 2 side yards must MINIMUMS ŝ 5' for must side ы Front 10' in MSC 4, otherwise 20' Lot Size 3,600 sq. ft. None D.R., Chapter 142 KZC. Required Process Review None Stacked Dwelling **Dwelling Units** REGULATIONS Attached or Office Uses Detached, USE Detached Units .030 .010 .020 Section 51.10

(Revised 12/14)

Kirkland Zoning Code 208 208 208

a. The ancillary assembled or manufactured goods are subordinate b. The outward appearance and impacts of this use with ancillary

to and dependent on this use

this use are permitted only if:

N

assembly or manufacturing activities must be no different from

other office uses

ト/ナナーつ Attachment D

0-4479

Zone U S E MSC 1, 4 U S E

Section 51.10

CHART

ZONE

DIRECTIONS: FIRST, read down to find useTHEN, across for REGULATIONS		Special Regulations	(See also General Regulations)	 This use is limited to 2,000 sq. ft. maximum. Prior area. 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 VAC 173-60-040(1) for a Class B source property and a Class A receiving property. Any outdoor seating areas are subject to Landscape Category B.
eTHEN, acros		Required Parking Spaces	(Se	sq. ft. floor area. 2
ind us	1	n Categor	bis	ш
own to f		andscape Category ee Ch. 95)	S)	C Spec. Reg. 4.
: FIRST, read d	MAXIMUMS	Height of	ouncine	If adjoining a low density zone, then 25' above average build- ing elevation. Otherwise, 30' above average building elevation.
LIONS	M	overage	Lot C	70%
DIREC.		S)	Rear	10,
	IUMS	MINIMUMS REQUIRED YARDS (See Ch. 115)	Side	5' but 2 side yards must equal at least 15'.
	MINIMUMS	REQI (S	Front	MSC in MSC in MSC in MSC in wise wise 200'
		Lot Size		None
1315		Required Review Process		D.R., Chapter 142 KZC.
s	SNOI	сола с с с с с с с с с с с с с с с с с с с	Û	.040 Restaurant or Tavern
	01.	rð noitos	S	.040

O-4479 Attachment D

Section 51.10 Zone MSC 1.4

USE ZONE CHART

				ss. nless acces epair of autr hicles, heav delivery veh n enclosed	ation must b oval by the e emanatin ty complies r a Class B	premises of y related to for purchas vith ancillary ifferent from	to this use
DIRECTIONS: FIRST, read down to find useTHEN, across for REGULATIONS		Special Regulations	(See also General Regulations)	 The following uses are not permitted in this zone: a. Vehicle service stations. b. Automotive service centers. c. Uses with drive-in facilities or drive-through facilities. d. Retail establishments providing storage services unless accessory to another permitted use. e. Retail establishments involving the sale, service or repair of automobiles, trucks, boats, motorcycles, recreational vehicles, heavy equipment and similar vehicles. f. Storage and operation of heavy equipment, except delivery vehicles as conducted with retail uses. g. Storage of parts unless conducted entirely within an enclosed 	No so with pro	 Gross thoor area cannot exceed 2,000 square reet. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The assembly and manufactured goods are directly related to a the assemble or manufactured goods 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. 	 No parking is required for day-care or school ancillary to this use.
eTHEN, acros		Required Parking Spaces	(See Ch. 105)	1 per each 300 sq. ft. floor area.	one, elling		1 for every 4 people based on maximum occu- pancy load of any area of wor- ship. See Spec. Reg. 1.
ind us	,	n Category e Ch. 100)	eis)	ш	MSC hmer produ arijua		Ω
wn to f		Landscape Category (See Ch. 95)		υ	n the l tablisl na or l ng ma		υ
: FIRST, read do	IS: FIRST, read do MAXIMUMS Height of Structure			If adjoining a low density zone, then 25' above average build- ing elevation. Otherwise, 30' above average building eleva- tion.	 h. Within the MSC 1 z retail establishments s marijuana or products containing marijuana. 		
TIONS	M	overage	Lot C	70%			
DIREC		ARDS 5)	Rear	10,			20'
	SMU	REQUIRED YARDS (See Ch. 115)	Side	5' but 2 side yards must equal at least 15'.			20' on each side.
	MINIMUMS	REQU (Se	Front	10' in MSC4, other- wise 20'		×	
	Lot Size			None			
	Required Review Process			D.R., Chapter 142 KZC.			
S	SNO		Û	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			Church
	01.	fð noitos	s	.050			.060

Kirkland Zoning Code 210actor 2100 2100 2100 2100 2100 2100 21000 2100 21000 2100000

O-444/ کا Attachment D

Zone U S E

Section 51.10

CHART

ZONE

DIRECTIONS: FIRST, read down to find useTHEN, across for REGULATIONS		Special Regulations	(See also General Regulations)	 A six-foot-high fence is required only along the property lines adjacent to the outside play areas. 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. Carpooling, staggered loading/unloading time, right-of-way improvements or other means may be required to reduce traffic impacts on nearby residential uses. May include accessory living facilities for staff persons. To reduce impacts on nearby residential uses, hours of operation of the use may be limited and parking and passenger loading areas relocated. The synchrone additional one foot of structure height is not stored to fine structure exceeding the basic maximum structure height is not foot for each additional one foot of structure height is not sploicable applicable neighborhood plan provisions of the structure Plan; and c. The increased height is not specifically inconsistent with the applicable neighborhood plan provisions of the comprehensive Plan; and c. The increased height will not result in a structure that is incompatible with surrounding uses or improvements.
seTHEN, acros		Required Parking Spaces	(See Ch. 105)	See KZC 105.25.
find us	1	n Categon	bis)	۵
wn to 1	Landscape Category (See Ch. 95)			۵
: FIRST, read do	IS: FIRST, read do MAXIMUMS Height of Structure		ouncinie	If adjoining a low density zone, then 25' above average build- ing elevation. Otherwise, 30' above average building eleva- tion. See Spec. Reg. 5.
TIONS	MA	overage	Го і С	20%
DIREC		RDS 5)	Rear	10'
	SMU	REQUIRED YARDS (See Ch. 115)	Side	5' but 2 side must nust least 15'.
	MINIMUMS	REQU (Se	Front	MSC 4. other- wise 20'
		Lot Size		ft.
	Required Review Process			D.R., Chapter 142 KZC.
9	SNO		Û	.070 School or Day-Care Center
	01	.fð noitse	S	.070

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Zone MSC 1, 4	
Section 51.10	

CHART ZONE USE

	10			MINIMUMS	IUMS		M	MAXIMUMS				
		Required Review Process	Lot Size		REQUIRED YARDS (See Ch. 115)	ARDS 15)	overage	Height of	stegory ategory (36 .65)	e Ch. 100) e Ch. 100)	Required Parking	Consist Doculations
	· 仓 >			Front	Side	Rear	Lot C	Structure	es) S	IBIS	(Se	(See also General Regulations)
080	Mini-School or Mini-Day-Care	D.R., Chapter 142 KZC.	3,600 sq. ft.	10' in MSC 4, other- wise 20'	5' but 2 side yards must equal at least 15'.	-0 -	20%	If adjoining a low density zone, then 25' above average build- ing elevation. Otherwise, 30' above average building eleva- tion.	ш	۵	See KZC 105.25.	 A six-foot-high fence is required along the property lines adjacent to the outside play areas. An on-site passenger loading area may be required depending on the number of attendees and the extent of the abutting right-of-way improvements. To reduce impacts on nearby residential uses, hours of operation of the use may be limited and parking and passenger loading areas relocated. Electrical signs shall not be permitted. Size of signs may be limited to be compatible with nearby residential uses. May include accessory living facilities for staff persons.
060	Assisted Living Facility			94. 					۵	A	1.7 per indepen- dent unit. 1 per assisted living unit.	 A facility that provides both independent dwelling units and assisted living units shall be processed as an assisted living facility. 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 Pro- cess 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 fol- lowing criteria are met:
.100	Convalescent Center or Nursing Home		7,200 sq. ft.		10' on each side				υ	8	1 for each bed.	
.110	Public Utility		None		20' on each side	20'			A		See KZC 105.25.	
.120	Government Facility Community Facility				10' on each side	10'			C See Spec. Reg. 2.			 Site design must minimize adverse impacts on surrounding residen- tial neighborhoods. 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.
.130	Public Park	Development standards will be determined on case-by-case b cess.	t standards	will be d	etermined	on case-	by-case	basis. See Chapt	ter 49 KZC	C for rec	asis. See Chapter 49 KZC for required review pro-	At

Section 51.20 Zone MSC 2

USE ZONE CHART

DIRECTIONS: FIRST, read down to find useTHEN, across for REGULATIONS		Special Regulations	(See also General Regulations)	 Gross floor area for this use may not exceed 4,000 square feet. The following uses are not permitted in this zone: a. Vehicle service stations. b. Automotive service centers. c. Uses with drive-in facilities or drive-through facilities, except those existing as of June 15, 2007. d. Retail establishments providing storage services unless accessory to another permitted use. e. Retail establishments involving the sale, service or repair of automotines, trucks, boats. 	 Storage and operation of heavy equipment, except delivery vehicles associated with retail uses. G. Storage of parts unless conducted entirely within an enclosed struccles associated with retail use. The seating and associated circulation area does not exceed more than 10 percent of the gross floor area of this use, accessony seating if. A. Adelicatessen, bakery, or other similar use may include, as part of this use, accessony seating and associated circulation area does not exceed more than 10 percent of the gross floor area of this use, and A. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The assembly and 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. b. The outward on the premises. c. Prior to issuance of a development permit, dor 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 prop- 	eny and a class A receiving property.		
useTHEN, acr		Required Parking Spaces	(Se	1 per each 300 sq. ft. of gross floor area.	Retail establishments lling marijuana or oducts containing arijuana.			
find	1	n Category ee Ch. 100)	gis S)	٥	estal arijua			
l down to		andscape Category (26. GD. 95)	s)) 7	Reg. 6.	h. Retail establishm selling marijuana or marijuana.			
S: FIRST, read	MAXIMUMS	Height of	amonio	If adjoining a low density zone, then 25' above average build- ing elevation. Otherwise, 30' above average building eleva- tion. See Gen. Reg.	h. pro ma			
TION	M	overage	Lot C	80%				
DIREC	RDS 5) Rear		Rear	10,				
	MS	QUIRED YAR (See Ch. 115)	Side	10 on each side				
	MINIMUMS	REQUIRED YARDS (See Ch. 115) Front Side Rear		0' along Street, othewise 20'				
		Lot Size		None				
		Required Review Process		D.R., Chapter 142 KZC.				
5	NOI		Û	Any Retail Establishment, other than those specifically listed, limited or prohibited in this zone, selling goods or providing services, including banking and	services.			
	02.	re noitos	s	.010				

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(Revised 12/14)

USE Zone MSC 2

Section 51.20

CHART

ZONE

				SMUMINIM	CIM	Ī	TA1	CINICIAIIXCIAI				
.rð noitos		Required Review Process	Lot Size	REQUII (See	REQUIRED YARDS (See Ch. 115)	KRDS 5)	overage	Height of Structure	andscape (36 Ch. 95) Safegory	n Category ee Ch. 100)	Required Parking Spaces	Special Regulations
0	Û			Front	Side	Rear	Lot (S)) T		(See Ch. 105)	(See also General Regulations)
.020 Re	Restaurant or Tavern	D.R., Chapter 142 KZC.	None	0' along Market Street, otherwise 20'	10' on each side	10,	80%	ity zone, 25' above age build- elevation. Invise, 30' ing eleva-	B Gen. Reg. 6.	0	1 per each 100 sq. ft. of gross floor area.	 Restaurants and taverns are limited to 4,000 sq. ft. maximum. Drive-in and 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.
.030 Pri	Private Lodge or Club							tion.		8	1 per each 300 sq. ft. of gross floor area.	 Prior to issuance of a development permit, documentation must be provided by a qualified acoustical consultant, for approval by the Plan- ning 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 prop- erty and a Class A receiving property.
040 Of	Office Use										If a medical, dental or veteri- nary office, then one per each gross floor area. Otherwise one per each 300 sq. ft. of gross floor area.	 The following regulations apply to veterinary offices only: 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. Ancillary assembled or manufacture of goods on the premises of this use are permitted only if: The ancillary assembled or manufactured goods are subordinate to an dependent on this use with anordance and impacts of this use with anordance and impacts of this use are permitted only if: The outward appearance and impacts of this use with ancillary assembly or manufactured goods are subordinate to a the outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.
.050 Attac Stacl Unit. See	Attached or Stacked Dwelling Unit. See Gen. Reg. 4.			Same as the regulations for the ground	the regul	ations fo	r the gr	ound floor use.		4	1.7 per unit.	 Minimum lot area per dwelling unit is 900 square feet. Chapter 115 KZC contains regulations regarding home occupations by and other accessory uses, facilities and activities associated with this D use.

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	0	1	
Zone	CUN		

Section 51.20

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CHART

ZONE USE

DIRECTIONS: FIRST, read down to find useTHEN, across for REGULATIONS		Special Regulations	(See also General Regulations)	 May include accessory living facilities for staff persons. No parking is required for day-care or school ancillary to this use. 	 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 resi- dential uses. 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. May include accessory living facilities for staff persons. May include accessory living facilities for staff persons. 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; and c. The increased height will not result in a structure height; and cable neighborhood plan provisions of the Comprehensive Plan. The increased height will not result in a structure that is incompat- ible with surrounding uses or improvements.
iseTHEN, acr		Required Parking Spaces	(See Ch. 105)	1 for every 4 1. people based on 2. maximum occu- pancy load of any area of wor- ship. See also Spec. Reg. 2.	105.25. 105.25.
find u		n Category 96 Ch. 100)	eis) Bis	۵.	
down to		ee Ch. 95) Sategory andscape	s)) 7	υ	See B Gen. Reg. 6.
S: FIRST, read	Can India	Height of	oruciure	If adjoining a low density zone, then 25' above average build- ing elevation. Otherwise, 30' above average building eleva- tion.	If adjoining a low density zone, then 25' above average build- ing elevation. Otherwise, 30' above average building eleva- tion. See Spec. Reg. 6.
CTION	ľ	≥ overage	Lot C	80%	
DIRE		ARDS 5)	Rear	10,	
		REQUIRED YARDS (See Ch. 115)	Side	10' on each side	
1		REQUIRED (See Ch	Front	20,	0' along Market Street. 20'
		Lot Size		None	
		Required Review Process		D.R., Chapter 142 KZC,	
	SN	щеолгатон Веелгатон	Û	.060 Church	School or Day- Care Center
	()2.13 noitoe	S	.060	070.

Kirkland Zoning Code 218 218

USE Zone MSC 2

Section 51.20

CHART

ZONE

-	-						-		A
DIRECTIONS: FIRST, read down to find useTHEN, across for REGULATIONS		Special Regulations	(See also General Regulations)	 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. 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 nearby residential uses. May include accessory living facilities for staff persons. 	 A facility that provides both independent dwelling units and assisted living units shall be processed as an assisted living facility. 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. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use. 		 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. 		
iseTHEN, acr		Required Parking Spaces	(See Ch. 105)	See KZC 105.25.	1.7 per indepen- dent unit. 1 per assisted living unit.	1 for each bed.	See KZC 105.25.		required review
find u		n Category (001 .100)	bis Bis	۵	A	æ			CZC for
down to		see Ch. 95) Category andscape	s)) 7	See B Gen. Reg. 6.		υ	A	C See Spec. Reg. 1	apter 49 h
S: FIRST, read (MAXIMUMS	Height of	20100016	If adjoining a low density zone. then 25' above average build- ing elevation. Otherwise, 30' building eleva- tion.	the ground floor use.	If adjoining a low density zone, then 25' above	average build- ing elevation. Otherwise, 30'		Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.
:TION	Ň	overage	Lot C	80%		80%			e-by-ca
DIREC		S)	Rear	10'	ations for	10'	20'	10'	on a cas
	MS	QUIRED YAR (See Ch. 115)	Side	10' on side	he regul	10' on each side	20' on each side	10' on each side	ermined
	MINIMUMS	REQUIRED YARDS (See Ch. 115)	Front	0' along Market Street, otherwise 20'	Same as the regulations for	20' -			will be det
		Lot Size		None					It standards
		Required Review Process		D.R., Chapler 142 KZC.					Development process.
	SNO		Û	Mini-Day-Care Mini-Day-Care	Assisted Living Facility See Gen. Reg. 4.	Convalescent Center or Nursing Home	Public Utility	Government Facility Community Facility	.130 Public Park
	07	.rd noitos	S	.080	060.	.100	.110	.120	.130

(Revised 9/13)

Kirkland Zoning Code 219 219 219 219

C / L L-D Attachment E

> HA 0 ш z 0 N ш S Zone RH 5A, 5B

> > Section 53.54

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Kirkland Zoning Codeuter 292.31 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 regula-No openings (i.e., doors, windows which open, etc.) shall be permitted in any facade of a building adjoining any residential zone. Windows are per-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. a. One outdoor waste receptacle shall be provided for every eight parkvehicles will not block traffic in the right-of-way while waiting in line to be served. Ten percent of the required parking spaces on site must have a minimum Works Department. Drive-through facilities shall be designed so that dimension of 10 feet wide by 30 feet long for motor home/travel trailer use lease, repair or service of automobiles, trucks, boats, motorcycles, rec-This use specifically excludes a retail establishment involving the sale, This use is permitted only if the subject property abuts NE 85th Street. This use is not permitted in the RH 5B zone. Taverns and restaurants with drive-in or drive-through facilities are not May not be more than two vehicle service stations at any intersection. Access for drive-through facilities shall be approved by the Public Parts and tires must be stored entirely within an enclosed structure. reational vehicles, heavy equipment, and similar vehicles. mitted if they are triple-paned and unable to be opened. permitted uses in an RH 5B zone. For restaurants with drive-in or drive-through facilities: See also General Regulations) Special Regulations This use is not permitted in the RH 5B zone. DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS ing stalls. tions. p. -NO 4 - 01 e. N 4 50 S (See Ch. 105) 1 per each 100 per each 250 See Spec. Reg. sq. ft. of gross floor area. sq. ft. of gross Required Parking Spaces floor area. See KZC 105.25. See KZC 105.25. (See Ch. 100) ш Sign Category Landscape (See Ch. 95) (See Ch. 95) \triangleleft Height of Structure RSX zone, then 30' If adjoining building elevation. Otherwise building elevation. 35' above MAXIMUMS an RS or average average above Lot Coverage 80% Rear Spec. Reg. REQUIRED YARDS 12 12 See (See Ch. 115) Side Spec. Reg. 2 See 0 MINIMUMS adjacent otherwise Front to NE 85th St., Spec. Reg. 4. 10' 20' 20' See Lot Size 22,500 sq. ft. None Required Review Process D.R., Chapter 142 KZC See Spec. Regs. 1 and 2. Vehicle Service See Spec. Regs. See Spec. Reg. Service Center Entertainment, Cultural and/or Restaurant or 11 REGULATIONS Recreational Automotive USE 1 and 2. Station Facility Tavern .020 .030 .040 .010 Section 53.54

(Revised 11/12)

Section 53.54 Zone RH 5A, 5B

USE ZONE CHART

	CHONS: FIRST, read down to find use I HEN, across for REGULATIONS		Special Regulations	(See also General Regulations)	 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. 2. A delicatessen, bakeny, or other similar use may include, as part of the 	 use, accessory seating if: a. The seating and associated circulation area does not exceed more a. The seating and associated circulation area does not exceed more a. The seating and associated to the City that the floor plan is designed to preclude the seating area from being expanded. 3. For a retail establishment involving the sale, service or rental of motor vehicles, sailboats, motor boats, or recreation trailers, the following shall apply: a. This use is not permitted in the RH 5B zone; provided, that motorcycle sales, service, or rental is permitted if conducted indoors. b. For the number of required parking stalls see KZC 105.25. c. Parts must be stored entirely within an enclosed structure. d. See KZC 95.40 through 95.45, required landscaping, for further reg- 	 Unations. 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. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if:
EN o	IEN, ac		be	105)	-		150
E oou	use I r		Required Parking Spaces	(See Ch. 105)	1 per each 300 sq. ft. of gross floor area.	lishme na or not ropert shool v on Pla	If a medical, dental or veteri- nary office, then 1 per each 200 sq. ft. of gross floor area. floor area. per each 300 sq. ft. of gross floor area.
to find		1	n Categon (001 .10)	es)	ш — о с	 Retail establishments selling marijuana or products containing marijuana are not permitted on properties abutting the school walk routes shown on Plate 46. 	
			stegory (36 Ch. 95) andscape	S)	<	Retail lling m oducts arijuar rmitte utting utting	۵
CIDET TO	o: FIRO I, rea	MAXIMUMS		ouncinie	If adjoining an RS or RSX zone, then 30' above above building elevation. Otherwise,	35' above 4. F average 8elling building sell elevation. pro mai per abu rou	
CTIONS	NOI D	MAX	overage	Lot C	80%		
	DIRE		REQUIRED YARDS (See Ch. 115) Front Side Rear	Rear	15:		
		WS		Side	ō		
		MINIMUMS		Front	10' adjacent to NE 85th St., otherwise 20'.		
			Lot Size		None		
			Required Review Process		D.R., Chapter 142 KZC.		
	SI	NOI	а КЕСИГАТ	Û	Any Retail Establishment other than those specifically listed in this zone, selling goods or providing services, including	banking and related financial services	Office Use
		79	ection 53	S	.050		.060

Kirkland Zoning Codeuty 292.323

(Revised 11/12)

Zone Zone CHA

Section 53.54

F

R

Excludes parking requirements for ancillary meeting and convention facilities. Additional parking requirement for these ancillary uses shall be Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. May include accessory living facilities for staff persons. No parking is required for day-care or school ancillary to the use. May include ancillary meeting and convention facilities. (See also General Regulations) Special Regulations determined on a case-by-case basis. DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS - 01 -- 0 room. See also Spec. Reg. 2. 1 per each 300 sq. ft. of gross floor area. See Ch. 105) occupancy load of any area of worship. See Spec. Reg. 2. people based Required 1 per every 4 Parking Spaces on maximum 1.7 per unit. 1 per each Sign Category (See Ch. 100) ш 8 4 ш Landscape (See Ch. 95) (26 Ch. 95) \triangleleft Height of Structure If adjoining RSX zone, then 30' average building elevation. **Othenwise**, average building elevation. 35' above MAXIMUMS an RS or above Lot Coverage 80% Rear **REQUIRED YARDS** 12 (See Ch. 115) Side 0 MINIMUMS to NE 85th St., otherwise 20'. Front adjacent 10' Lot Size None Required Process Review D.R., Chapter 142 KZC. Stacked Dwelling Private Lodge or See Spec. Reg. Hotel or Motel ١Ì REGULATIONS USE .100 Church Club Units 020. .080 060. Section 53.54

O-4479 Attachment E

Kirkland Zoning Code 292.33

Zone RH 5A, 5B
53.54
Section

1

USE ZONE CHART

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	ent		
)	Attachm		

DIRECTIONS: FIRST, read down to find useTHEN, across for REGULATIONS MINIMUMS MAXIMUMS MINIMUMS MAXIMUNS REQUIRED YARDS MAXIMUNS Recurred regroves Required Gee Ch. 115) Required Front Structure Total segrection 0 15 80% Required Front Structure Structure Ask-foot-high fence is required only along the properly lines adjacent to an other manimal segrections 0 15 80% If adjoining A Ask-foot-high fence is required only along the properly lines adjacent to an other manimal segrection of all redoes and the extent of the aburtion segrection of the aburtion segrection of the aburtion segrection of the aburtion segrection of the aburtion of all redoes and the extent of the aburtion of all redoes and the extent of the aburtion of the aburtion of all redoes and the extent of the aburtion of a segrection of the aburtion of the abu	C 1.	C 105.25. use on the subject property and the impacts associated with the use on the nearby uses. See Spec.
O ⁰ O ¹		0.41
L Lot Size		
Required Review Process D.R., Chapter 142 KZC.	_	
Assisted Living Facility. Contertor Nursing Home	Public Utility	.140 Government Facility Community
·	.130 F	.140

Kirkland Zoning Code 292.34

O-4479 Attachment E

Zone RH 7 U S E

Section 53.74

USE ZONE CHART

DIRECTIONS: FIRST, read down to find useTHEN, across for REGULATIONS		Snerial Regulations	(See also General Regulations)	Fast food restaurants must provide one outdoor waste receptacle for every eight parking stalls.	The following uses are not permitted in this zone: a. Vehicle service stations; b. Automotive service centers; c. Uses with drive-in facilities or drive-through facilities;	
seTHEN, acros		Required Parking Snares	(See Ch. 105)	1 per each 100 1 sq. ft. of gross floor area.	1 per each 300 1. sq. ft. of gross floor area.	ients tries 2. ate ate 3.
o find us	,	n Category (001 .40 se	es)	ш		ana or ana or ana or chool chool on Pl
down to		stegory (36 Ch. 95) (36 Ch. 95)	s) С Г	A		il estal mariju ts cont ts cont na are ed on shown
FIRST, read	MAXIMUMS		orructure	30' above average building	elevation.	 4. Retail establishments selling marijuana or products containing marijuana are not permitted on properties abutting the school walk routes shown on Plate 46.
TIONS:	MA	overage	Lot C	80%		
DIRECT		RDS 5) Rear		.0		
	s	QUIRED YAR (See Ch. 115)	Side	·0		
	MINIMUMS	REQUIRED YARDS (See Ch. 115)	Front	10' adjacent to NE 85th	St., otherwise 20'.	
		Lot Size		None		
		Required Review Process		D.R., Chapter 142 KZC.		
S	SNOI		Û	Restaurants or Taverns	Any Retail Establishment other than those specifically listed,	Imited or prohibited in this zone, selling goods or providing providing banking and related financial services. See Spec. Regs. 1 and 2.
	ÞL.	ection 53	S	.010 F	.020 /	

Kirkland Zoning Code 292.43

(Revised 11/12)

Section 53.74 Zone RH 7

USE ZONE CHART

	TIONS: FIRST, read down to find useTHEN, across for REGULATIONS	Special Regulations (See also General Regulations)			 The following regulations apply to veterinary offices only: May only treat small animals on the subject property. D. Outside runs and other outside facilities for the animals are not permitted. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: 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. 	 May include ancillary meeting and convention facilities. 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. 			 Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 		
	useTHEN, acr		Required Parking Spaces	(See Ch. 105)	If a medical, dental or veteri- nary office, then 1 per each 200 sq. ft. of gross floor area. Otherwise, 1 per each 300 sq. ft. of gross floor area.	1 per each room. See also Spec. Reg. 2.	See KZC 105.25.	1 per each 300 sq. ft. of gross floor area.	1.7 per unit.		
	o find t	Sign Category (See Ch. 100)			۵	ш		B	A		
	down t	Landscape Category (See Ch. 95)			<						
	FIRST, read	MAXIMUMS	Height of Structure		30' above average building elevation.						
	lions:	MA	overage	Lot C	80%						
	DIRECT		REQUIRED YARDS (See Ch. 115)	Rear	0						
		NS		Side	.0						
		MINIMUMS		Front	10' adjacent to NE 85th St, otherwise 20'.						
			Lot Size		None						
		Required Review Process			D.R., Chapter 142 KZC.						
	аселгулояа			Û	Office Use	Hotel or Motel	Entertainment, Cultural and/or Recreational Facility	Private Lodge or Club	Attached or Stacked Dwell- ing Units		
ł	-	Section 53.74			.030	.040 H	050 050	090	.070 A S ir		

O-4479 Attachment E

Kirkland Zoning Code 292.44

(Revised 11/12)

U-4419 Attachment E

> Zone RH7 USE ZONE

> > Section 53.74

CHART

DIRECTIONS: FIRST, read down to find useTHEN, across for REGULATIONS		Special Regulations	(See also General Regulations)	 Development may also include other uses allowed in this zone. The following uses are not permitted in this zone: a. Vehicle service stations. b. Automotive service centers. c. Uses with drive-in facilities or drive-through facilities. d. Retail establishments providing storage services unless accessory to another permitted use. e. Retail establishment involving the sale, service or repair of automobiles, trucks, boats, motorcycles, recreational vehicles, heavy equipment and similar vehicles. The entire zone must be physically integrated both in site, building design, pedestrian amentities. At least 10 percent of the units 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. 	 May include accessory living facilities for staff persons. No parking is required for day-care or school ancillary to the use. 			
iseTHEN, acro		Required Parking	(See Ch. 105)	See KZC 105.25. 4 3.	1 per every 4 people based on maximum occu- pancy load of any area of wor- ship. See Spe- cial Regulation 2.			
o find u	,	n Category e Ch. 100)	es)	ш	æ			
down te		stegory (36 Ch. 95) (36 Ch. 95)	S) D T	4				
FIRST, read	MAXIMUMS		orructure	45' above average building ele- vation.	30' above average building ele- vation.			
IONS:	MAD	Lot Coverage		80%				
DIRECT		RDS ()	Rear	õ				
	IS	QUIRED YAR (See Ch. 115)	Side	ō				
	MINIMUMS	REQUIRED YARDS (See Ch. 115)	Front	10' ME 85th St., otherwise 20'.	-			
Ē		Lot Size		More than 3 acres.	None			
		Required Review Process		D.R., Chapter 142 KZC.				
Ş	SNOI		Û	Development Containing Stacked Dwell- ing Units and one or more of the fol- lowing uses: Retail uses including Banking and Other Financial Services, Taverns See Spec. Regs. 1 and 2.	.090 Church			
	47.	ection 53	S	.080	060.			

O-4479 Attachment E

Kirkland Zoning Code 292.45

r	Zone	E
	Section 53.74	

· USE ZONE CHART

Attachment E

		ection 53	0	C MIII	.110 As CCC CCC CCC CCC CCC CCC CCC CCC CCC C	.120 Pu	.130 Go Fa ity	.140 Pu	
тр веелгатіоиз С			仓	School, Day- Care Center, Mini-School or Mini-Day-Care Center	Assisted Living Facility, Convalescent Center or Nursing Home See Spec. Reg. 1.	Public Utility	Government Facility Community Facil- ity	Public Park	
		Required Review Process		D.R., Chapter 142 KZC.	~	-		Developmen process.	
		Lot Size		None					
	MINIMUMS	RE	Front	10' adjacent to NE 85th St., otherwise 20'.				is will be deter	
	MS	QUIRED YAR (See Ch. 115)	Side	<u>`o</u>				mined or	
DIRECT		RDS	Rear	0				n a case	
	MA	Lot Coverage		80%					
FIRST, read	MAXIMUMS	Height of Structure		30' above average building elevation.				basis. See C	
I down	Landscape Category (See Ch. 95)			D A A See. Spec. Reg. 1.					
to find	Sign Category (See Ch. 100)			۵	A Conva- lescent or Nurs- ing Home: B	В		9 KZC for	
useTHEN, acı	Required Parking Spaces (See Ch. 105)			See KZC 105.25.	Independent unit: 1.7 per unit. Assisted living - unit: 1 per unit. Convalescent Center or Nurs- ing Home: 1 per each bed.	See KZC 105.25.		Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.	
IONS: FIRST, read down to find useTHEN, across for REGULATIONS	Special Regulations (See also General Regulations)			 A six-foot-high fence is required only along the property lines adjacent to the outside play areas. 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 time, right-of-way improvements or other means may be required to reduce traffic impacts on nearby residential uses. May include accessory living facilities for staff persons. To reduce impacts on nearby residential uses, relocated. 	 Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 				

Kirkland Zoning Code 292.46

O-4479 Attachment E

Attachment E)

> 4 I C ш z 0 N ш S Zone RH 8

> > Section 53.84

RT

 a. May only treat small animals on the subject property.
 b. Outside runs and other outside facilities for the animals are not permitand 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 d. Retail establishments providing storage services unless accessory to e. A retail establishment involving the sale, service or rental of motor vehi-Ancillary assembly and manufacture of goods on the premises of this use Storage of parts unless conducted entirely within an enclosed structure. cles, sailboats, motor boats, recreation trailers, heavy equipment and similar vehicles; provided, that motorcycle sales, service or rental is Storage and operation of heavy equipment, except delivery vehicles a. The ancillary assembled or manufactured goods are subordinate to May not be located above the ground floor of a structure. Gross floor area for each individual use may not exceed 4,000 sq. ft. Gross floor area for each individual use may not exceed 4,000 sq. ft. REGULATIONS CONTINUED ON NEXT PAGE The following regulations apply to veterinary offices only a. Vehicle service stations.
 b. Automotive service centers.
 c. Uses with drive-in facilities or drive-through facilities. (See also General Regulations) The following uses are not permitted in this zone: Special Regulations permitted if conducted indoors. associated with retail uses DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS another permitted use. are permitted only if: uses. ted. ÷ ġ -N - N -Otherwise, 1 per each 300 sq. ft. See Ch. 105) nary office, then sq. ft. of gross floor area. dental or veteri-1 per each 300 1 per each 200 1 per each 100 sq. ft. of gross sq. ft. of gross floor area. Required Parking Spaces of gross floor If a medical, See KZC 105.25. floor area. area. (See Ch. 100) ш Sign Category Landscape (See Ch. 95) (See Ch. 95) < Height of Structure Regs. 2 and 30' above See Gen. elevation. MAXIMUMS building average e. Lot Coverage %01 Rear REQUIRED YARDS 15 (See Ch. 115) Side 0 MINIMUMS otherwise Front adjacent 85th St. to NE 20' 0 Lot Size None D.R., Chapter 142 KZC. Required Process Review other than those selling goods or providing related financial listed, limited or Entertainment, Cultural and/or Establishment REGULATIONS Recreational prohibited in banking and specifically Restaurant Office Use Any Retail this zone, including services, services. USE Facility .010 020 .040 .030 Section 53.84

(Revised 11/12)

6 Code 292.49 292.49 Kirkland Zoning Code

CHART

ZONE

USE

Zone RH 8

Section 53.84

ONS: FIRST, read down to find useTHEN, across for REGULATIONS	d Special Regulations (See also General Regulations)				 This use may not be located above the ground floor of a structure except for personal service establishments that provide services involving the care of a person, or of a person's apparel, such as laundry and dry cleaning services, beauty shops, barber shops, shoe repair shops and tailors may be located above the ground floor, provided, that the use of exterior areas adjoining residential uses is prohibited. Gross floor area for each individual use may not exceed 4,000 sq. ft. A delicatesson, bashory or other similar use may include, as part of the use, accessory seating if: The seating and associated circulation 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. 		 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. 	 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. 	 No parking is required for day-care or school ancillary to the use. 1. No parking is required for day-care or school ancillary to the use. 	
ind useTHEN		Required Parking Spaces (See Ch. 105)			 Retail establishments selling marijuana or products containing 	marijuana are not permitted on properties abutting the school walk routes shown on Plate 46.	1.7 per unit.	Independent unit: 1.7 per unit. 2. Assisted living facility: 1 per unit. Convalescent Convalescent Convalescent each bed.	1 per every 4 people based on maximum occu- pancy load of any area of wor- ship. See Spec.	
wn to f	Sign Category (See Ch. 100) (See Ch. 100)				5. Retail establishm selling marijuana or products containing	marijuana are not permitted on prop abutting the schoo routes shown on F	<			
ead do	Landscape Category (See Ch. 95)				etail	ijuana nitted tting t es sh	4			
S: FIRST, n	MAXIMUMS	Height of	Structure		5. R sellin prod pern abut routu	30' above average building elevation. See Gen. 3. 3.				
	MAX	overage	Lot C				%02			
DIRECT	MINIMUMS	(RDS 5)	Rear				15'			
		QUIRED YAR (See Ch. 115)	Side				ō			
		REQUIRED YARDS (See Ch. 115)	Front				10' adjacent to NE 85th St., 20':			
		Lot Size					None			
	Required Review Process						D.R., Chapter 142 KZC.			
S	NOI	жеолгат Каралар	Û	Any Retail Establishment	specifically specifically listed, limited or prohibited in this zone,	seming goods on providing including banking and related financial services. (continued)	Stacked Dwelling Units See Spec. Reg. 1.	Assisted Living Facility, Convalescent Center or Nursing Home See Spec. Reg. 1.	Church	
	Section 53.84						.050	.060	.070	

(Revised 11/12)

Kirkland Zoning Codeuty 292.50a

ZONE VISE ZONE CHART

Section 53.84

ting right-of-way improvements. Carpooling, staggered loading/unload-ing time, right-of-way improvements or other means may be required to reduce traffic impacts on nearby residential uses. 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. A six-foot-high fence is required only along the property lines adjacent to To reduce impacts on nearby residential uses, hours of operation of the use may be limited and parking and passenger loading areas relocated. basis, depending on the number of attendees and the extent of the abut exceeding the basic maximum structure height are increased by one The increased height is not specifically inconsistent with the applicable d. The increased height will not result in a structure that is incompatible determine the appropriate size of the loading areas on a case-by-case An on-site passenger loading area must be provided. The City shall a. The school can accommodate 200 or more students; and
 b. The required side and rear yards for the portions of the structure For school use, structure height may be increased, up to 35 feet, if: neighborhood plan provisions of the Comprehensive Plan. foot for each additional one foot of structure height; and May include accessory living facilities for staff persons. (See also General Regulations) Special Regulations with surrounding uses or improvements DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS the outside play areas. _ N c. 4. 5 See Ch. 105) Required Parking Spaces Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required See KZC 105.25. Sign Category (See Ch. 100) B Category (See Ch. 95) (See Ch. 95) See Spec. Reg. 1. 4 0 Height of Structure Regs. 2 and 30' above See Gen. MAXIMUMS elevation. building average Lot Coverage %01 Rear REQUIRED YARDS 15 (See Ch. 115) Side ò MINIMUMS 10' adjacent otherwise Front 85th St., to NE 20'. Lot Size None review process. D.R., Chapter 142 Required Process Review KZC. Mini-School or Mini-Day-Care REGULATIONS School, Day-Care Center, .090 Public Utility Government Community Public Park USE Facility Center Facility .100 .110 .080 Section 53.84

Kirkland Zoning Code 292.51

O-4479 Attachment E

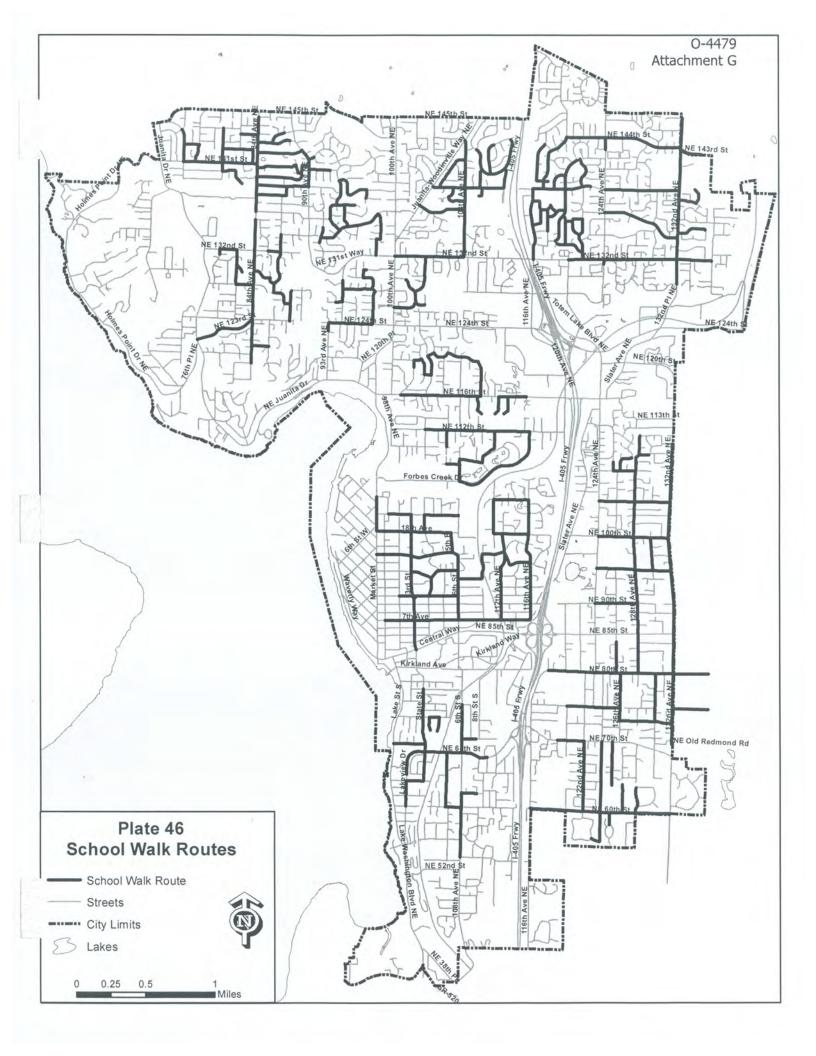
Attachment E		O-4479 Attachment E	Kirkland Zoning Code 292.52
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			(Revised 9/13)

115.100 Odor

1. General

Any odor which injures; endangers the comfort, repose, health or safety of persons on abutting properties or streets; or in any way renders persons insecure in life, or in the use of abutting properties or streets, is a violation of this code.

2. Marijuana Processing and Production - Marijuana processing and production businesses must be equipped with a ventilation system that prevents marijuana odors from being detected beyond the premises of the business. Applicants for such businesses must submit, as part of building and mechanical permit applications, a ventilation plan prepared by a licensed mechanical engineer. The ventilation plan shall be reviewed and approved by the City. Once operation of the business begins, if odors are detected beyond the premises of the building, even with an approved ventilation plan, the facility shall be subject to Code Enforcement actions as outlined in KMC Chapter 1.12.



PUBLICATION SUMMARY OF ORDINANCE <u>0-4479</u>

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO LAND USE AND ZONING, REPEALING ORDINANCES O-4439, O-4446, O-4447, O-4453 AND O-4462; PERMITTING STATE-LICENSED MARIJUANA PRODUCTION AND PROCESSING FACILITIES IN THE TOTEM LAKE (TL) 7 AND 9A ZONES AND IN LIGHT INDUSTRIAL (LIT) ZONES; PERMITTING STATE-LICENSED RETAIL FACILITIES IN TL 7, TL 9A AND LIT ZONES WHERE AT LEAST 50 PERCENT OF THE ZONE IS BOUNDED BY COMMERCIAL ZONES; PROHIBITING STATE-LICENSED RETAIL FACILITIES IN MARKET STREET CORRIDOR (MSC) 1 AND 2 ZONES; PROHIBITING STATE-LICENSED RETAIL SALES IN ALL ZONES ON PROPERTIES ABUTTING DESIGNATED SCHOOL WALK ROUTES; AND AMENDING KIRKLAND ZONING CODE SECTION 115.100 TO ADD AN ODOR REGULATION FOR PROCESSING AND PRODUCTION FACILITIES; PROVIDING FOR SEVERABILITY, AND APPROVING A PUBLICATION SUMMARY, FILE NO. CAM14-0237.

<u>SECTION 1</u>. Amends Kirkland Zoning Code (KZC) Chapter 30, Office Zones, Section 30.20.250, to add a reference to and add a new Permitted Uses (PU) Special Regulation, PU-39, which prohibits retail establishments selling marijuana or products containing marijuana on properties abutting the school walk routes shown on Plate 46 and amends KZC Chapter 35, Commercial Zones, Section 35.20.170, to add a reference to and add a new Permitted Uses Special Regulation, PU-30, which prohibits retail establishments selling marijuana or products containing marijuana on properties abutting the school walk routes shown on Plate 46.

<u>SECTION 2</u>. Amends KZC Chapter 40, Industrial Zones, to add Section 40.20.245, a new use listing in the LIT Zone, to the Permitted Uses Table, to permit retail establishments selling marijuana or products containing marijuana and add references to new Special Regulation PU-30, permitting marijuana retail establishments only where 50 percent of the boundaries of the LIT Zone adjoin commercial zones and Special Regulation PU-31, not permitting marijuana retail establishments on school walk routes shown on Plate 46 and amending KZC Chapter 40, Industrial Zones, to add Section 40.30.245, a new use listing, to the Density/Dimensions Table.

SECTION 3. Amends the Use Zone Chart for the Market Street Corridor (MSC) 1, 4, KZC Section 51.10.050, to prohibit retail establishments selling marijuana or products containing marijuana within the MSC 1 Zone and amends the Use Zone Chart for MSC 2, KZC Section 51.20.010, to prohibit the sale of marijuana or products containing marijuana.

SECTION 4. Amends the Use Zone Chart for Rose Hill (RH) 5A, 5B, KZC Section 53.54.050, the Use Zone Chart for RH 7, KZC Section 53.74.020, and the Use Zone Chart for RH 8, Section 53.84.040, to

prohibit retail establishments selling marijuana or products containing marijuana on properties abutting school walk routes.

SECTION 5. Amends the Use Zone Chart for Totem Lake (TL) 7, KZC Section 55.51.085, and the Use Zone Chart for TL 9A, Section 55.61.075, to allow retail establishments selling marijuana or products containing marijuana.

SECTION 6. Amends KZC 115.100, related to "Odor."

Section 7. Amends KZC Chapter 180, Plates, to add Plate 46, "School Walk Routes."

SECTION 8. Provides a severability clause for the ordinance.

SECTION 9. 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 March 26, 2015, 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 3rd day of March, 2015.

I certify that the foregoing is a summary of Ordinance O-4479 approved by the Kirkland City Council for summary publication.

Ketter Anderson