AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, PLAN-NING AND LAND USE AND AMENDING THE LAND USE AND AMENDING ORDI-NANCE 2740 AS AMENDED, THE KIRKLAND ZONING ORDINANCE.

Whereas, the City Council has received from the Kirkland Planning Commission a recommendation to amend certain sections of the text of the Kirkland zoning ordinance, Ordinance 2740 as amended, all as set forth in that certain report and recommendation of the Planning Commission dated September 20, 1984 and bearing Kirkland Department of Planning and Community Development File No. IV-84-8; and

Whereas, prior to making said recommendation the Planning Commission, following notice thereof as required by RCW 35A.63.070, on September 11, 1984 and September 20, 1984, held public hearings on the amendment proposals and considered the comments received at said hearing; and

Whereas, pursuant to the State Environmental Policies Act there has accompanied the legislative proposal and recommendation through the entire consideration process, a final declaration of non-significance (including supporting environmental documents) issued by the responsible official pursuant to WAC 197-11-340 and WAC 197-11-390; and

Whereas, in regular public meeting the City Council considered the report and recommendation of the Planning Commission, now, therefore,

Be it ordained by the City Council of the City of Kirkland as follows:

Section 1. Zoning text amended: The following specified sections of the text of Ordinance 2740 as amended, the Kirkland zoning ordinance, be and they hereby are amended as set forth in Exhibits 1 through 4, inclusive, attached to this ordinance and by this reference incorporated herein.

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 unconsitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

<u>Section 3.</u> This ordinance shall be in full force and effect five days from and after its passage by the City Council and publication or posting as required by law.

Section 4. To the extent that the subject matter of this ordinance is subject to the disapproval jurisdiction of the Houghton Community Council as created by Ordinance 2001, said plan shall become effective within the Houghton community either upon approval of the Houghton Community Council, or upon failure of said community council to disapprove this ordinance within 60 days of its passage.

Section 5. Except as provided in Section 4, this ordinance shall be in full force and effect five days from and after its passage by the City Council and publication or posting as required by law.

Passed by majority vote of the Kirkland City Council in regular, open meeting this $15\,\mathrm{th}$ day of $0\,\mathrm{ctober}$, 1984.

authentication thereof this 15th in day Signed of October , 1984.

ATTEST:

Director of Afministration & Finance

(ex officio City Clerk)

APPROVED AS TO FORM:

CERTIFICATION OF POSTING

I hereby certify under penalty of perjury that the foregoing ordinance was posted on the 1877 day of October , 1984 in accordance with the provisions of RCW 35A.12.160 and City of Kirkland Ordinance No. 2600.

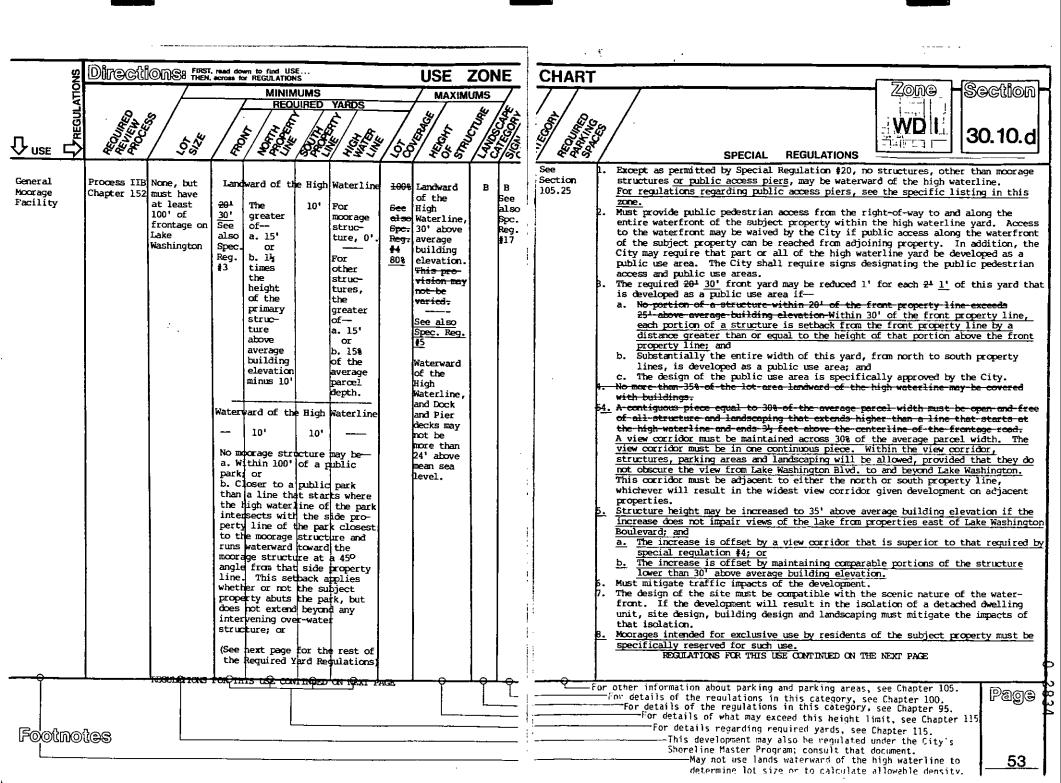
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Detached Dwelling Unit	Process I Chapter 145	5,000 sq.	30' See also spec. Reg.	The greater of— a. 15' cor b. 1½ times the height of the primary structure above average building	10'	The greater of— a. 15' or b. 15% of the average parcel depth	100% See also Spe- Reg- #3- 80%	30' abov average building elevation This pro- vision may not be varies	e E	A	2.U per Unit	 No structures, other than moorage structures or public access piers, may be waterward of the high waterline. For the regulation regarding moorages and public access piers, see the moorage specific listings in this zone. The required 20⁴ 30¹ front yard may be reduced 1¹ for each 2¹ 1¹ of this yard that is developed as a public use area if— No portion of—a structure within 20¹ of the front property line exceeds 25¹ above average building elevation Within 30¹ of the front property line, each portion of a structure is setback from the front property line by a distance greater than or equal to the height of that portion above the front property line; and Substantially, the entire width of this yard (from north to south property lines) is developed as a public use area; and The design of the public use area is specifically approved by the City. No more than 35% of the lot area landward of the high waterline may be covered with buildings. A contiguous piece equal to 30% of the average parcel width must be open and free
Attached or Stacked	Process IIB Chapter 152		yard is 5	elevation minus 10' minimum di ninimum di , other th	mension		100\$	30' above average	D	А		of all structure and landscaping that extends higher than a line that starts at the high waterline and ends 3; feet above the centerline of the frontage road. A view corridor must be maintained across 30% of the average parcel width. The view corridor must be in one continuous piece. Within the view corridor, structures, parking areas and landscaping will be allowed, provided that they do not obscure the existing view from Lake Washington Blvd. to and beyond Lake Washington. This corridor must be adjacent to either the north or south property line, whichever will result in the widest view corridor given development on adjacent properties. 5.4 Chapter 115 contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 6. The required yard of a structure abutting Lake Washington Blvd. or Lake Street South must be increased? Feet for each 1 foot that structure exceeds 25 feet above average building elevation 7.5 See Section 11 of this Chapter for regulations regarding bulkheads and land surface modification. In addition, refer to Chapter 1 to determine what other provision of this Code may apply to the subject property.
Dwelling Units Exhibit "1" to Ordinance 2834		least 3,600 sq. ft. per unit	See also Spec Reg. #4	of a. 15'	e e imensio	of— a. 15' or b. 15% of the average parcel depth	See also Spc. Reg. \$5 80%	building elevation This provision may not be varied See also Spec. Reg	-	_	2.0 per Unit	 No structures, other than moorage structures or public access piers, may be waterward of the high waterline. For the regulations regarding moorages and public access piers, see the moorage specific listings in this zone. If this use is proposed on a subject property that will also contain non-residential uses, the amount of floor area that can be devoted to non-residential uses is compiled using the following formula: (The maximum number of dwelling units allowed on the subject property - the number of dwelling units proposed) x the average square footage of the dwelling units proposed = the amount of square footage available for non-residential use, excluding moorage structures. Must provide public pedestrian access from the right-of-way to and along the entire waterfront of the subject property within the high waterline yard. Access to the waterfront may be waived by the City if public access along the waterfront of the subject property can be reached from ajoining property. The City shall require signs designating the public pedestrian access and public uses areas.
	R	EGULATIONS F	OR THE	S USE COM	INUED C	N THE NEX	r page			<u> </u>	+63 19/889	For details of the regulations in this category, see Chapter 105. For details of the regulations in this category, see Chapter 100. For details of what may exceed this height limit, see Chapter 115
Footno	(185 											For details regarding required yards, see Chapter 115. This development may also be regulated under the City's Shoreline Master Program; consult that document. May not use lands waterward of the high waterline to determine lot size or to calculate allowable density.

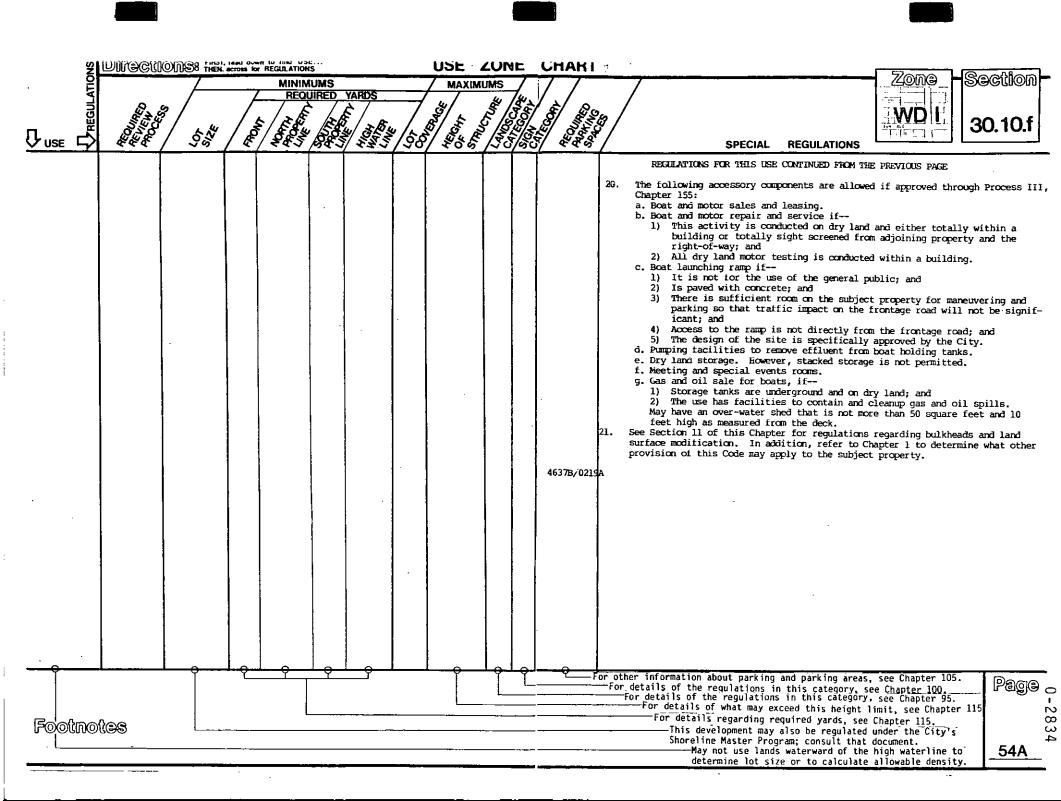
DIFOC (IONS) FIRST, read down to find USE... **USE ZONE CHART** Section MINIMUMS **MAXIMUMS** XIm. REQUIRED YARDS 伙 USE SPECIAL REGULATIONS REGULATIONS FOR THIS USE CONTINUED FROM THE PREVIOUS PAGE THIS USE CONTINUED FROM THE PREVIOUS PACE REGULATIONS FOR 4. The required 20' 30' front yard may be reduced 1' for each 24 1' of this yard that is developed as a public use area if-Attached 101 Process IIB 7,200 sq. 204 The The 100% 30' above D A or Stacked Chapter 152 ft. with at 30' greater greater average 2.0 per a. No portion of a structure within 20' of the front-property-line-exceeds-25' Dwelling least 3,600 See of-building above average building elevation Within 30' of the front property line, each $\alpha f \rightarrow$ See unit Units sq. ft. per also a. 15' a. 15' elevation also portion of a structure is setback from the front property line by a distance unit Spec. OI OI Spc. This progreater than or equal to the height of that portion above the front property b. 1½ b. 15% Reg. Req. vision times the of the b. Substantially the entire width of this yard, from north to south property may not height of average be varied lines, is developed as a public use area; and the priparcel See also c. The design of the public use area is specifically approved by the City. mary oepth 5. No more than 35% of the lot area landward of the high waterline may be covered Spec. Req. structure with buildings. #6 above 6.5 A contiguous piece equal-to 30% of the average parcel-width must be open and free average of all structure and landscaping that extends higher than a line that starts at building the high waterline and ends 34 feet above the centerline of the frontage road. elevation A view corridor must be maintained across 30% of the average parcel width. The minus 10 view corridor must be in one continuous piece. Within the view corridor, structures, parking areas and landscaping will be allowed, provided that they do The minimum dimension of any not obscure the view from Lake Washington Blvd. to and beyond Lake Washington. yard, other than those listed, This corridor must be adjacent to either the north or south property line, îs 5 whichever will result in the widest view corridor given development on adjacent properties. 6. Structure height may be increased to 35' above average building elevation if the increase does not impair views of the lake from properties east of Lake Washington Boulevard; and a. The increase is offset by a view corridor that is superior to that required by special regulation #5; or The increase is offset by maintaining comparable portions of the structure lower than 30' above average building elevation. 7. Must mitigate traffic impacts of the development. The design of the site must be compatible with the scenic nature of the waterfront. If the development will result in the isolation of a detached dwelling unit, site design, building design and landscaping must mitigate the impacts of 9. The required vard of a structure abutting Lake Washington Blvd. or Lake Street South must-be increased-2-feet for-each-1-foot-that-structure exceeds 25-feet above average building-elevation 10.9 Chapter 115 contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 11.10 See Section 11 of this Chapter for regulations regarding bulkheads and land surface modification. In addition, refer to Chapter 1 to determine what other provision of this Code may apply to the subject property. For other information about parking and parking areas, see Chapter 105. Page 0for details of the regulations in this category, see Chapter 100. For details of the regulations in this category, see Chapter 95. .283 -For details of what may exceed this height limit, see Chapter 115 -For details regarding required yards, see Chapter 115. Foolinotes -This development may also be regulated under the City's 4 Shoreline Master Program: consult that document. 51 -May not use lands waterward of the high waterline to

determine lot size or to calculate allowable density.

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Public Access Pier	Process IIB Chapter 152	Waterward o <u>None</u>	f the High Wate — 10' See also Speci	line 10'		Pier deck may not b more than 24' above mean sea level. Diving boards an similar features may not b more than 3' above the deck.		See Spc Rec i	See Section 105.25	1. 2. 3. 4. 5. 6. 7. 8. 9.	No accessory uses, buildings, or activities are permitted as part of this use. If a structure will extend waterward of the Inner Harbor Line, the applicant must obtain a lease from the Port of Seattle prior to proposing this use. May not treat a structure with creosote, oil base or toxic substances. Must provide at least one covered and secured waste receptacle. All utility lines must be below the pier deck and, where feasible, undergroum Piers must be adequately lit; the source of the light must not be visible from neighboring properties. Structures must display the street address of the subject property. The address must be oriented to the Lake with letters and numbers at least 4" hid and visible from the Lake. North and South property line yards may be decreased for over-water public us facilities which connect with waterfront public access on adjacent property. See Section 11 of this Chapter for regulations regarding bulkheads and land surface modification. In addition, refer to Chapter 1 to determine what othe provisions of this Code may apply to the subject property.
Moorage Facility for 1 or 2 boats	None	None	Waterward of the 201 10' In addition, ture may be wa. 25' of any b. 25' of any property. The minimum of yard, other tis 5'.	he High Water 10' no moorage st ithin tblic park; or ther moorage on the subjectimension of	line ruc-	iendward of-the High Waterline 301-above average building elevation This-pro vision me not-be varied. ——— Waterward of-the High Waterline Bock and Pier deck may not than 24' above mean sea level. Diving boards ar similar features may not h more than		See Spc: Reg. #9	See Section 105.25	3-2. 4-3. 5-4. 6-5. 7-6. 8-7. 9-8. 10.9. 11.100	free of all structure and landscaping that extends higher than a line that starts at the high waterline and ends 3; feet above the centerline of the frontage road. This corridor must be adjacent to either the north or south property line, whichever will result in the widest view corridor-given development on adjacent properties. Moorage structures may not extend waterward beyond a point 150' from the high waterline. In addition, piers and docks may not be wider than is reasonably necessary to provide safe access to the boats, but not more than 8' in width. If the moorage structures will extend waterward of the Inner Harbor Line, the applicant must obtain a lease from the Port of Seattle prior to proposing thi use. May not treat moorage structure with creosote, oil base or toxic substances. Must provide at least one covered and secured waste receptacle. All utility lines must be below the pier deck and, where feasible, undergrour Piers must be adequately lit; the source of the light must not be visible from eighboring properties.
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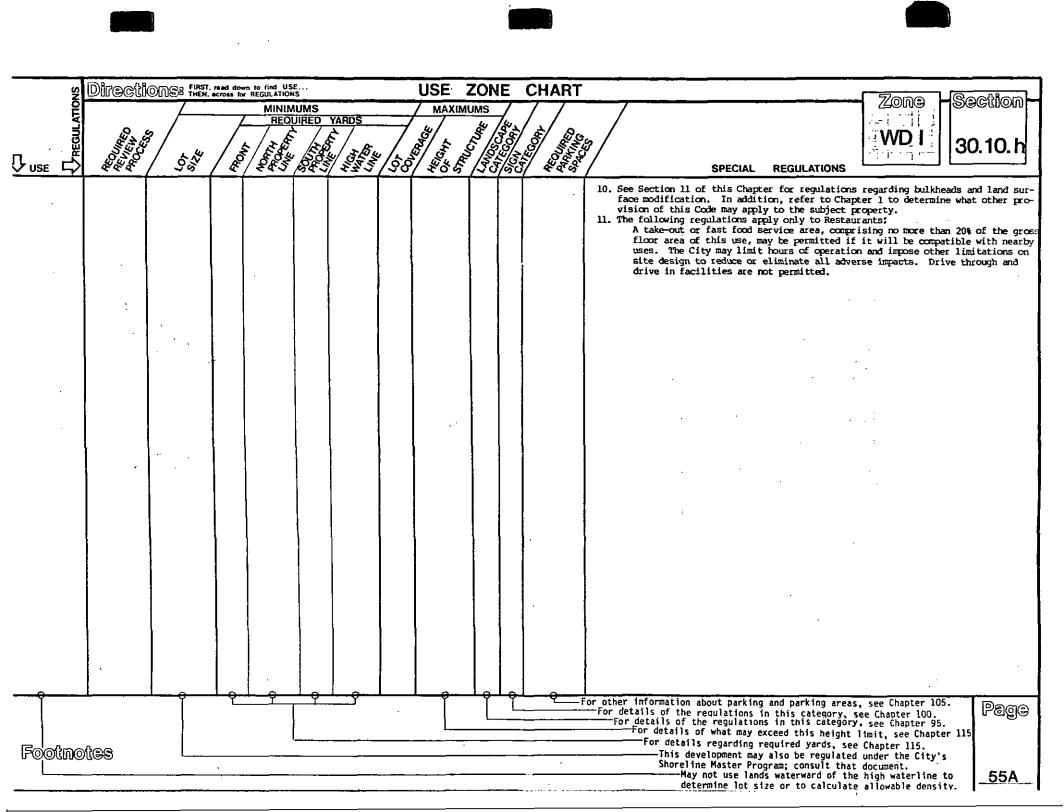


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Footno	tes						For other information about parking and parking areas, see Chapter 105. For details of the regulations in this category, see Chapter 100. For details of the regulations in this category, see Chapter 95. For details of what may exceed this height limit, see Chapter 115. For details regarding required yards, see Chapter 115. This development may also be regulated under the City's Shoreline Master Program; consult that document. May not use lands waterward of the high waterline to)-2834		



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Retail Establish- Rent, other than those specifically listed in this come; selling-pro- ducts. designed. and market- ed.for. use in.cornec- tion with boating; fishing-or other-water- dependent activaties 4637B/97A(p.7)	Process TIE Ghapter 152	7,200- 9gft	Phe m	a. 15'- or- b. 15%- times the height of the pri- mary- structure above- average building elevation minus 10'- inimum-dim- other than	enston	The greater- of a: 154- or b: 154- of the average parcel depth- of-any- listed,	See- also:	30'-above average building elevation. This pro- vision may not be veried	18-	12	463 <u>7</u> 8/97A	 A view corridor must be maintained across 30% of the average parcel width. The view corridor must be in one continuous piece. Within the view corridor, structures, parking areas and landscaping will be allowed, provided that they do not obscure the view from Lake Washington Blvd. to and beyond Lake Washington. This corridor must be adjacent to either the north or south property line, which ever will result in the widest view corridor given development on adjacent properties. Structure height may be increased to 35' above average building elevation if the increase does not impair views of the lake from properties east of Lake Washington Boulevard; and The increase is offset by a view corridor that is superior to that required be special regulation i6; or The increase is offset by maintaining comparable portions of the structure lower than 30' above average building elevation. Must mitigate traffic impacts of the development. The design of the site must be compatible with the scenic nature of the waterfront. If the development will result in the isolation of a detached dwelling unit, site design, building design and landscaping must mitigate the impacts of that isolation. Outside storage is not permitted. The required yard of a structure abutting Lake Washington Blvd. or Lake Street South must be increased 2 feet for each 1 foot that structure exceeds 25 feet above average building elevation. 	
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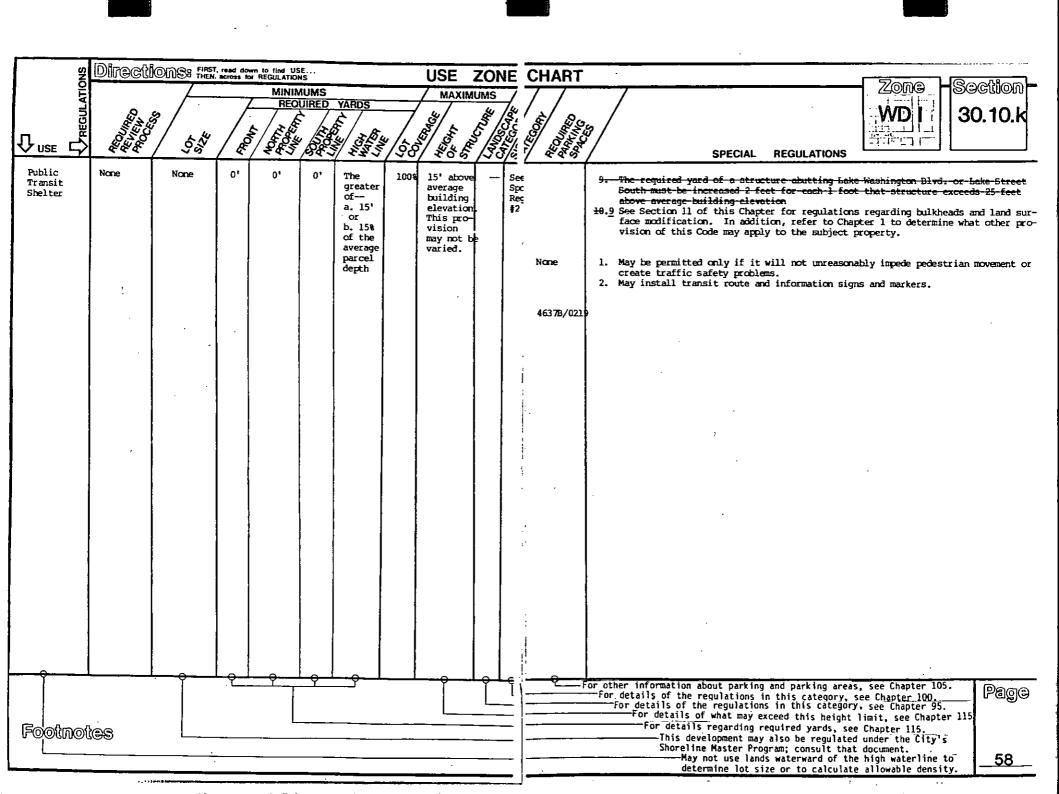
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Footing	e ()				-							or other information about parking and parking areas, see Chapter 105. For details of the regulations in this category, see Chapter 100. For details of what may exceed this height limit, see Chapter 115. For details regarding required yards, see Chapter 115. This development may also be regulated under the City's Shoreline Master Program; consult that document. May not use lands waterward of the high waterline to determine lot size or to calculate allowable density.

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Overnment Facility	Process IIA Chapter 150	None	≇ 3 ¯	The greater of— a. 15' or b. 1½% times the height of the primary structure above average building elevation minus 10'	10'	The greater of— a. 15' or b. 15% of the average parcel depth	100% See Sper Regr 44 80%	30' above average building elevation. This provision may not be varied. See also Spec. Reg. #5	С	В			4. No more than 35% of the lot area landward of the high waterline may be covered with buildings: 5.4 A contiguous piece equal to 30% of the average parcel width must be open and fre of all structure and landscaping that extends higher than a line that starts at the high waterline and ends 3% feet above the centerline of the frontege road. A view corridor must be maintained across 30% of the average parcel width. The view corridor must be in one continuous piece. Within the view corridor, structures, parking areas and landscaping will be allowed, provided they do not obscure the view from Lake Washington Blvd. to and beyond Lake Washington. This corridor must be adjacent to either the north or south property line, whichever will result in the widest view corridor given development on adjacent properties. 5. Structure height may be increased to 35' above average building elevation if the increase does not impair views of the lake from properties east of Lake Washington Boulevard; and a. The increase is offset by a view corridor that is superior to that required by special regulation 14; or b. The increase is offset by maintaining comparable portions of the structure lower than 30' above average building elevation. 6. May be permitted only if locating this use in the immediate area of the subject property is necessary to permit effective service to the area or the City as a whole. 7. Must mitigate traffic impacts of the development. 8. The design of the site must be compatible with the scenic nature of the waterfront. If the development will result in the isolation of a detached dwelling unit, site design, building design and landscaping must mitigate the impacts of that isolation.
Footnot	otnotes												r other information about parking and parking areas, see Chapter 105. For details of the regulations in this category, see Chapter 100. For details of the regulations in this category, see Chapter 95. For details of what may exceed this height limit, see Chapter 115. For details regarding required yards, see Chapter 115. This development may also be regulated under the City's Shoreline Master Program; consult that document. May not use lands waterward of the high waterline to determine lot size or to calculate allowable density.



30.11 <u>Bulkheads and Land Surface Modification</u>

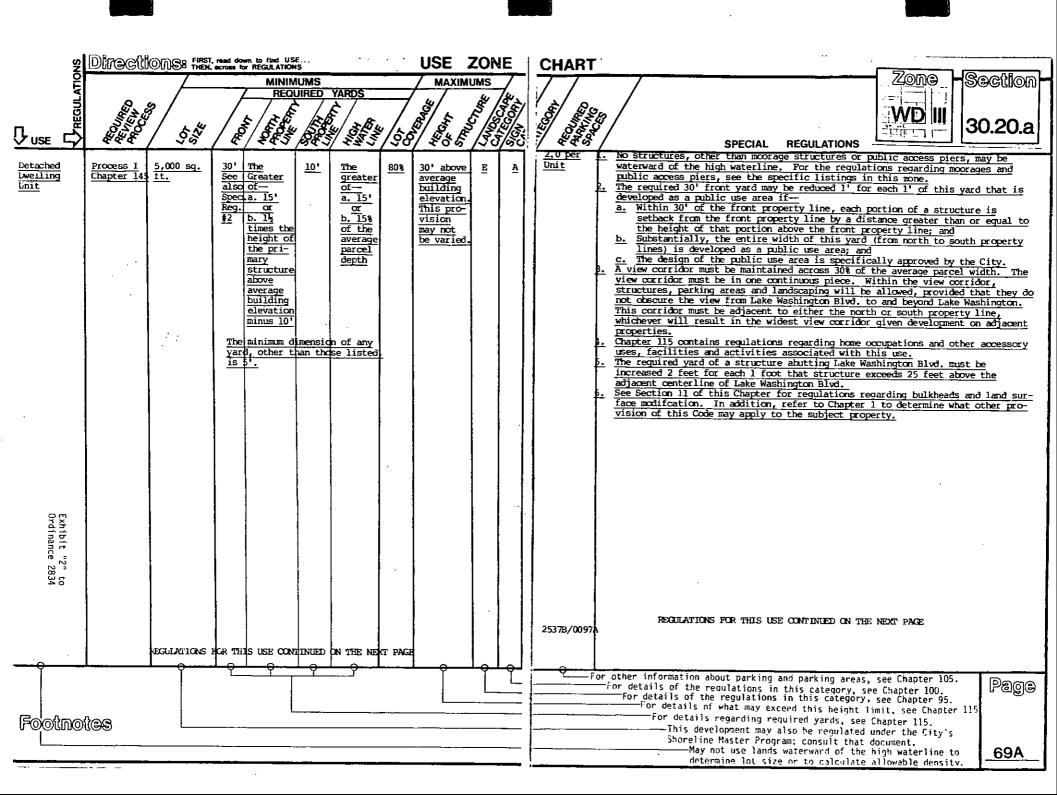
1. Bulkheads

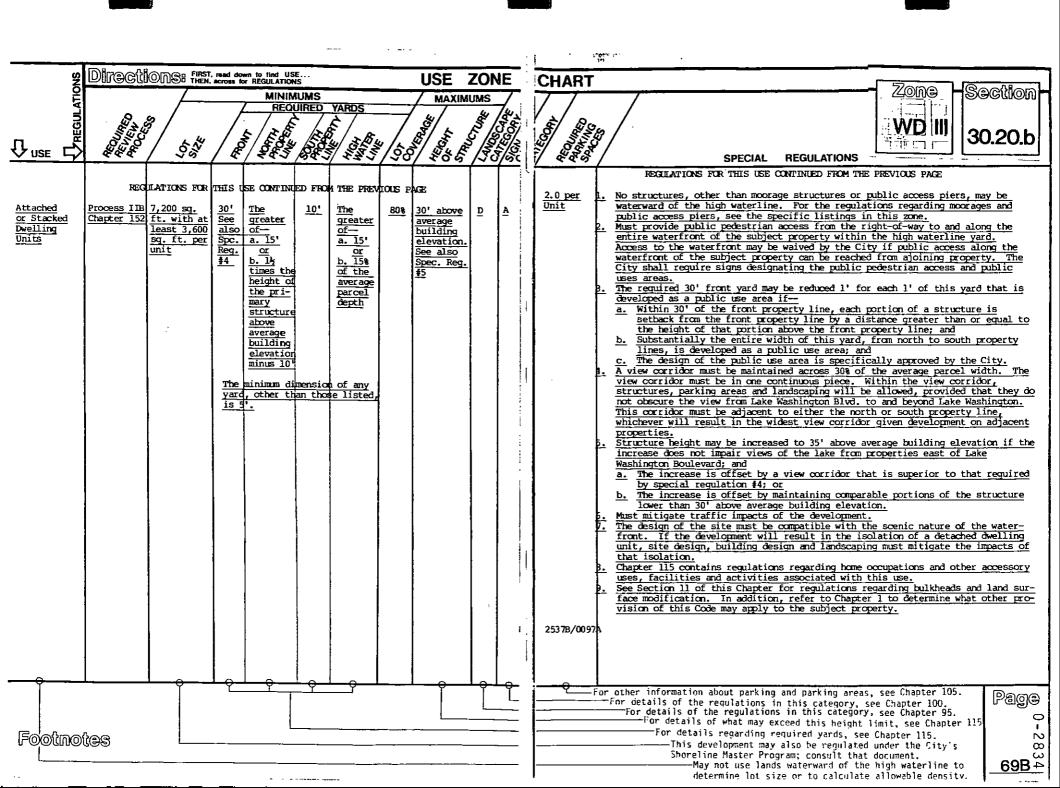
- a. <u>General</u> Bulkheads are permitted in this zone subject to all of the conditions and restrictions of this Section.
- b. Required Permit The City will use Process I, described in Chapter 145 of this Code, to review and decide upon an application for a bulkhead. A permit may also be required from the U.S. Army Corps of Engineers. Consult that agency for further information.
- c. Allowable Reasons A bulkhead may be constructed only if--
 - It is needed to prevent significant erosion due to wave action; and
 - 2) The use of vegetation will not sufficiently stablilize the shoreline to prevent significant erosion.
- d. Prohibited Location A bulkhead may not be erected within a wetland or between a wetland and the lake.
- e. Design of Bulkhead The-bulkhead-must-be constructed-using-rock-in-a-sloping-riprap design. The bulkhead must be designed to minimize the transmittal of wave energy to other properties.
- f. Placement of the Bulkhead The bulkhead may not extend waterward of high waterline. If there has been severe and unusual erosion within one year preceding the application for the bulkhead, the City may allow the placement of the bulkhead to recover the dryland area lost by this erosion.
- g. Change in Configuration of the Land Except as allowed under Paragraphs 2 and 3 of this Section, alteration of the horizontal or vertical configuration of the land must be kept to a minimum.
- h. <u>Backfill</u> The extent and nature of any backfill proposed landward of the bulkhead must be approved by the City.

- 2. <u>Land Surface Modification Waterward of the High Water-line.</u>
 - a. General Land surface modification waterward of the high waterline is permitted in this zone subject to all of the conditions and restrictions in this Section.
 - b. Required Permit The City will use Process IIB, described in Chapter 152 of this Code, to review and decide upon an application for a land surface modification waterward of the high waterline. This activity may also require a permit from the U.S. Army Corps of Engineers. Consult that agency for further information.
 - c. Allowable Reasons The City may approve an application for a land surface modification waterward of the high waterline only if --
 - No unique or significant natural area of flora or fauna will be destroyed; and
 - The land surface modification will not result in erosion of the shoreline or undermine stability of neighboring properties; and
 - 3) Either-
 - a) The application is filed by a public agency to improve navigability, or public safety; or
 - b) The application is to create a public use or recreation area; or
 - c) The application is for dredging to remove silt or sediment deposited because of severe and unusual erosion or resulting from the existence of a bulkhead on nearby property; or
 - At such time as permitted by the Shoreline Master Program, the application is for dredging to provide sufficient draft for boat moorage.
 - d. Requirements for Dredging If the land surface modification involves dredging, the following regulations apply:
 - 1) Dredging spoils may not be deposited in Lake Washington and may be deposited on the subject property only if this is part of an approved development activity on the subject property.
 - The applicant shall restore any beneficial vegetation disturbed during dredging.

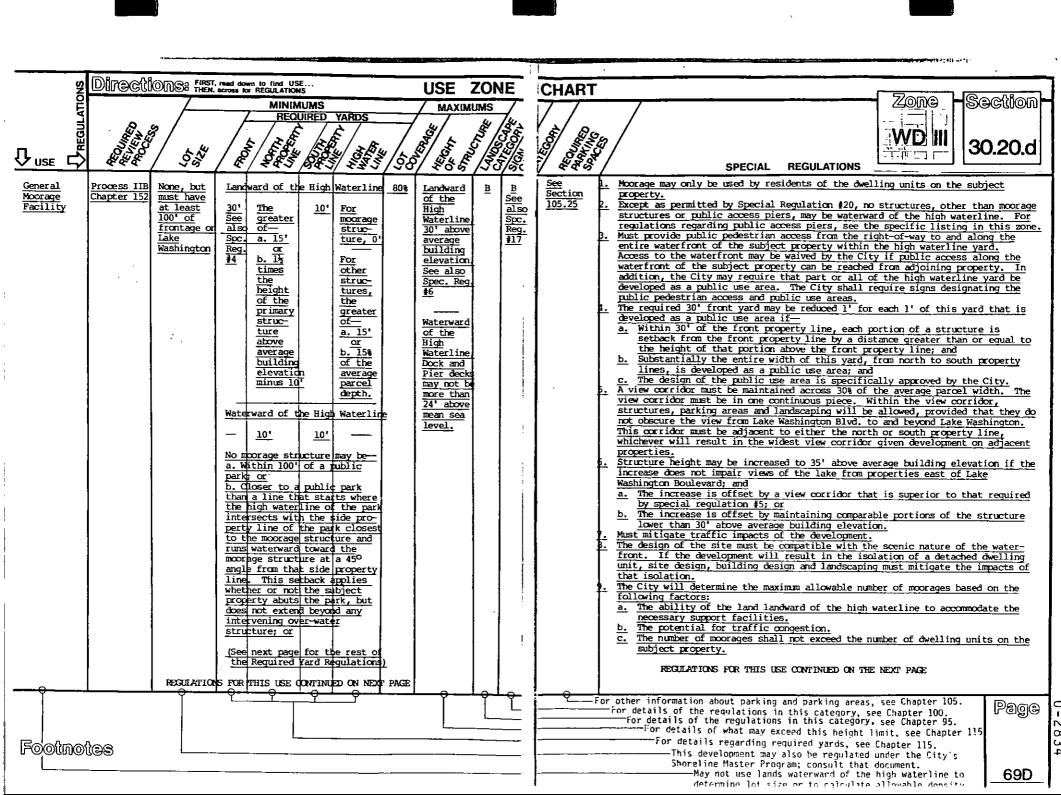
- The dredging shall be the minimum necessary to provide sufficient draft for navigation or moorage.
- e. Requirements for Fill If the land surface modification involves fill, the-applicant-must-comply with-the-provision-of-of-paragraphs-3-d--and-3-eof-this-Section: the following regulations apply:
 - Material Used for Landfill The material used in the landfill must be non-dissolving, and non-decomposing. The fill material must not contain organic or inorganic material that would be detrimental to the water quality or the existing habitat.
 - Use of Vegetation Exposed fill areas must be stabilized with vegetation.
- 3. Land Surface Modification Within the High Waterline Line-Yard.
 - a. General Land surface modification in the high waterline yard is permitted in this zone subject to all of the conditions and restrictions of this section.
 - b. Required Permit The City will use Process I, described in Chapter 145 of this Code, to review and decide upon an application for land surface modification within the Hhigh Wwaterline Line-Yyard. This activity may also require a permit from the U.S. Army Corps of Engineers. Consult that agency for further information.
 - C. Allowable Reasons The City may approve an application for a land surface modification within the high waterline yard only if--
 - No unique or significant natural area of flora or fauna will be destroyed; and
 - 2) Either-
 - a) The application is filed by a public agency to improve public safety, recreation, or access; or
 - b) The application is part of a development proposal for the subject property and is to improve access to a pier or beach;
 - c) The land surface modification is necessary to provide public access; or
 - d) The land surface modification is necessary to the structural safety of a structure;

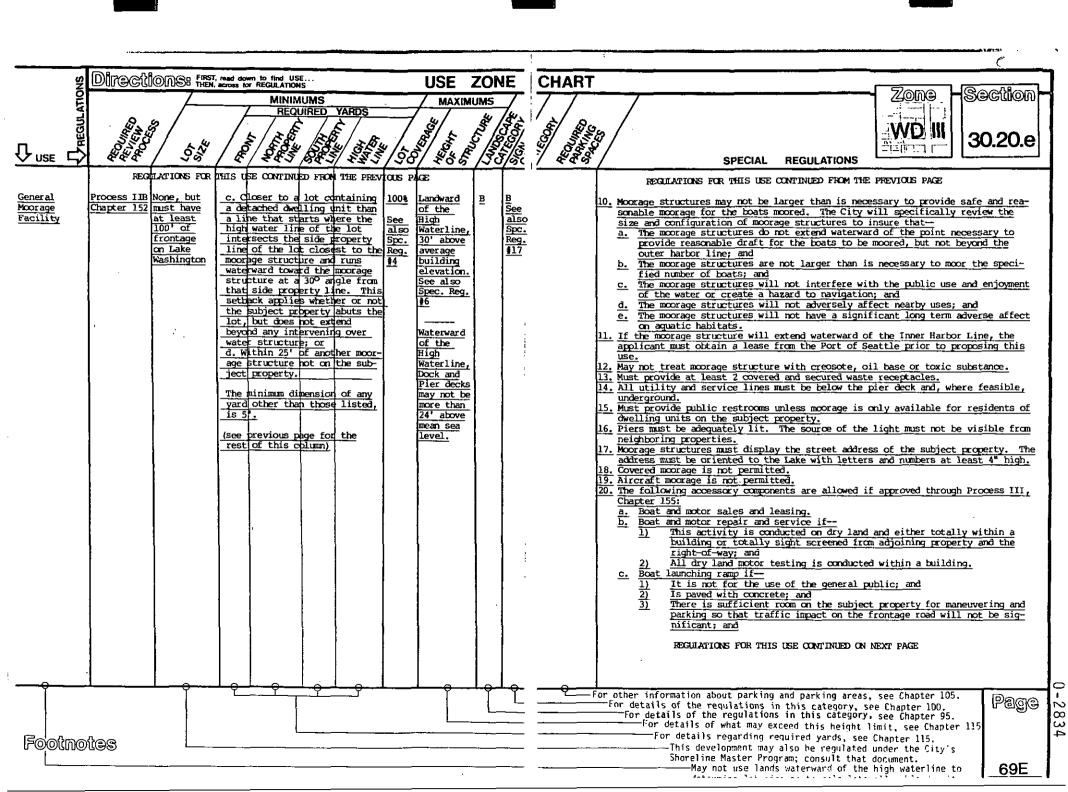
- e) There has been severe and unusual erosion within the one year directly preceding the application and the land surface modification is to restore the shoreline to its configuration prior to this erosion; or
- f) This application is part of an application for a bulkhead approved under paragraph 1 of this Section. For backfill landward of a bulkhead, see Paragraph 1.h. of this Section.
- d:---Public-Use-Area-Required---If-the-land-surface
 modification-within-the-high-waterline-yard-is
 proposed-as-part-of-a-development-other-than-a
 detached-dwelling-unit-or-small-moorage-facility;
 the-City-shall-require-that-part-of-the-high
 waterline-be-developed-as-a-Public-Use-AreaThe-size-and-design-of-the-Public-Use-Area
 must-be-specifically-approved-by-the-City-based
 on-the-size-of-the-subject-property;-the-use-on
 the-subject-property;-and-the-ability-to-use
 design-features-to-separate-the-Public-Use
 Area-from-the-private-elements-of-the
 development-
- e-d. Material Used for Landfill The material used in a landfill must be non-dissolving and non-decomposing. The fill material must not contain organic or inorganic material that would be detrimental to the water quality or the existing habitat.
- fee. Use of Vegetation The applicant shall stablilize exposed areas left after land surface modification with vegetation.
- g.f. Disposition of Excavated Materials Dredging spoils may not be deposited in Lake Washington and may be deposited on the subject property only if this is part of an approved development activity.
- 4. Land Surface Modification Landward of the High Waterline bine-Yard Land surface modification landward of the high waterline yard is regulated like land surface modifications throughout the City. See Chapter 115 of this Code for those regulations.
- 5. Emergency Measures An applicant may erect a temporary bulkhead and take other emergency measures to protect against harm to persons or property resulting from imminent and unanticipated natural hazards. The area modified must be restored to the condition that existed immediately prior to any emergency modification as soon as practicable after the emergency.

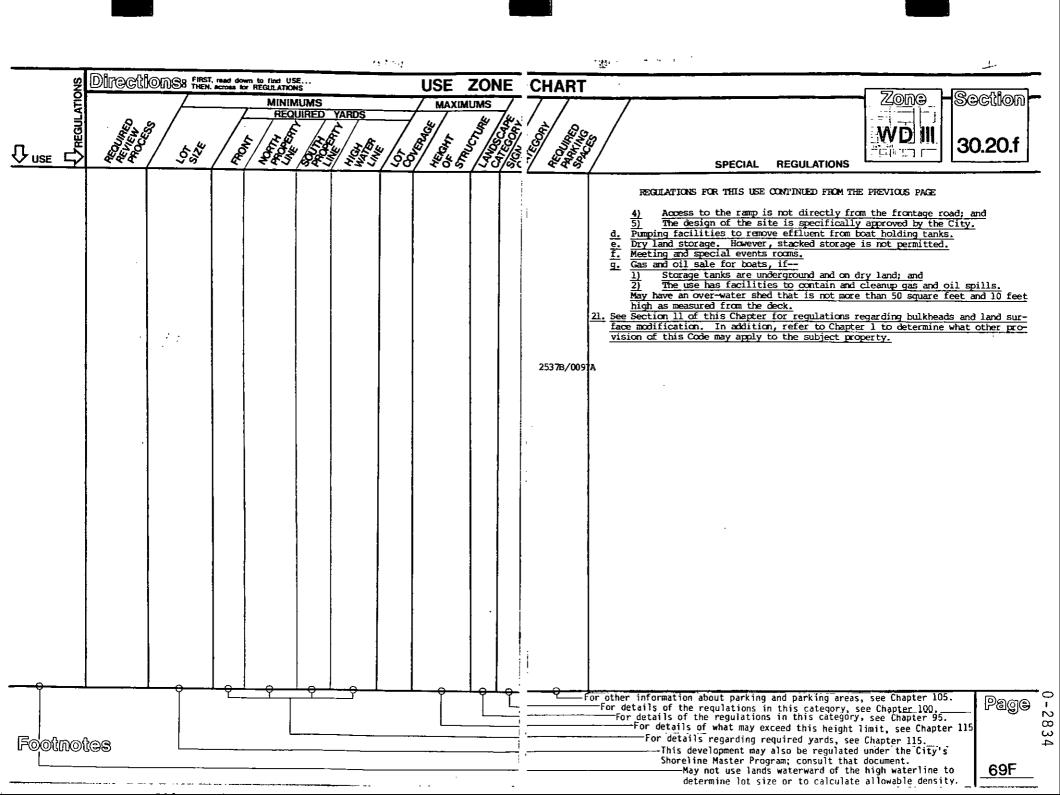


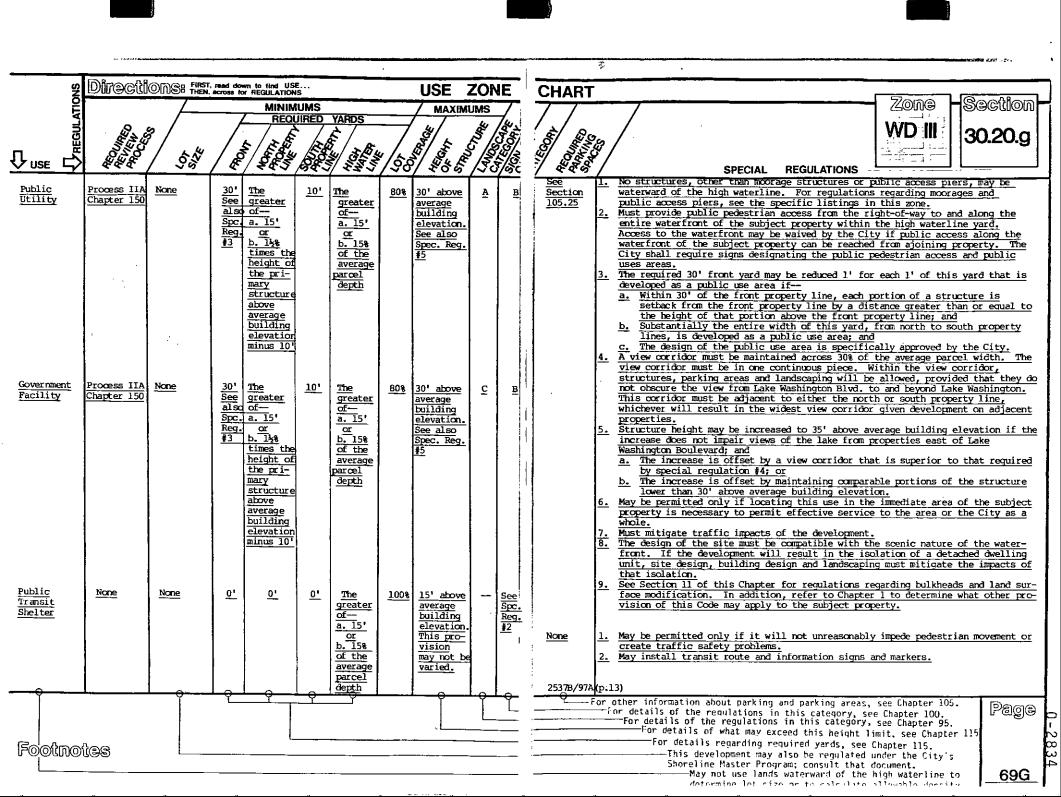


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SNS	Directi		reed down to find across for REGULATI		in refer	USE		CHART	Zone Section
RSG AREQULATI	A STATE OF THE STA	\$ 55 kg		IMUMS QUIRED VARDS	w/58	MAXIM By E	UMS # # # # # # # # #		SPECIAL REGULATIONS 30.20.C
Moorage Facility ior 1 or 2 boats	Process IIB Chapter 152	None .	Waterward of t 10' In addition, n ture may be wi a. 25' of a pu b. 25' of anot structure not property. The minimum di	blic park; or her moorage or the subject		Pier decks may not be more than 24' above mean sea level. Diving boards and similar features may not be more than 3' above the deck. Pier decks may not be more than 24' above mean sea level. Diving boards and similar features may not be more than 3' above the deck.	- See Spc Reg. #7	See Section 105.25	1. No accessory uses, buildings, or activities are permitted as part of this use. 2. If a structure will extend waterward of the Inner Harbor Line, the applicant must obtain a lease from the Port of Seattle grior to proposing this use. 3. May not treat a structure with creosote, oil base or toxic substances. 4. Must provide at least one covered and Secured waste receptacle. 5. All utility lines must be below the pier deck and, where feasible, underground. 6. Piers must be adequately lit; the source of the light must not be visible from neighboring properties. 7. Structures must display the street address of the subject property. The address must be oriented to the lake with letters and numbers at least 4" high, and visible from the Lake. 8. North and south property line yards may be decreased for over-water public use facilities which connect with waterfront public access on adjacent property. 9. See Section 11 of this Chapter for regulations regarding bulkheads and land surface modification. In addition, refer to Chapter 1 to determine what other provisions of this Code may apply to the subject property. 1. No accessory uses, buildings, or activities are permitted as part of this use. Various accessory components are permitted as part of a General Moorage Facility. See that listing in this zone. 2. Moorage structures may not extend waterward beyond a point 150' from the high waterline. In addition, piers and docks may not be wider than is reasonably necessary to provide safe access to the boats, but not more than 8' in width. 3. If the moorage structures will extend waterward of the Inner Harbor Line, the applicant must obtain a lease from the Port of Seattle prior to proposing this use. 4. May not treat moorage structure with creosote, oil base or toxic substances. 5. Must provide at least one covered and secured waster receptacle. 6. All utility lines must be below the pier deck and, where feasible, underground. 7. Piers must be adequately lit; the source of the light must not be visible from neighboring pro
Footnot	් මෙ		Y., Y						For other information about parking and parking areas, see Chapter 105. For details of the regulations in this category, see Chapter 100. For details of the regulations in this category, see Chapter 95. For details of what may exceed this height limit, see Chapter 115. For details regarding required yards, see Chapter 115. This development may also he regulated under the City's Shoreline Master Program; consult that document. May not use lands waterward of the high waterline to determine lot size or to calculate allowable density.









30.21 Bulkheads and Land Surface Modification

1. Bulkheads

- zone subject to all of the conditions and restrictions of this Section.
- Bequired Permit The City will use Process
 I, described in Chapter 145 of this Code, to
 review and decide upon an application for a
 bulkhead. A permit may also be required
 from the U.S. Army Corps of Engineers. Consult that agency for further information.
- <u>C.</u> Allowable Reasons A bulkhead may be constructed only if--
 - 1) It is needed to prevent significant erosion due to wave action; and
 - 2) The use of vegetation will not sufficiently stablilize the shoreline to prevent significant erosion.
- <u>Prohibited Location A bulkhead may not be erected within a wetland or between a wetland and the lake.</u>
- e. Design of Bulkhead The bulkhead must be designed to minimize the transmittal of wave energy to other properties.
- f. Placement of the Bulkhead The bulkhead may not extend waterward of the high waterline.

 If there has been severe and unusual erosion within one year preceding the application for the bulkhead, the City may allow the placement of the bulkhead to recover the dryland area lost by this erosion.
- g. Change in Configuration of the Land Except as allowed under Paragraphs 2 and 3 of this Section, alteration of the horizontal or vertical configuration of the land must be kept to a minimum.
- h. Backfill The extent and nature of any backfill proposed landward of the bulkhead must be approved by the City.

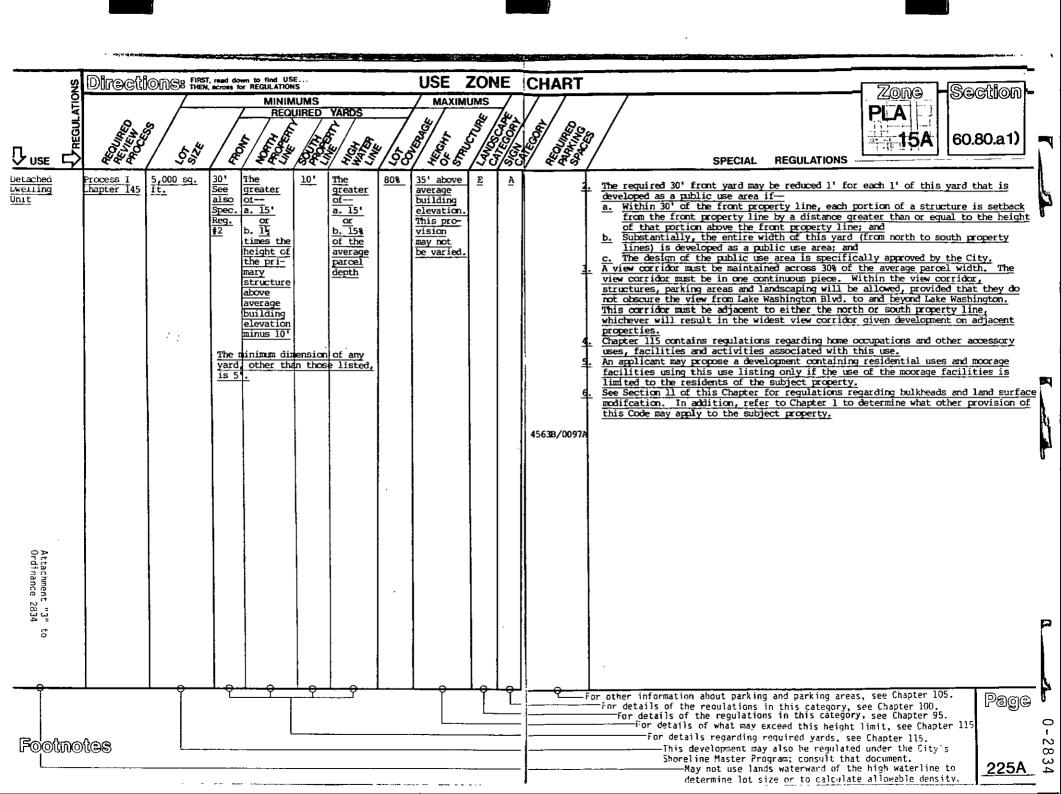
- 2. Land Surface Modification Waterward of the High Waterline.
 - <u>a.</u> General Land surface modification waterward of the high waterline is permitted in this zone subject to all of the conditions and restrictions in this Section.
 - Beguired Permit The City will use Process IIB, described in Chapter 152 of this Code, to review and decide upon an application for a land surface modification waterward of the high waterline.

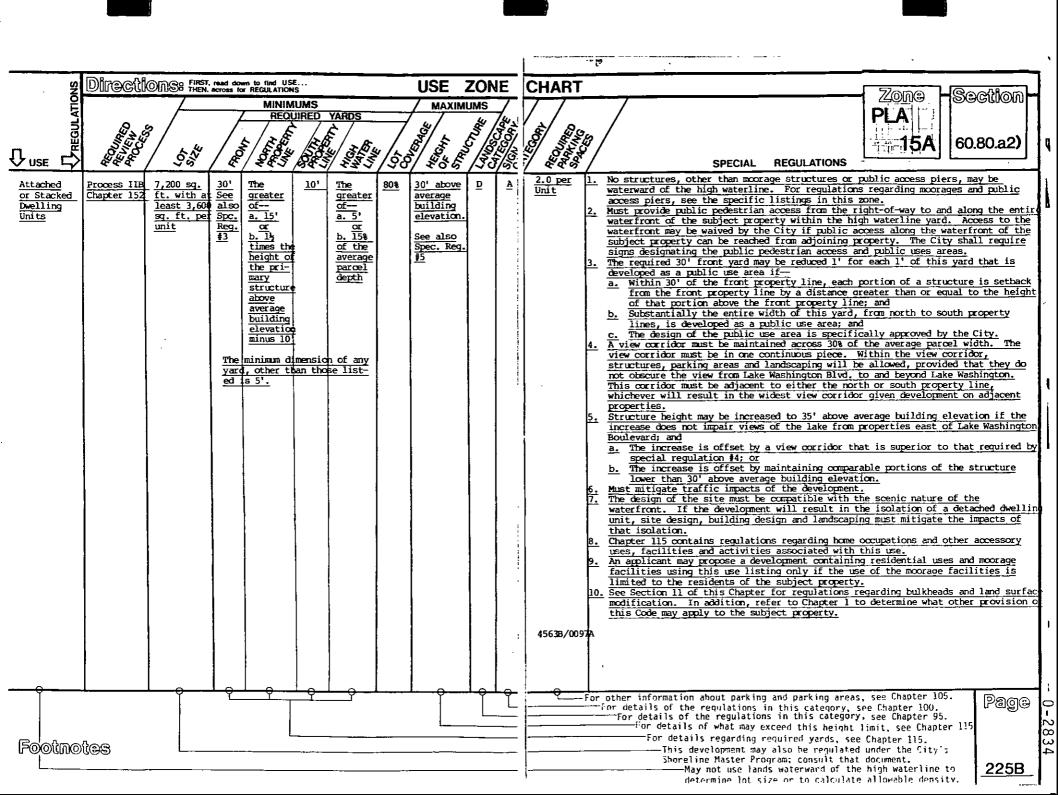
 This activity may also require a permit from the U.S. Army Corps of Engineers. Consult that agency for further information.
 - application for a land surface modification waterward of the high waterline only if --
 - No unique or significant natural area of flora or fauna will be destroyed; and
 - The land surface modification will not result in erosion of the shoreline or undermine stability of neighboring properties; and
 - 3) Either-
 - a) The application is filed by a public agency to improve navigability, or public safety; or
 - b) The application is to create a public use or recreation area; or
 - The application is for dredging to remove silt or sediment deposited because of severe and unusual erosion or resulting from the existence of a bulkhead on nearby property; or
 - At such time as permitted by the Shoreline Master Program, the application is for dredging to provide sufficient draft for boat moorage.
 - <u>Requirements for Dredging If the land surface</u>
 modification involves dredging, the following
 regulations apply:
 - Dredging spoils may not be deposited in Lake
 Washington and may be deposited on the subject property only if this is part of an
 approved development activity on the subject
 property.
 - The applicant shall restore any beneficial vegetation disturbed during dredging.

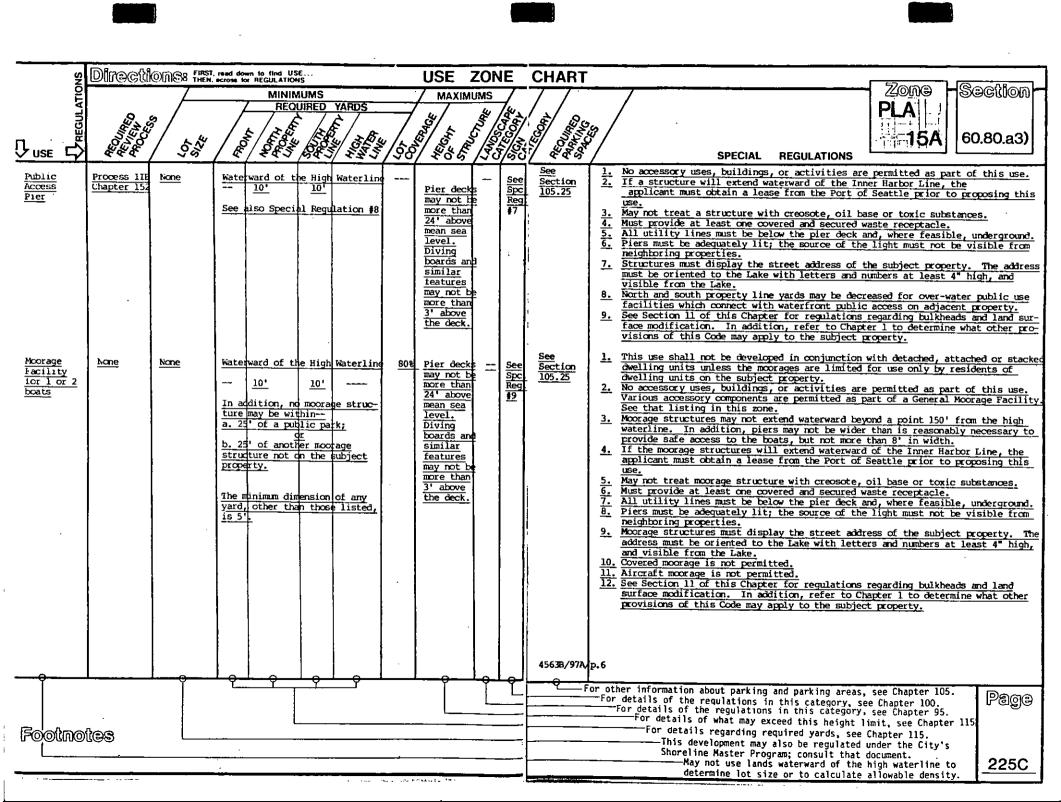
- The dredging shall be the minimum necessary to provide sufficient draft for navigation or moorage.
- e. Requirements for Fill If the land surface modification involves fill, the following regulations apply:
 - <u>Material Used for Landfill The material</u>
 used in the landfill must be non-dissolving
 and non-decomposing. The fill material
 must not contain organic or inorganic
 material that would be detrimental to the
 water quality or the existing habitat.
 - 2) Use of Vegetation Exposed fill areas must be stabilized with vegetation.
- 3. Land Surface Modification Within the High Waterline Yard.
 - a. General Land surface modification in the high waterline yard is permitted in this zone subject to all of the conditions and restrictions of this section.
 - b. Required Permit The City will use Process I, described in Chapter 145 of this Code, to review and decide upon an application for land surface modification within the high waterline yard.

 This activity may also require a permit from the U.S. Army Corps of Engineers. Consult that agency for further information.
 - application for a land surface modification within the high waterline yard only if--
 - No unique or significant natural area of flora or fauna will be destroyed; and
 - 2) Either-
 - a) The application is filed by a public agency to improve public safety, recreation, or access; or
 - b) The application is part of a development proposal for the subject property and is to improve access to a pier or beach;
 - <u>The land surface modification is neces-sary to provide public access; or</u>
 - d) The land surface modification is necessary to the structural safety of a structure;

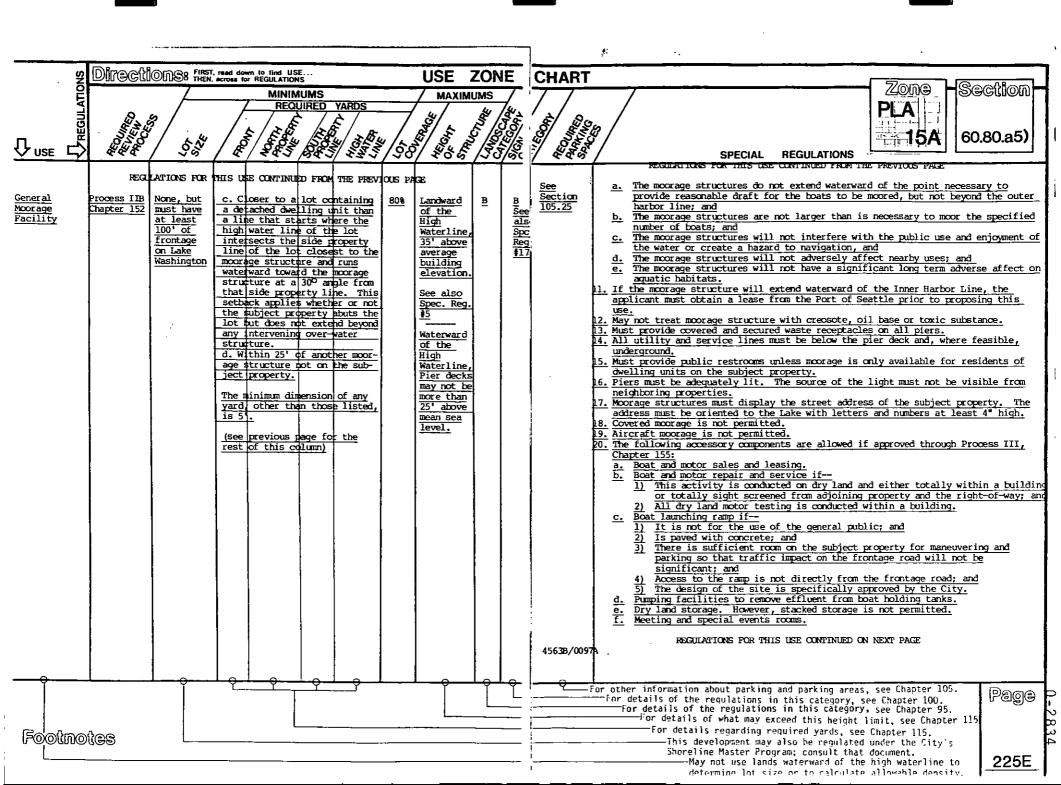
- en There has been severe and unusual erosion within the one year directly preceding the application and the land surface modification is to restore the shoreline to its configuration prior to this erosion; or
- f) This application is part of an application for a bulkhead approved under paragraph 1 of this Section. For backfill landward of a bulkhead, see Paragraph 1.h. of this Section.
- d. Material Used for Landfill The material used in a landfill must be non-dissolving and non-decomposing. The fill material must not contain organic or inorganic material that would be detrimental to the water quality or the existing habitat.
- e. Use of Vegetation The applicant shall stablilize exposed areas left after land surface modification with vegetation.
- f. Disposition of Excavated Materials Dredging spoils may not be deposited in Lake Washington and may be deposited on the subject property only if this is part of an approved development activity.
- Land Surface Modification Landward of the High
 Waterline Yard Land surface modification landward of
 the high waterline yard is regulated like land surface
 modifications throughout the City. See Chapter 115 of
 this Code for those regulations.
- Emergency Measures An applicant may erect a temporary bulkhead and take other emergency measures to protect against harm to persons or property resulting from imminent and unanticipated natural hazards. The area modified must be restored to the condition that existed immediately prior to any emergency modification as soon as practicable after the emergency.

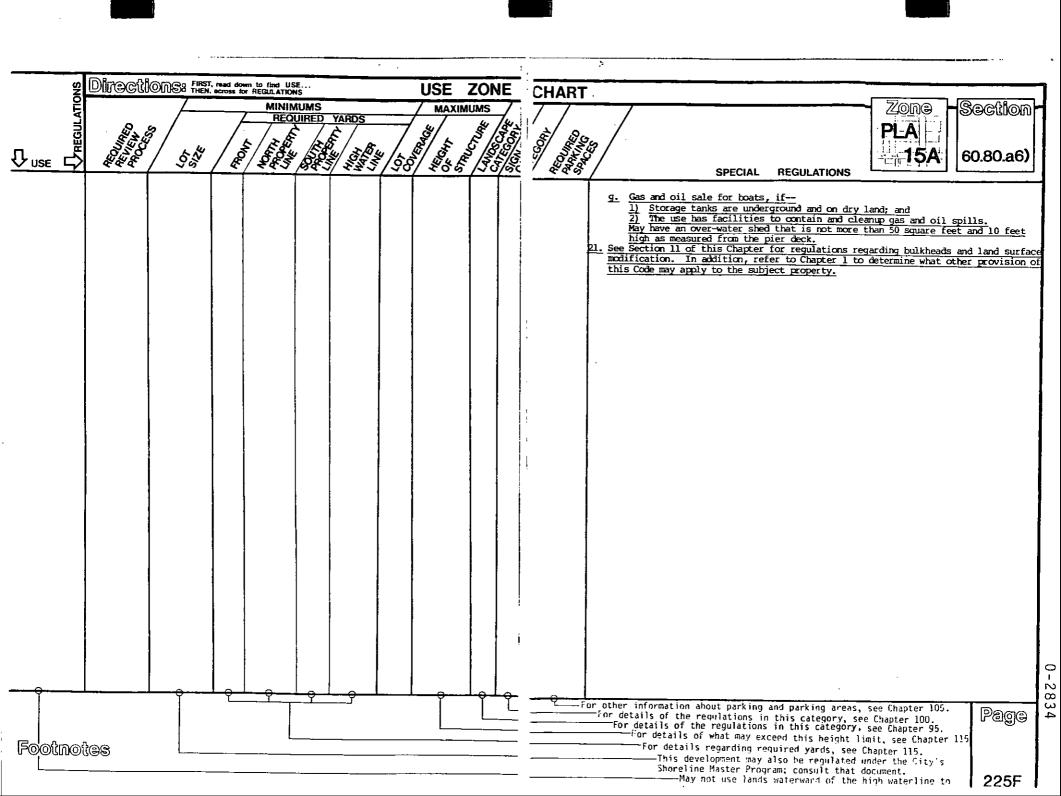


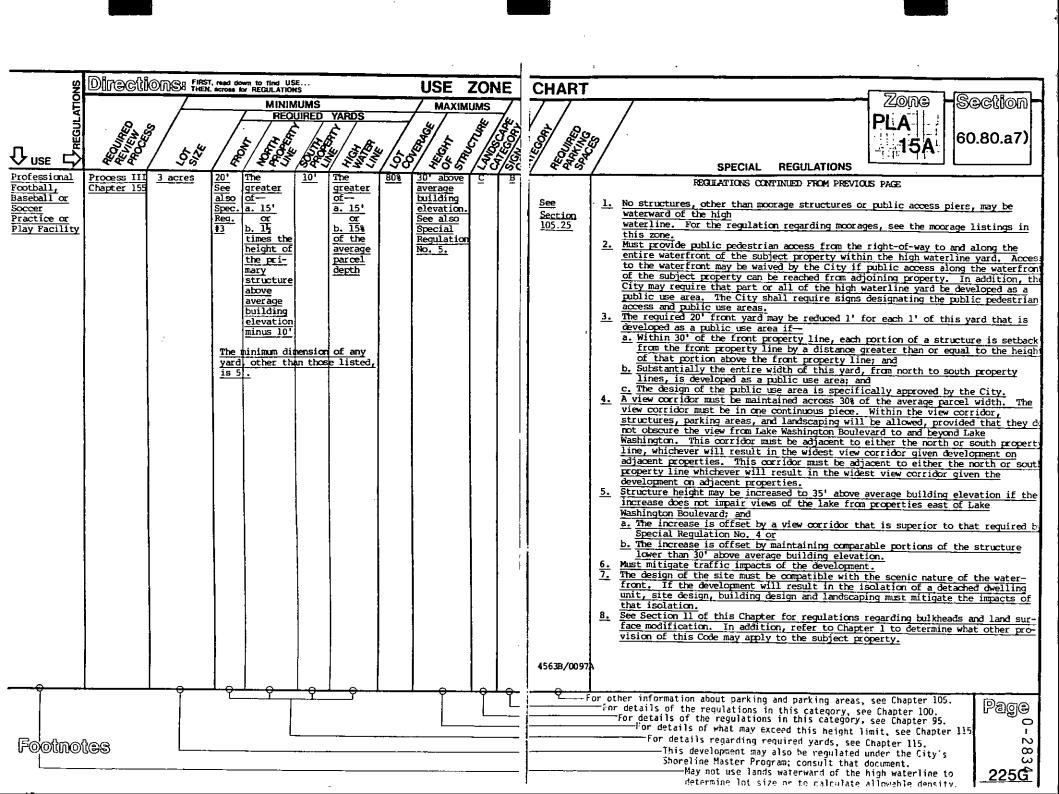


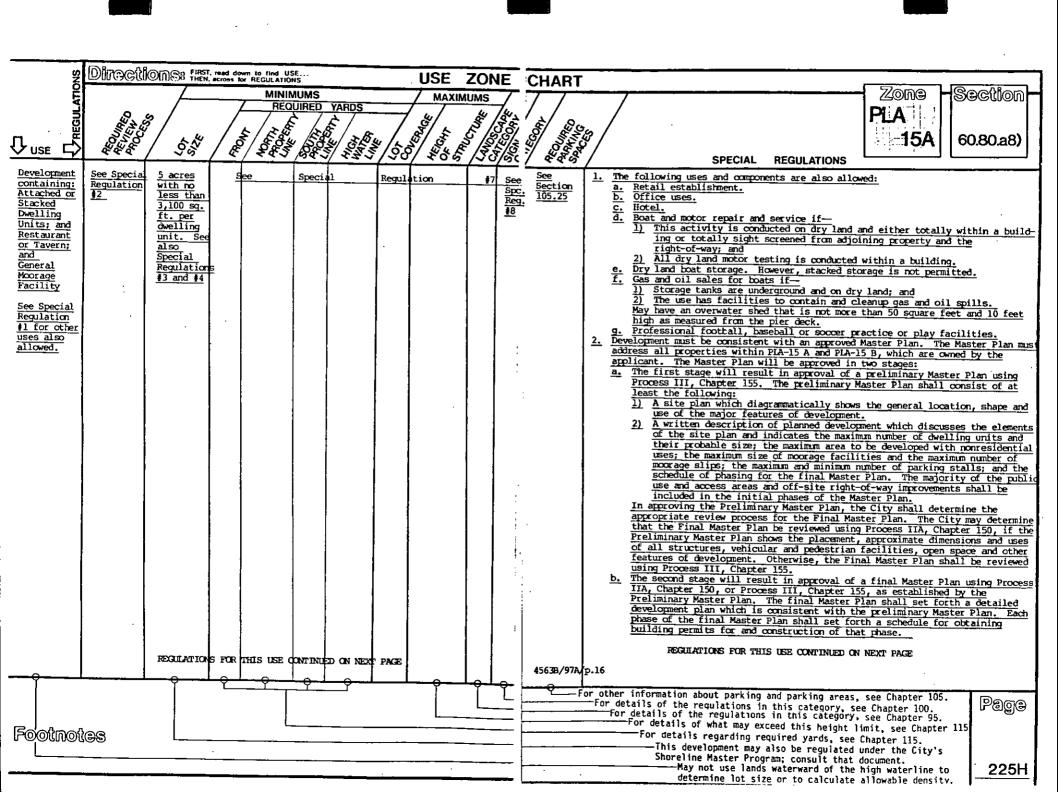


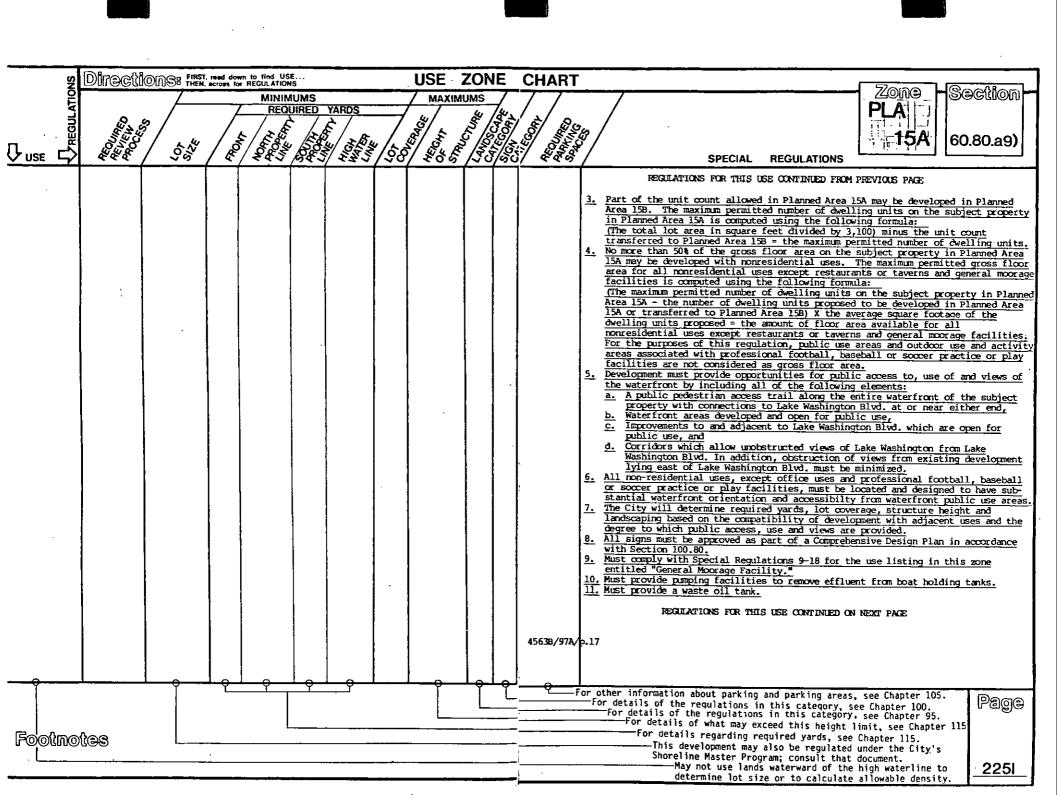
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THE COLLATION TO THE STATE OF T	7	MINIMUMS REQUIRED YAR	DS \$\begin{align*} \begin{align*} \	MAXIN By By By By By By By By By By By By By	ALINAC /	7/	Zone Section
General Moorage Facility Process II Chapter II	None, but must have at least 100' of frontage on Lake Washington	Landward of the High Wate 30' The greater also of- also of- Spc. a. 15' tur Spc. a. 15' tur Spc. a. 15' tur Spc. a. 15' tur Reg. or the structure also of the primary structure alsove average building elevation minus 10' dep Waterward of the High Wate No moorage structure may la. Within 100' of a public parl than a line that starts with the high water line of the intersects with the side protects with the side rurs waterward toward the moorage structure a 45° turbe ligh water line of the park cle to the moorage structure at 45° angle from that side property almost the park, I does not extend beyond any intervening over-water structure; or See next page for the rest the Required Yard Regulat	rage uc- er uc- es, atter 15' c 158 che cage cel ch. crline age cel crline age c	Landward of the High Waterline 30' above average building elevation See also Spec. Reg #5 Waterward of the High Waterline Pier deck may not b more than 24' above mean sea level.	B See also Spc. Req. \$17	See Section 105.25	This use shall not be developed in conjunction with detached, atached or stacked dwelling units unless the moorages are limited for use only by residents of dwelling units on the subject property. 2. Except as permitted by Special Regulation \$19, no structures, other than moorage structures or public access piers, may be waterward of the high waterline. For regulations regarding public access piers see the specific listing in this zone. 3. Must provide public pedestrian access from the right-of-way to and along the ent waterfront of the subject property within the high waterline yard. Access to it waterfront may be waived by the City if public access along the waterfront of it subject property can be reached from adjoining property. In addition, the City require that part or all of the high waterline yard be developed as a public use area. The City shall require signs designating the public pedestrian access and public use areas. 4. The required 30' front yard may be reduced 1' for each 1' of this yard that is developed as a public use area if— a. Within 30' of the front property line, each portion of a structure is settled from the front property line, each portion of a structure is settled of that portion above the front property line; and b. Substantially the entire width of this yard, from north to south property lines, is developed as a public use area: and c. The design of the public use area: specifically approved by the City. A view corridor must be maintained across 300 of the average parcel width. The view corridor must be maintained across 300 of the average parcel width. The view corridor must be adjacent to either the north or south property line, whichever eith exists and a structure height may be increased to 35' above average building elevation if the increase does not impair views of the Lake from properties east of Lake Washington Blud, to and beyond Lake Washington. This corridor must be adjacent to either the north or south property line, whichever in increase does not impair views of
Footnotes	RESULTIONS	FUR THIS USE CONTRIUND ON	NEXT PAGE		ĽĽ	For	For details of the regulations in this category, see Chapter 105. For details of the regulations in this category, see Chapter 100. For details of the regulations in this category, see Chapter 95. For details of what may exceed this height limit, see Chapter 115. For details regarding required yards, see Chapter 115. This development may also be regulated under the City's Shoreline Master Program; consult that document.

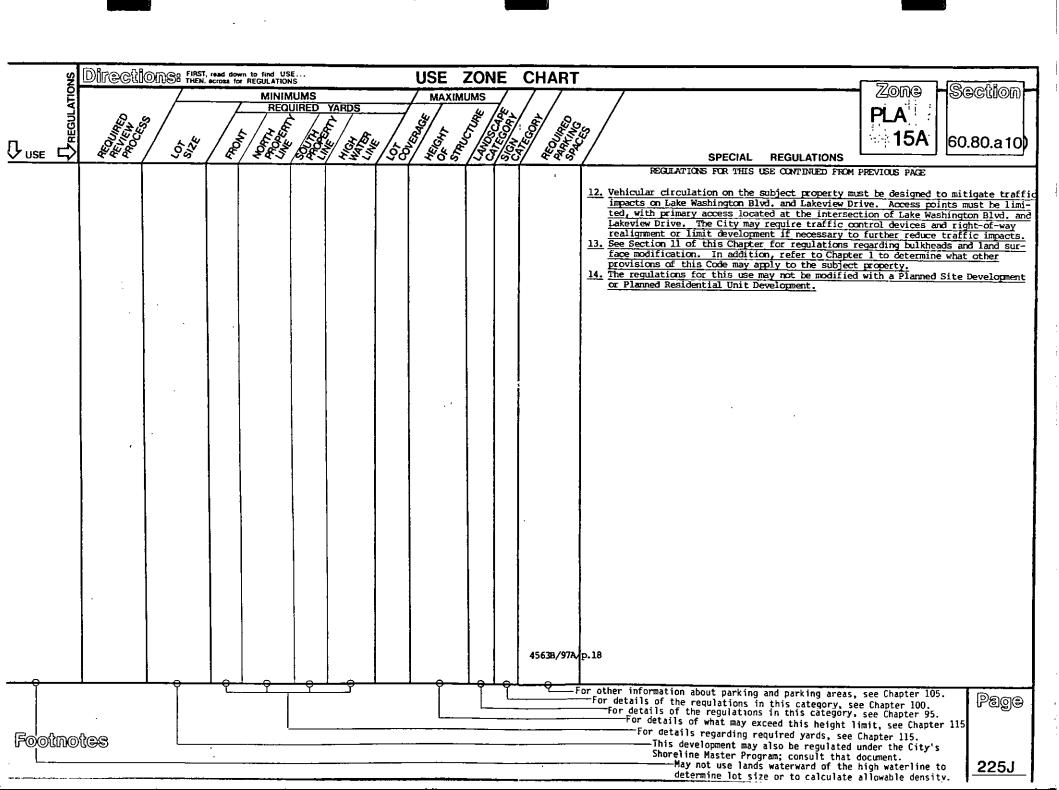












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SS	Directi	OMS: HE	T, read do	MININ REQ	MUMS	YARDS	4/5	MAXIM	LIBAC	7	CHART	Zons Section PLA 60.80.a11)
Public Utility.	Process IIA Chapter 150	<u>None</u>	30' See also Spc. Reg.	The greater of a. 15' or b. 12% times the height of the primary structure above average building elevation minus 10'	10'	The greater of— a. 15' or b. 15% of the average parcel depth	80%	30' above average building elevation. See also Spec. Reg.	A	B	See Section 105.25	1. No structures, other than moorage structures or public access piers, may be waterward of the high waterline. For regulations regarding moorages and public access piers, see the specific listings in this zone. 2. Must provide public pedestrian access from the right-of-way to and along the entire waterfront of the subject property within the high waterline yard. Acces to the waterfront may be waived by the City if public access along the waterfron of the subject property can be reached from adjoining property. The City shall require signs designating the public pedestrian access and public uses areas. 3. The required 30' front yard may be reduced 1' for each 1' of this yard that is developed as a public use area if— a. Within 30' of the front property line, each portion of a structure is setbar from the front property line by a distance greater than or equal to the height of that portion above the front property line; and b. Substantially the entire width of this yard, from north to south property lines, is developed as a public use area; and c. The design of the public use area is specifically approved by the City. 4. A view corridor must be maintained across 30% of the average parcel width. The view corridor must be in one continuous piece. Within the view corridor,
Government Facility	Process IIA Chapter 150	<u>None</u>	30' See also Spc. Reg. #3	The greater of— a. 15' or b. 1½% thees the height of the primary structure above average building elevation minus 10'		The greater of a. 15' or b. 15% of the average parcel depth	80%	30' above average building elevation. See also Spec. Reg.	CI	<u>B</u>	4563B/0097A	structures, parking areas and landscaping will be allowed, providing that they do not obscure the view from Lake Washington Blvd. to and beyond Lake Washington. This corridor must be adjacent to either the north or south property line, whichever will result in the widest view corridor given development on adjacent properties. 5. Structure height may be increased to 35' above average building elevation if the increase does not impair views of the lake from properties east of Lake Washington Boulevard; and a. The increase is offset by a view corridor that is superior to that required by special regulation 14; or b. The increase is offset by maintaining comparable portions of the structure lower than 30' above average building elevation. 6. May be permitted only if locating this use in the immediate area of the subject property is necessary to permit effective service to the area or the City as a whole. 7. Must mitigate traffic impacts of the development. 8. The design of the site must be compatible with the scenic nature of the waterfront. If the development will result in the isolation of a detached dwelling unit, site design, building design and landscaping must mitigate the impacts of that isolation. 9. See Section 11 of this Chapter for regulations regarding bulkheads and land surface modification. In addition, refer to Chapter 1 to determine what other provision of this Code may apply to the subject property.
Footnot	: :										- FG	For details of the regulations in this category, see Chapter 105. For details of the regulations in this category, see Chapter 100. For details of what may exceed this height limit, see Chapter 115. For details regarding required yards, see Chapter 115. This development may also be regulated under the City's Shoreline Master Program; consult that document. May not use lands waterward of the high waterline to determine lot size or to calculate allowable density.

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ASE CULLATIONS		\$ 5 kg	/ A	REC	MUMS HUIRED	YARDS	w/58	MAXIN By Ling 16 By Li	IUMS		**************************************	ZONO SOCION SOCION SOCION SOCIAL REGULATIONS
Public Transit Shelter	Process I Chapter 145	<u>None</u>	<u>0'</u>	<u>oʻ</u>		The greater of-a. 15' or the average parcel	100%	15' above average building elevation. This pro- vision may not be varied.		See Spc. Reg.	<u>None</u>	May be permitted only if it will not unreasonably impede pedestrian movement or create traffic safety problems. May install transit route and information signs and markers
Public Park	ic Process IIA None Will be determined on a reaching and a second of the									B	See Section 105.25	1. The design and facilities of the park must emphasize its waterfront location. See Section 11 of this Chapter for regulations regarding bulkheads and land surface modification. In addition, refer to Chapter 1 to determine what other provision of this Code may apply to the subject property.
Footno	1										- F	or other information about parking and parking areas, see Chapter 105. —for details of the regulations in this category, see Chapter 100. —for details of the regulations in this category, see Chapter 95. —for details of what may exceed this height limit, see Chapter 115. —for details regarding required yards, see Chapter 115. —This development may also be regulated under the City's Shoreline Master Program; consult that document. —May not use lands waterward of the high waterline to determine lot size or to calculate allowable density.

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<u>Bulkheads and Land Surface Modification</u>

1. Bulkheads

- a. General Bulkheads are permitted in this zone subject to all of the conditions and restrictions of this Section.
- b. Required Permit The City will use Process I, described in Chapter 145 of this Code, to review and decide upon an application for a bulkhead. A permit may also be required from the U.S. Army Corps of Engineers. Consult that agency for further information.
- c. Allowable Reasons A bulkhead may be constructed only if-
 - It is needed to prevent significant erosion due to wave action; and
 - The use of vegetation will not sufficiently stablilize the shoreline to prevent significant erosion.
- d. Prohibited Location A bulkhead may not be erected within a wetland or between a wetland and the lake.
- e. Design of Bulkhead The bulkhead must be designed to minimize the transmittal of wave energy to other properties.
- f. Placement of the Bulkhead The bulkhead may not extend waterward of high waterline unless it is associated with approved fill.
- Change in Configuration of the Land Except as allowed under Paragraphs 2 and 3 of this Section, alteration of the horizontal or vertical configuration of the land must be kept to a minimum.
- h. Backfill The extent and nature of any backfill proposed landward of the bulkhead must be approved by the City.
- 2. Land Surface Modification Waterward of the High Waterline.
 - a. General Land surface modification waterward of the high waterline is permitted in this zone subject to all of the conditions and restrictions in this Section.

- b. Required Permit The City will use Process IIB, described in Chapter 152 of this Code, to review and decide upon an application for a land surface modification waterward of the high waterline.

 This activity may also require a permit from the U.S. Army Corps of Engineers. Consult that agency for further information.
- application for a land surface modification waterward of the high waterline only if --
 - 1) No unique or significant natural area of flora or fauna will be destroyed; and
 - The land surface modification will not result in erosion of the shoreline or undermine stability of neighboring properties; and
 - 3) Either-
 - a) The application is filed by a public agency to improve navigability, public recreation or public safety; or
 - b) The application is to create a public use or recreation area; or
 - remove silt or sediment deposited because of severe and unusual erosion or resulting from the existence of a bulkhead on nearby property; or
 - d) At such time as permitted by the Shoreline Master Program the application is for dredging to provide sufficient draft for boat moorages; or
 - e) The application is consistent with an approved Master Plan for a "Development Containing Attached or Stacked Dwelling Units, Restaurants or Taverns and General Moorage Facilities."
- Requirements for Dredging If the land surface modification involves dredging, the following regulations apply:
 - Dredging spoils may not be deposited in Lake Washington and may be deposited on the subject property only if this is part of an approved development activity on the subject property.
 - 2) The applicant shall restore any beneficial vegetation disturbed during dredging.

- The dredging shall be the minimum necessary to provide sufficient draft for navigation or moorage.
- e. Requirements for Fill If the land surface modification involves fill, the following regulations apply:
 - Material Used for Landfill The material used in the landfill must be non-dissolving and non-decomposing. The fill material must not contain organic or inorganic material that would be detrimental to the water quality or the existing habitat.
 - <u>Vegetation Exposed fill areas must be stabilized with vegetation.</u>
 - Public Use Area Required If the fill is proposed as part of a "Development Containing Attached or Stacked Dwelling Units, Restaurants or Taverns and General Moorage Facilities," part of the high-waterline yard shall be developed as a public use area. The size and design of the public use area must be specifically approved by the City based on the size of the subject property, the use on the subject property, and the ability to use design features to separate the public use area from the private elements of the development.
- 3. Land Surface Modification Within the High Water Line Yard.
 - a. General Land surface modification in the high waterline yard is permitted in this zone subject to all of the conditions and restrictions of this section.
 - b. Required Permit The City will use Process I, described in Chapter 145 of this Code, to review and decide upon an application for land surface modification within the High Water Line Yard.

 This activity may also require a permit from the U.S. Army Corps of Engineers. Consult that agency for further information.
 - application for a land surface modification within the high waterline yard only if--
 - No unique or significant natural area of flora or fauna will be destroyed; and
 - 2) Either-
 - a) The application is filed by a public agency to improve public safety, recreation, or access; or

- b) The application is part of a development proposal for the subject property and is to improve access to a pier or beach;
- c) The land surface modification is necessary to provide public access; or
- The land surface modification is necessary to the structural safety of a structure;
- There has been severe and unusual erosion within the one year directly preceding the application and the land surface modification is to restore the shoreline to its configuration prior to this erosion; or
- This application is part of an application for a bulkhead approved under paragraph 1 of this Section. For backfill landward of a bulkhead, see Paragraph 1.h. of this Section.
- d. Material Used for Landfill The material used in a landfill must be non-dissolving and non-decomposing. The fill material must not contain organic or inorganic material that would be detrimental to the water quality or the existing habitat.
- e. Use of Vegetation The applicant shall stablilize exposed areas left after land surface modification with vegetation.
- f. Disposition of Excavated Materials Dredging spoils may not be deposited in Lake Washington and may be deposited on the subject property only if this is part of an approved development activity.
- Land Surface Modification Landward of the High Water
 Line Yard Land surface modification landward of the
 high waterline yard is regulated like land surface
 modifications throughout the City. See Chapter 115 of
 this Code for those regulations.
- Emergency Measures An applicant may erect a temporary bulkhead and take other emergency measures to protect against harm to persons or property resulting from imminent and unanticipated natural hazards. The area modified must be restored to the condition that existed immediately prior to any emergency modification as soon as practicable after the emergency.

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Detached Dwelling Unit	None	12,500 sq ft. per dwelling unit.	<u>20'</u>	5', but 2 side yards must equal at least 15 feet.	10'	50%	25' above average building elevation.	E	<u>A</u>	2.0 per dwelling unit.	2. Chapter 115 contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 3. Refer to Chapter 1 to determine what other provisions of this Code may apply to the subject property.
Attached, or Stacked Dwelling Units Ordinance 2834		5 acres with no less than 6,200 sq. ft. per unit. See also Special Regulation #3		Special ation #8		50%	See Spc. Regu- lation #8	D.	A	1.7per unit	1. Must be developed in conjunction with property in Planned Area 15A. 2. Development must be consistent with an approved Master Plan. The Master Plan must address all properties within PIA-15A and PIA-15B, which are owned by the applicant. The Master Plan will be approved in two stages: a. The first stage will result in approval of a preliminary Master Plan using Process III, Chapter 155. The preliminary Master Plan shall consist of at least the following: 1) A site plan which diagrammatically shows the general location, shape and use of the major features of development. 2) A written description of planned development which discusses the elements of the site plan and indicates the maximum number of development in the maximum area to be developed with nonresidential users the maximum size of moorage facilities and the maximum number of moorage slips; the maximum area to be developed with nonresidential users in master Plan. The majority of the public use and access areas and off-site right-off-way improvements shall be included in the initial plases of the final Master Plan. The majority of the public use and access areas and off-site right-off-way improvements shall be included in the initial plases of the final Master Plan. In approving the Freliminary Master Plan. The City may determine that the Final Master Plan be reviewed using Process IIA, Chapter 150, if the Preliminary Master Plan shows the placement, approximate dimensions and uses of all structures, vehicular and pedestrian facilities, open space and other features of development. Otherwise, the Final Master Plan shall be reviewed using Process III, Chapter 155. b. The second stage will result in approval of a final Master Plan which is consistent with the preliminary Master Plan. Each phase of the final Master Plan shall set forth a schedule for obstaining building permits for and construction of that phase. Plan. The final Master Plan shall set forth a consument permitted number of dwelling permits for and construction of that phase. Plan may
Foot	notes		` <u>`</u>								For other information about parking and parking areas, see Chapter 105. ——For details of the regulations in this category, see Chapter 100. ——For information of the regulations in this category, see Chapter 95 ——For details of what may exceed this height limit, see Chapter 115. ——For details regarding required yards, see Chapter 115.

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											REGULATIONS FOR THIS USE CONTINUED FROM PREVIOUS PAGE 5. Structures, parking areas and roadways must be clustered and located away from soils limitations and outside of the steep ravine located near the middle of 159. 7. Development must be consistent with the policies for development on the Houge which are specified on pages 212-214 of the Land Use Policies Plan. 8. The City will determine required yards and structure height based on the company of the steep required the degree to which development maintains natural characteristics of the slope. 9. Refer to Chapter 85 for regulations regarding development on property contain regulated slope. 10. Refer to Chapter 1 to determine what other provisions of this Code may apply property.	patibility of the existing
Footr	notes		`.			<u>-</u>					For other information about parking and parking areas, see Chapter 105. — For details of the regulations in this category, see Chapter 100. — For information of the regulations in this category, see Chapter 95. — For details of what may exceed this height limit, see Chapter 115. — For details regarding required yards, see Chapter 115.	Page 225R

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SNO	DIFOCTIONS FIRST, read down to find USE THEN, across for REGULATIONS.						USE ZONE				CHART Zone Section
CD III	PROUNT PR	10 S	MIN	REQUIR	7	DS /	MAXIMI S S S S S S S S S S S S S S S S S S S	IMS			· /
Mon- Connercial Recreation Area or Club House	Process IIA Chapter 150	12,500	201	10' on each side	10'	40%	25' above average building elevation	Ċ	<u>B</u>	See Section 105.25	 May be permitted only if it will not adversely impact any residential area that it does not serve. Must provide pedestrian access from locations served by the area or clubhouse. Location and site design must minimize the need for parking. Bours of operation may be limited to reduce adverse impact on a residential neighborhood. Any structure's horizontal dimension that is parallel to and within 100 feet of a low density use may not exceed 50 feet if any part of that structure within 100 feet of the low density use exceeds 15 feet above average building elevation. See the Section in Chapter 115 entitled Distance Between Structures Regarding Maximum Horizontal Facade Regulations for further details. Refer to Chapter 85 for regulations regarding development on property contining an unstable slope. Refer to Chapter 1 to determine what other provision of this Code may apply to the subject property.
<u>Church</u>	Process IIA Chapter 150			20' on each side	20'	60%	25' above average building elevation	C.	B	See Section 105.25	 Traffic cannot significantly impact any residential neighborhood. Noise cannot exceed that normally associated with a residential neighborhood. Scale and placement of the structure must be in harmony with the residential setting. Any structure's horizontal dimension that is parallel to and within 100 feet of a low density use may not exceed 50 feet if any part of that structure within 100 feet of the low density use exceeds 15 feet above average building elevation. See the Section in Chapter 115 entitled Distance Between Structures Regarding Maximum Horizontal Facade Regulations for further details. Reter to Chapter 85 for regulations regarding development on property containing an unstable slope. Refer to Chapter 1 to determine what other provision of this Code may apply to the subject property.
School or Day Care Center	If this use can accommo- date 13 or more stu- dents or children, then— Process IIB Chapter 152 Otherwise, Process IIA Chapter 150		if the according then 20'	this use commodate e student ildren, til 50° on each side 20° on each side	50 or ts or hen— 50' de an 3 to 49 hildren 20' e		25' above average building elevation	D	<u>B</u>	Section 105.25	1. May locate on the subject property only if— 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. 2. A 6' high fence along the side and rear property lines is required. 3. Hours of operation may be limited to reduce impacts on nearby residential uses. 4. Structured play areas must be setback from all property lines as follows: a. 20' if this use can accommodate 50 or more students or children. b. 10' if this use can accommodate 13 to 49 students or children. c. Otherwise, 5'. 5. An on-site passenger loading area must be provided if this use can accommodate more than 50 students or children. 6. Any structure's horizontal dimension that is parallel to and within 100 feet of a low density use may not exceed 50 feet if any part of that structure within 100 feet of the low density use exceeds 15 feet above average building elevation. See the Section in Chapter 115 entitled Distance Between Structures Regarding Maximum Horizontal Facade Regulations for further details. 7. May include accessory living facilities for staff persons. 8. Refer to Chapter 85 for regulations regarding development on property containing an unstable slope. 9. Refer to Chapter 1 to determine what other provision of this Code may apply to the subject property. 5172B/0147A
Foot	notes	•			<u></u>						For other information about parking and parking areas, see Chapter 105. —For details of the regulations in this category, see Chapter 100. —For information of the regulations in this category, see Chapter 95. —For details of what may exceed this height limit, see Chapter 115. —For details regarding required yards, see Chapter 115.