

ORDINANCE NO. 3126

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, PLANNING, AND LAND USE AND AMENDING ORDINANCE 2740 AS AMENDED, THE KIRKLAND ZONING ORDINANCE (FILE NO'S IV-88-42 AND IV-88-53).

Whereas, the City Council has received from the Kirkland Planning Commission a recommendation to amend certain sections of the text of the Kirkland Zoning Code, Ordinance 2740 as amended, all as set forth in that certain reports and recommendations of the Planning Commission dated June 1, 1988 and May 19, 1988 respectively, and bearing Kirkland Department of Planning and Community Development File No's IV-88-42 and IV-88-53; and

Whereas, prior to making said recommendation the Planning Commission, following notice thereof as required by RCW 35A.63.070, on March 17, 1988 and April 21, 1988, respectively, 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 determination 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 environmental documents received from the responsible official, together with the report and recommendation of the Planning Commission, as well as a timely filed challenge of said recommendation.

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 to read as follows:

As set forth in Attachment A which by this reference is 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 unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 3. This ordinance shall be in full force and effect five days from and after its passage by the Kirkland City Council and publication pursuant to Section 1.08.017, Kirkland Municipal Code in the summary form attached to the original of this ordinance and by this reference adopted by the City Council, as required by law.

Passed by majority vote of the Kirkland City Council in regular, open meeting this 4th day of October, 1988

Signed in authentication thereof this 4th day of October, 1988

*Noris Cooper*  
Mayor

*Janice Perry*  
City Clerk

APPROVED AS TO FORM:

*Ray E. ...*  
City Attorney



Directions: FIRST, read down to find USE... THEN, across for REGULATIONS.

USE ZONING CHART

PLA 10A

Section 60.55.b

USE	REGULATIONS REVIEW PROCESS	LOT SIZE	MINIMUMS			LOT COVERAGE	MAXIMUMS			LANDSCAPE CATEGORY	SIGN CATEGORY	REQUIRED PARKING SPACES
			REQUIRED YARDS				HEIGHT OF STRUCTURE	LANDSCAPE CATEGORY	SIGN CATEGORY			
			FRONT	SIDE	REAR							
School or Day Care Center	Process IIB Chapter 152	None	20'	5' but 2 side yards must equal at least 15'	10'	70%	30' above average building elevation.	D	B	See Section 105.25		
Mini-school or mini-day-care Center (7-12 attendees) or Day-Care Home (6 or less attendees)	Process IIA Chapter 150	None	20'	5' but 2 side yards must equal at least 15'	10'	70%	30' above average building elevation.	D	B	See Section 105.25		
Public Utility	Process IIA Chapter 150	None	20'	10' on each side.	10'	70%	30' above average building elevation.	A	B	See Section 105.25		
Government Facility	Process IIA Chapter 150	None	20'	10' on each side.	10'	70%	If adjoining a low-density zone, then 25' above ave-building elevation. Otherwise 30' above average building elevation.	C See Sec. Reg. #5.	B	See Section 105.25		

SPECIAL REGULATIONS

- Development must retain and maintain the existing hill form. Seventy-five percent (75%) of the significant trees on the hill form must be maintained. Supplemental plantings may be required.
  - Access must be directly from 120th NE, or must be coordinated with commercial development to the west and must be from NE 124th.
  - Refer to Chapter 1 to determine what other provision of this Code may apply to the subject property.
  - A 6-foot high fence is required only along the property lines adjacent to the outside play areas.
  - Structured play areas must be set back from all property lines as follows:
    - 20 feet if this use can accommodate 50 or more students or children.
    - 10 feet if this use can accommodate 13 to 49 students or children.
    - Otherwise, 5 feet.
  - 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. Car-pooling, staggered loading/unloading time, right-of-way improvements or other means may be required to reduce traffic impacts on any nearby residential uses.
  - May include accessory living facilities for staff persons.
  - The location of parking and passenger loading areas shall be designed to reduce impacts on any nearby residential uses.
  - These uses are subject to the requirements established by the Department of Social and Health Services (WAC 388-73).
- 
- Development must retain and maintain the existing hill form. Seventy-five percent (75%) of the significant trees on the hill form must be maintained. Supplemental plantings may be required.
  - Access must be directly from 120th NE, or must be coordinated with commercial development to the west and must be from NE 124th.
  - Refer to Chapter 1 to determine what other provision of this Code may apply to the subject property.
  - A 6' high fence is required along the property lines adjacent to the outside play areas for mini-schools and mini-day-care centers only.
  - Structured play areas must be setback from all property lines by 5'.
  - An on-site passenger loading area may be required depending on the number of attendees and the extent of the abutting right-of-way improvements.
  - 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.
  - These uses are subject to the requirements established by the Department of Social and Health Services (WAC 388-73).
- 
- 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.
  - Development must retain and maintain the existing hill form. Seventy-five percent (75%) of the significant trees on the hill form must be maintained. Supplemental plantings may be required.
  - Access must be directly from 120th NE, or must be coordinated with commercial development to the west and must be from NE 124th.
  - Refer to Chapter 1 to determine what other provision of this Code may apply to the subject property.
  - For a Government Facility 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.

L-PLA10(A) 60.55.b (page 208)/TS:dc

R-PLA10(A) 60.55.b (page 208)/TS:dc

Footnotes

- 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.



Directions: FIRST, read down to find USE... THEN, across for REGULATIONS.

USE ZONING CHART

Zone  
PLA 10A  
Section  
60.55.c

REGULATIONS  
USE

REQUIRED REVIEW PROCESS	LOT SIZE	MINIMUMS			MAXIMUMS			LANDSCAPE CATEGORY	SIGN CATEGORY	REQUIRED PARKING SPACES
		REQUIRED YARDS			LOT COVERAGE	HEIGHT OF STRUCTURE	REAR			
		FRONT	SIDE	REAR						
Public Transit Shelter	None	0'	0'	0'	100%	15' above average building elevation.	-	See Spc Reg #2.	See Section 105.25	
Public Park	If one acre or more, then Process IIA Chapter 150  Otherwise, none. See Special Regulations #1 and #2.	None	Will be determined on a case-by-case basis.			If adjoining a low density zone, then 26' above average building elevation.  Otherwise, 30' above average building elevation.	-	B	See Section 105.25	

SPECIAL REGULATIONS

- May be permitted only if it will not unreasonable impede pedestrian movement or create traffic safety problems.
  - May install transit route and information signs and markers.
- Development and use of a park does not require a development permit under this Code if:
    - A master plan for that park has been approved by the City and the proposed development and use is consistent with the master plan; or
    - The proposed use and development:
      - Will not involve lighting for outdoor nighttime activities; and
      - Will not involve the construction of any building of more than 4,000 square feet; and
      - Will not involve the construction of more than 20 parking stalls; and
      - Will not involve the development of any structured sports or activity areas.
  - The design of the park must serve the needs of the area in which it is located.
  - Any development or use of a park that does not meet the requirements of Special Regulation #1 must be approved through the Process III, Chapter 155. The City will use the following factors in determining what facilities and uses will be permitted:
    - Ease of access to the park.
    - Character of the neighborhood.
    - Size, nature and topography of the subject property.
  - Development must retain and maintain the existing hill form. Seventy-five percent (75%) of the significant trees on the hill form must be maintained. Supplemental plantings may be required.
  - Refer to Chapter 1 to determine what other provision of this Code may apply to the subject property.

L-PLA10(A) 60.55.b (page 209)/TS:dc

B-PLA10(A) 60.55.b (page 209)/TS:dc

Footnotes

- 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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208A

USE ZONING CHART



Section  
60.55.d

REGULATIONS USE	REQUIRED REVIEW PROCESS	LOT SIZE	MINIMUMS			MAXIMUMS						
			REQUIRED YARDS			LOT COVERAGE	HEIGHT OF STRUCTURE	LANDSCAPE CATEGORY	SIGN CATEGORY	REQUIRED PARKING SPACES		
			FRONT	SIDE	REAR							
Business Park (See Special Regulation #1)	Must be an approved Master Plan See Special Regulation #2.	25 acres	30'	20' See Spec. Reg. #4.	20'	80%	If closer than 100' to a low density zone: If adjoining a low density zone then see Spec. Reg. #18, 25' above average building elevation.  Otherwise, the lower of 6 stories or 60 ft. Also see Spec. Reg. #5.	As established in the Master Plan (See Special Regulation #2).				

SPECIAL REGULATIONS

- The following business park uses are permitted: Office, wholesale trade, wholesale printing or publishing, manufacturing of electrical equipment, manufacturing of scientific or photographic equipment, packaging of prepared materials, manufacturing of textile or leather products from pre-prepared material, manufacturing of paper products from pre-prepared material, manufacturing of plastic products from pre-prepared material, ancillary warehouse and other compatible uses if approved within the Master Plan are permitted.
- This use requires an approved Master Plan. Approval of the Master Plan shall be through Process III, Chapter 155. The Master Plan must show building placement, building dimensions, roadways, utility locations, land uses within the Master Plan area, parking location, buffering, landscaping and access to any of the parcels within the planned area which are not within the Master Plan area.
- Subsequent to Master Plan approval, a deviation, as determined by the Planning Official, must be approved through Process I, Chapter 145; except deviations for increased height or gross floor area which must be approved through Process III, Chapter 155.
- Required yards pertain only to the perimeter of the subject property.
- Development must be compatible in height and placement with adjacent low density residential uses. Development of the subject property must be designed to minimize view obstruction to properties to the south.
- The City may require revision of the building design, site plan or landscaping plan in order to minimize noise and enhance the visual character of the area.
- Primary access shall be to NE 124th Street and at only one point. Secondary access points onto NE 124th Street are prohibited. Secondary access to 120th Avenue NE should be utilized if available. In the case that secondary access to 120th Avenue NE is not available at the time of master plan approval, the City may permit access to NE 116th Street. Analysis at that time must establish traffic impacts to the circulation system and to adjacent residential uses to aid in determining the appropriateness of this access point.
- A 50 foot wide site obscuring landscaped buffer must be provided adjacent to any low density residential zone.
- Vehicular circulation on the subject property must be designed to mitigate traffic impacts. The City may require on or off-site traffic control devices, roadway improvements, or limit development, if necessary, to further reduce traffic impacts.
- Outdoor storage is prohibited.
- The discharge of any substance which creates any impact detrimental to the environment or adjacent residents is not permitted.
- Development must retain and maintain the existing hill form located in the northeast portion of the subject property. Seventy-five percent (75%) of the significant trees on the hill must be maintained. Supplemental plantings may be required.
- Development is prohibited within the regulated slope in the southern portion of the planned area.
- Development in part of this zone may be limited by Chapter 90, regarding development near wetlands. In addition, the site must be designed to concentrate development away from, and to minimize impact on the wetlands.
- Any structure's horizontal dimension that is parallel to and within 100 feet of a low density zone use may not exceed 50 feet if any part of that structure within 100 feet of the low density zone use exceeds 15 feet above average building elevation. If any portion of a structure is adjoining a low density zone, then either:  
a. The height of that portion of the structure shall not exceed 15 feet above average building elevation, or  
b. The horizontal length of any facade of that portion of the structure which is parallel to the boundary of the low density zone shall not exceed 50 feet in width.  
See the Section in Chapter 115, entitled Distance Between Structures Regarding Maximum Horizontal Facade Regulation for further details.
- Refer to Chapter 1 to determine what other provision of this Code may apply to the subject property.
- Subsequent subdivision of an approved Master Plan into smaller lots is permitted provided that the required minimum acreage is met for the Master Plan.
- If adjoining a low density zone other than RSX, then 25' above average building elevation. If adjoining a RSX zone, then 30' above average building elevation.

APRIL, 1985 (Ordinance 2863)

R-PLA10(B) 60.55.c (page 210A)/TS:dc

L-PLA10(B) 60.55.c (page 210A)/TS:dc

Footnotes

- 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.

USE ZONING CHART

Directions: FIRST, read down to find USE... THEN, across for REGULATIONS.

USE REGULATIONS

USE	REQUIRED REVIEW PROCESS	LOT SIZE	MINIMUMS			MAXIMUMS			LANDSCAPE CATEGORY	SIGN CATEGORY	REQUIRED PARKING SPACES	SPECIAL REGULATIONS
			REQUIRED YARDS			LOT COVERAGE	HEIGHT OF STRUCTURE	REAR				
			FRONT	SIDE	REAR							
Office Use	None	7,200 sq. ft.	20'	5', but 2 side yards must at least equal 15'	10'	70%	If adjoining a low density zone, other than RSX, then 25' above average building elevation. Otherwise, 30' above average building elevation.	C	D	One per 300 sq. ft. of gross floor area.	<ol style="list-style-type: none"> <li>Primary access shall be to NE 124th Street, at only one access point for the entire planned area. Secondary access to NE 124th Street is prohibited.</li> <li>Secondary access is permitted to 120th Avenue NE if available.</li> <li>Development must retain and maintain the existing hill form located in the northeast portion of the subject property. Seventy-five percent (75%) of the significant trees on the hill must be maintained. Supplemental planting may be required.</li> <li>Development is prohibited within the regulated slope in the southern portion of the planned area.</li> <li>Vehicular circulation on the subject property must be designed to mitigate traffic impacts. The City may require on and off-site traffic control devices, roadway improvements, or limit development, if necessary, to further reduce traffic impacts.</li> <li>Development in part of this zone may be limited by Chapter 90, regarding development near wetlands. In addition, the site must be designed to concentrate development away from, and to minimize impact on the wetlands.</li> <li>Any structure's horizontal dimension that is parallel to and within 100 feet of a low density zone use may not exceed 50 feet if any part of that structure within 100 feet of the low density zone use exceeds 15 feet above average building elevation. If any portion of a structure is adjoining a low density zone, then either:               <ol style="list-style-type: none"> <li>The height of that portion of the structure shall not exceed 15 feet above average building elevation, or</li> <li>The horizontal length of any facade of that portion of the structure which is parallel to the boundary of the low density zone shall not exceed 50 feet in width.</li> </ol>               See the Section in Chapter 115, entitled Distance Between Structures Regarding Maximum Horizontal Facade Regulation for further details.             </li> <li>Refer to Chapter 1 to determine what other provisions of this Code may apply to the subject property.</li> <li>Ancillary assembly and manufacture of goods on the premise of this use are permitted only if:               <ol style="list-style-type: none"> <li>The ancillary assembled or manufactured goods are subordinate to and dependent on this use.</li> <li>The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.</li> </ol> </li> </ol>	

L-PLA10(B) 60.55.d (page 210B)/TS:dc

R-PLA10(B) 60.55.d (page 210B)/TS:dc

Footnotes

- \_\_\_\_ 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.

Zone PLA 105	Section 60.55.f
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USE	REGULATIONS	REQUIRED REVIEW PROCESS	MINIMUMS						MAXIMUMS			SPECIAL REGULATIONS
			LOT SIZE	REQUIRED YARDS			LOT COVERAGE	HEIGHT OF STRUCTURE	LANDSCAPE CATEGORY	SIGN CATEGORY	REQUIRED PARKING SPACES	
				FRONT	SIDE	REAR						
School or Day-Care Center		None	7,200 sq. ft.	20'	5', but 2 side yards must at least equal 15'	10'	70%	If adjoining a low density zone, other than RSX, then 25' above average building elevation.  Otherwise 30' above average building elevation.	D	B	See Section 105.25	<ol style="list-style-type: none"> <li>1. Primary access shall be to NE 124th Street, at only one access point for the entire planned area. Secondary access to NE 124th Street is prohibited.</li> <li>2. Secondary access is permitted to 120th Avenue NE if available.</li> <li>3. Development must retain and maintain the existing hill form located in the northeast portion of the subject property. Seventy-five percent (75%) of the significant trees on the hill must be maintained. Supplemental planting may be required.</li> <li>4. Development is prohibited within the regulated slope in the southern portion of the planned area.</li> <li>5. Vehicular circulation on the subject property must be designed to mitigate traffic impacts. The City may require on and off-site traffic control devices, roadway improvements, or limit development, if necessary, to further reduce traffic impacts.</li> <li>6. Development in part of this zone may be limited by Chapter 90, regarding development near wetlands. In addition, the site must be designed to concentrate development away from, and to minimize impact on the wetlands.</li> <li>7. If any portion of a structure is adjoining a low density zone, then either:                         <ol style="list-style-type: none"> <li>a. The height of that portion of the structure shall not exceed 15 feet above average building elevation, or</li> <li>b. The horizontal length of any facade of that portion of the structure which is parallel to the boundary of the low density zone shall not exceed 50 feet in width.</li> </ol>                         See the Section in Chapter 115, entitled Distance Between Structures Regarding Maximum Horizontal Facade Regulation for further details.                     </li> <li>8. Refer to Chapter 1 to determine what other provisions of this Code may apply to the subject property.</li> <li>9. A 6-foot high fence is required only along the property lines adjacent to the outside play areas.</li> <li>10. Structured play areas must be set back from all property lines as follows:                         <ol style="list-style-type: none"> <li>a. 20 feet if this use can accommodate 50 or more students or children,</li> <li>b. 10 feet if this use can accommodate 13 to 49 students or children,</li> <li>c. Otherwise, 5 feet.</li> </ol> </li> <li>11. 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. Car-pooling, staggered loading/unloading time, right-of-way improvements or other means may be required to reduce traffic impacts on any nearby residential uses.</li> <li>12. May include accessory living facilities for staff persons.</li> <li>13. The location of parking and passenger loading areas shall be designed to reduce impacts on any nearby residential uses.</li> <li>14. These uses are subject to the requirements established by the Department of Social and Health Services (WAC 388.73).</li> </ol>
Mini-school or mini-day care (7-12 attendees) or Day-Care Home (6 or less attendees)		None	None	20'	5', but 2 side yards must at least equal 5'	10'	70%	If adjoining a low density zone, other than RSX, then 25' above average building elevation.  Otherwise 30' above average building elevation.	D	B	See Section 105.25	<ol style="list-style-type: none"> <li>1. Primary access shall be to NE 124th Street, at only one access point for the entire planned area. Secondary access to NE 124th Street is prohibited.</li> <li>2. Secondary access is permitted to 120th Avenue NE if available.</li> <li>3. Development must retain and maintain the existing hill form located in the northeast portion of the subject property. Seventy-five percent (75%) of the significant trees on the hill must be maintained. Supplemental planting may be required.</li> <li>4. Development is prohibited within the regulated slope in the southern portion of the planned area.</li> <li>5. Vehicular circulation on the subject property must be designed to mitigate traffic impacts. The City may require on and off-site traffic control devices, roadway improvements, or limit development, if necessary, to further reduce traffic impacts.</li> <li>6. Development in part of this zone may be limited by Chapter 90, regarding development near wetlands. In addition, the site must be designed to concentrate development away from, and to minimize impact on the wetlands.</li> <li>7. If any portion of a structure is adjoining a low density zone, then either:                         <ol style="list-style-type: none"> <li>a. The height of that portion of the structure shall not exceed 15 feet above average building elevation, or</li> <li>b. The horizontal length of any facade of that portion of the structure which is parallel to the boundary of the low density zone shall not exceed 50 feet in width.</li> </ol>                         See the Section in Chapter 115, entitled Distance Between Structures Regarding Maximum Horizontal Facade Regulation for further details.                     </li> <li>8. Refer to Chapter 1 to determine what other provisions of this Code may apply to the subject property.</li> </ol>

REGULATION CONTINUED ON NEXT PAGE

L-PLA10(B) 60.55.f (page 210C)/TS:db

R-PLA10(B) 60.55.e (page 210C)/TS:db

**Footnotes**

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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Zone

PLA. 10B

Section

60.55.g

USE	REGULATIONS	REQUIRED REVIEW PROCESS	MINIMUMS			MAXIMUMS					SPECIAL REGULATIONS	
			LOT SIZE	REQUIRED YARDS			LOT COVERAGE	HEIGHT OF STRUCTURE	LANDSCAPE CATEGORY	SIGN CATEGORY		REQUIRED PARKING SPACES
				FRONT	SIDE	REAR						
Church		Process IIA Chapter 150	None	20'	20' on each side.	20'	70%	If adjoining a low density zone, other than RSX, then 25' above average building elevation.  Otherwise 30' above average building elevation.	C	B	See Section 405.25 J for every 4 people based on maximum occupancy load of any area of worship. See also Spec. Reg. #9.	<p style="text-align: center;">REGULATION CONTINUED FROM PREVIOUS PAGE</p> <p>9. A 6' high fence is required along the property lines adjacent to the outside play areas for mini-schools and mini-day-care centers only.</p> <p>10. Structured play areas must be setback from all property lines by 5'.</p> <p>11. An on-site passenger loading area may be required depending on the number of attendees and the extent of the abutting right-of-way improvements.</p> <p>12. The location of parking and passenger loading areas shall be designed to reduce impacts on nearby residential uses.</p> <p>13. May include accessory living facilities for staff persons.</p> <p>14. These uses are subject to the requirements established by the Department of Social and Health Services (WAC 388-73).</p> <p>1. Primary access shall be to NE 124th Street, at only one access point for the entire planned area. Secondary access to NE 124th Street is prohibited.</p> <p>2. Secondary access is permitted to 120th Avenue NE if available.</p> <p>3. Development must retain and maintain the existing hill form located in the northeast portion of the subject property. Seventy-five percent (75%) of the significant trees on the hill must be maintained. Supplemental planting may be required.</p> <p>4. Development is prohibited within the regulated slope in the southern portion of the planned area.</p> <p>5. Vehicular circulation on the subject property must be designed to mitigate traffic impacts. The City may require on and off-site traffic control devices, roadway improvements, or limit development, if necessary, to further reduce traffic impacts.</p> <p>6. Development in part of this zone may be limited by Chapter 90, regarding development near wetlands. In addition, the site must be designed to concentrate development away from, and to minimize impact on the wetlands.</p> <p>7. Any structure's horizontal dimension that is parallel to and within 100 feet of a low density zone use may not exceed 60 feet; any part of that structure within 100 feet of the low density zone use exceeds 15 feet above average building elevation. If a portion of a structure is adjoining a low density zone, then either:  a. The height of that portion of the structure shall not exceed 15 feet above average building elevation, or  b. The horizontal length of any facade of that portion of the structure which is parallel to the boundary of the low density zone shall not exceed 50 feet in width.  See the Section in Chapter 115, entitled Distance Between Structures Regarding Maximum Horizontal Facade Regulation for further details.</p> <p>8. Refer to Chapter 1 to determine what other provisions of this Code may apply to the subject property.</p> <p>9. No parking is required for day-care or school ancillary to the use.</p>

L-PLA10(B) 60.55.f (page 2100)/TS:dc

R-PLA10(B) 60.55.f (page 2100)/TS:dc

**Footnotes**

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.

USE	REGULATIONS	REQUIRE REVIEW PROCESS	MINIMUMS			MAXIMUMS			SPECIAL REGULATIONS			
			REQUIRED YARDS			LOT COVERAGE	HEIGHT OF STRUCTURE	LANDSCAPE CATEGORY	SIGN CATEGORY	REQUIRED PARKING SPACES		
			LOT SIZE	FRONT	SIDE							REAR
Public Utility		Process IIA Chapter 150	None	20'	20' on each side.	20'	70%	If closer than 100' to a low density zone, if adjoining a low density zone other than RSX, then 25' above average building elevation	A	B	See Section 105.25	<p><b>SPECIAL REGULATIONS</b></p> <ol style="list-style-type: none"> <li>Development must retain and maintain the existing hill form located in the northeast portion of the subject property. Seventy-five percent (75%) of the significant trees on the hill must be maintained. Supplemental planting may be required.</li> <li>Primary access must be to NE 124th Street through one access point for the planned area. Secondary access to NE 124th Street is prohibited.</li> <li>Outdoor uses are not permitted.</li> <li>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.</li> <li>Development in part of this zone may be limited by Chapter 90, regarding development near wetlands. In addition, the site must be designed to concentrate development away from, and to minimize impact on the wetlands.</li> <li>Development is prohibited within the regulated slope in the southern portion of the planned area.</li> <li>Any structure's horizontal dimension that is parallel to and within 100 feet of a low density zone use may not exceed 50 feet if any part of that structure within 100 feet of the low density zone use exceeds 15 feet above average building elevation. If any portion of a structure is adjoining a low density zone, then either:               <ol style="list-style-type: none"> <li>The height of that portion of the structure shall not exceed 15 feet above average building elevation, or</li> <li>The horizontal length of any facade of that portion of the structure which is parallel to the boundary of the low density zone shall not exceed 50 feet in width.</li> </ol>               Any building'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 Regulation for further details.             </li> <li>Traffic may not significantly impact any residential neighborhood.</li> <li>Refer to Chapter 1 to determine what other provisions of this Code may apply to the subject property.</li> <li>For a Government Facility 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.</li> </ol>
Government Facility		Process IIA Chapter 150	None	20'	10' on each side.	10'	70%	Otherwise, 30' above average building elevation.	C	B	See Section 105.25	
Public Transit Shelter		None	None	None	None	None	100%	15' above average building elevation.	-	-	See Spd. Reg. #2.	
Public Park		If one acre or more, then Process IIA Chapter 150  Otherwise, none. See Special Regulations #1 and #2.	None	Will be determined on a case-by-case basis.				25' above average building elevation.	-	B	See Section 105.25	

Zone

PLA 10B

Section

60.55.h

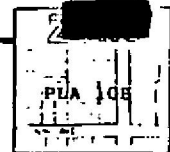
REGULATION CONTINUED ON NEXT PAGE

L-PLAT0(B) 60.55. (page 210E)/TS:cp

R-PLAT0(B) 60.55.g (page 210E)/TS:do

**Footnotes**

- 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.



SPECIAL REGULATIONS

REGULATION CONTINUED FROM PREVIOUS PAGE

- 24. Primary access must be to NE 124th Street through one access point for the subarea. Secondary access to NE 124th Street is prohibited.
- 25. Development in part of this zone may be limited by Chapter 90, regarding development near wetlands. In addition, the site must be designed to concentrate development away from, and to minimize impact on the wetlands.
- 46. Development is prohibited within the regulated slope in the southern portion.
- 5. The design of the park must serve the needs of the area in which it is located.
- 67. Any structure's horizontal dimension that is parallel to and within 400 feet of a low density zone use may not exceed 60 feet if any part of that structure within 400 feet of the low density zone use exceeds 15 feet above average building elevation. If any portion of a structure is adjoining a low density zone, then either:
  - a. The height of that portion of the structure shall not exceed 15 feet above average building elevation, or
  - b. The horizontal length of any facade of that portion of the structure which is parallel to the boundary of the low density zone shall not exceed 50 feet in width.
 See the Section in Chapter 115, entitled Distance Between Structures Regarding Maximum Horizontal Facade Regulation for further details.
- 78. 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.  
 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.



Zone PLU 100	Section 60.55.j
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REGULATIONS	USE	REQUIRED REVIEW PROCESS	LOT SIZE	MINIMUMS			MAXIMUMS					SPECIAL REGULATIONS
				REQUIRED YARDS			LOT COVERAGE	HEIGHT OF STRUCTURE	LANDSCAPE CATEGORY	SIGN CATEGORY	REQUIRED PARKING SPACES	
				FRONT	SIDE	REAR						
Office Uses	Process 11B Chapter 152	7,200 sq. ft.	20'	5', but two side yards must equal at least 15'.	10'	70%	If closer than 100' to a low density zone, if adjoining a low density zone, other than RSX, then 25' above average building elevation.  Otherwise 30' above average building elevation.	C	D	If medical, dental, or veterinary office, then one per each 200 sq. ft. gross floor area.  Other- wise, one per each 300 sq. ft. gross floor area.	<ol style="list-style-type: none"> <li>1. Development in parts of this zone may be limited by Chapter 90, regarding development near wetlands. In addition, the site must be designed to concentrate development away from, and to minimize impact on the wetlands.</li> <li>2. No structure, roadway or land surface modification is allowed on any regulated slope.</li> <li>3. Only one access point to NE 124th Street is permitted. This access must be aligned with an access point adjacent to the north.</li> <li>4. No development is permitted within 50 feet of a low density zone. Where necessary, for visual screening, site obscuring landscaping must be provided within this area.</li> <li>5. Vehicular circulation on the subject property must be designed to mitigate traffic impacts. The City may require on and off-site traffic control devices, roadway improvements, or limit development, if necessary, to further reduce traffic impacts.</li> <li>6. Any structure's horizontal dimension that is parallel to and within 100 feet of a low density zone use may not exceed 50 feet if any part of that structure within 100 feet of the low density zone use exceeds 15 feet above average building elevation. If any portion of a structure is adjoining a low density zone, then either:                             <ol style="list-style-type: none"> <li>a. The height of that portion of the structure shall not exceed 15 feet above average building elevation, or</li> <li>b. The horizontal length of any facade of that portion of the structure which is parallel to the boundary of the low density zone shall not exceed 50 feet in width.</li> </ol>                             See the Section in Chapter 115, entitled <u>Distance Between Structures Regarding Maximum Horizontal Facade Regulation</u> for further details.                         </li> <li>7. Refer to Chapter 1 to determine what other provision of this Code may apply to the subject property.</li> <li>8. <u>Ancillary assembly and manufacture of goods on the premise of this use are permitted only if:</u> <ol style="list-style-type: none"> <li>a. The ancillary assembled or manufactured goods are subordinate to and dependent on this use.</li> <li>b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.</li> </ol> </li> </ol>	

L-PLA10(C) 60.55.h (page 210f)/TS:cb

R-PLA10(C) 60.55.h (page 210f)/TS:cb

**Footnotes**

- 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.



USE ZONING CHART

Zone: [Redacted] Section: 60.55.k

USE	REGULATIONS	REQUIRED REVIEW PROCESS	MINIMUMS						MAXIMUMS				SPECIAL REGULATIONS
			LOT SIZE	REQUIRED YARDS			LOT COVERAGE	HEIGHT OF STRUCTURE	LANDSCAPE CATEGORY	SIGN CATEGORY	REQUIRED PARKING SPACES		
				FRONT	SIDE	REAR							
School or Day-Care Center	D	Process II-B Chapter 152	7,200 sq. ft.	If this use can accommodate 50 or more students or children, then: 50' on each side	50'	50'	70%	If adjoining a low density zone, other than RSX, then 25' above average building elevation. Otherwise 30' above average building elevation.	D	B	See Section 105.25	<ol style="list-style-type: none"> <li>Development in parts of this zone may be limited by Chapter 90, regarding development near wetlands. In addition, the site must be designed to concentrate development away from, and to minimize impact on the wetlands.</li> <li>No structure, roadway or land surface modification is allowed on any regulated slope.</li> <li>Only one access point to NE 124th Street is permitted. This access must be aligned with an access point adjacent to the north.</li> <li>No development is permitted within 50 feet of a low density zone. Where necessary, for visual screening, site obscuring landscaping must be provided within this area.</li> <li>Vehicular circulation on the subject property must be designed to mitigate traffic impacts. The City may require on and off-site traffic control devices, roadway improvements, or limit development, if necessary, to further reduce traffic impacts.</li> <li>If any portion of a structure is adjoining a low density zone, then either: a. The height of that portion of the structure shall not exceed 15 feet above average building elevation, or b. The horizontal length of any facade of that portion of the structure which is parallel to the boundary of the low density zone shall not exceed 50 feet in width. See the Section in Chapter 115, entitled Distance Between Structures Regarding Maximum Horizontal Facade Regulation for further details.</li> <li>Refer to Chapter 1 to determine what other provision of this Code may apply to the subject property.</li> <li>A 6-foot high fence is required only along the property lines adjacent to the outside play areas.</li> <li>Structured play areas must be set back 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. c. Otherwise, 5 feet.</li> <li>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. Car-pooling, staggered loading/unloading time, right-of-way improvements or other means may be required to reduce traffic impacts on any nearby residential uses.</li> <li>May include accessory living facilities for staff persons.</li> <li>The location of parking and passenger loading areas shall be designed to reduce impacts on any nearby residential uses.</li> <li>These uses are subject to the requirements established by the Department of Social and Health Services (WAC 388-73).</li> </ol>	
Mini-school or mini-day care (7-12 attendees) or Day-Care Home (6 or less attendees)	D	None	None	20'	5', but 2 side yards must at least equal 5'	10'	70%	If adjoining a low density zone, other than RSX, then 25' above average building elevation. Otherwise 30' above average building elevation.	D	B	See Section 105.25	<ol style="list-style-type: none"> <li>Development in parts of this zone may be limited by Chapter 90, regarding development near wetlands. In addition, the site must be designed to concentrate development away from, and to minimize impact on the wetlands.</li> <li>No structure, roadway or land surface modification is allowed on any regulated slope.</li> <li>Only one access point to NE 124th Street is permitted. This access must be aligned with an access point adjacent to the north.</li> <li>No development is permitted within 50 feet of a low density zone. Where necessary, for visual screening, site obscuring landscaping must be provided within this area.</li> <li>Vehicular circulation on the subject property must be designed to mitigate traffic impacts. The City may require on and off-site traffic control devices, roadway improvements, or limit development, if necessary, to further reduce traffic impacts.</li> <li>If any portion of a structure is adjoining a low density zone, then either: a. The height of that portion of the structure shall not exceed 15 feet above average building elevation, or b. The horizontal length of any facade of that portion of the structure which is parallel to the boundary of the low density zone shall not exceed 50 feet in width. See the Section in Chapter 115, entitled Distance Between Structures Regarding Maximum Horizontal Facade Regulation for further details.</li> </ol>	

REGULATION CONTINUED ON NEXT PAGE

R-PLA10(C) 60.55.1 (page 210G)/TS:do

L-PLA10(C) 60.55.1 (page 210G)/TS:do

Footnotes

- 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.

ONS: FIRST, read down to find USE... THEN, across for REGULATIONS.

USE ZONE CHART

Zone  
PLA 100  
Section  
60.55.1

USE REGULATIONS

REQUIRED REVIEW PROCESS	LOT SIZE	MINIMUMS			MAXIMUMS			LANDSCAPE CATEGORY	SIGN CATEGORY	REQUIRED PARKING SPACES
		REQUIRED YARDS			LOT COVERAGE	HEIGHT OF STRUCTURE	LANDSCAPE CATEGORY			
		FRONT	SIDE	REAR						

SPECIAL REGULATIONS

Mini-school or mini-day care (7-12 attendees) or Day-Care Home (6 or less attendees)

Convalescent Center or Nursing Home

Public Utility

Government Facility

L-PLA10(C) 60.55.1 (page 210H)/TS:dc

	REGULATION CONTINUED FROM PREVIOUS PAGE									
Process IIB Chapter 152	7,200 sq ft	20'	10' on each side.	10'	70%	If adjoining a low density zone, other than RSX, then 25' above average building elevation.  Otherwise 30' above average building elevation.	C	D	1 for each bed.	
Process IIA Chapter 150	None	20'	20' on each side.	20'	70%	25' above average building elevation.	A	B	See Section 105.25	
Process IIA Chapter 150	None	20'	10' on each side.	10'	70%	25' above average building elevation.	D C See Sec. Reg. #6.	B	See Section 105.25	

- REGULATION CONTINUED FROM PREVIOUS PAGE
- Refer to Chapter 1 to determine what other provision of this Code may apply to the subject property.
  - A 6' high fence is required along the property lines adjacent to the outside play areas for mini-schools and mini-day-care centers only.
  - Structured play areas must be setback from all property lines by 5'.
  - An on-site passenger loading area may be required depending on the number of attendees and the extent of the abutting right-of-way improvements.
  - 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.
  - These uses are subject to the requirements established by the Department of Social and Health Services (WAC 388-73).
- Development in parts of this zone may be limited by Chapter 90, regarding development near wetlands. In addition, the site must be designed to concentrate development away from, and to minimize impact on the wetlands.
  - No structure, roadway or land surface modification is allowed on any regulated slope.
  - Only one access point to NE 124th Street is permitted. This access must be aligned with an access point adjacent to the north.
  - No development is permitted within 50 feet of a low density zone. Where necessary, for visual screening, site obscuring landscaping must be provided within this area.
  - Vehicular circulation on the subject property must be designed to mitigate traffic impacts. The City may require on and off-site traffic control devices, roadway improvements, or limit development, if necessary, to further reduce traffic impacts.
  - If any portion of a structure is adjoining a low density zone, then either:
    - The height of that portion of the structure shall not exceed 15 feet above average building elevation, or
    - The horizontal length of any facade of that portion of the structure which is parallel to the boundary of the low density zone shall not exceed 50 feet in width.
 See the Section in Chapter 115, entitled Distance Between Structures Regarding Maximum Horizontal Facade Regulation for further details.
  - Refer to Chapter 1 to determine what other provision of this Code may apply to the subject property.
- Development in parts of this zone may be limited by Chapter 90, regarding development near wetlands. In addition, the site must be designed to concentrate development away from and to minimize impacts on the wetlands.
  - No structure, roadway or land surface modification is allowed on any regulated slope.
  - Any structure's horizontal dimension that is parallel to and within 100 feet of a low density zone use may not exceed 50 feet if any part of that structure within 100 feet of the low density zone use exceeds 16 feet above average building elevation. If any portion of a structure is adjoining a low density zone, then either:
    - The height of that portion of the structure shall not exceed 15 feet above average building elevation, or
    - The horizontal length of any facade of that portion of the structure which is parallel to the boundary of the low density zone shall not exceed 50 feet in width.
 See the Section in Chapter 115, entitled Distance Between Structures Regarding Maximum Horizontal Facade Regulation for further details.
  - 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.
  - Refer to Chapter 1 to determine what other provisions of this Code may apply to the subject property.
  - For a Government Facility 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.

R-PLA10(C) 60.55.1 (page 210H)/TS:dc

Footnotes

- 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.

Section 60.55.m

USE	REQUIRED REVIEW PROCESS	MINIMUMS			MAXIMUMS				REQUIRED PARKING SPACES
		REQUIRED YARDS			LOT COVERAGE	HEIGHT OF STRUCTURE	LANDSCAPE SIGN CATEGORY	CATEGORY	
		FRONT	SIDE	REAR					
Public Transit Shelter	None	None	None	None	100%	15' above average building elevation.	-	See Spc. Reg. #2.	None
Public Park	If one or more, then Process IIA Chapter 150  Otherwise, none See Special Regulations #1 and #2.	None	Will be determined on a case-by-case basis.			25' above average building elevation.	-	B	See Section 105.25

SPECIAL REGULATIONS

- May be permitted if it will not unreasonably impede pedestrian movement or create traffic safety problems.
- May install transit route and information signs and markers.

- Development and use of a park does not require a development permit under this Code if:
  - A master plan for that park has been approved by the City and the proposed development and use is consistent with the master plan; or
  - The proposed use and development:
    - Will not involve lighting for outdoor nighttime activities; and
    - Will not involve the construction of any building of more than 4,000 square feet; and
    - Will not involve the construction of more than 20 parking stalls; and
    - Will not involve the development of any structured sports or activity areas.
- Any development or use of a park that does not meet the requirements of Special Regulation #1 must be approved through the Process III, Chapter 155. The City will use the following factors in determining what facilities and uses will be permitted:
  - Ease of access to the park.
  - Character of the neighborhood.
  - Size, nature and topography of the subject property.
- Development parts of this zone may be limited by Chapter 90, regarding development near wetlands. In addition, the site must be designed to concentrate development away from, and to minimize impacts on the wetlands.
- Any structure's horizontal dimension that is parallel to and within 100 feet of a low density zone use may not exceed 50 feet if any part of that structure within 100 feet of the low density zone use exceeds 15 feet above average building elevation. If any portion of a structure is adjoining a low density zone, then either:
  - The height of that portion of the structure shall not exceed 15 feet above average building elevation; or
  - The horizontal length of any facade of that portion of the structure which is parallel to the boundary of the low density zone shall not exceed 50 feet in width.
 See the Section in Chapter 115, entitled Distance Between Structures Regarding Maximum Horizontal Facade Regulation for further details.
- The design of the park must serve the needs of the area in which it is located.
- Refer to Chapter 1 to determine what other provisions of this Code may apply to the subject property.

L-PLA10(C) 60.55.k (page 2101)/TS:db

R-PLA10(C) 60.55.k (page 2101)/TS:db

Footnotes

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.

SUMMARY OF ORDINANCE 3126

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, PLANNING, AND LAND USE AND AMENDING ORDINANCE 2740, AS AMENDED, THE KIRKLAND ZONING ORDINANCE (FILE NUMBERS IV-88-42 AND IV-88-53)

Section 1. Amends the following Sections (Text and Use Zone Charts) of Ordinance 2740, as amended, the Kirkland Zoning Ordinance, to amend use regulations for the following planned areas, with respect to:

- a. Height of structures adjoining RSX Zone.
- b. Theater and Hotel/Motel Use.
- c. Regulation of structure's horizontal dimension.
- d. Ancillary manufacturing and assembly activities as part of retail or office use.
- e. School or day care centers/mini schools.
- f. Parking requirements - church use.
- g. Convalescent center/nursing home.
- h. Landscaping and landscape buffer requirements for government facilities.
- i. Master Plans within PLA10B-minimum lot size:

Planned Area 10 A

Section 60.55.a  
Section 60.55.b  
Section 60.55.c  
Section 60.55.d

Planned Area 10 B

Section 60.55.e  
Section 60.55.g  
Section 60.55.h  
Section 60.55.i

Planned Area 10 C

Section 60.55.j  
Section 60.55.k  
Section 60.55.l  
Section 60.55.m

Section 2. Contains a savings clause.

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

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 regular meeting on the 4th day of October 1988.

I certify that the foregoing is a summary of Ordinance 3126 approved by the Kirkland City Council for summary publication.

  
City Clerk