

ORDINANCE NO. 3316

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 NOS. IV-89-146 and IV-90-121) AND ITS SUMMARY 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 Code, Ordinance 2740 as amended, all as set forth in that certain report and recommendation of the Planning Commission dated December 26, 1991, and bearing Kirkland Department of Planning and Community Development File Nos. IV-89-146 and IV-90-121; and

WHEREAS, prior to making said recommendation, the Planning Commission, following notice thereof as required by RCW 35A.63.070, on June 20, July 11, August 1, September 19, October 3, October 24, November 21, December 12, and December 19, 1991, held a public hearing 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 determination of nonsignificance, 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.

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. To the extent the subject matter of this ordinance, pursuant to Ordinance 2001, is subject to the disapproval jurisdiction of the Houghton Community Council, this ordinance shall become effective within the Houghton Community Municipal Corporation only upon approval of the Houghton Community Council or the failure of said Community Council to disapprove this ordinance within 60 days of the date of the passage of this ordinance.

Section 4. Except as provided in 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 approved by the City Council, as required by law.

PASSED by majority vote of the Kirkland City Council in regular, open meeting this 5th day of January, 1993.

SIGNED IN AUTHENTICATION thereof this 5th day of January, 1993.




Mayor

Attest:



Deputy City Clerk

Approved as to Form:



City Attorney

DESIGN REGULATIONS
CENTRAL BUSINESS DISTRICT

ZONING CODE SECTION 50.65
File IV-90-121

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50.65.1. Introduction

- a. General - This Section 50.65 establishes the design regulations that apply to development in the CBD. The remainder of this subsection 50.65.1 provides general information regarding the design regulations and their applicability in specific instances or to certain types of development in the CBD.
- b. Applicability - The provisions of this Section 50.65 apply to all new development within the CBD. The provisions of Chapter 142 and Chapter 162 of this Code regarding A.D.R. and Nonconformance establish which of the regulations of this Section 50.65 apply to developed sites within the CBD. Where provisions of this Section 50.65 conflict with provisions in any other section of the Code, this section prevails.
- c. A.D.R. Procedures - The City will use Chapter 142 of this Code to apply the regulations of this Section 50.65 to development activities that require A.D.R. approval. The City will use the Design Principles in the Comprehensive Plan to interpret how the regulations of this Section 50.65 apply to particular properties. In addition, the City shall determine, on a case-by-case basis as part of the A.D.R., whether particular regulations of this Section 50.65 apply in a particular instance, based on the policy basis for the regulation as stated in the Downtown Plan Chapter of the Comprehensive Plan.
- d. Landscaping - Various places in this Section 50.65 require that landscaping be installed and maintained. The following provisions apply to the installation and maintenance of all landscaping installed under the provisions of this Section 50.65 unless otherwise specifically indicated:
 - 1) At the time of planting, deciduous trees must be 2" in diameter, as measured using the standard of the American Association of Nurserymen, and coniferous trees must be 5' in height at the time of planting.
 - 2) Shrubs must be 18" high at the time of planting.
 - 3) Drought-tolerant plants are encouraged.
 - 4) The City will review plant choice and specific plant location as part of the A.D.R. approval.

50.65.2. Pedestrian-Oriented Elements - This subsection contains regulations which require various pedestrian-oriented elements on or adjacent to the subject property within the CBD.

- a. Installation of Sidewalks - The applicant shall install a sidewalk constructed of concrete or unit pavers, at least 10' in width, along the entire frontage of the subject property adjacent to each *pedestrian-oriented street*. If the existing sidewalk is less than 10', the difference may be made up with a public easement over private property. Buildings may cantilever over such easement areas, flush with the property line.

See Figure 50.65.2.a. and b.

- b. Pedestrian Weather Protection - The applicant shall provide overhead weather protection, consistent with the following standards, along at least 80% of the frontage of the subject property on each *pedestrian-oriented street*:

- 1) The overhead weather protection may be composed of awnings, marquis, canopies or building overhangs;
- 2) It must cover at least 3' of the width of the sidewalk;
- 3) The lowest element of the overhead weather protection must be at least 8' above the ground immediately below it;
- 4) The City will specifically review and approve the color, material and configuration of all overhead weather protection as part of the A.D.R. decision. See also Section 50.65.6.e., Lighting of Awnings.

- c. Access to Buildings - All buildings on property abutting *pedestrian-oriented streets* must have direct access from the sidewalk of the *pedestrian-oriented street* to the main building entrance.

- d. Pedestrian-Oriented Space and Plazas - If the subject property abuts a *pedestrian-oriented street* or public park, the space, if any, between the sidewalk and the building must be developed consistent with the following criteria:

- 1) It must:
 - a) Enhance visual and pedestrian access, including handicapped access, onto the subject property from the sidewalk.
 - b) Contain paved walking surface of either concrete or approved unit pavers.
 - c) Contain on-site or building-mounted lighting which provides adequate illumination.
 - d) Contain two linear feet of seating area or one individual seat per 65 square feet of area between the sidewalk and the building.
 - e) Contain landscaping, such as trees, shrubs, trellises, or potted plants.

- 2) It may not include asphalt or gravel pavement or be adjacent to an unscreened parking area, a chain link fence or a blank wall which does not comply with the requirements of subsection 65.2.f. of this Chapter.

e. Blank Wall Treatment

- 1) Each wall or portion of a wall that is closer than 50' to any exterior property line of the subject property and is visible from any right-of-way must be screened or treated in at least one of the ways listed in subsection 65.2.f.3) of this Chapter if it meets the criteria for a blank wall under subsection 65.2.f.2). of this Chapter.
- 2) A blank wall is any wall or portion of a wall that meets either of the following criteria:
 - a) A wall or portion of a wall with a surface area of at least 400 square feet having both a length and a width of at least 10' without a window, door, building modulation at least 1' in depth or other architectural feature.
 - b) Any wall or portion of a wall between 4' and 13' above ground level with a horizontal dimension longer than 15' without a window, door, building modulation at least 1' in depth or other architectural feature.

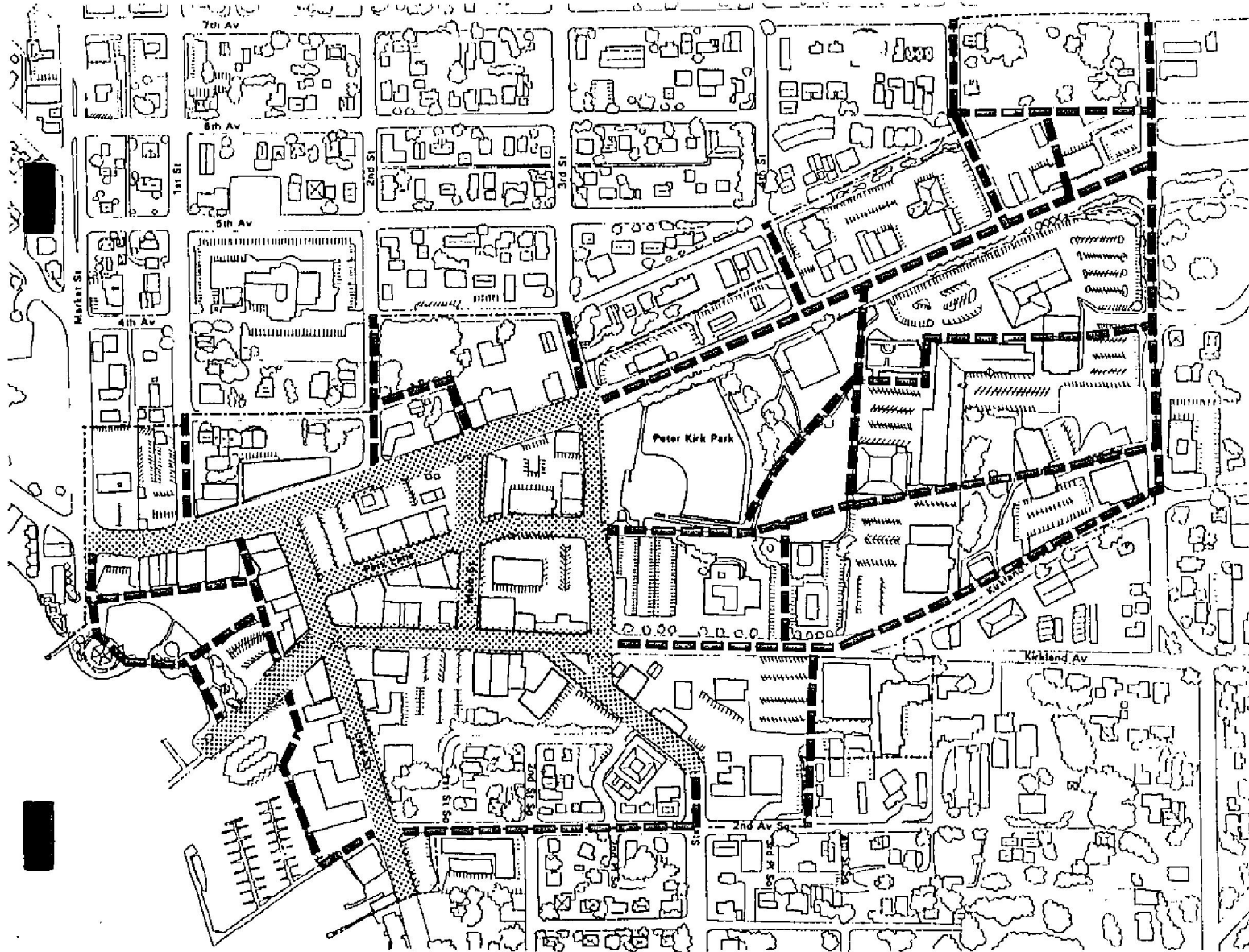
See Figure 50.65.2.c.

- 3) At least one of the following techniques must be used to treat or screen blank walls:
 - a) By the installation of a vertical trellis with climbing vines or plant material in front of the blank wall.
 - b) By providing a landscaped planting bed at least 5' wide or a raised planter bed at least 2' high and 3' wide in front of the blank wall and planted with plant materials that will obscure or screen at least 50% of the blank wall within 2 years.
 - c) By providing artwork, such as mosaics, murals, sculptures or bas-relief on the blank wall.
- 4) The provisions of this subsection 65.2.e. of this Chapter may be modified or eliminated as part of the A.D.R. decision if they conflict with the Uniform Building Code.

f. Treatment of Building Facades - Each facade of a building facing a *pedestrian-oriented street* or public park must contain or be treated with at least one of the following elements:

- 1) It must contain transparent windows or window displays comprising at least 75% of the area of the facade between 2' and 7' above ground level. See Figure 50.65.2.d.


- 2) It must contain sculptural, mosaic or bas-relief artwork comprising at least 75% of the area of the facade between 2' and 7' above ground level. See Figure 50.65.2.d.
 - 3) The area next to the facade must be developed such that for every 10 linear feet of the facade, at least 20 square feet of this area must be developed with landscaping consistent with subsection 65.2.e.3)a) or 65.2.e.3)b) of this Chapter, depending on the location, dimensions, and size of the area.
- g. Screening of Certain Areas - All loading areas, service areas, outdoor storage areas of more than 100 square feet, areas containing waste storage and disposal facilities or containers and similar areas must be:
- 1) Located on the subject property so that they are not visible from any street or public park. If the City determines that this is not physically possible, then these areas must be screened from public view using a compact evergreen hedge, a solid wall or fence, or in a manner approved by the City as part of the A.D.R. decision.
 - 2) Screened from on-site ground floor uses using a compact evergreen hedge, a solid wall or fence, or in a manner approved by the City as part of the A.D.R decision.



Note: The Lakefront Boardwalk (see Downtown Masterplan in Comprehensive Plan), may vary in width from the 8 feet required for major pedestrian pathways.


City of Kirkland Design Guidelines


Pedestrian Circulation

 = Pedestrian-oriented street


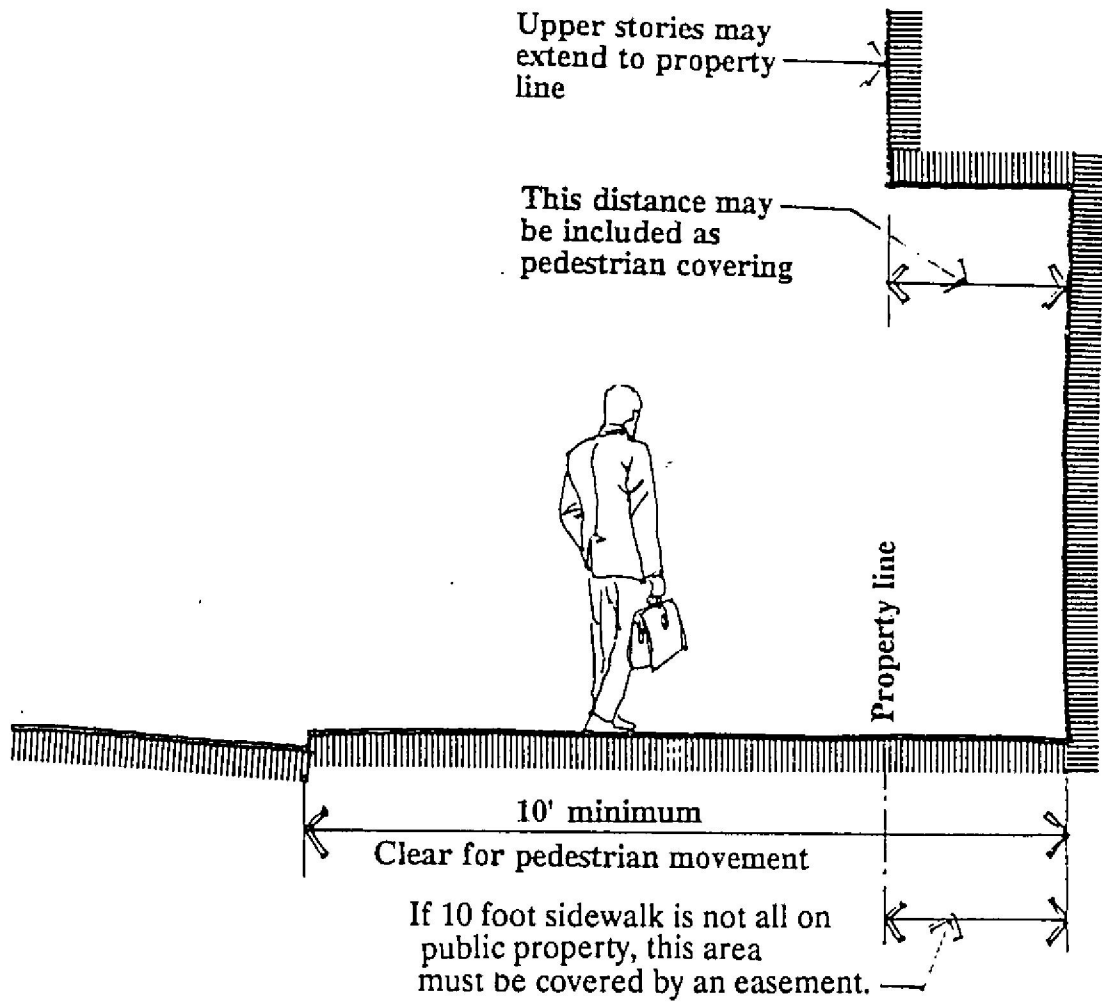
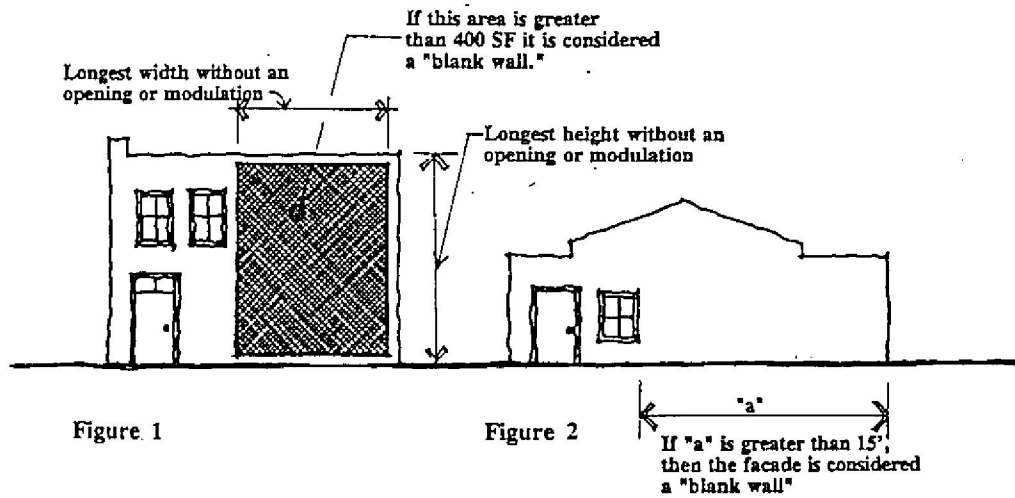
 = Major pedestrian pathways

FIGURE 50.65.2.A



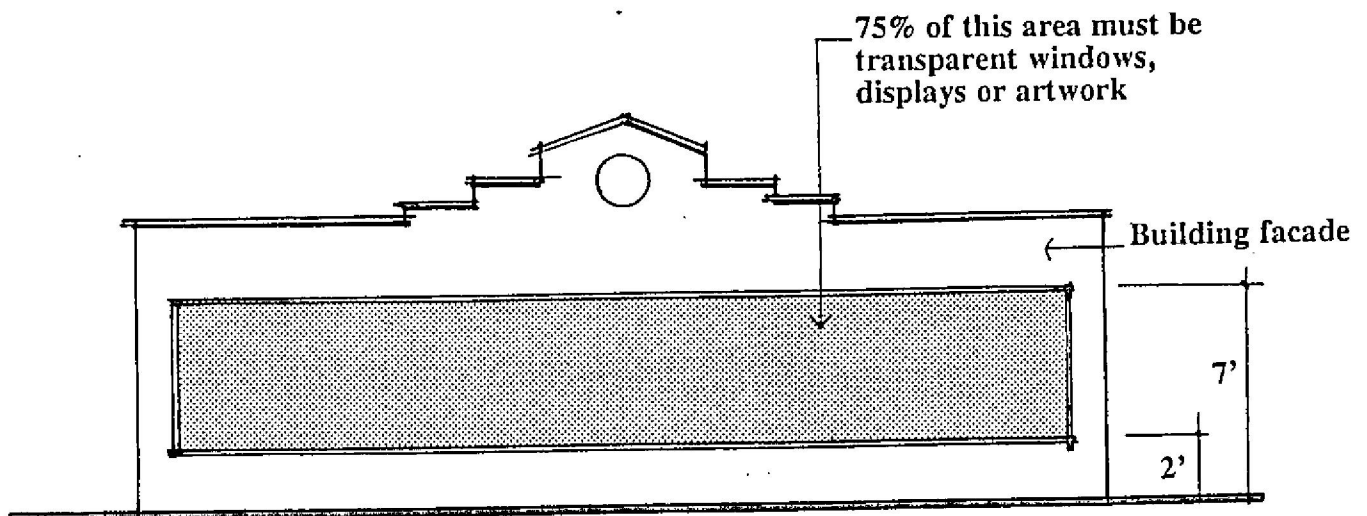
Required Sidewalk on Pedestrian-Oriented Streets

FIGURE 50.65.2.B



Two Methods for Designating a Blank Wall

FIGURE 50.65.2.C



Pedestrian Friendly Building Facade Requirements

FIGURE 50.65.2.D

50.65.3. Public Improvements and Site Features - This subsection establishes the requirements for the installation of various site features and public improvements on and adjacent to the subject property in the CBD.

a. Pedestrian-Oriented Elements Provisions Supersede - If the provisions of subsections 65.3.b. and 65.2 of this Chapter both apply to improvements within and/or adjacent to a street, the provisions of subsection 65.2, and not subsection 65.3.b., must be followed.

b. Required Major Pedestrian Pathways - If the subject property abuts a street designated to contain a major pedestrian pathway on Figure 50.65.2.a, the applicant shall install that pathway on and/or adjacent to the subject property consistent with the following standards:

- 1) The major pedestrian pathways must be installed in the approximate location shown on Figure 50.65.2.a and make the connections shown on that figure.
- 2) The major pedestrian pathways must be paved with concrete or unit pavers and have a minimum width of at least 8', unless otherwise noted in Figure 50.65.2.a. If the existing sidewalk is less than 8', the difference may be made up with a public easement over private property.
- 3) The major pedestrian pathways must have adequate lighting with increased illumination around building entrances and transit stops.
- 4) If parcels are developed in aggregate, then alternative solutions may be proposed.

c. Public Improvement and Site Feature Standards and Masterplan for Public Property

- 1) The City Manager shall administratively adopt and publish public improvement and site feature standards for the placement, installation, construction and maintenance of the following features to be constructed on and adjacent to major pedestrian pathways, streets, alleys and public parks:
 - a) Street trees and street tree grates.
 - b) Landscape plant materials.
 - c) Paving materials.
 - d) Lighting fixtures for streets, pedestrian areas and special areas.
 - e) Public signs.
 - f) Benches and seating areas.
 - g) Trash receptacles.
 - h) Drinking fountains.

- i) Bicycle racks.
- j) Bollards.
- k) Crosswalks.

Until the public improvement and site feature standards are adopted and published, the City shall, as part of the A.D.R. decision, specifically review and approve the placement, installation, construction and maintenance of these features.

- 2) The City shall adopt a masterplan for public spaces downtown. The masterplan shall discuss the placement of the features noted in Section 50.65.3.c.1), present a long range and coordinated plan for public property, and further implement the Downtown Plan Chapter of the Comprehensive Plan.
- 3) Once adopted and published, the City may allow departure from the public improvement and site feature standards or the masterplan as part of the A.D.R. approval where compliance with those standards or masterplan is not feasible or where major development warrants special design emphasis.

d. On-site Improvements

- 1) Mixed use centers, residential projects and office buildings shall provide bicycle racks which are conveniently located for bicyclist use and provide secure storage for bicycles.
- 2) Water spigots shall be provided on all building facades along sidewalks for cleaning and plant watering.

50.65.4. Parking Area Location and Design - This subsection regulates the location and design of, access for and other features of parking areas within the CBD.

a. Location of Parking Lots

- 1) Parking lots shall not be located between the street and the building on the subject property unless no other feasible alternative exists.
- 2) Parking lots within 20' of a *pedestrian-oriented street* or a public park must comply with the following standards:
 - a) If the subject property abuts one *pedestrian-oriented street* or public park, the maximum width of the parking lot within 20' of the *pedestrian-oriented street* or public park may not exceed the lesser of 61' or 75% of the frontage of the subject property. See Figure 50.65.4.a.
 - b) If the subject property abuts two or more *pedestrian-oriented streets* and/or public parks, the following regulations apply:
 - i. The parking lot may be within 20' of only one of the *pedestrian-oriented streets* or public parks as determined as part of the A.D.R. decision. See Figure 50.65.4.b.
 - ii. The maximum width of the parking lot within 20' of the *pedestrian-oriented street* or public park may not exceed the lesser of 61.0' or 75% of the frontage of the subject property adjacent to the *pedestrian-oriented street* or public park.

b. Parking Lot Entrances and Driveways - As part of A.D.R., the City may impose additional restrictions on the width, number and location of driveways to and from the subject property to improve vehicle circulation or public safety or to enhance pedestrian movement or desirable visual characteristics.

c. Pedestrian Access Within Parking Lots

- 1) Any property adjacent to a right-of-way or park must contain a pedestrian walkway from the right-of-way or park to the main entrance of the building, or to a central location if the building has multiple entrances, even if this pathway must cross a parking lot. The pathway should meet the following standards, as applicable, as determined through A.D.R.:
 - a) The walkway must be centrally located within the parking lot.
 - b) It must be delineated by painted markings, distinctive pavement, or by being raised 6" above the parking lot pavement.
 - c) It must be at least 5' wide.

d) The walkway must be handicapped accessible.

See Figure 50.65.4.c.

- 2) All parking lots which contain more than 25,000 square feet of paved area, including access lanes and driveways, must include clearly identified pedestrian routes from the parking stalls to the main building entrance or central location.
- 3) In addition to the walkways required under subsections 65.4.c.1) and 65.4.c.2), the applicant must provide a sidewalk, plaza or platform with an area of at least 175 square feet at the main building entrance or central location. This area must be raised at least 6" above the parking lot surface and must be paved with concrete or unit pavers.
- 4) Convenient pedestrian access must be provided on the subject property to adjacent properties. Impenetrable barriers which will limit future pedestrian access are not permitted.

d. Internal Parking Lot Landscaping - The following provisions apply to each parking lot or portion thereof containing more than 14 parking stalls within 100' of a street or public park. The provisions do not apply to parking lots that are not visible from a street or public park.

- 1) The parking lot must contain 25 square feet of landscape area per parking stall planted as follows:
 - a) At least one tree for every 6 parking stalls.
 - b) At least 1 shrub for every 20 square feet of landscaped area. Up to 50% of the shrubs may be deciduous.
 - c) Ground cover shall be selected and planted to achieve 90% coverage within 2 years.
 - d) The location of the landscaping will be reviewed through A.D.R.
- 2) As part of the A.D.R., the City may require or permit a modification to the provision of subsection 65.4.d.1) of this Chapter to use existing vegetation for internal parking lot landscaping.

See Figure 50.65.4.d.

e. Perimeter Parking Lot Landscaping - Each side of a parking lot which abuts a street or public park must be screened from that street or public park using one or a combination of the following methods:

- 1) By installation of a compact evergreen hedge or wall consistent with the following standards (as applicable):
 - a) The hedge or wall must extend at least 2'6" and not more than 3' above the ground directly below it.

- b) The wall may be constructed of masonry or concrete, if consistent with the provisions of subsection 65.7 of this Chapter, or of wood if the design and materials match the building on the subject property.
 - c) If the street is a pedestrian-oriented street, the wall may also include a continuous trellis or grillwork, at least 5' in height above the ground, placed on top of or in front of the wall and planted with climbing vines consistent with subsection 65.1.d. of this Chapter. The trellis or grillwork may be constructed of masonry, steel, cast iron and/or wood. See Figure 50.65.4.e.
 - d) If the wall abuts a pedestrian-oriented street, the requirements of this paragraph may be fulfilled by providing pedestrian weather protection consistent with subsection 65.2.b. of this Chapter.
- 2) By providing a landscaped strip, consistent with subsection 65.1.d. of this Chapter, at least 5' wide planted as follows:
- a) Trees planted 30' or closer on center.
 - b) At least one shrub for every 20 square feet of landscaped strip.
 - c) Ground cover selected and planted to achieve 90% coverage of the remaining landscaped strip within 2 years.

See Figure 50.65.4.f.

- 3) As part of A.D.R., the City may require or permit a modification to the provision of subsection 65.4.e)2) of this Chapter to use existing vegetation for perimeter parking lot landscaping.

f. Perimeter Parking Lot Landscaping - Adjacent Properties - Each side of the perimeter of a parking lot which contains more than 14 parking stalls, which is within 10' of any adjacent property and which is not regulated under the provisions of subsection 65.4.e. of this Chapter, shall be screened using a combination of the following methods:

- 1) By installing a solid, continuous fence or wall at least 5' in height constructed of wood and/or masonry.
- 2) By installing a compact evergreen hedge designed to reach at least 5' in height.

As part of A.D.R., the City may require or permit a modification to the provision of this subsection 65.4.f. for any side of the parking lot which abuts or is connected to a parking lot on an adjacent property if the parking lots have internal vehicular connections.

g. Parking Garages

- 1) Each facade of a garage or a building containing ground floor parking that is within 10' of a *pedestrian-oriented street* or public park must

be separated from the sidewalk or public park by one or a combination of the following methods:

- a) By providing and maintaining a ground floor area of the garage or building extending along the entire facade of the garage or building (excluding vehicle access points) which is developed as and made available for pedestrian-oriented businesses. See Figure 50.65.4.g.
 - b) By providing and maintaining a pedestrian-oriented space, consistent within the standards of subsection 65.2.d. of this Chapter, at least 10' in depth and extending along the entire facade of the garage or building (excluding vehicle access points).
 - c) By treating the facade consistent with subsection 65.2.f.1), 2) or 3).
- 2) Each side of a garage or building containing ground-floor parking, other than as regulated in subsection 65.4.g.1) of this Chapter, must either:
- a) Be screened with a landscaped strip 10' in depth along the entire facade of the garage or building (excluding vehicle access points), consistent with subsection 65.1.d of this Chapter, and planted as follows:
 - o Trees planted 15' on-center or closer.
 - o At least one shrub for each 20 square feet of landscaped strip.
 - o Ground cover selected and planted to achieve 90% coverage within 2 years.See Figure 50.65.4.h., or
 - b) Be treated consistent with subsection 65.2.f.1), 2) or 3).
- 3) There must be architectural screening or other treatment of openings above the ground level for the facades of parking garages along *pedestrian-oriented streets*.
- 4) All parking garages and parking within a structure must contain--
- a) Designated pedestrian pathways, that do not use vehicle entrance or exit driveways, from the parking area to a public right-of-way; and
 - b) Designated pedestrian pathways from the parking spaces to the pedestrian entrance to the building served by the parking.

h. Miscellaneous Parking Area Design Details

- 1) All parking areas must have adequate lighting. Lights in parking lots must be non-glare and must be mounted no more than 20' above the ground.
- 2) All landscape and pedestrian areas shall be protected from encroachment by parked cars. At a minimum, the parking area must be designed and constructed so that car wheels are kept at least 2' from landscape and pedestrian areas. Freestanding wheel-stop bumpers must be replaced or repaired if cracked or broken. See Figure 50.65.4.i.
- 3) No freestanding or wall-mounted signs for individual parking spaces are permitted to extend more than 3' above the ground. Provisions in the UBC for handicapped stalls supersede this requirement.
- 4) Moveable parking area equipment, such as barrels and sawhorses, may not be visible from a street when not in use. Parking areas and accessory components, areas and facilities must be well maintained and kept in a clean, neat and litter-free manner at all times.

Maximum Width Of Parking Within A Front Yard Of A Property Facing On A Pedestrian Oriented Street

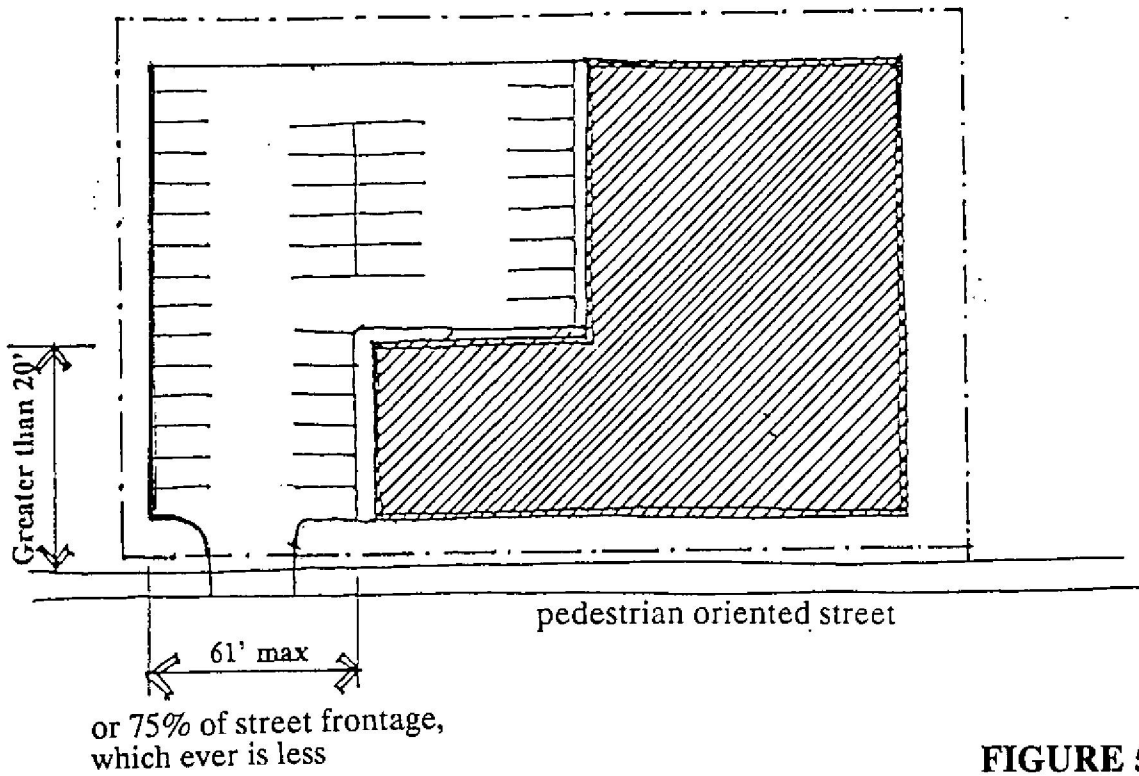


FIGURE 50.65.4.A

Parking Lot Location For A Property Facing Two Pedestrian Oriented Streets

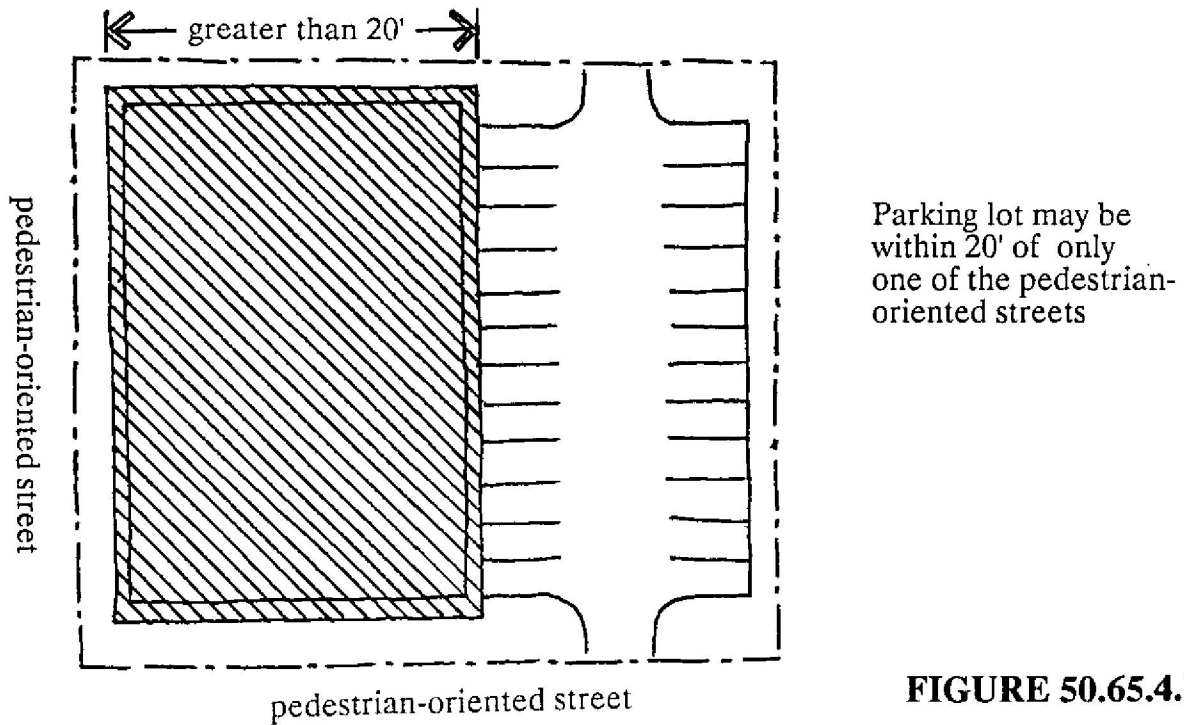
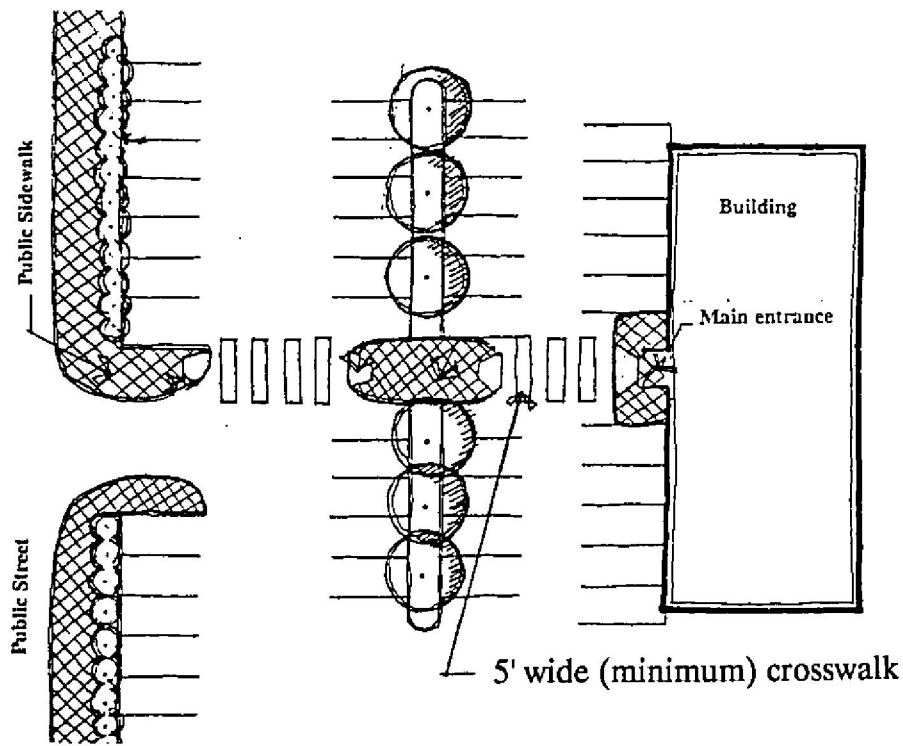
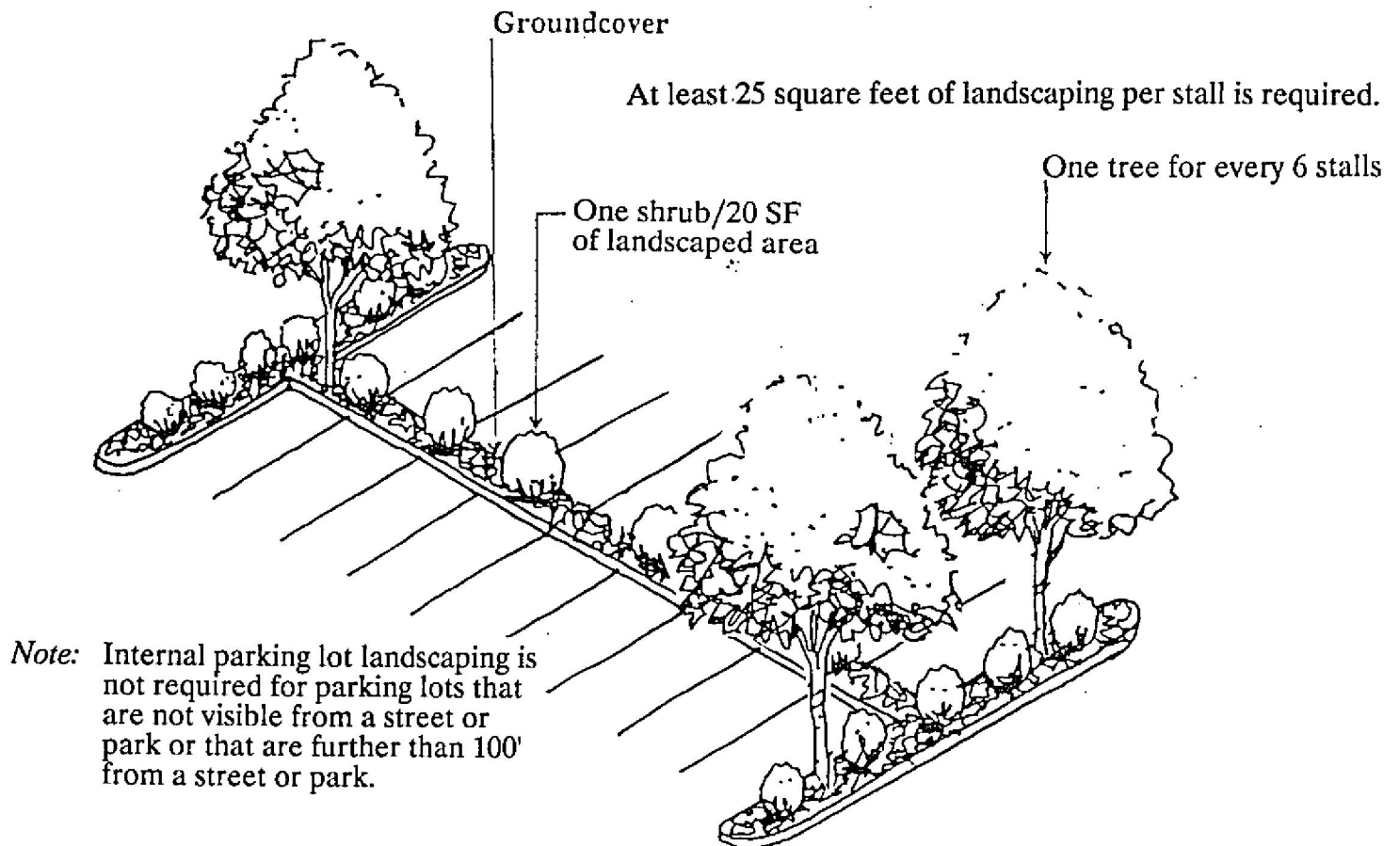


FIGURE 50.65.4.B



**Pedestrian Walkway between
Public Right-of-Way and Building**

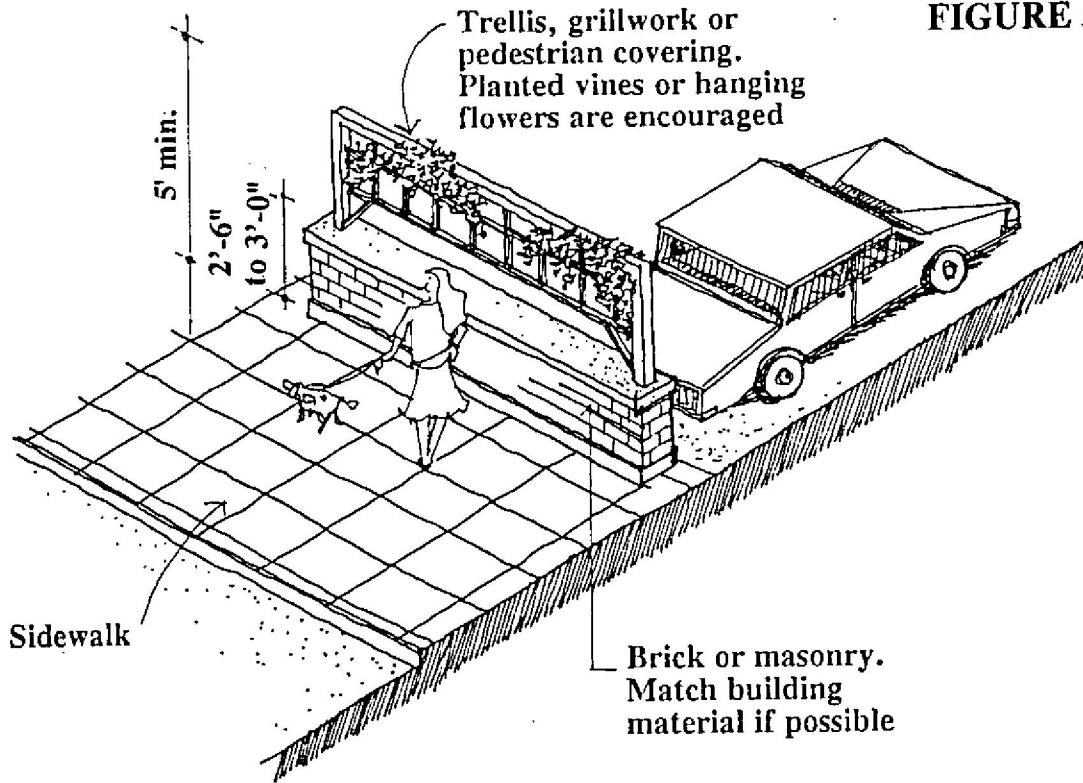
FIGURE 50.65.4.C



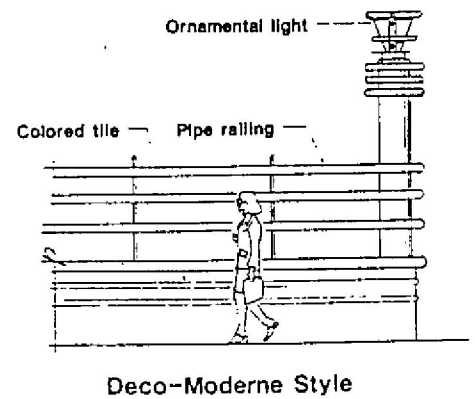
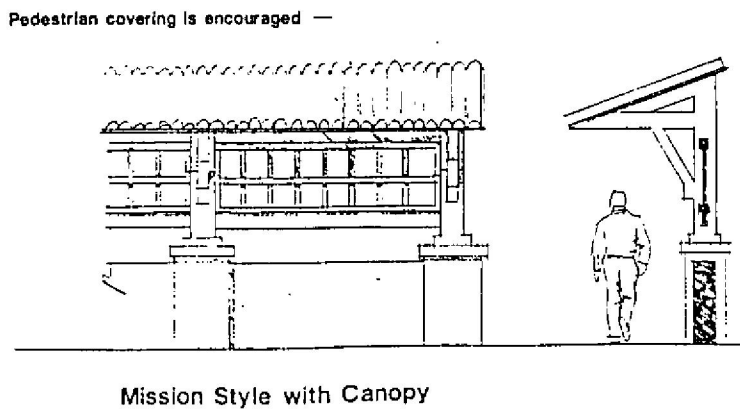
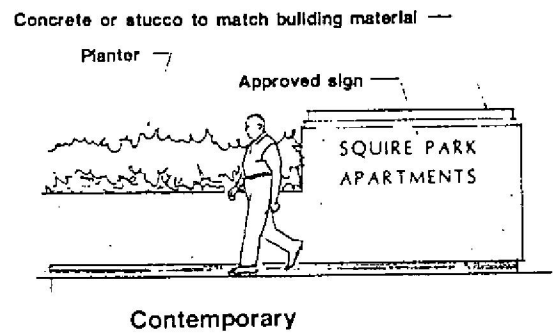
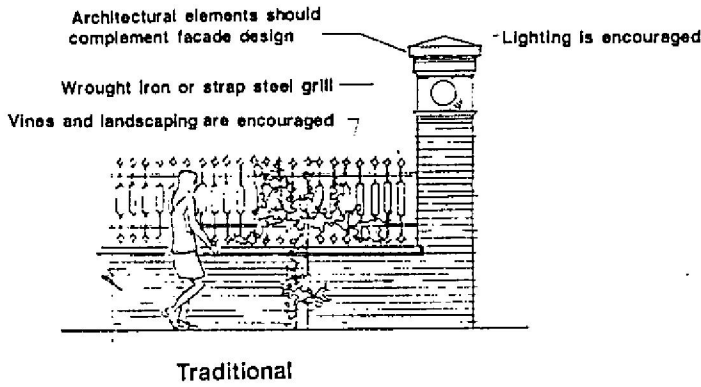
Internal Parking Lot Landscaping

FIGURE 50.65.4.D

FIGURE 50.65.4.E

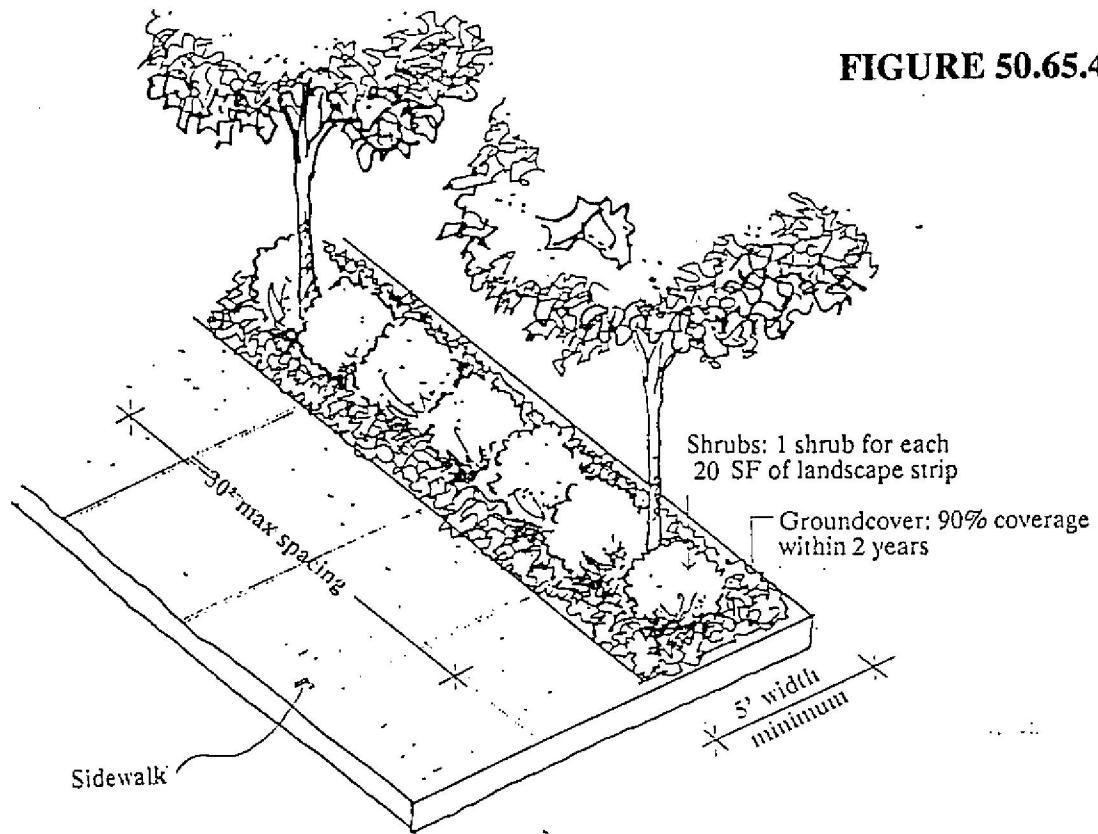


constructed screen wall option for perimeter landscaping



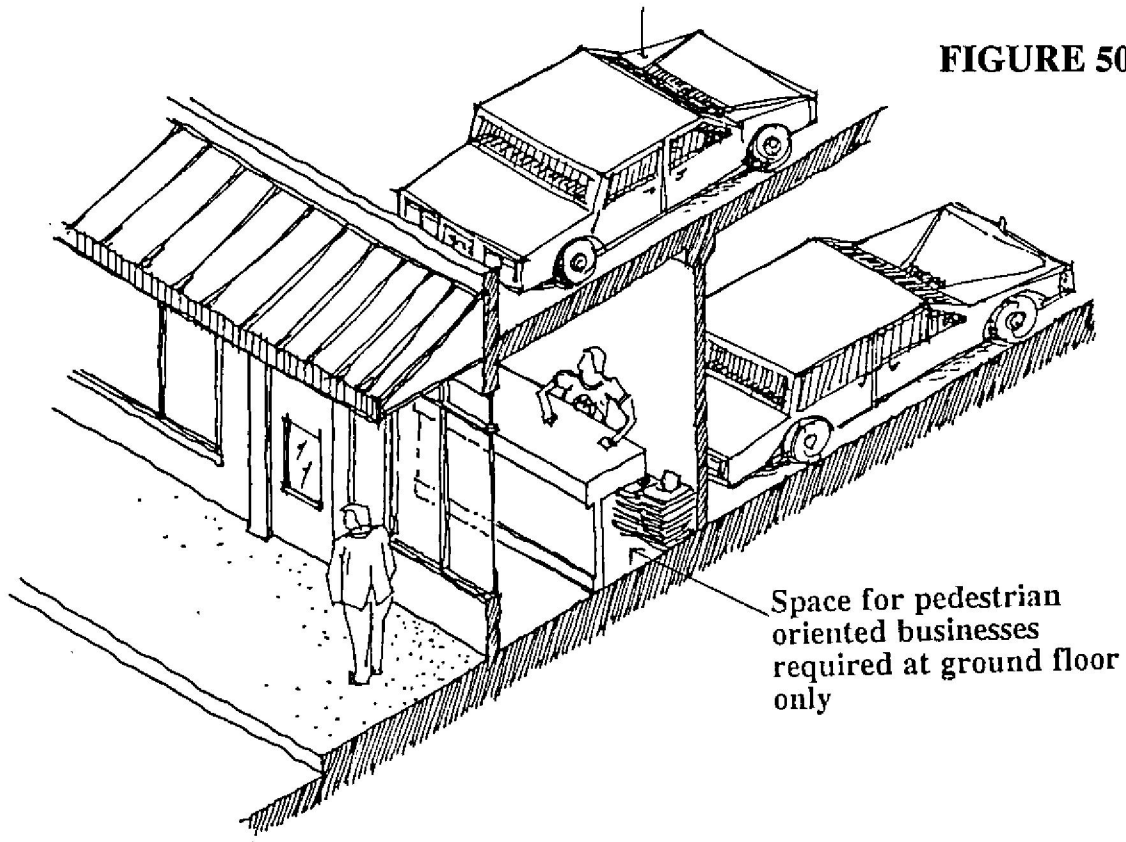
Examples of Various Screen Wall Designs Showing a Range of Options

FIGURE 50.65.4.F

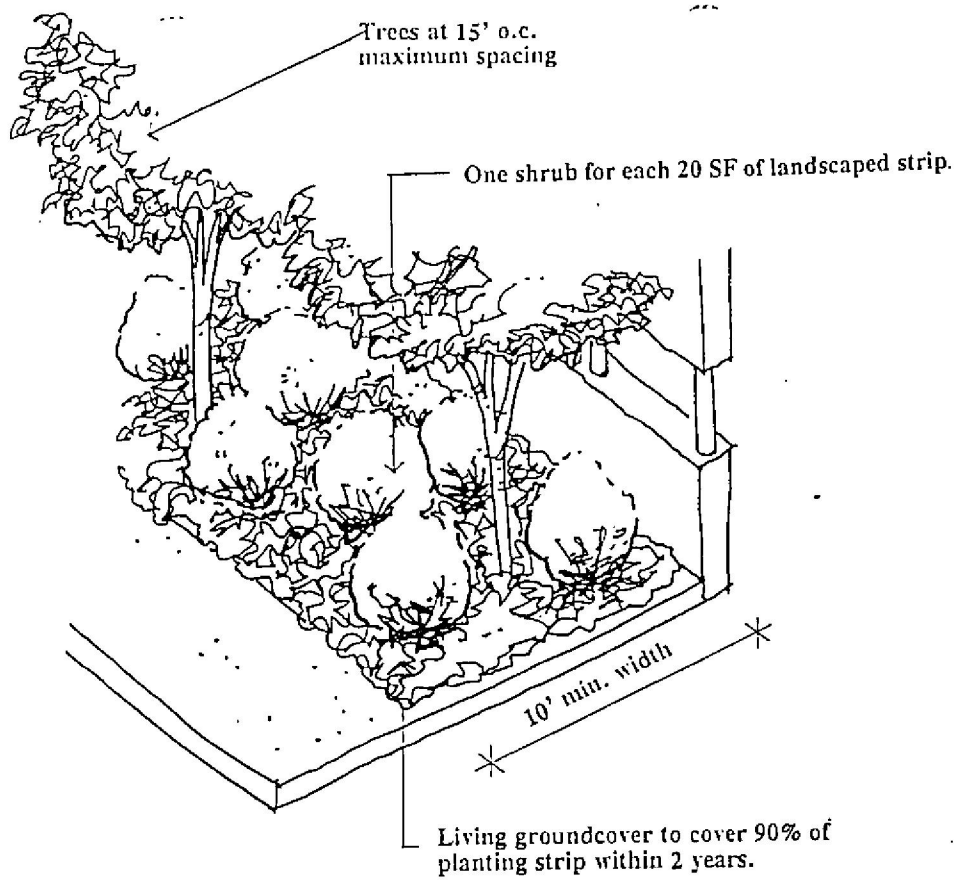


Shrub and Trees Option for Perimeter Parking Lot Landscaping

FIGURE 50.65.4.G



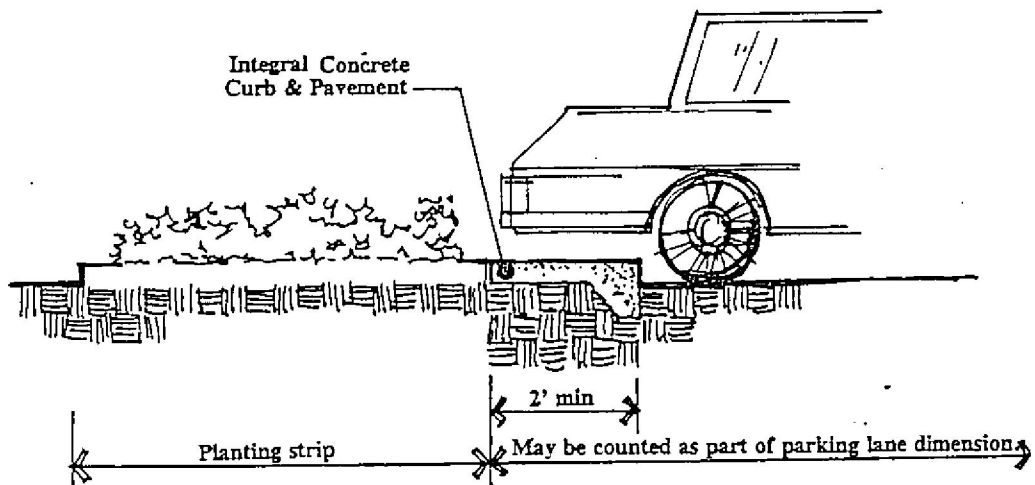
Providing space for pedestrian oriented business along parking garage frontage facing pedestrian oriented street



Note: Space for pedestrian-oriented business or open space, or facade treatment may be substituted for landscaping.

Minimum Landscaping Standards for Parking Garages

FIGURE 50.65.4.H



Note: This method is preferable to freestanding wheel-stop bumpers because it will not catch debris and is more durable.

Extended Curb used to Protect Landscape Strip

FIGURE 50.65.4.I

50.65.5. Scale

a. Achieving Human Scale

1) General

- a) Except as provided in subsection 65.5.a.1)b) of this Chapter, the applicant shall use at least **two** of the elements or techniques listed in subsection 65.5.a.2) of this Chapter in the design and construction of each facade of a building *facing a street or public park*.
- b) The applicant shall use at least **three** of the elements or techniques listed in subsection 65.5.a.2) of this Chapter in the design and construction of any facade of a building *facing a street or public park*, if:
 - i. The facade has a height of 3 or more stories; or
 - ii. The facade is more than 100' long.

2) Techniques to Achieve Human Scale - The techniques to be used in the design and construction of building facades under subsection 65.5.a.1) of this Chapter are listed below. As an alternative, the applicant may propose other techniques, elements or methods which provide human scale to the building and are consistent with the applicable design principles in the Downtown Plan Chapter of the Comprehensive Plan.

- a) On each story above the ground floor, provide at least one balcony or deck, at least 6' wide and 6' deep.
- b) On each story above the ground floor, provide at least one bay window that extends out at least 1', measured horizontally, from each facade of the building.
- c) Provide at least 150 square feet of pedestrian-oriented space that meets the criteria of subsection 65.2.d. of this Chapter in front of each facade.
- d) Provide at least 1/2 of the window area above the ground floor of each facade consistent with all of the following criteria:
 - i. The windows must have glazed areas with dimensions less than 5' by 7'. See Figure 50.65.5.a.
 - ii. The windows must be surrounded by trim, molding and/or sill at least 2" wide. See Figure 50.65.5.a.
 - iii. Individual window units must be separated from adjacent window units by at least 6" of siding or other exterior finish material of the building.
- e) Provide at least 1/2 of the window area above the ground floor of each facade facing a street or public park in panes with

dimensions less than 2' by 3' and with individual panes separated by window mullions. See Figure 50.65.5.b.

- f) Provide a hipped or gable roof which covers at least 1/2 of the building footprint and has a slope equal to or greater than 3' vertical to 12' horizontal.
- g) If the main entrance of the building is on the facade of the building facing a street or public park, provide a covered porch or entry on the subject property at the building's main entrance. Pedestrian weather protection required under subsection 65.2.b. of this Chapter may not be used to meet this requirement unless the required pedestrian weather protection covers an area at least 15' long by 15' wide and is available for outdoor display or outdoor vendors or contains pedestrian-oriented improvements or amenities beyond what is otherwise required.
- h) Provide one or more stories above the ground floor setback at least 6' from the ground floor facade facing the street or public park.

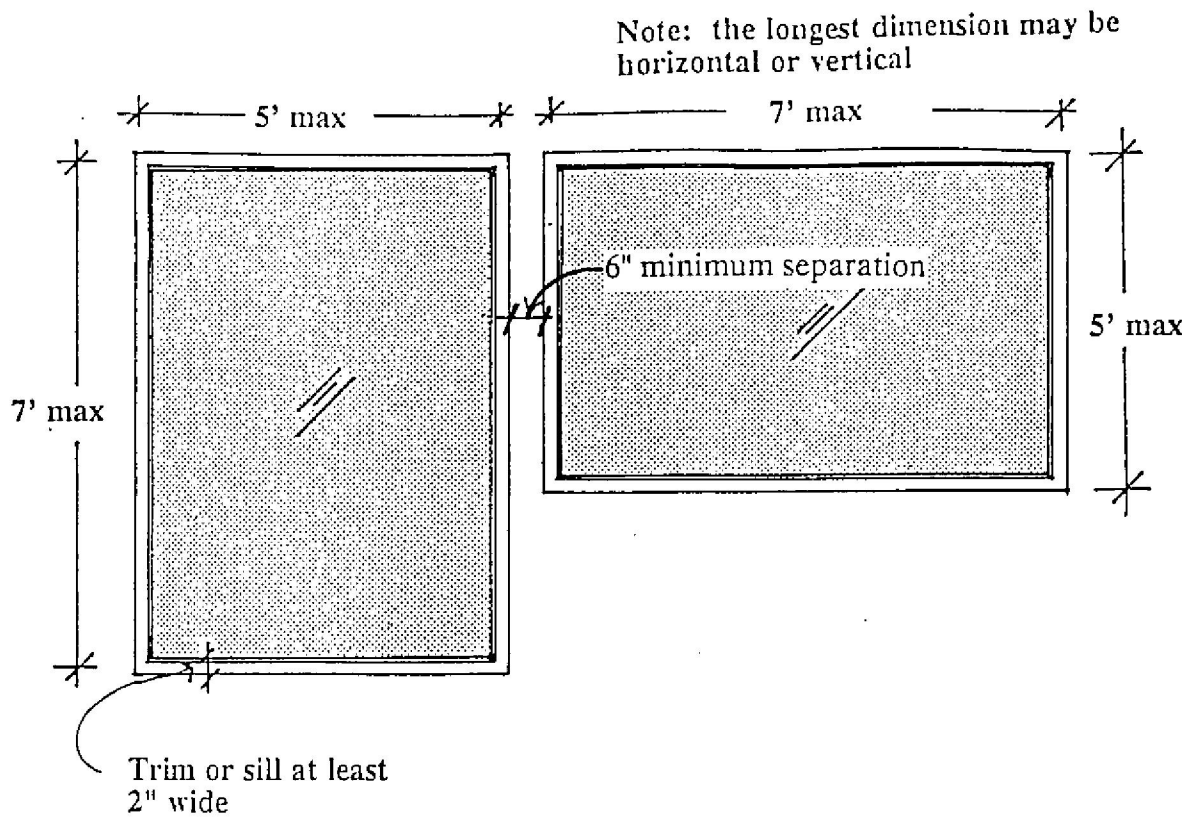
b. Techniques to Achieve Architectural Scale - The applicant shall use at least **two** of the following elements and features in the design and construction of all buildings in the CBD that are 3 or more stories or have a building footprint of more than 10,000 square feet. As an alternative, the applicant may propose slight variations from the required dimensions noted in the following techniques, or other methods to comply with the requirements of this subsection 5.b. The City may approve the proposal if it is consistent with the Downtown Plan Chapter of the Comprehensive Plan.

- 1) All stories above the second story must be set back at least 10' from the ground floor facade along at least 2 facades of the building.
- 2) On all building facades, which are visible from a street or public park, provide horizontal modulation consistent with all of the following standards:
 - a) The **maximum** allowable horizontal dimension of the facade between modulations is 100';
 - b) The **minimum** depth of each modulation, except balconies, is 10'; and
 - c) The **minimum** width of each modulation, except balconies, is 15'.
- 3) On all building facades which are visible from a street or public park, provide balconies which are consistent with the following standards:
 - a) Balconies must be placed on at least every other floor above the ground floor.
 - b) The **maximum** distance between balconies, measured horizontally, is 100';

- c) The **minimum** amount of floor area for each balcony is 100 square feet; and
- 4) Provide vertical modulation of the roof line of all facades of the building adjoining a street or public park. For buildings with flat, gabled, hipped or similar roofs, the maximum length of any continuous roof line, with a slope of less than 3' vertical to 12' horizontal, is 50' without being modulated. If modulation is necessary, at least one of the following methods must be used:
 - a) The height of the visible roof line must change at least 8' if the adjacent roof segments are less than 50' in length.
 - b) The height of the visible roof line must change at least 12' if the adjacent roof segments are greater than 50' in length.
 - c) The length of a sloped or gabled roof line segment must be at least 20'. The minimum slope of the roof segment is 3' vertical to 12' horizontal.

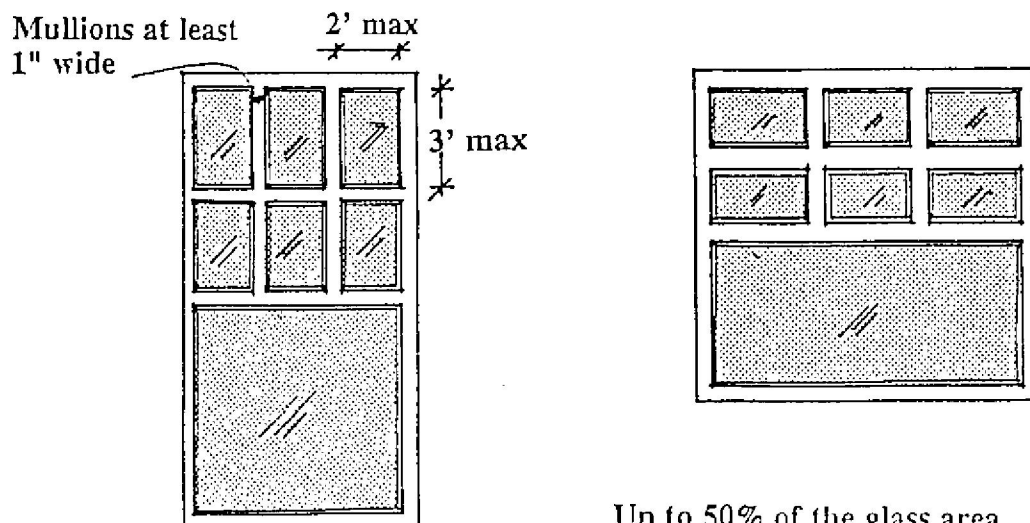
See Figure 50.65.5.c.

- 5) Buildings with other roof forms, such as arched, gabled, vaulted, dormered or sawtooth must have a significant change in slope or significant change in roof line at least every 100'.



Dimensions For the Individual Windows Option to Meet the Human Scale Requirement

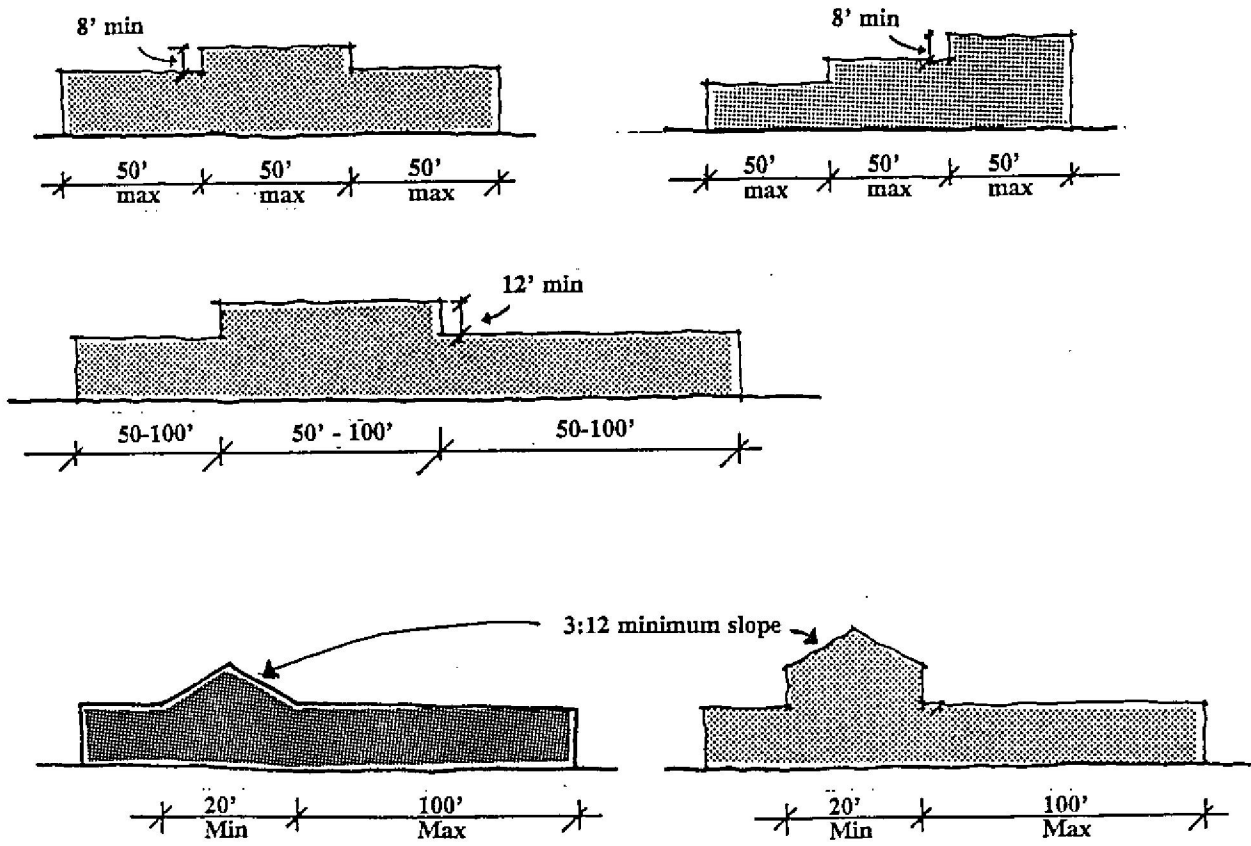
FIGURE 50.65.5.A



Up to 50% of the glass area may be composed of larger panes

Multiple Paned Fenestration Option to Meet the Human Scale Requirement

FIGURE 50.65.5.B



Flat Roof Modulation Options

FIGURE 50.65.5.C

50.65.6. Building Material, Color and Detail

- a. Required Elements - The applicant shall incorporate at least **three** of the following elements on each facade of a building that faces a street or public park. As an alternative, the applicant may propose other mechanisms for providing interesting visual detail to buildings, consistent with the Building Detail Principles in the CBD portion of the Comprehensive Plan.
- 1) Decorative roof lines, including ornamental molding, frieze or other roof line devices visible from the ground. Linear features must be at least 8" wide, measured vertically.
 - 2) Decorative molding or framing details around all ground floor doors and windows. The molding or trim may have a traditional, contemporary, geometric or sculptural design.
 - 3) Decorative glazing on all ground floor doors and windows, including stained glass, crystal cut glass, etched glass or similar individualized and permanent treatment, but excluding single colored glass, opaque glass or plastic. On all ground floor windows, this decorative glazing must have a surface area of at least 30 square feet.
 - 4) Railings, grill work, landscape guards or other similar elements which include materials, design, configuration, embellishment or workmanship that exceeds the normal functional requirements for the element.
 - 5) Trellises or arbors having an area of at least 100 square feet and planted, consistent with the requirements of subsection 65.1.d. of this Chapter, to achieve at least 30% coverage of the trellis or arbor with plant material within three years.
 - 6) Decorative light fixture or fixtures, either one if one-of-a-kind or custom built or one every 30' along the facade of the building if not one-of-a-kind or custom built, that meet either of the following criteria:
 - a) Includes a diffuse, visible light source, such as a globe.
 - b) Contains a shade or mounting that includes some use of material, configuration, shape, embellishment or detail that exceeds the normal functional requirement for the shade or mounting.
 - 7) Use of any of the following decorative materials:
 - a) Any of the following decorative masonry elements:
 - i. Decorative masonry patterns, other than running bond pattern.
 - ii. Bricks, tile, stone, cast stone or other masonry units of at least two colors installed in layers or tiers to form a geometric pattern.

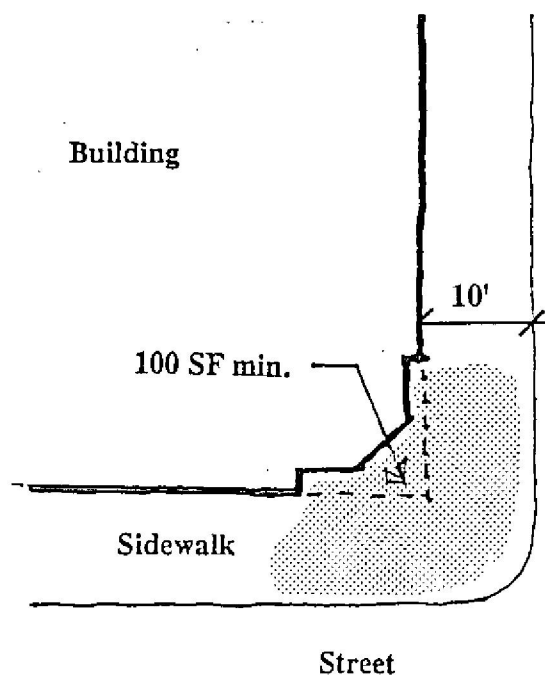
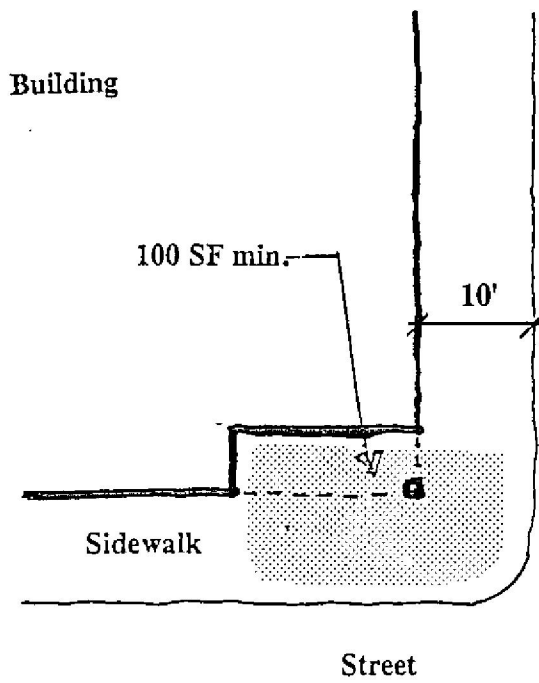
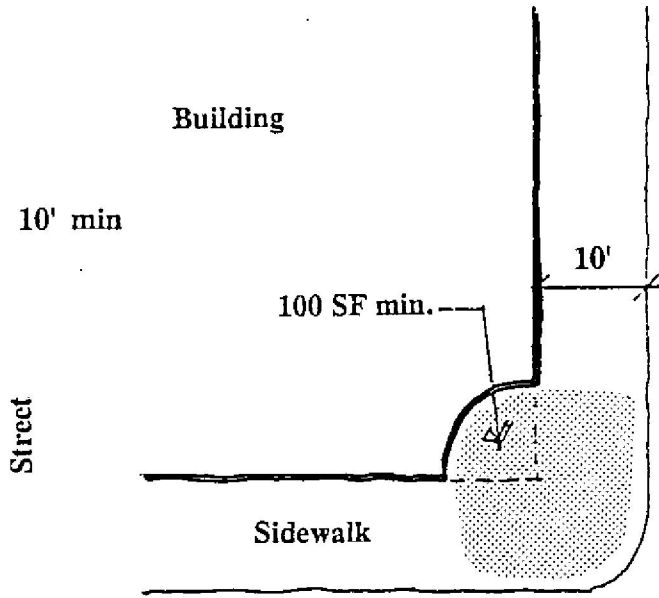
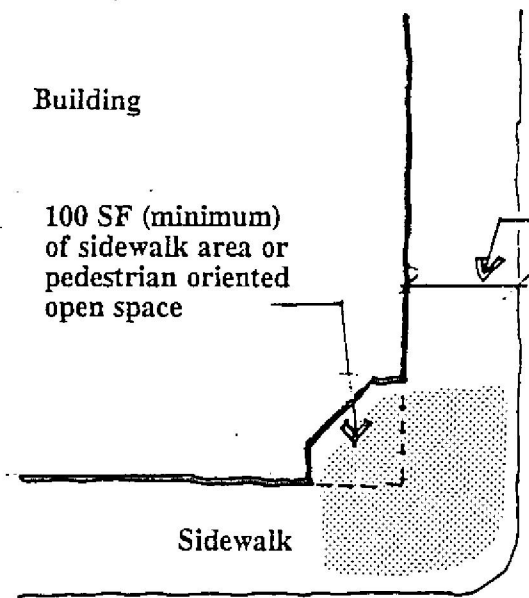
- iii. Decorative bands of masonry, such as a soldier course of brick or multi-colored ceramic tile band, in conjunction with another exterior surface material.
 - b) Individualized wood patterns or continuous wood details, such as fancy butt shingles in a geometric pattern, decorative moldings, brackets, eave trim or lattice work.
 - c) Ceramic tile, stone, glass blocks, camera glass or other similar materials incorporated into other compatible surface materials and used to form or create, or in conjunction with, a geometric pattern, distinctive shape, unusual surface treatment, special lighting or other decorative or textural element.
 - d) Other materials with decorative or textural qualities, as demonstrated by architectural drawings and material samples, approved by the City as part of A.D.R.
- 8) Decorative unit paving, including at least 50 square feet of multi-colored tile, paver blocks, brick or other paving material in a decorative pattern, installed in a pedestrian-circulation area adjacent to the facade.
- 9) Artwork in the form of a mosaic mural, bas-relief sculpture, light sculpture, water sculpture, fountain, free-standing sculpture, art in pavement, murals, graphics or other forms, either free standing in front of the facade or attached to the facade.
- b. Prohibited Materials - The following materials may not be used on any exterior surface which is visible from any area beyond the subject property:
- 1) Mirrored glass.
 - 2) Corrugated fiberglass.
 - 3) Chain link fencing, except for temporary purposes, such as during construction.
- c. Metal Siding - Corner and edge trim must be used to cover exposed edges of metal siding. If metal siding covers more than 25% of a building's facade, the following regulations apply:
- 1) The siding must have a matted finish.
 - 2) The siding must be in a neutral, earth tone or dulled color such as buff, grey, beige, tan, creme, white, barn-red, blue-grey, burgundy or ocher.
 - 3) The facade must have visible window and door trim painted or finished in a color which is complementary to the siding color.
- d. Concrete Block - Any concrete block, masonry unit or cinder block wall which is visible from a street or public park must contain one or more of the following features or elements:

- 1) Use of textured blocks with surfaces such as split faced or grooved.
 - 2) Use of colored mortar complementary to the color of the blocks.
 - 3) Use of other surface material such as bricks, glass blocks or tile as a significant feature of the wall.
- e. Lighting of Awnings - Translucent awnings shall not be back-lit. Lights directed downward mounted from internal awning frames are permitted. Lights mounted above awnings and directed downward are permitted.
- f. Certain Signs Prohibited - Signs with an internal light source and a sign face constructed of plastic or similar material are prohibited.
- g. Covering of Existing Facades - Existing brick or cast stone masonry facades may not be covered with metal siding, metal screening, plastic siding, fiberglass siding, plywood siding, or wood siding materials. Other existing facades may be covered if consistent with the provisions of this Subsection 50.65.6. As part of A.D.R.-for remodels, the City may require the removal of coverings.
- h. Building Cornerstone or Plaque - All commercial buildings designed for use by more than one tenant must have a building cornerstone or plaque, placed in a prominent location, consistent with the following standards:
- 1) Building cornerstones must be constructed in carved stone, cast stone, carved masonry, terra cotta or other vandal-resistant material.
 - 2) Building plaques must be mounted no lower than 2' and no higher than 10' above ground and must be made of bronze, brass, anodized aluminum, porcelain enamel covered steel or aluminum or other corrosion resistant material.
 - 3) Building cornerstones and plaques must indicate the name of the building and, if known, the date of construction and architect.
 - 4) Building cornerstones and plaques may include the owner's name and other historical information.
- i. Building Corners - If the subject property is adjacent to the intersection of two streets, at least one of which is a *pedestrian-oriented* street, the applicant shall use **one or more** of the following elements or treatments in the design and construction of the corner of the building facing the intersection of the streets which includes the *pedestrian-oriented* street. As an alternative, the applicant may propose other techniques, elements or treatments in the design of the corner which are consistent with the applicable design principles in the Downtown Plan chapter of the Comprehensive Plan.
- 1) Provide at least 100 square feet of sidewalk area or pedestrian-oriented open space, in addition to the area required to produce a 10' wide sidewalk as required under subsection 65.2.a of this Chapter. See Figure 50.65.6.a.

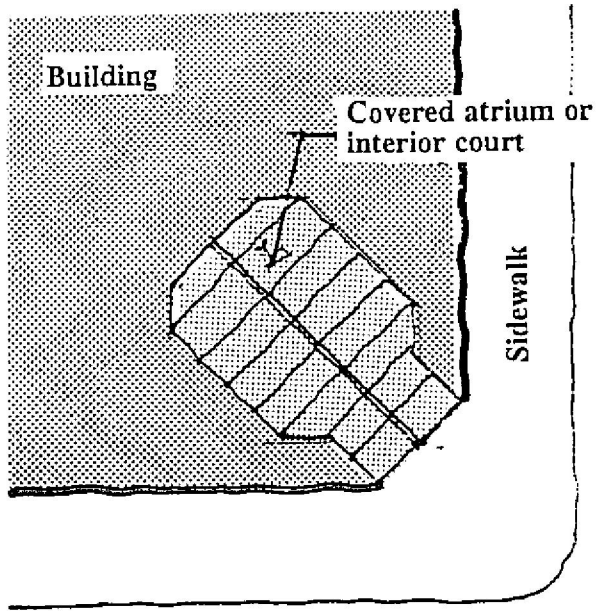
- 2) Provide an entrance way to a store, building atrium or lobby, exterior courtyard or pedestrian-oriented open space. See Figure 50.65.6.b.
- 3) Provide a pedestrian pathway, at least 8' in width, that connects to another street, public feature or building. See Figure 50.65.6.b.
- 4) Provide one or more of the elements listed below on both sides of an axis running diagonally through the corner of the building and bisecting the angle formed by the two building facades:
 - a) A bay window or turret.
 - b) A roof deck.
 - c) Balconies above the ground floor.
 - d) A building corner setback notch or curved facade surface.
 - e) Sculpture or artwork, either bas-relief or figurative.
 - f) Distinctive use of facade materials.See Figure 50.65.6.c.
- 5) Provide special or unique treatment, other than the use of fabric or vinyl awnings, for pedestrian weather protection at the corner of the building.

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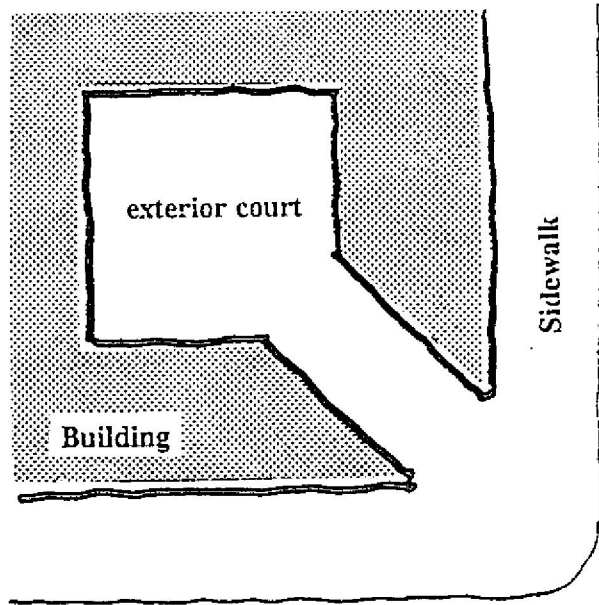
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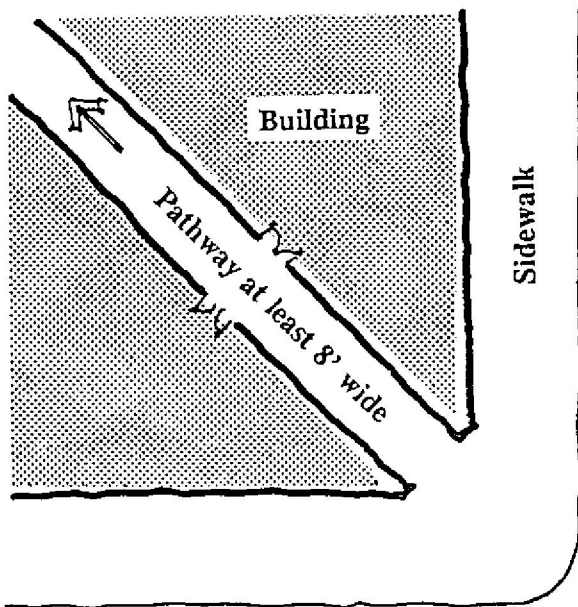
Options for corner seatback configurations **FIGURE 50.65.6.A**



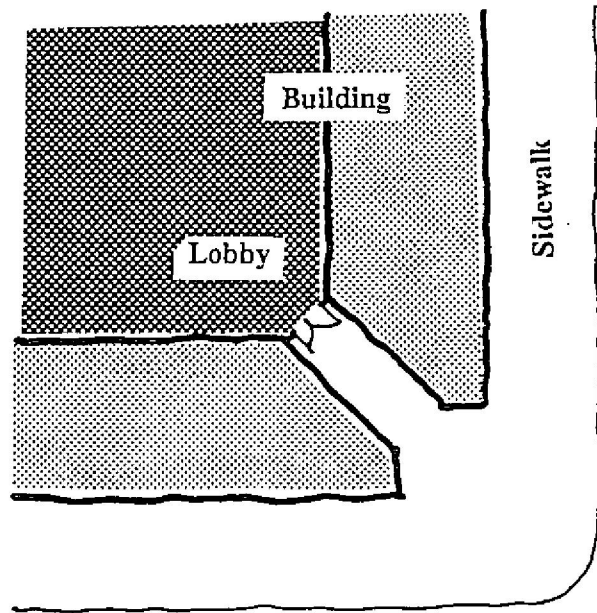
Street



Street



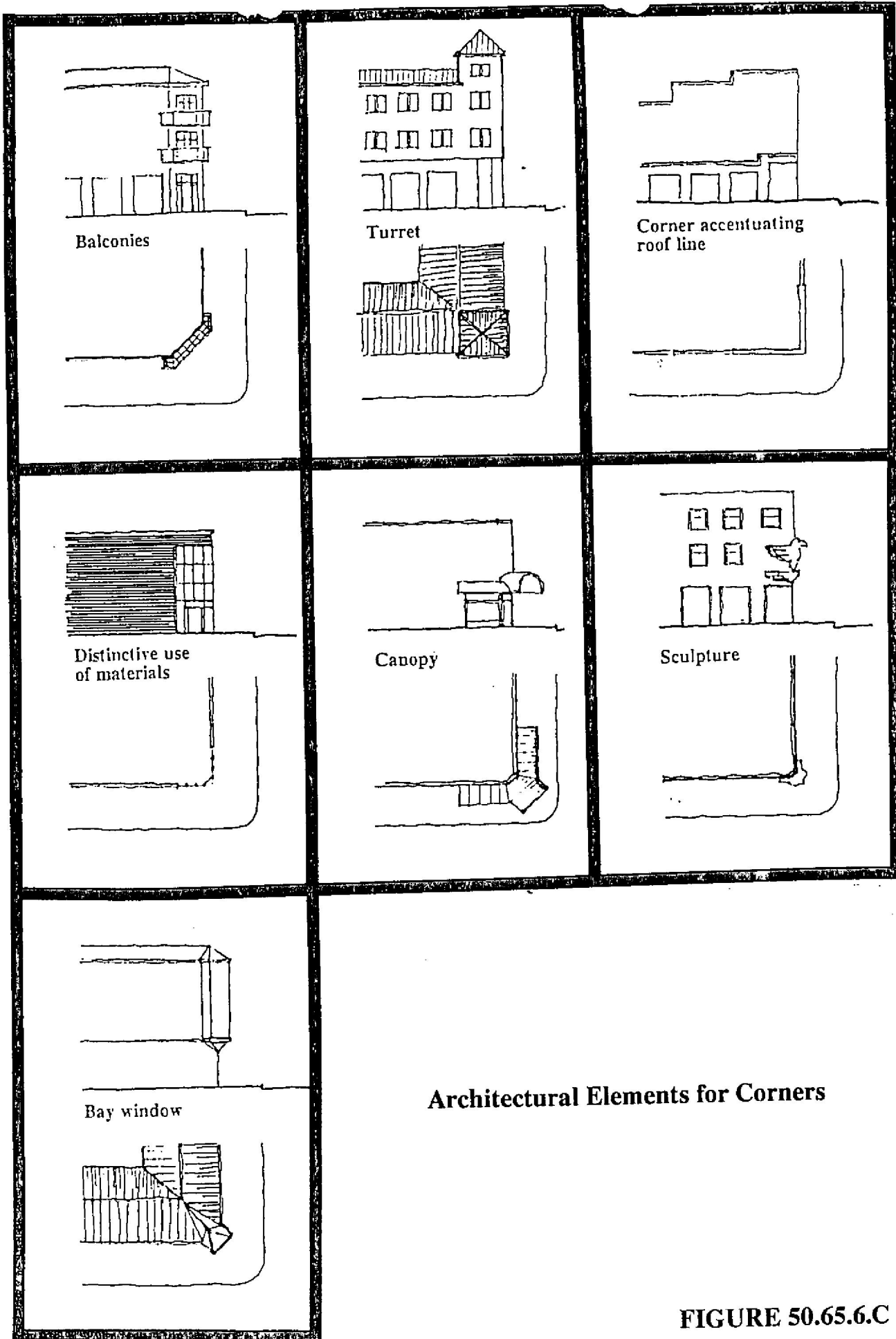
Street



Street

Options for corner entry elements

FIGURE 50.65.6.B



Architectural Elements for Corners

FIGURE 50.65.6.C

CHAPTER 5 - DEFINITIONS

5.10 Definitions

115. Changing Message Center - An electronically controlled public service time and temperature sign, ~~message center, or reader board~~ where ~~different copy changes of a public service or commercial nature are shown~~ on the same lamp bank.
297. Existing Grade - The elevation of the topography, prior to any land surface modification, at each point on the subject property, or if specified, at the specified point or along a specified wall or facade of a structure or building.
305. Fast Food Restaurant - An establishment which offers quick food service which is accomplished through a limited menu of easily produced items. Orders are not taken at the customer's table, and food is served in disposable wrappings or containers, and the seating and associated circulation areas exceed ten percent of the gross floor area of the use.
538. Modulation - The recessing back or projecting forward of a portion of a building face or roof within specified intervals of building width and depth, as a means of breaking up the apparent bulk of the building's continuous exterior walls.
633. Parking Lot - An outdoor parking area, excluding outdoor storage or display areas of vehicles or boats for sale or lease.
647. Pedestrian-Oriented Street - Every street within or abutting the CBD-1 zone or CBD-2 zone, except First Avenue So. and First Street So.
770. Replacement Cost - The current cost to construct or reconstruct a structure or part of the structure in a manner similar to its previous condition based on the Building Valuation Data published by the International Conference of Building Officials.
790. Restaurant or Tavern - Commercial use (excluding fast food restaurants) which sells prepared food or beverages and generally offers accommodations for consuming the food or beverage on the premises, and where the seating and associated circulation areas exceed ten percent of the gross floor area of the use.
795. Retail Establishment - A commercial enterprise which provides goods and/or services directly to the consumer, whose goods are available for immediate purchase and removal from the premises by the purchaser and/or whose services are traditionally not permitted within an office use. The sale and consumption of food are included if: a) the seating and associated circulation area does not exceed more than ten percent of the gross floor area of the use, and b) it can be demonstrated to the City that the floor plan is designed to preclude the seating area from being expanded.

902. Street Level Floor - The floor of a building which is closest in elevation to the elevation of the centerline of each abutting right-of-way measured at the mid-point of the frontage of the subject property on each abutting right-of-way.

CHAPTER 105 - PARKING AND PARKING AREAS, VEHICLE AND PEDESTRIAN ACCESS, AND RELATED IMPROVEMENTS

105.17 Site Plan Review - Before commencing any development activity on a new parking area or any alteration or improvement to an existing parking area (except routine maintenance), the applicant must submit a site plan for approval by the planning department. Parking areas must comply with the Zoning Code. The site plan must be drawn to scale and show the following items:

1. All buildings on the subject property.
2. All parking and driving areas on the subject property.
3. All landscaping and buffering on the subject property.
4. The nature of the use of all adjoining properties.
5. All adjoining rights-of-way.

CHAPTER 110 - REQUIRED PUBLIC IMPROVEMENTS

110.60 Additional Requirements

5. Landscape Strip - The applicant shall plant all landscape strips with vegetation approved by the City. Root deflectors shall be provided for all street trees, and tree grates shall be provided around trees in sidewalks. The owner of the subject property shall maintain the vegetation in the strip. The owner of the subject property shall sign a maintenance agreement, in a form acceptable to the City Attorney, to run with the subject property. The applicant shall record this agreement in the King County Bureau of Elections and Records. It is a violation of this Code to pave or cover the landscape strip with an impervious material or to park motor vehicles on this strip.
11. CBD - Sidewalk and Vegetation Maintenance - The sidewalk in front of the subject property in the CBD shall be kept clean and litter free, and any vegetation there shall be maintained. The owner of the subject property shall sign a maintenance agreement, in a form acceptable to the City Attorney, to be recorded with King County.
- 11.2. Other Necessary Improvements - The applicant shall install any other improvements that are necessary for the installation or proper maintenance of the improvements required by this Code.

CHAPTER 115 - MISCELLANEOUS USE DEVELOPMENT AND PERFORMANCE STANDARDS

115.60 Height Regulations, Exceptions To

2.d CBD Zones - In the CBD zones, if the structure has a peaked roof, the peak may extend 5' above the height limit. The slope of the roof must be equal to or greater than 3' vertical to 12' horizontal.

115.105 Outdoor Use Activity and Storage

2.d.2)5) Outdoor display of vehicles for ~~or~~ sale or lease provided that they meet all of the standards of Section 105.80.1.a. and b. of this Code. Section 105.80.2.a. is not applicable, therefore, the requirements of 105.80.1.a. and b. must be met in the CBD for outdoor display of vehicles for sale or lease.

CHAPTER 162 - NON-CONFORMANCE

162.35 Certain Non-Conformances Specifically Regulated

1. General - Paragraphs 2 through 8 The provisions of this Section specify when and under what circumstances certain non-conformances must be corrected. If a non-conformance must be corrected under this section, the applicant must submit all information necessary for the City to review the correction as part of the application for any development permit. In addition, the City will not issue a certificate of zoning compliance or permit occupancy until the correction is made.

8. CBD Design Regulations

a. The provisions of this subsection (162.35.8) regulate under what circumstances non-conformance with the CBD Design Regulations of Section 50.65 of this Code must be corrected. Compliance with CBD Design Regulations is only required when A.D.R. is required pursuant to Chapter 142 of this Code. However, the City encourages voluntary compliance with the Design Regulations even for projects which do not require A.D.R. approval.

b. If the applicant proposes to modify a building or site (or portion thereof) that does not conform to the design regulations, then the non-conforming element(s) on or within the building or site (or portion thereof) must be brought into conformance to the greatest extent feasible, as determined by the City, depending on the scope of the project.

If the design regulation that the portion of the building or site does not comply with contains alternatives for compliance, not all of which involve the portion of the building or site that will be modified, then the remodel must be brought into conformance to the greatest extent feasible, as determined by the City, depending on the scope of the project.

82. Any Other Non-conformances

If any nonconformance exists on the subject property other than as specifically listed in the prior paragraphs of this section, these must be brought into conformance if-

- a. The applicant is making any alteration or change or doing any other work in a consecutive 12-month period to an improvement that is nonconforming or houses, supports, or is supported by the nonconformance, and the cost of the alteration, change or work exceeds 50% of the replacement cost of that improvement; or
- b. The use on the subject property is changed and this Code establishes more stringent or different standards or requirements for the nonconforming aspect of this new use than this Code establishes for the former use.

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CHAPTER 142 - ADMINISTRATIVE DESIGN REVIEW

142.05	User Guide
142.10	Proposal Requiring Approval Through Process I, IIA, IIB, or III
142.15	Development Activities Requiring A.D.R. Approval
142.20	Timing
142.25	Pre-Design Conference
142.30	Application
142.35	Decision
142.40	Request for Reconsideration and Appeal
142.45	Design Departure
142.50	Modifications
142.55	Lapse of Approval
142.60	Bonds

142.05 User Guide

Various places in this Code indicate that certain developments, activities or uses are permitted only if they are approved through Administrative Design Review or A.D.R. This chapter describes A.D.R.

142.10 Proposal Requiring Approval Through Process I, IIA, IIB, or III

For proposals that require approval through both A.D.R. and Process I, IIA, IIB, or III, the Planning Official may determine that the A.D.R. decision be reviewed concurrently with the Process I, IIA, IIB, or III decision if this will result in more efficient decision making.

However, modifications to existing permits which required approval through Process I, IIA, IIB, or III under an earlier code, may be processed through A.D.R. if A.D.R. would be the required process under this code.

142.15 Development Activities Requiring A.D.R. Approval

1. All development activities subject to Sections 50.65.6.b, e, and f need not be reviewed through A.D.R., but shall comply with these sections.
2. The following development activities are subject to A.D.R. unless subsection 142.15.3 applies:
 - a. The development of an undeveloped site.
 - b. The addition of new floor area to an existing building.
 - c. A change to the exterior appearance of over 25% of a facade visible from a street or park.
3. The following activities are not subject to A.D.R.:
 - a. Any activity which does not require a Building Permit.
 - b. Any activity on the exterior of a building of which the total cost or fair market value, whichever is higher, does not exceed \$10,000.

- c. Interior work which does not alter the exterior of the structure.
 - d. Normal building maintenance including the repair or maintenance of structural members.
4. See also Section 162.35, Certain Non-Conformances Specifically Regulated, for additional information regarding the application of design regulations to existing development and remodels. The City encourages voluntary compliance with the Design Regulations even for projects which do not require A.D.R. approval according to the terms of this subsection.

142.20 Timing

The applicant must comply with the provisions of this chapter before submitting an application for a permit under the Uniform Building Code for any development activity that requires A.D.R. approval. The City will not accept any building permit application for a development activity requiring A.D.R. approval before that development activity has been granted A.D.R. approval.

142.25 Pre-Design Conference

Before applying for A.D.R. approval, the applicant shall schedule and attend an A.D.R. pre-design meeting with the Planning Official. The purpose of this meeting is to provide an opportunity for an applicant to discuss the project concept with the Planning Official and--

1. To discuss how the design regulations, design guidelines and other applicable provisions of this Code and Comprehensive Plan affect or pertain to the proposed development;
2. For the Planning Official to designate which design regulations apply to the proposed development based primarily on the location and nature of the proposed development; and
3. For the Planning Official to determine what models, drawings, perspectives, 3-D CADD model, or other application materials the applicant will need to submit with the A.D.R. application.

142.30 Application

Following the pre-application conference, the applicant shall submit the A.D.R. application on the form provided by the Planning Department. The application shall include all documents and exhibits listed on the application as well as all application materials required as a result of the pre-application conference.

142.35 Decision

After reviewing the A.D.R. application and other application materials, the Planning Official may grant, deny or conditionally approve subject to modifications the A.D.R. approval for the proposed development. No development permit for the subject property requiring A.D.R. approval will be issued until the proposed development is granted A.D.R. approval or conditional approval. The terms of A.D.R. approval or conditional approval will become a condition of approval on each subsequent development permit and no subsequent development will be issued unless it is

consistent with the A.D.R. approval or conditional approval. The Planning Official shall send written notice of the A.D.R. decision to the applicant. If the A.D.R. is denied, the decision shall specify the reasons for denial.

142.40 Requests for Reconsideration and Appeals

The reconsideration and appeal provisions of Process I, Chapter 142 of this Code, apply to requests for reconsideration and appeals of A.D.R. decisions, except that--

1. The applicant and any interested person may request reconsideration of or appeal the A.D.R. decision; and
2. Only the City, the applicant and the person requesting reconsideration or appealing may participate in the request for reconsideration or appeal, as applicable.

142.45 Design Departure

1. General - This section provides a mechanism for obtaining approval from the City for departing from strict adherence to the design regulations.
2. Process - If a design departure is requested, the A.D.R. decision, including the design departure, will be reviewed and decided upon using Process I, Chapter 145 of this Code. However, when a design regulation permits the applicant to propose an alternate method for complying with it, the decision on any such proposal will be made through the general A.D.R. provision described in this chapter.
3. Application Information - In addition to the application materials required in Chapter 145 of this Code, the applicant shall submit a complete application on the form provided by the Planning Department, along with all information listed on that form, including a written response to the criteria in Section 142.45.4, below.
4. Criteria - The City may grant a design departure only if it finds that either--
 - a. All of the following requirements are met:
 - 1) The request is consistent with and fulfills the policy basis for the applicable design regulations and design guidelines,
 - 2) The departure will not have any substantial detrimental effect on nearby properties and the City as a whole,
 - 3) The departure manifests high quality design and/or innovative and appropriate use of materials that will create a high quality development; or
 - b. All of the following requirements are met:
 - 1) The size, configuration, topography or location of the subject property is unusual and was not contemplated in the design regulations.

- 2) Because of these unusual circumstances, application of the design regulations to the subject property would not result in a project that fulfills the policy basis for the design regulation.
- 3) The proposed departure will result in a development which fulfills the policy basis for the design regulations and will result in high quality development sensitive to its surroundings.

142.50 Modifications

1. The Planning Official may approve a modification to the A.D.R. approval for the proposed development if...
 - a. The need for the modification was not known and could not reasonably have been known before the A.D.R. approval was granted;
 - b. The modification is minor and will not, in any substantial way, change the proposed development; and
 - c. The development that will result from the modification will be consistent with the design regulations and design guidelines.
2. Any modification, other than as specified in paragraph 1 of this Section, must be reviewed and decided upon as a new A.D.R. approval under this Chapter.

142.55 Lapse of Approval

1. General - Unless otherwise specified in the decision granting A.D.R. approval, the applicant must begin construction or submit to the City a complete Building Permit application for development of the subject property consistent with the A.D.R. approval within one (1) year after the final decision granting the A.D.R. approval or that decision become void. The applicant must substantially complete construction consistent with the A.D.R. approval and complete all conditions listed in the A.D.R. approval decision within three (3) years after the final decision on the A.D.R. approval or the decision becomes void. "Final decision" means the final decision of the Planning Official or, if applicable, as specified in Chapter 145 of this Code.
2. Extensions
 - a. Application - The applicant may apply for a one time extension, of up to one year, of the time limits under paragraph 1 of this Section. The application for the extension must be submitted by letter prior to the expiration of the applicable time limit under paragraph 1 of this Section. The letter of application must be submitted to the Planning Department and, along with any other supplemental documentation, must demonstrate that the applicant is making substantial progress toward developing the subject property consistent with the A.D.R. approval and that circumstances beyond his/her control prevent compliance with the applicable time limit under paragraph 1 of this Section.
 - b. Fee - The applicant shall include with the letter of request the fee as established by ordinance.

- c. Review Process - An application for a time extension will be reviewed by the Planning Official.

3. Appeals

- a. Who Can Appeal - Any person who is aggrieved by a time extension or denial of a time extension under this Section may appeal that determination.
- b. How to Appeal - The applicant must file a letter of appeal indicating how the determination affects his/her property and presenting any relevant arguments or information on the correctness of the determination. The applicant shall include the appeal fee as established by ordinance.
- c. Applicable Procedures - All appeals of decisions under this Section will be reviewed and decided upon using Process IIA, described in Chapter 150 of this Code.

142.60 Bonds

The Planning Official may require a bond under Chapter 175 of this Code to ensure compliance with any aspect of an A.D.R. approval.

PUBLICATION SUMMARY OF ORDINANCE NO. 3316

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 NOS. IV-89-146 AND IV-90-121).

Section 1. Amends or adds to the following Chapters and Sections of the Zoning Code:

Chapter 5 - Definitions

- 5.10.115 Changing Message Center
- 5.10.297 Existing Grade
- 5.10.305 Fast Food Restaurant
- 5.10.538 Modulation
- 5.10.633 Parking Lot
- 5.10.647 Pedestrian-Oriented Street
- 5.10.770 Replacement Cost
- 5.10.790 Restaurant or Tavern
- 5.10.795 Retail Establishment
- 5.10.902 Street Level Floor

Chapter 50 - (CBD) Central Business District Zone

- 50.65 Design Regulations

Chapter 105 - Parking and Parking Areas, Vehicle and Pedestrian Access, and Related Improvements

- 105.17 Site Plan Review

Chapter 110 - Required Public Improvements

- 110.60.5 Landscape Strip
- 110.60.11 CBD - Sidewalk and Vegetation Maintenance
- 110.60.12 Other Necessary Improvements

Chapter 115 - Miscellaneous Use Development and Performance Standards

- 115.60.2.d CBD Zones
- 115.105.2.d.2)5) Outdoor display of vehicles for sale or lease

Chapter 142 - Administrative Design Review (new chapter)

Chapter 162 - Non-conformance

- 162.35.1 General
- 162.35.8 CBD Design Regulations
- 162.35.9 Any Other Non-Conformance

Section 2. A savings clause providing that if any portion or part of the Ordinance is held to be invalid or unconstitutional, such decisions shall not affect the validity of the remainder of the Ordinance.

Section 3. Provides that the ordinance shall not be effective within the Houghton Community Municipal Corporation if disapproved by the Houghton Community Council within sixty days of the date of adoption of this ordinance.

Section 4. Authorizes publication of the Ordinance by summary, which summary is approved by the City Council pursuant to Section 1.08.017 Kirkland Municipal Code and establishes the effective date as five days after publication of summary, except as provided in Section 3.

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 5th day of January 1993.

I certify that the foregoing is a summary of Ordinance 3316 approved by the Kirkland City Council for summary Publication.

Deputy S. Cloney
City Clerk