ORDINANCE O-4802

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO THE NE 85TH STREET STATION AREA PLAN AND ZONING AND LAND USE AND AMENDING THE CITY OF KIRKLAND ZONING CODE, ORDINANCE O-3719 AS AMENDED, INCLUDING CHAPTERS 10, 53, 95, AND 142, ADDING NEW CHAPTER 57, AND APPROVING A SUMMARY ORDINANCE FOR PUBLICATION, FILE NO. CAM20-00153.

WHEREAS, in response to legislative amendment proposals related to the NE 85th Street Station Area Plan, the City Council has received a recommendation from the Kirkland Planning Commission, dated June 15, 2022, to amend the Kirkland Zoning Code; and

WHEREAS, prior to making the recommendation, the Kirkland Planning Commission, following notice as required by RCW 36.70A.035, held a public hearing on the proposals on June 9, 2022; and

WHEREAS, following the public hearing and prior to making the recommendation the Planning Commission considered the public testimony received for the hearing, the City staff report dated June 1, 2022, and conducted deliberations on the amendments on June 14, 2022; and

WHEREAS, a Draft Supplemental Environmental Impact Statement (DSEIS) was issued on January 5, 2021 pursuant to the State Environmental Policy Act (SEPA) related to the SAP, which DSEIS supplements the City of Kirkland 2015 Comprehensive Plan Update and Totem Lake Planned Action Final Environmental Impact Statement (November 2015), which is adopted per Washington Administrative Code (WAC) 197-11-630; and

WHEREAS, the Kirkland NE 85th Street Station Area Plan and Planned Action Final Supplemental Environmental Impact Statement (FSEIS) was issued on December 30, 2021; and

WHEREAS, a SEPA addendum to the FSEIS was issued on June 24, 2022 by the responsible official pursuant to WAC 197-11-625 and 197-11-706; and

WHEREAS, in a public meeting on June 28, 2022, the City Council considered the environmental documents received from the responsible official, together with the report and recommendation of the Planning Commission; and

WHEREAS, the City Council recognizes that this change to the Zoning Code is consistent with the Kirkland Comprehensive Plan.

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

Section 1. Zoning Code Amended. The specified sections in Chapters 10, 53, 57, 95, and 142 are amended as set forth in Exhibit A attached to this Ordinance and incorporated herein by reference.

Section 2. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance or the application of the provision to other persons or circumstances is not affected.

Section 3. This ordinance shall be in 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.

Passed by majority vote of the Kirkland City Council in open meeting this 28 day of June, 2022.

Signed in authentication thereof this 28 day of June, 2022.

Penny Sweet, Mayor

Attest:

Kathi Anderson, City Clerk

Approved as to Form:

Kevin Raymond, City Attorney

Publication Date: 07/04/2022

PUBLICATION SUMMARY
OF ORDINANCE NO. O-4802

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO THE NE 85TH STREET STATION AREA PLAN AND ZONING AND LAND USE AND AMENDING THE CITY OF KIRKLAND ZONING CODE, ORDINANCE O-3719 AS AMENDED, INCLUDING CHAPTERS 10, 53, 95, AND 142, ADDING NEW CHAPTER 57, AND APPROVING A SUMMARY ORDINANCE FOR PUBLICATION, FILE NO. CAM20-00153.

SECTION 1. Establishes Kirkland Zoning Code is amended through text amendments to Chapters 10, 53, 57, 95, and 142 and the addition of a new Chapter 57.

SECTION 2. Provides a severability clause for the ordinance.

SECTION 3. Authorizes the 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.

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the 28 day of June, 2022.

I certify that the foregoing is a summary of Ordinance O-4802 approved by the Kirkland City Council for summary publication.

Kathi Anderson

Kathi Anderson, City Clerk

Miscellaneous KZC Amendments

For the following miscellaneous KZC amendments, new text is show in **bold underline** and removed text is shown in ~~strikethrough~~.

KZC Chapter 10 Amendments

10.25 Zoning Categories Adopted

The City is divided into the following zoning categories:

	Zoning Category	Symbol
1.	Single-Family Residential Zones	RS, RSA and RSX (followed by a designation indicating minimum lot size per dwelling unit or units per acre)
2.	Multifamily Residential Zones	RM and RMA (followed by a designation indicating minimum lot size per dwelling unit)
3.	Professional Office/Residential Zones	PR and PRA (followed by a designation indicating minimum lot size per dwelling unit)
4.	Professional Office Zones	PO
5.	Waterfront Districts	WD (followed by a designation indicating which Waterfront District)
6.	Yarrow Bay Business District	YBD (followed by a designation indicating which sub-zone within the Yarrow Bay Business District)
7.	Neighborhood Business	BN and BNA
8.	Community Business	BC 1, BC 2 and BCX
9.	Central Business District	CBD (followed by a designation indicating which sub-zone within the Central Business District)
9.5	Houghton Everest Neighborhood Center	HENC (followed by a designation indicating which sub-zone within the Houghton Everest Neighborhood Center)
10.	Juanita Business District	JBD (followed by a designation indicating which sub-zone within the Juanita Business District)
11.	Market Street Corridor	MSC (followed by a designation indicating which sub-zone within the Market Street Corridor)

Zoning Category		Symbol
12.	North Rose Hill Business District	NRH (followed by a designation indicating which sub-zone within the North Rose Hill Business District)
13.	Rose Hill Business District	RH (followed by a designation indicating which sub-zone within the Rose Hill Business District)
14.	Business District Core (BDC) and Totem Lake Business District (TLBD)	TL (followed by a designation indicating which sub-zone within Business District Core (BDC) or the Totem Lake Business District)
15.	Light Industrial Zones	LIT, TL 7B
16.	Planned Areas	PLA (followed by a designation indicating which Planned Area, and in some cases, which sub-zone within a Planned Area)
17.	Park/Public Use Zones	P
18	Finn Hill Neighborhood Center	FHNC
19.	**Station Area Commercial Mixed-Use**	**SAP-CMU (followed by a height subdistrict with base/bonus heights)**

KZC Chapter 53 Amendments

Repeal Rose Hill Business District Zones RH 1A, RH 2A, RH 2B, and RH 2C (KZC Chapter 53 Subsections)

KZC Chapter 57 Amendments

Adopt New Chapter. See enclosed full chapter text.

KZC Chapter 95 Amendments

95.42 Land Use Buffer Requirements

95.42 Land Use Buffer Requirements

The applicant shall comply with the provisions specified in the following chart and with all other applicable provisions of this chapter. Land use buffer requirements may apply to the subject property, depending on what permitted use exists on the adjoining property or, if no permitted use exists, depending on the zone that the adjoining property is in.

LANDSCAPING CATEGORY / ADJOINING PROPERTY	*Public park or low density residential use or if no permitted use exists on the adjoining property then a low density zone.	Medium or high density residential use or if no permitted use exists on the adjoining property then a medium density or high density zone.	Institutional or office use or if no permitted use exists on the adjoining property then an institutional or office zone.	A commercial use or an industrial use or if no permitted use exists on the adjoining property then a commercial or industrial zone.
A	Must comply with subsection (1) (Buffering Standard 1)	Must comply with subsection (1) (Buffering Standard 1)	Must comply with subsection (2) (Buffering Standard 2)	
B	Must comply with subsection (1) (Buffering Standard 1)	Must comply with subsection (1) (Buffering Standard 1)		
C	Must comply with subsection (1) (Buffering Standard 1)	Must comply with subsection (2) (Buffering Standard 2)		
D	Must comply with subsection (2) (Buffering Standard 2)			
E				
Footnotes:	*If the adjoining property is zoned Central Business District, Juanita Business District, North Rose Hill Business District, Rose Hill Business District, Finn Hill Neighborhood Center, Houghton/Everest Neighborhood Center, Business District Core or is located in TL 6, this section KZC 95.42 does not apply.			

Commercial Mixed Use

KZC Chapter 142 Amendments

142.25 Administrative Design Review (A.D.R.) Process

1. Authority – The Planning Official shall conduct A.D.R. in conjunction with a related development permit pursuant to this section.

The Planning Official shall review the A.D.R. application for compliance with the design regulations contained in Chapter 92 KZC, or in zones where so specified, with the applicable design guidelines adopted by KMC 3.30.040. In addition, the following guidelines and policies shall be used to interpret how the regulations apply to the subject property:

a. Design guidelines for pedestrian-oriented business districts, as adopted in KMC 3.30.040.

b. Design guidelines for the **NE 85th St Station Area Plan** ~~Rose Hill Business District (RHBD)~~, the Totem Lake Business District (TLBD) and Yarrow Bay Business District (YBD) as adopted in KMC 3.30.040.

c. For review of attached or stacked dwelling units within the Rose Hill Business District (RHBD), the PLA 5C zone, the Houghton/Everest Neighborhood Center, and the Market Street Corridor, Design Guidelines for Residential Development as adopted in KMC 3.30.040.

142.35 Design Board Review (D.B.R.) Process

142.35.3. Authority – The Design Review Board shall review projects for consistency with the following:

a. Design guidelines for pedestrian-oriented business districts, as adopted in Chapter 3.30 KMC.

b. Design Guidelines for the **NE 85th Street Station Area Plan** ~~Rose Hill Business District (RHBD)~~ and the Totem Lake Business District (TLBD) as adopted in Chapter 3.30 KMC.

c. The Design Guidelines for Residential Development, as adopted in KMC 3.30.040, for review of attached and stacked dwelling units located within the Rose Hill Business District (RHBD), the PLA 5C zone, the Houghton/Everest Neighborhood Center, and the Market Street Corridor.

d. The Parkplace Master Plan and Design Guidelines for CBD 5A as adopted in Chapter 3.30 KMC.

142.37 Design Departure and Minor Variations

1. General – This section provides a mechanism for obtaining approval to depart from strict adherence to the design regulations or for requesting minor variations from requirements in the following zones:

a. In the CBD and YBD: minimum required yards; and

b. In the Business District Core: minimum required yards, floor plate maximums and building separation requirements; and

c. In the RHBD, FHNC, the PLA 5C zone, the HENC, and the TLBD: minimum required yards, and landscape buffer; and

d. In the MSC 1 and MSC 4 zones of the Market Street Corridor: minimum required front yards; and

e. In the MSC 2 zone of the Market Street Corridor: height (up to an additional five (5) feet), and minimum required front yards.

This section does not apply when a design regulation permits the applicant to propose an alternate method for complying with it or the Use Zone Chart allows the applicant to request a reduced setback administratively.

2. Design departures and minor variations to development standards are authorized as specified in KZC Chapter 57 (Form-Based Code for NE 85th Street Station Area).

KIRKLAND ZONING CODE CHAPTER 57
FORM-BASED CODE FOR THE NE 85TH STREET STATION AREA PLAN

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57.05 INTRODUCTION

57.05.01 BACKGROUND

The City's NE 85th Street Station Subarea Plan was adopted in 2022 to support a thriving, new walkable district with high tech and family wage jobs, plentiful affordable housing, sustainable buildings, park amenities, and commercial and retail services linked by transit.

57.05.02 PURPOSE

Implementation of the vision established in the NE 85th Street Station Subarea Plan requires a comprehensive set of regulations and supporting design guidelines. This Form-Based Code is intended to ensure that development in the Station Area is facilitated by clear and predictable standards that achieve transit-supportive development intensities in a high quality, pedestrian-oriented built environment.

57.05.03 DEVELOPMENT AGREEMENTS – CATALYST PROJECTS

As a means of encouraging early catalyst transit oriented development projects within the Station Area, projects on sites greater than four acres within the Commercial Mixed Use District are encouraged to apply for and negotiate a development agreement with the City pursuant to Chapter 36.70B RCW.

The purpose of such a development agreement is to provide a process for tailoring the regulations and incentives of this chapter as they apply to specific facts and circumstances. A Development Agreement approved by the City Council pursuant to chapter 36.70B RCW may approve specific variations or exceptions from the District Regulations if the Council finds and concludes in the Development Agreement that the variations or exceptions result in a project that provides overall greater benefit or overall better mitigation than would a project that strictly complies with the District Regulations, except that a Development Agreement may not authorize (1) additional height above the bonus maximum height; or (2) a principal use that is not otherwise permitted in the District.

57.05.04 CODE ORGANIZATION

This code is organized into four sections:

- **Regulating Districts** define primary features of overall building form, including lot parameters, massing, height, and permitted uses. A Regulating Plan (Figure 2) defines the regulating district designation and allowed height for each parcel. These regulating districts are established on the Kirkland Zoning Map and in this chapter.

- **Frontage Types** establish design regulations for private property frontages, including the required front setback and building base. Eligible frontage types are determined based on the adjacent street type for a subject property.

- **Street Types** set the design intent for specific segments of public ROW, including functional classification, prioritized transportation modes, sidewalk and bikeway facility dimensions, and expected streetscape amenities like trees, planting, hardscape, and street furnishings.

- **Districtwide Standards** apply across the subarea, and include overall transitions, parking, plazas and public spaces, and landscaping and open space.

FIGURE 1: FORM-BASED CODE ELEMENTS

57.05.05 ADMINISTRATIVE PROCESS

This chapter shall be administered by the Planning and Public Works Officials through the related development permit process. In cases where a development project is subject to Design Board Review and this chapter establishes flexible standards such as averaging, the final standard shall be determined by the Design Review Board as established in KZC Ch 142.37, unless otherwise noted. Standards which may be granted design departures and minor variations are the following:

- Façade Width
- Façade Break Width and Depth
- Lot Setbacks
- Upper Story Street Setbacks
- Floor Area
- Parking Setbacks
- Plaza/Public Space Dimensions

57.05.06 DEFINITIONS

For definitions, refer to KZC Ch 5.

57.05.07 RELATIONSHIP TO OTHER REGULATIONS

Development in regulating districts contained in this chapter is subject to the below common code references. Where a provision in a referenced section below conflicts with a specific district or districtwide regulation contained in this chapter, the regulation of the specific district, or districtwide regulation shall govern.

Common Code Regulations. Refer to:

1. KZC Ch 1 to determine what other provisions of this code may apply to the subject property.

2. KZC Ch 45.50 for Public park development standards. See.

3. KZC Ch 90 for regulations regarding development near streams, minor lakes (e.g. Forbes Lake), wetlands, fish and wildlife habitat conservation areas and frequently flooded areas.

4. KZC Ch 85 for regulations regarding development on property containing geologically hazardous areas.

5. KZC Ch 92 for design regulations.

6. KZC Ch 95 for regulations regarding tree retention and landscape standards for development on private property.

7. KZC Ch 105 for parking areas, vehicle and pedestrian access, and related improvements.

8. KZC Ch 112 for regulations regarding affordable housing standards.

9. KZC Ch 113 for regulations regarding cottage, carriage, and two/three unit homes housing types.

10. KZC Ch 115 for applicable miscellaneous use development and performance standards.

11. KZC Ch 115.24 for development standards adjoining the Cross Kirkland.

12. KZC Ch 142 for regulations regarding the design review process.

13. KZC Ch 162 for regulations regarding nonconformances.

57.10 REGULATING DISTRICTS

57.10.01 PURPOSE

Regulating districts are intended to translate the vision and goals documented in the NE 85th Station Area Plan into standards that define allowed uses, lot parameters, building massing, and height controls. Regulating districts consist of two elements: Regulating District Standards that specify development standards for each district, and a Regulating Plan that maps these districts to specific parcels.

57.10.02 APPLICABILITY

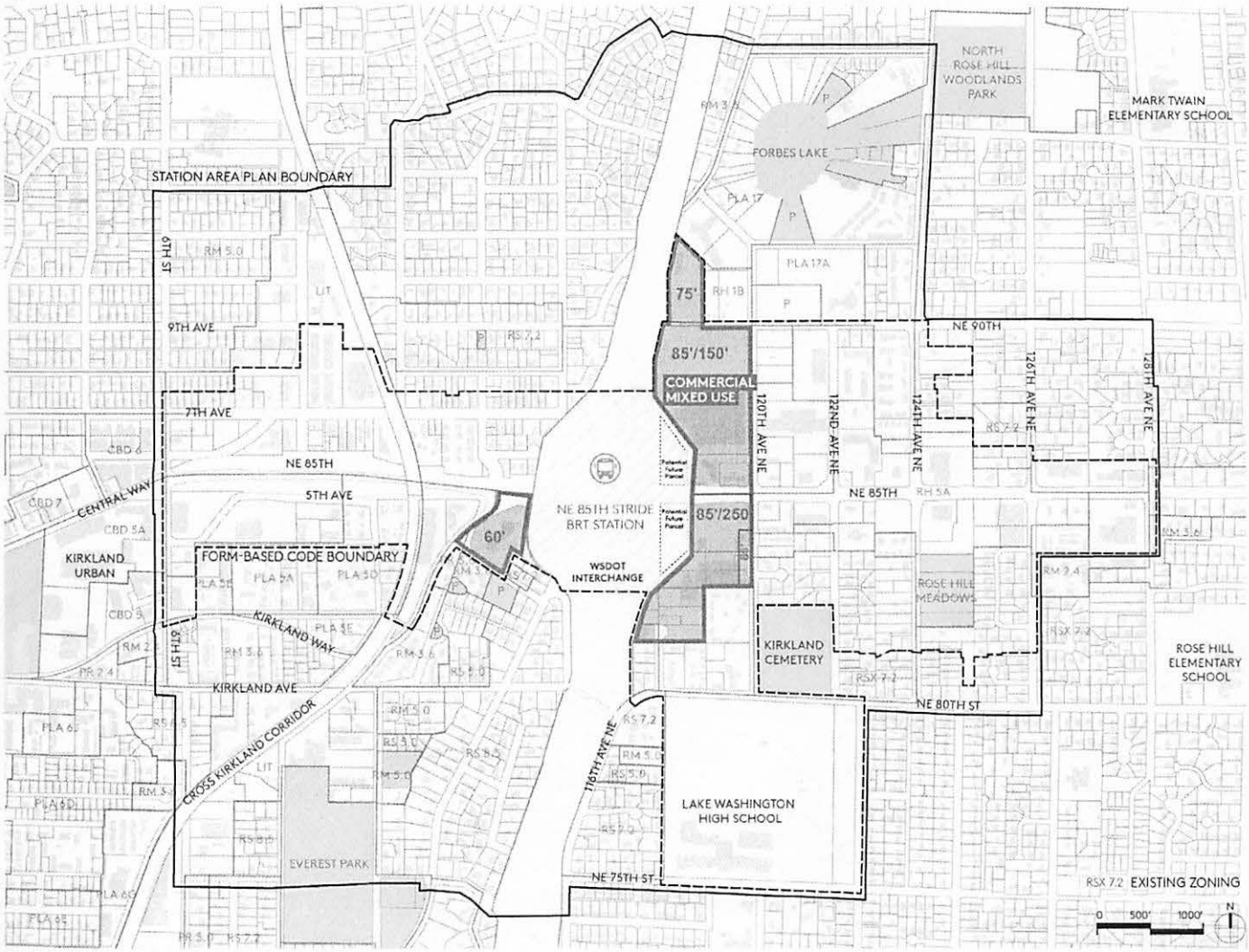
Regulating districts apply to areas shown on the Kirkland Zoning Map and in the Regulating Plan (Figure 2). They consist of the following zones:

• **Commercial Mixed Use (CMU)**: This zone is intended to encourage uses consistent with large scale commercial and office development. It allows for office, commercial, retail, and civic/institutional uses. Maximum heights are established in the Regulating Plan and range from 60' west of I-405 to 250' east of I-405.

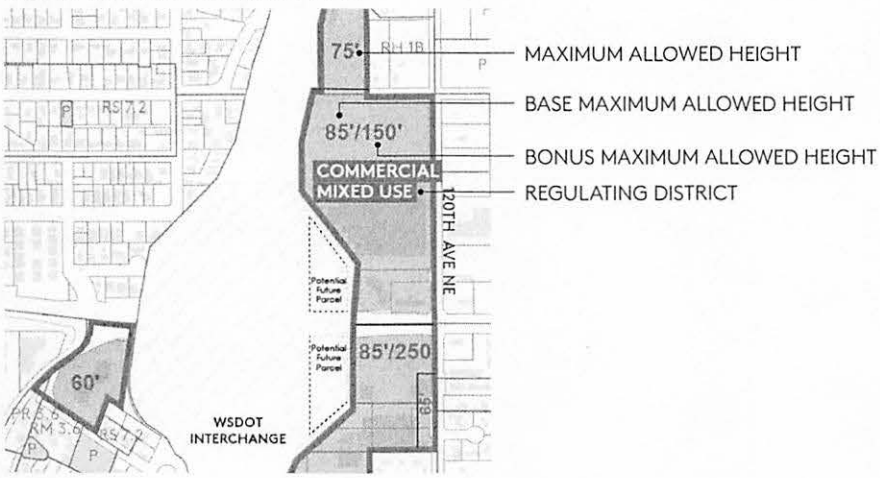
57.10.03 REGULATING PLAN

The Regulating Plan maps the applicable areas of the Form-Based Code area with the appropriate regulating district designation. Each designation includes two parts: a district designation followed by the height subdistrict for that zone. Heights are stated in terms of maximum base and bonus heights. For instance, CMU 85/150 would reflect a base maximum height allowance of 85' and bonus maximum height of 150'. Refer to the Incentive Zoning section of this chapter KZC Ch 57.30 for details on utilizing the bonus allowances. Where heights are stated as a single number, that number reflects the maximum height and there are no incentive allowances for additional height.

FIGURE 2: REGULATING PLAN



USING THE REGULATING PLAN



57.10.04 REGULATING DISTRICT STANDARDS

57.10.04.01 GENERAL PROVISIONS

Illustrations and graphics are included in this section to assist users in understanding the purpose and requirements of the regulations. In the event a conflict occurs between the text of this section and any illustration or graphic, the text supersedes.

57.10.04.02 REGULATING DISTRICT COMPONENTS

The following terms and concepts are used in regulating districts to address a lot's development parameters and building massing. This section is intended to clarify intent, for full definitions, refer to KZC Ch 5.10.

1. **Lot Boundary** represents the perimeter of the subject property

2. **Lot Coverage** refers to the area of the Maximum Lot Coverage as defined in KZC Ch 5.10. The shaded area on graphics for lot coverage does not represent the required placement or location of buildable area.

3. **Required Yards** refers to the minimum Required Yard as defined in KZC Ch 5.10.

4. **Base Maximum Allowed Height** is the maximum allowed height of all buildings within a given regulating subdistrict by right, based on the Average Building Elevation as defined in KZC Ch 5.10, unless an alternate height calculation is identified in this chapter.

5. **Bonus Maximum Allowed Height** is the maximum allowed height of all buildings within a given regulating subdistrict with applicable bonus height, based on the Average Building Elevation as defined in KZC Ch 5.10. For details on the incentive zoning allowances, see the Incentive Zoning section of this chapter KZC Ch 57.30.

6. **Maximum Floor Plate** is the maximum Gross Floor Area allowed for each floor of a structure based on that floor's height. Reductions shall be utilized at the exterior of the building. Maximum floor plate requirements are regulated at increments of structure height above the Average Building Elevation as defined in KZC Ch 5.10 unless an alternate height calculation is identified in this chapter. See Design Guidelines for additional guidance on achieving floor plate reductions.

7. **Upper Story Street Setbacks** are height-based triggers specified along streets for the building façade to be set back from the back of the required minimum sidewalk by a certain horizontal distance. This dimension may be averaged along the full street frontage, so long as no portion of the floor to be set back is less than 50% of the required setback distance. These setbacks apply to street-facing exterior walls only.

8. **Tower Separation** refers to the horizontal distance between the closest exterior walls of adjacent towers, excluding skybridges, decks, and balconies. "Tower" refers to any portions of buildings greater than 75' in height.

9. **Primary Use** refers to the predominant and main land use activity on a site, and is the highest and most readily identifiable use that characterizes a property.

10. **Building Heights** are measured above Average Building Elevation unless a different benchmark is specified.

11. **Maximum Façade Width and Minimum Façade Break Width** refer to the horizontal length of a façade parallel to the parcel frontage. Maximum façade width is the maximum allowed distance of a continuous façade wall. Once that maximum façade width is reached, a façade break that modulates the façade and meets a minimum width is required.

57.10.04.03 COMMERCIAL MIXED USE

PERMITTED USES

Table 1 specifies permitted uses for this zone.

TABLE 1: COMMERCIAL MIXED USE DISTRICT USE TABLE

General Use	Commercial Mixed Use (CMU) P/NP?
Commercial	P
Institutional	P
Residential	NP
Industrial	NP

Uses Specifically Prohibited as Primary Use
Automotive Service Station
Vehicle Service Station
Sale, service, storage, and/or rental of motor vehicles, sailboats, motor boats, and recreational trailers
Drive-through facilities

CONTINUED USES

Principal and accessory uses in existence in the Commercial Mixed Use zone at the time of adoption of this chapter, that become non-conforming uses as a result of the provisions of this chapter, may continue as legal nonconforming uses.

Structures in existence in the Commercial Mixed Use zone at the time of adoption of this chapter KZC Ch 57 that became nonconforming structures solely as a result of the provisions in this chapter shall be deemed legally conforming structures for purposes of maintenance, repair, and replacement, and may be enlarged by up to ten percent of the existing footprint or existing gross floor area without complying with the provisions of this chapter. Enlargement of such structures or addition of new structures that exceed existing gross floor area or existing footprint by more than ten percent shall comply with the provisions of this chapter, except that an applicant may request an exception to allow enlargement by more than ten percent without complying with all provisions of this chapter if they can demonstrate to the satisfaction of the Planning and Building Director that it is not reasonable and practicable for such enlargement to comply with this chapter; or that such enlargement will not materially increase the nonconformity of the subject property in a manner contrary to the stated purpose of this chapter. Any enlargement of more than fifty percent of the footprint shall conform to this chapter, except as provided in the next section.

Subject properties greater than ten (10) acres in size with large-format retail sales uses in existence at the time of adoption of this chapter may redevelop or expand the structures associated with such uses by more than 10% of the existing gross floor area or existing footprint by means of a development agreement adopted pursuant to RCW 36.70B.170 et seq ("Development Agreement").

In the Development Agreement, the City Council may approve administrative modifications and adjustments to the Station Area Regulations as reasonably required to facilitate the following:

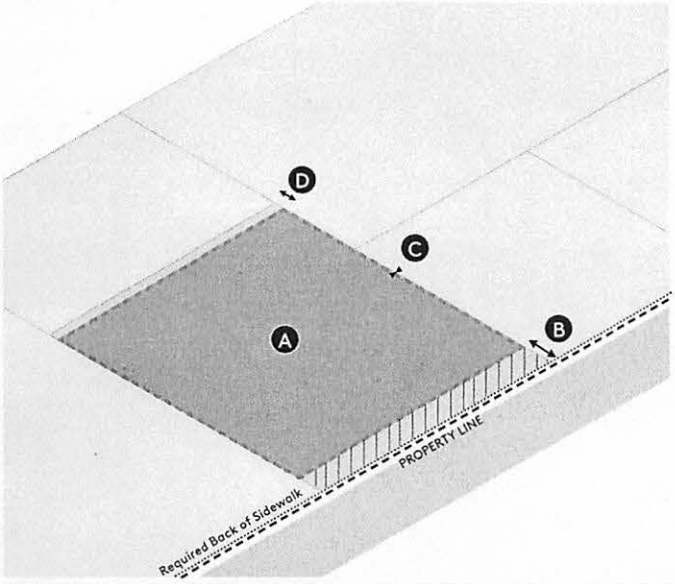
(A) Expansion of retail buildings, modification of the existing parking layouts, expansion, or development of existing or new accessory uses, modifications to surface parking or the addition of structured parking, and enlargement of allowed floor plates.

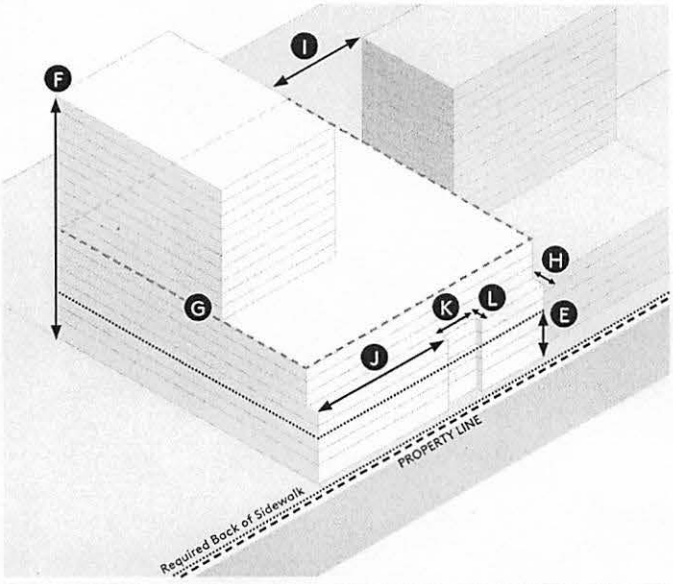
(B) Redevelopment of a subject property with a large-format retail sales use by more than fifty percent of the existing gross floor area or existing footprint shall comply with the Station Area Regulations and intent of the Form-Based Code to the extent reasonably practicable subject to operational requirements for such uses.

(C) The continued sale of gasoline and diesel fuel shall be permitted as an accessory use to an existing large-format retail sales use. A car wash is also authorized as an accessory use to a large-format retail sales use.

DEVELOPMENT STANDARDS

FIGURE 3: COMMERCIAL MIXED USE DISTRICT STANDARDS





LOT COVERAGE AND SETBACKS

Permitted Uses

General Permitted Uses	Commercial, Institutional

Lot Coverage

A Max Lot Coverage *	90%

Required Yards

B Front	Refer to Frontage Types
C Side	0' Min
D Rear	5' Min

* Lot coverage as shown does not represent intended building placement or setbacks.

MASSING AND DEVELOPMENT DENSITY

Height and Floor Area

E Base Maximum Allowed Height	Refer to Regulating Plan
F Bonus Maximum Allowed Height	Refer to Regulating Plan
G Maximum Floor Plate (per building)	Between 45'-75': 35,000 GSF Between 75'-125': 25,000 GSF Above 125': 20,000 GSF

Setbacks and Tower Separation

H Upper Story Street Setbacks	At 75': 15' setback At 125': 30' setback
I Tower Separation	60'
J Maximum Facade Width	160'
K Minimum Facade Break Width	15'
L Minimum Facade Break Depth	5'

57.10.04.04 NEIGHBORHOOD MIXED USE

Reserved.

57.10.04.05 NEIGHBORHOOD RESIDENTIAL

Reserved.

57.10.04.06 CIVIC MIXED USE

Reserved.

57.10.04.07 URBAN FLEX

Reserved.

57.15 FRONTAGE TYPES

57.15.01 PURPOSE

Frontage Types are intended to create a cohesive public realm by regulating the relationship between private development and the public right of way.

57.15.02 APPLICABILITY

Permitted frontage types are defined based on the street type designation of each street segment within the Regulating Districts as shown in Figure 14. A structure can apply more than one allowed frontage type along same street frontage. Application of a frontage type requires a minimum of 30' measured horizontally along the building façade, unless the building façade itself is less than 30'. The following types of frontages are permitted within the regulating districts:

- **Urban Street Edge**: This frontage type is intended to establish a public realm consistent with a walkable mixed use environment. Characteristics include buildings set close to the public sidewalk, pedestrian-oriented facades, and landscaping that contributes to an urban environment.

- **Active Use/Retail**: This frontage type is intended to foster a dynamic public realm anchored by active uses on the street level floor, including retail, institutional, or other public-facing uses.

- **Residential Stoop / Porch**: This frontage type is intended to establish a consistent, walkable residential frontage defined by buildings that engage the public right of way by inclusion of elements that reflect individual residential units like direct entries, articulated facades, and elevated stoops and porches.

- **Plaza / Public Space**: This frontage type is intended to support the creation of publicly accessible public space within the district. It is characterized by high quality landscaping, pedestrian-oriented amenities like seating, fountains, and artwork, and buildings that engage the open space with elements like primary entries and storefronts.

- **Private Yard**: This frontage type is intended to establish a streetscape with landscaped front yards, a visual connection to primary buildings from the sidewalk, and street wall edges maintained with elements like low fences, low walls and low height vegetation.

57.15.03 FRONTAGE TYPES COMPONENTS

The following terms and concepts are used to address the elements of frontage types. This section is intended to clarify intent; for full definitions, refer to KZC Ch 5.10.

1. **Frontage** refers to a street-facing portion of a lot to a maximum depth of 50' from the required back of sidewalk.

2. **Street Level Floor** refers to the first floor accessible from sidewalk, consistent with the definition in KZC Ch 5.10. This is also referred to as Ground Floor.

3. **Street Level Floor Story Height** refers to the floor to floor height of this pedestrian-oriented story.

4. **Maximum Street-level Facade Width** refers to the division of the street level floor of a building façade into vertical sections that reduce perceived bulk, create visual interest, and reflect the vision and objectives of the NE 85th St Station Area Plan to create a pedestrian oriented district. For design guidance in achieving maximum street-level facade widths, refer to Design Guidelines for the NE 85th Street Station Subarea Plan.

5. **Façade Transparency** refers to the minimum total transparent area of the building façade between 2' and 10' above the street level floor elevation. Illustrations are not otherwise intended to reflect specific location requirements.

6. **Entrance Location** is intended to orient a primary building entrance along the frontage facing the street. Entrance locations shown in graphics depict one conforming design, but do not reflect specific location requirements.

7. **Entrance Spacing** refers to the linear horizontal distance between the closest points of entrances along a frontage.

8. **Entrance Transparency** is the minimum total transparency percentage of the entrance, which includes the gross area of the outer edge of doors and transom.

9. **Front Setback** is the area from the back of the required sidewalk width where the building exterior wall should be located. It is expressed as minimum and maximum distance.

10. **Sidewalk Amenity Zones** are portions of the frontage located between building façade and the back of the prescribed minimum sidewalk width that can be designed to support an active pedestrian scaled street experience. For amenities with seating for outdoor dining, minimum depths are required to ensure adequate space.

11. **Ground Floor Parking Setback** refers to a horizontal setback from the frontage building façade that is required for any parking uses. Building area within this setback must be designed for use as residential, commercial, or institutional use consistent with applicable permitted uses.

12. **Corner Design** refers to the treatment of building facades at the intersection of specific street types. Corner design regulations apply to the full height of the building façade within the applicable area. For design guidance on how to achieve the desired corner design, refer to Design Guidelines for the NE 85th Street Station Subarea Plan.

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57.15.04 FRONTAGE TYPE STANDARDS

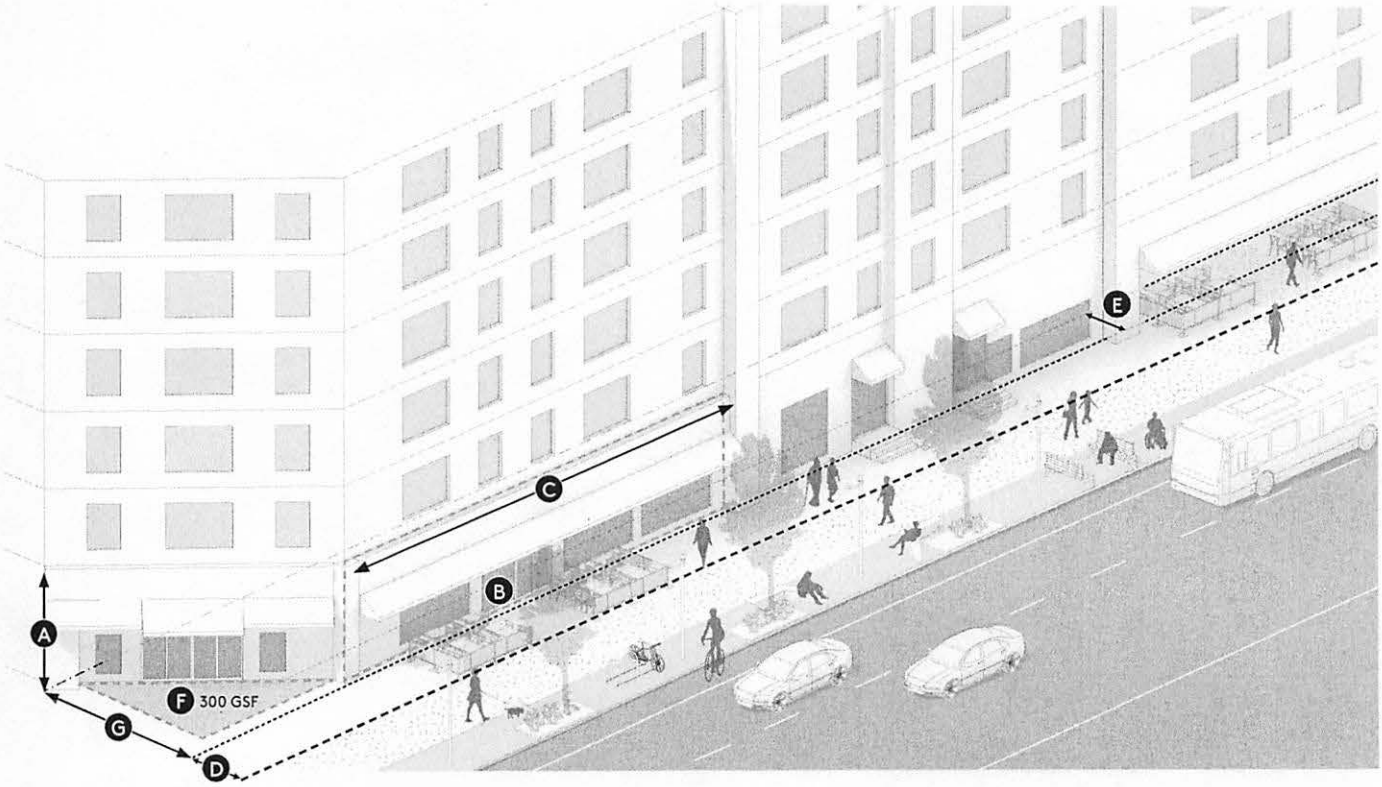
57.15.04.01 URBAN STREET EDGE

INTENT AND CHARACTER

The Urban Street Edge frontage type is intended to establish a public realm consistent with a walkable mixed use environment. Characteristics include buildings set close to the public right of way, pedestrian-oriented facades, and landscaping that contributes to an urban environment. Examples consistent with the intent of this frontage type are shown in Figure 4.

FIGURE 4: CHARACTER EXAMPLES FOR URBAN STREET EDGE FRONTAGE TYPE

FIGURE 5: URBAN STREET EDGE FRONTAGE STANDARDS



GROUND FLOOR DESIGN AND ENTRY

Ground Floor Design

A	Minimum Height	15'
B	Facade Transparency	50%
C	Max Street Level Facade Width	65'

Entrances

Location	Required on primary street-facing frontage
Entry Transparency	80%

PUBLIC REALM

Public Realm

D	Front Setbacks (Min, Max)	0',15'
E	Sidewalk Cafes/ Amenity Zone	Min depth 7', up to 10' additional setback allowed
F	Corner Design	300 GSF required within property line at corners where two intersecting streets are a combination of major thoroughfare, main street, or neighborhood mixed use
G	Ground Floor Parking Setback	Average 30', Minimum 20'

57.15.04.02 RETAIL / ACTIVE USE

INTENT AND CHARACTER

The Retail/Active Use frontage type is intended to foster a dynamic public realm anchored by active uses on the ground floor, including retail, civic, or other public-facing uses. Examples consistent with the intent of this frontage type are shown in Figure 6.

FIGURE 6: CHARACTER EXAMPLES FOR RETAIL / ACTIVE USE FRONTAGE TYPE

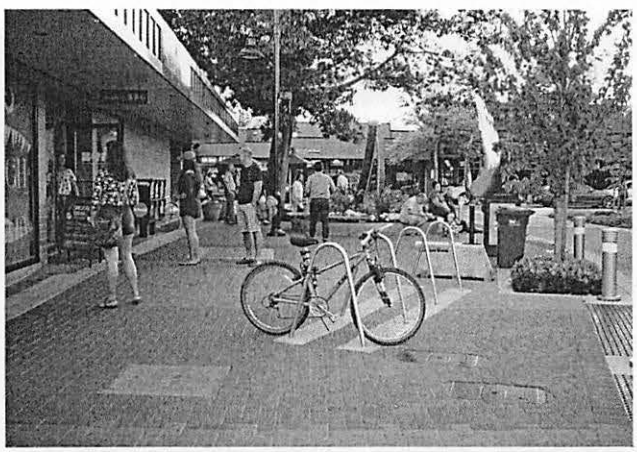
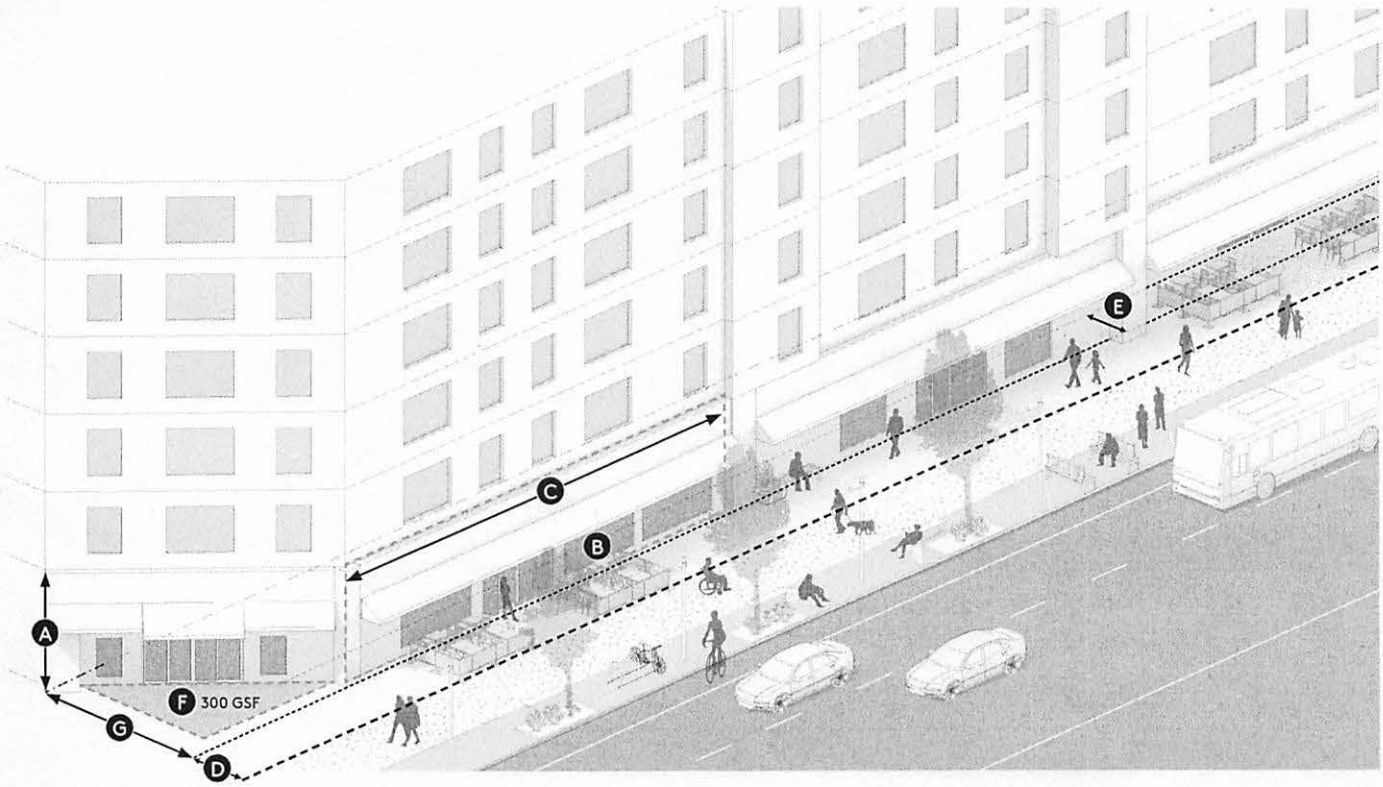


IMAGE CREDITS: CASCADE DESIGN COLLECTIVE, M. KENNEDY

FIGURE 7: RETAIL AND ACTIVE USES FRONTAGE STANDARDS



GROUND FLOOR DESIGN AND ENTRY

Ground Floor Design

A	Minimum Street Level Story Height	15'
B	Facade Transparency	75%
C	Max Street Level Facade Width	65'

Entrances

Location	Required on primary street-facing frontage
Entry Transparency	80%

PUBLIC REALM

Public Realm

D	Front Setbacks (Min, Max)	0',15'
E	Sidewalk Cafes/ Amenity Zone	Min depth 7', up to 10' additional setback allowed
F	Corner Design	300 GSF required within property line at corners where two intersecting streets are a combination of major thoroughfare, main street, or neighborhood mixed use
G	Ground Floor Parking Setback	25'

57.15.04.03 RESIDENTIAL STOOP / PORCH

INTENT AND CHARACTER

This frontage type is intended to establish a consistent, walkable residential frontage defined by buildings that engage the public right of way, elements that reflect individual residential units like direct entries and articulated facades, and elevated stoops and porches.

FIGURE 8: CHARACTER EXAMPLES FOR URBAN STREET EDGE FRONTAGE TYPE

FIGURE 9: RESIDENTIAL STOOP / PORCH FRONTAGE STANDARDS

GROUND FLOOR DESIGN AND ENTRY

Ground Floor Design

A	Max Street Level Facade Width	36'
B	Facade Transparency	50%

Entrances

Location	Required at frontage, otherwise entry path can be used

PUBLIC REALM

Public Realm

C	Front Setbacks (Min, Max)	5',10'
D	Corner Design	300 GSF required within property line at corners where two intersecting streets are a combination of major thoroughfare, main street, or neighborhood mixed use

RESIDENTIAL STOOP/PORCH ADDITIONAL STANDARDS

ALLOWANCES WITHIN FRONT SETBACKS

- Porches and steps connected to building entrances are allowed to extend up to 5' into the front setback area. For structures less than 18" above finished grade, refer to KZC Ch 115.115.

- Porches must meet the following requirements:

  - The finished floor of the porch is no more than four (4) feet above finished grade

  - Three (3) sides of the porch are open

  - The porch roof form is architecturally compatible with the roof form of the dwelling unit to which it is attached;

  - No deck, balcony, or living area is placed on the roof of the porch within the required front yard;

  - If the porch is covered, is no higher than one (1) story

- Low walls are allowed within the front setback, provided they are no taller than 3'.

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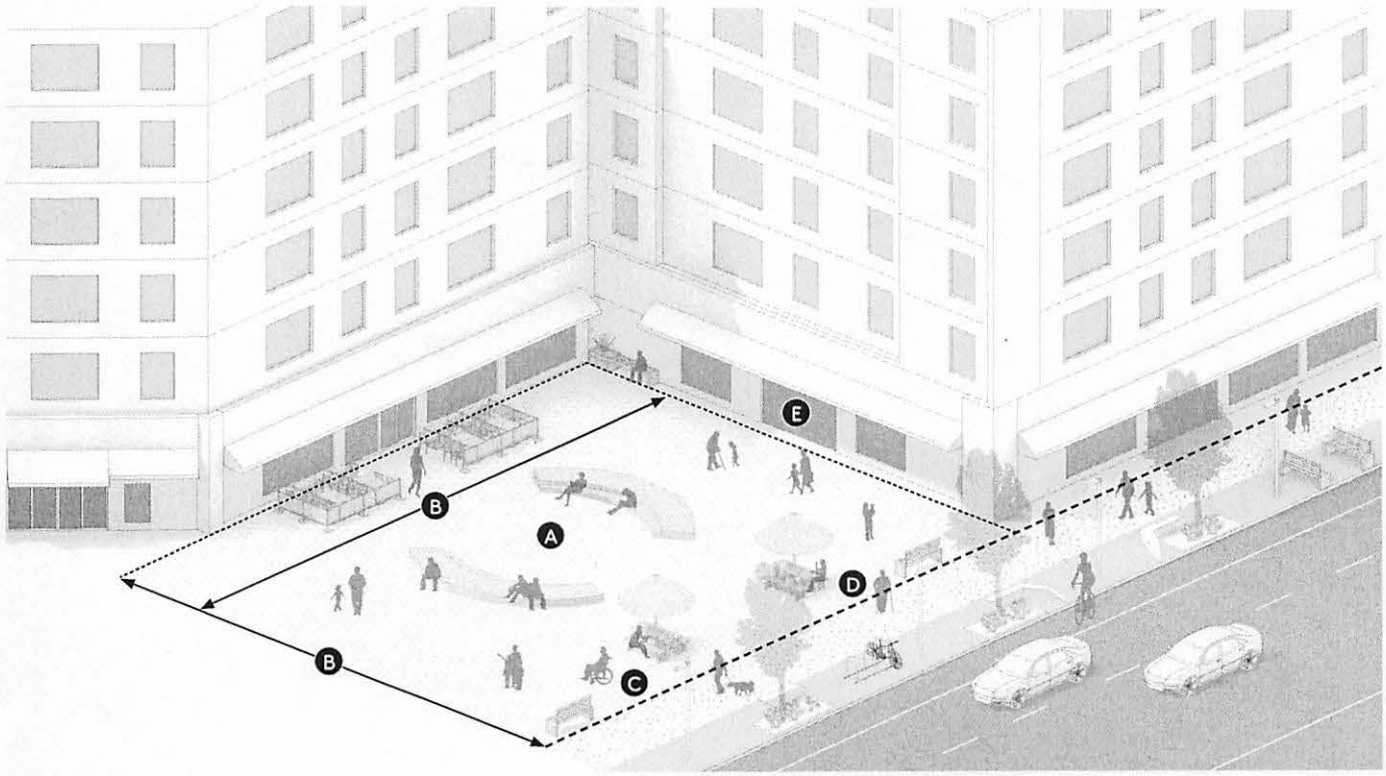
57.15.04.04 PLAZA/PUBLIC SPACE

INTENT AND CHARACTER

This frontage type is intended to support the creation of publicly accessible open space within the district. It is characterized by high quality landscape materials, pedestrian-oriented amenities like seating, fountains, and artwork, and buildings that engage the public space with elements like outdoor seating areas, primary building entrances, and transparent facades.

FIGURE 10: CHARACTER EXAMPLES FOR PLAZA/PUBLIC SPACE FRONTAGE TYPE

FIGURE 11: PLAZA/PUBLIC SPACE FRONTAGE STANDARDS



PUBLIC SPACE SIZE

Dimensions

A	Minimum Area	Min 2,000 SF, 75% occupiable by pedestrians
B	Minimum Dimension	Average 30'

RELATIONSHIP TO SIDEWALKS AND BUILDINGS

Relationship to Sidewalks

C	Access	ADA Accessible for pedestrians from adjacent sidewalk
D	Visibility	Minimum 2,000 sq.ft of plaza must be visible from frontage sidewalk

Relationship to Buildings

E	Building Frontage	Buildings should match standards for other allowed frontages and be oriented towards public space

PLAZA/OPEN SPACE ADDITIONAL STANDARDS

DIMENSIONS

• **Minimum Area**: Plazas must be a minimum area of 1,500 square feet. 75% of this must be occupiable by pedestrians.

• **Minimum Dimension**: Plazas must maintain either a 30' minimum average width measured along the property boundary or a 30' minimum average depth measured perpendicular to the property boundary.

RELATIONSHIP TO SIDEWALK

• **Access**: Plazas must be accessible to pedestrians from adjacent sidewalks, either by maintaining an at sidewalk grade transition to frontage grade or by providing steps, ramps, or other ADA Accessible means of moving easily from sidewalk to plaza. At least 30% of the plaza frontage must be free of barriers or other obstructions to pedestrians.

• **Visibility**: At least 2,000 square feet of the plaza must be visible (e.g. free from obstructions such as walls, hedges or other dense vegetation, furniture, etc.) from the adjacent sidewalk to each plaza frontage.

RELATIONSHIP TO BUILDINGS

• **Orientation:** Building walls that are adjacent to plazas must orient windows, entrances, and other frontage elements towards the plaza.

• **Frontage Type**: Building facades with more than 20' of linear frontage along a plaza must identify a frontage type which is permitted for the relevant street type, and design to the standards of that frontage type. Examples of other frontages would include urban street, retail and active uses, or residential porch/stoop.

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57.15.04.05 PRIVATE YARD

INTENT AND CHARACTER

This frontage type is intended to establish a streetscape with landscaped front yards, a visual connection to primary buildings from the sidewalk, and street wall edges maintained with elements like low fences, low walls and low height vegetation.

FIGURE 12: CHARACTER EXAMPLES FOR PRIVATE YARD FRONTAGE TYPE

FIGURE 13: PRIVATE YARD FRONTAGE STANDARDS

GROUND FLOOR DESIGN AND ENTRY

Ground Floor Design

A	Max Street Level Facade Width	35'

Entrances

	Location	Required at frontage
B	Porch Height	Maximum 4'

PUBLIC REALM

Public Realm

C	Front Setbacks (Min, Max)	10', 20'
D	Allowed Encroachment	Maximum 5'
E	Low wall	Maximum 3'

PRIVATE YARD ADDITIONAL STANDARDS

ALLOWANCES WITHIN FRONT SETBACKS

• Porches and stairs connected to building entrances are allowed to extend up to 5' into the front setback area. For structures less than 18" above finished grade, refer to KZC Ch 115.115.

• Porches must meet the following requirements:

- The finished floor of the porch is no more than four (4) feet above finished grade
- Three (3) sides of the porch are open
- The porch roof form is architecturally compatible with the roof form of the dwelling unit to which it is attached
- No deck, balcony, or living area is placed on the roof of the porch within the required front yard
- If the porch is covered, is no higher than one (1) story

• Low walls are allowed within the front setback, provided they are no taller than 3'.

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57.20 STREET TYPES

57.20.01 PURPOSE

Street types are intended to translate the vision and goals documented in the NE 85th Station Area Plan into standards that provide direction for improvements to public and private right of way. These street types specify typical dimensions, transportation mode considerations for appropriate facilities, and guidance on how public rights of way and private and frontage improvements can work together to create a cohesive, pleasant public realm.

57.20.02 APPLICABILITY

Street Types apply to areas shown in the Street Types Map, in Figure 14. They consist of the following types:

- **Major Thoroughfares** connect regional centers or run through central commercial corridors. Many of these streets have significant traffic volumes at peak hours and are important places for high-capacity transit routes and auto separated bike facilities.

- **Main Streets** are special streets that concentrate ground-floor retail and active uses, often with generous public realm designed to prioritize pedestrian activity and support transit.

- **Neighborhood Mixed Use** streets are neighborhood streets serving low to mid-intensity commercial and midrise residential and occasional ground floor retail. They are generally lower vehicular traffic volume than major thoroughfares, and some may contain separated bike facilities and transit service.

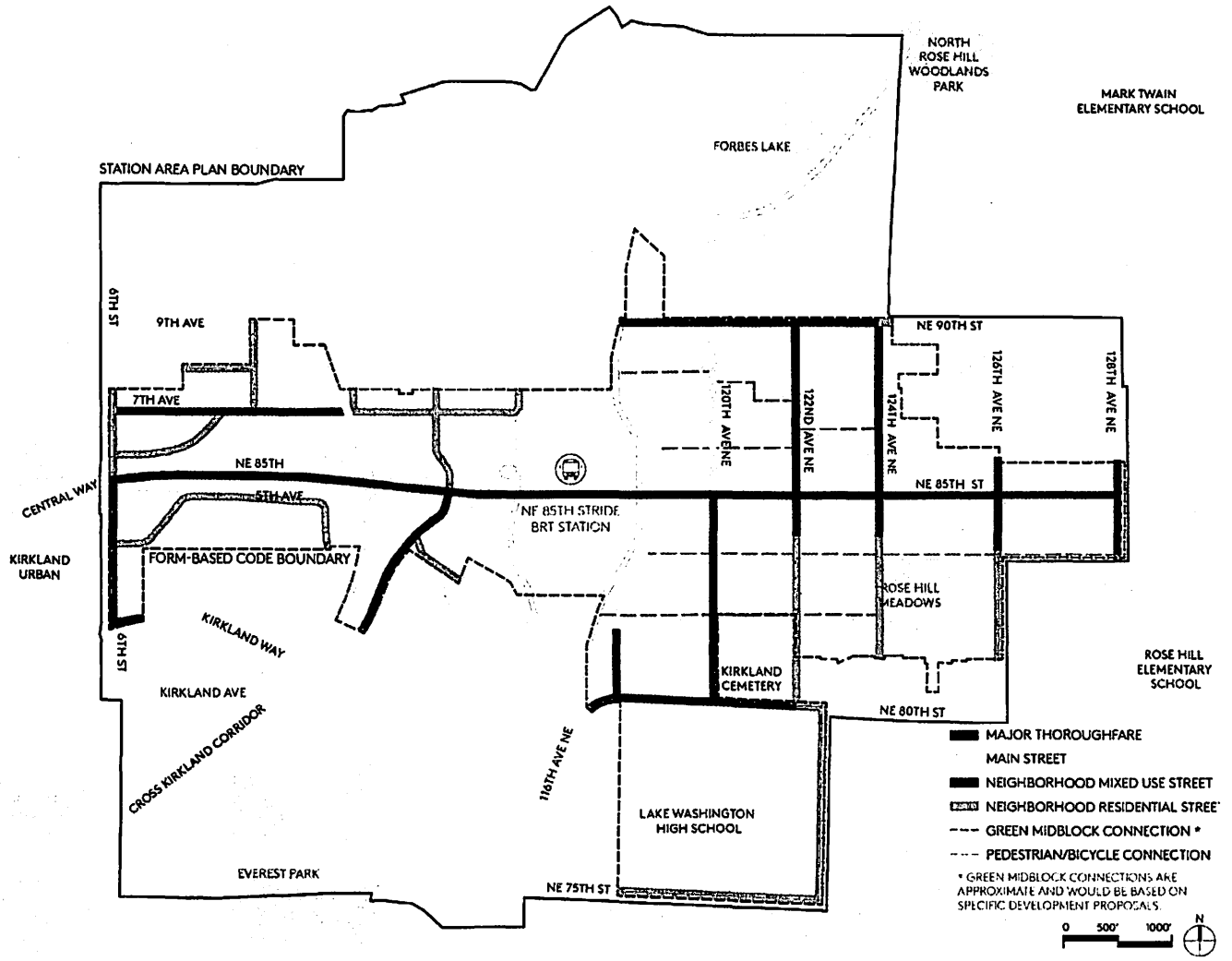
- **Neighborhood Residential** streets are residentially focused with low vehicular traffic volumes, which can accommodate shared bike facilities.

- **Green Mid-Block Connections** provide important network connections for cyclists and pedestrians through and across long blocks and are typically found within larger commercial or residential developments or between existing parcels. In addition to providing bike and pedestrian access, they can also include on-site green stormwater infrastructure as part of their design, or where accommodating vehicle access, provide delivery and back of house access to parcels.

57.20.03 STREET TYPES MAP

The Street Types Map shows the designated street type classification for each street segment within the Regulating Districts.

FIGURE 14: STREET TYPES MAP



57.20.04 USING STREET TYPES

INDIVIDUAL TREATMENTS

These street types reflect the general intent for improvements of the public right of way, and guidance for development of private rights of way within private parcels. Specific designs for each street are subject to change based on site conditions or right of way constraints. In these cases, the Public Works Official shall determine how the proposed design meets the urban design and mobility intent of the designated street type.

STREET TYPE ELEMENTS

Street types are comprised of the following elements:

- **Pedestrian Clear Zone**: the primary, accessible portion of the sidewalk that runs parallel to the street. This zone must be clear of obstructions and elements that could impede pedestrian travel.

- **Furnishing Zone**: the section of the sidewalk between the curb and the pedestrian clear zone in which street furniture and amenities, such as lighting, benches, utility poles, tree pits, and green infrastructure are provided.

- **Bikeway**: the portion of the right-of-way dedicated to bicycle travel. This can include a variety of facilities, including separate paths within the roadway, raised paths between the curb and sidewalk, or shared facilities within the roadway.

- **Roadway/Travel Lanes**: the area between curbs, which can include travel lanes, on-street parking, and bikeways.

MINIMUM AND PREFERRED DIMENSIONS

The street types show dimensions that reflect the desired space allocation for each portion of the right of way. The table below shows minimum and preferred dimensions for each street type. Preferred dimensions should be constructed, except where the Public Works Official determines allowed deviations from these dimensions pursuant to modification procedures in KZC 110.70.

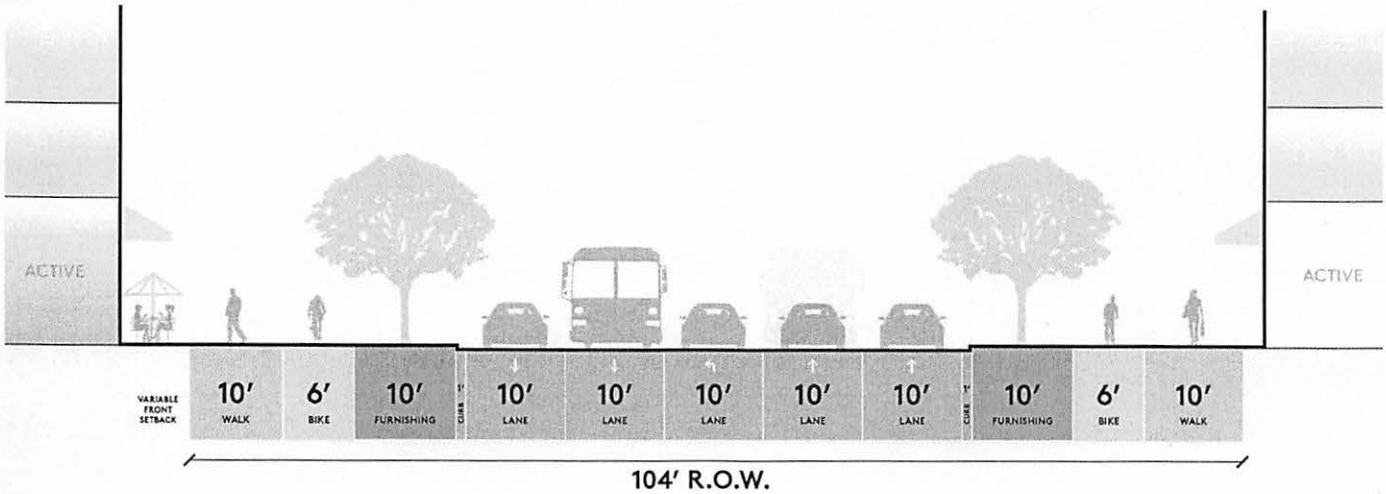
TABLE 2: MINIMUM AND PREFERRED DIMENSIONS FOR STREET TYPE ELEMENTS

	Pedestrian Clear Zone	Bikeway	Furnishing Zone	Travel Lane Width	Number of Travel Lanes (Typical)	On-Street Parking Permitted (Typical)
Major Thoroughfare	8'/10'	6'*	8'/10'	10'	5	No
Main Street	8'/15'	N/A	5'/10'	10'	3	Yes
Neighborhood Mixed Use	6'/8'	5' bike lane/ 7' buffered bike lane	5'/6'	10'	2	Yes
Neighborhood Residential	5'/6'	5' bike lane/ 7' buffered bike lane	5'/6'	10'	2	Type 1: No Type 2: Yes
Green Mid-Block** Connection	6'/10'	5' bike lane/ 12' bidirectional trail	2'/6'	10'	2	No

*includes 1' separation between pedestrian and bike zones
** This configuration shows Vehicular/Bike/Pedestrian Shared version. See Green Mid-Block Connection section for alternative configurations.

57.20.05 STREET TYPES STANDARDS

MAJOR THOROUGHFARE



DESCRIPTION

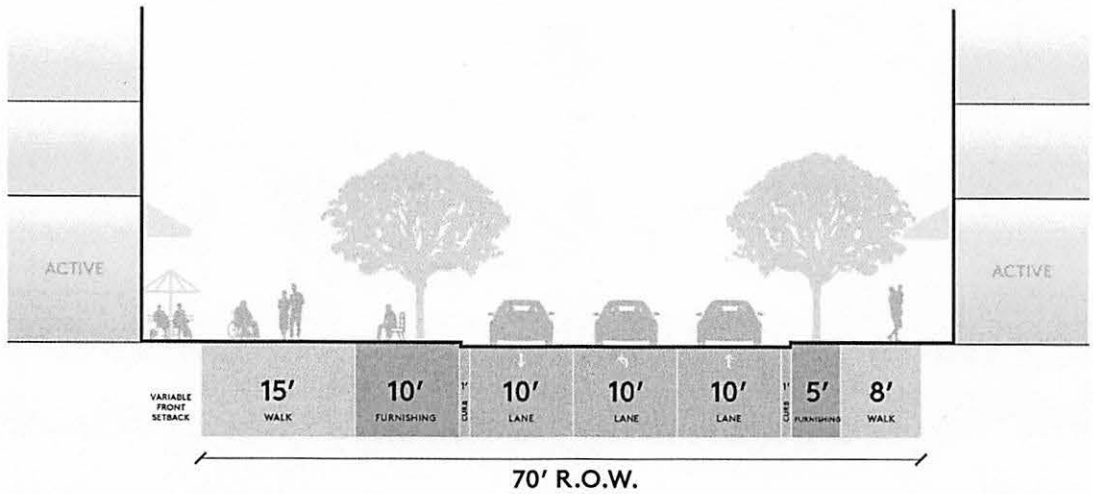
Major Thoroughfares are streets that connect regional centers or pass through central commercial corridors. Many of these streets have significant traffic volumes at peak hours, and are key places for high-capacity transit routes, separated bike facilities, and wider sidewalks.

PERMITTED FRONTAGE TYPES

URBAN STREET EDGE	RETAIL & ACTIVE USES	RESIDENTIAL STOOP/PORCH	PLAZA/PUBLIC SPACE	PRIVATE YARD
Permitted	Permitted	Not Permitted	Permitted	Not Permitted

FUNCTIONAL CLASSES	Principal Arterial
ADJACENT LAND USES	High intensity commercial, residential, and active ground-level uses

MAIN STREET



DESCRIPTION

Main Streets are primary pedestrian corridors with active uses and generous sidewalks. They feature high quality streetscapes with linear open space, decorative paving, and tree canopy. These are often important corridors for transit or supported with transit nearby. Wide furnishing zone may include pockets for on-street parking.

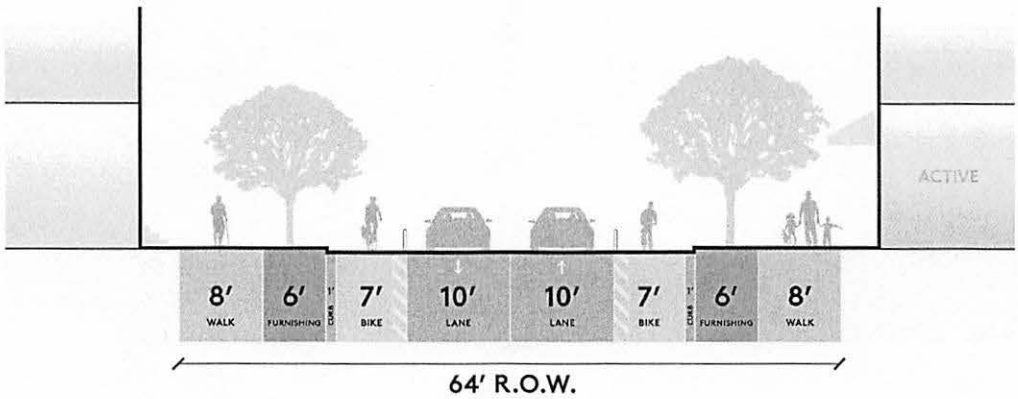
PERMITTED FRONTAGE TYPES

URBAN STREET EDGE	RETAIL & ACTIVE USES	RESIDENTIAL STOOP/PORCH	PLAZA/PUBLIC SPACE	PRIVATE YARD
Permitted	Permitted	Not Permitted	Permitted	Not Permitted

FUNCTIONAL CLASSES Minor Arterial, Collector

ADJACENT LAND USES Mid to high intensity commercial, residential, and ground-level retail uses.

NEIGHBORHOOD MIXED USE STREET



DESCRIPTION

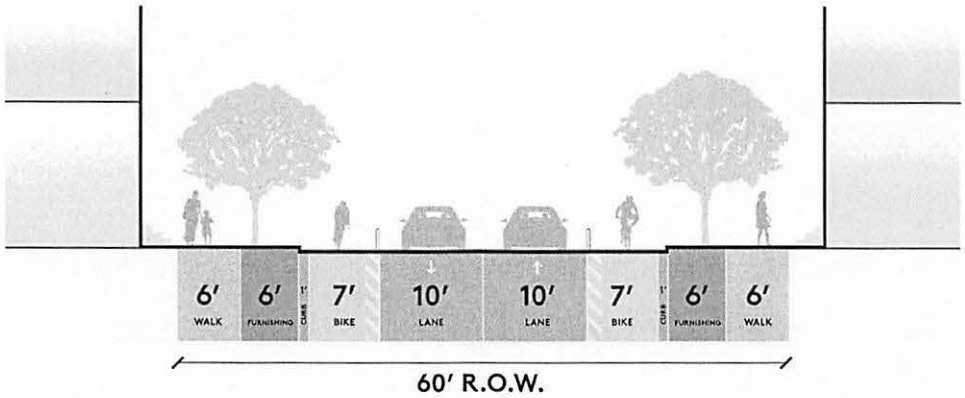
Neighborhood mixed use streets have low to mid-intensity commercial and residential, occasional active ground floors. With generally lower vehicular volume than major thoroughfares, these streets require careful balancing among modes and should include wider sidewalks, buffered bike facilities, transit routes, and narrower travel lanes. On-street parking considered on a contextual basis and is subject to approval by Public Works Official.

PERMITTED FRONTAGE TYPES

URBAN STREET EDGE	RETAIL & ACTIVE USES	RESIDENTIAL STOOP/PORCH	PLAZA/ PUBLIC SPACE	PRIVATE YARD
Permitted	Permitted	Permitted	Permitted	Permitted

FUNCTIONAL CLASSES	Minor Arterial, Collector, Neighborhood Access
ADJACENT LAND USES	Low to mid-intensity commercial, residential, and occasional active ground-level uses, civic and urban flex uses

NEIGHBORHOOD RESIDENTIAL STREET TYPE 1



DESCRIPTION

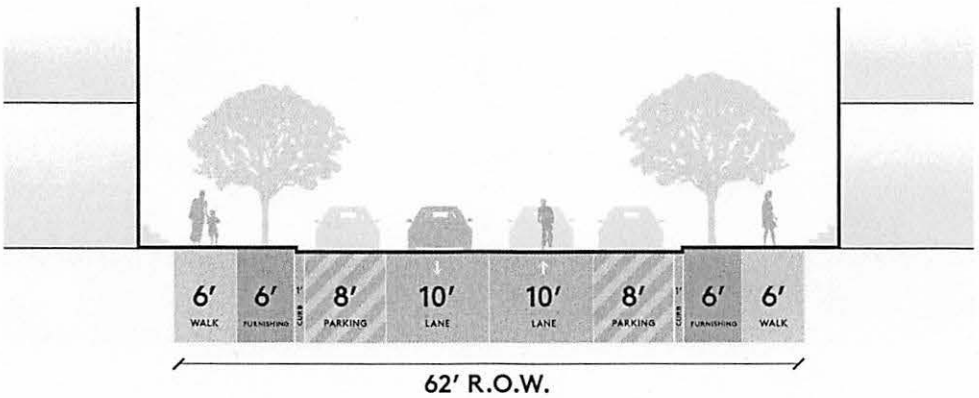
Neighborhood residential streets are low vehicular traffic volume streets that have primarily residential frontages and dedicated bicycle facilities.

PERMITTED FRONTAGE TYPES

URBAN STREET EDGE	RETAIL & ACTIVE USES	RESIDENTIAL STOOP/PORCH	PLAZA/ PUBLIC SPACE	PRIVATE YARD
Not Permitted	Not Permitted	Permitted	Permitted	Permitted

FUNCTIONAL CLASSES	Collector, Neighborhood Access
ADJACENT LAND USES	Predominantly low to medium intensity residential uses

NEIGHBORHOOD RESIDENTIAL STREET TYPE 2



DESCRIPTION

Residential-focused streets with low vehicular traffic volumes, which can accommodate shared bike facilities.

PERMITTED FRONTAGE TYPES

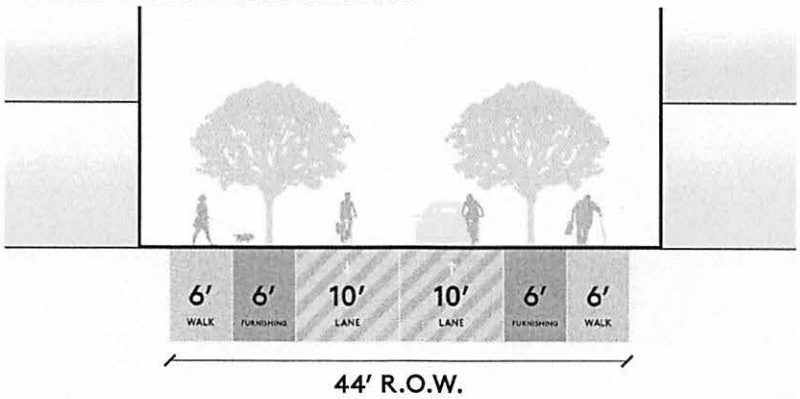
URBAN STREET EDGE	RETAIL & ACTIVE USES	RESIDENTIAL STOOP/PORCH	PLAZA/ PUBLIC SPACE	PRIVATE YARD
Not Permitted	Not Permitted	Permitted	Permitted	Permitted

FUNCTIONAL CLASSES Neighborhood Access

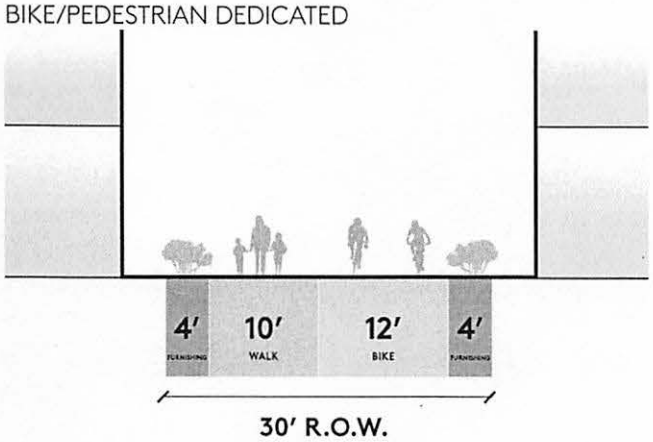
ADJACENT LAND USES Predominantly low to medium intensity residential uses

GREEN MID-BLOCK CONNECTION

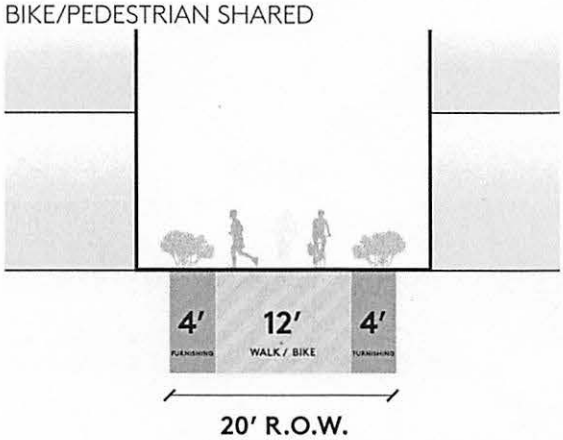
VEHICLE/BIKE/PEDESTRIAN SHARED



BIKE/PEDESTRIAN DEDICATED



BIKE/PEDESTRIAN SHARED



DESCRIPTION

These streets are generously landscaped mid-block connections typically as part of larger developments. May include required green infrastructure. Does not include public R.O.W. improvements to "green" an existing street. Mid-block connections may be used for emergency access, and may also be used for access to loading zones, parking entrances, or other "back of house" functions.

PERMITTED FRONTAGE TYPES

URBAN STREET EDGE	RETAIL & ACTIVE USES	RESIDENTIAL STOOP/PORCH	PLAZA/ PUBLIC SPACE	PRIVATE YARD
Permitted	Permitted	Permitted	Permitted	Permitted

FUNCTIONAL CLASSES	Neighborhood Access, Trail
ADJACENT LAND USES	Low to high intensity commercial or residential uses, typically within larger developments. May have active ground-level uses, depending on site design

57.25 DISTRICTWIDE STANDARDS

57.25.01 PURPOSE

The following standards are intended to support the vision and objectives of the NE 85th St Station Area Plan. They are comprised of standards that are consistent throughout the Regulating Districts as shown in Figure 2, including transitions, parking, landscaping requirements, and public space requirements.

57.25.02 APPLICABILITY

Districtwide Standards apply to all areas within the Regulating Districts as shown in Figure 2, regardless of regulating district, frontage type, or street type designation.

57.25.03 ROOFTOP APPURTENANCES, AMENITIES, AND STRUCTURES

GENERAL PROVISIONS

1. Rooftop Amenities must be designed to be consistent with KZC 115.122, and green roof systems otherwise allowed by administrative review in the Green Innovation section of this chapter are considered rooftop amenities. Rooftop amenities are allowed in all regulating districts.

2. Rooftop appurtenances may exceed the maximum allowed height of the structure pursuant to KZC 115.120, and renewable energy generation systems otherwise allowed by administrative review in the Green Innovation section are considered Rooftop appurtenances and exemptions as defined in KZC 115.120.3.d.

57.25.04 LANDSCAPING, GREEN INFRASTRUCTURE, AND ENVIRONMENTAL FEATURES

GENERAL PROVISIONS

1. **Landscape Standards**: Unless specified otherwise in this chapter, all landscaping must be consistent with KZC Ch 95.

2. **Green Infrastructure**: Development shall implement the Green Innovation section of this chapter.

3. Bird-safe Standards: All developments shall design, build, and maintain building façade and site design strategies to make the building and site structures visible as physical barriers to birds. The standards are applicable per façade when the façade has 30% or more glazing within the first 60 feet measured from the grade adjacent to the façade. For low density residential buildings less than 45 feet in height, standards apply per façade when the façade has 50% or more glazing.

a. At least 90% of the windows and glazing shall meet Bird Safe Glazing Standards.

i. Windows and glazing, including glazed balcony railing, located within the first 60 feet of the building measures from the grade adjacent to the façade;

ii. Windows and glazing located within the first 15 feet of building above an adjacent green roof, roof garden, or other vegetated or landscaped roof area; and

iii. The glazed portions of sky bridges or fences.

b. Bird Safe Glazing Standards: Bird-safe glazing may include fritting, netting, permanent stencils, frosted glass, exterior screens, physical grids placed on the exterior of glazing, or UV patterns visible to birds. To qualify as Bird-Safe Glazing Treatment, vertical elements of window patterns shall be at least 1/ inch wide at a minimum spacing of 4 inches or horizontal elements at least 1/8 inch wide at a maximum spacing of 2 inches.

c. All developments shall prepare and submit a post construction monitoring plan to review effectiveness of the building and site design in preventing bird collisions for three years.

4. Dark Sky Fixtures: All developments shall meet uplight and light trespass requirements for all exterior luminaires located inside the development boundary to support a nighttime habitat friendly environment.

a. Lighting controls for all exterior lighting shall comply with section 9.4.1.3 of ANSI/ASHRAE/IESNA Standard 90.1-2007, without amendments.

b. Design exterior lighting so that all site and building-mounted luminaires produce a maximum initial illuminance value no greater than 0.20 horizontal and vertical footcandles (2.0 horizontal and vertical lux) at the development boundary and no greater than 0.01 horizontal footcandles (0.1 horizontal lux) 15 feet (4.5 meters) beyond the development boundary. Document that no more than 5% of the total initial designed fixture lumens (sum total of all fixtures on site) are emitted at an angle of 90 degrees or higher from nadir (straight down).

c. Illuminance generated from a single luminaire placed at the intersection of a private vehicular driveway and public roadway accessing the site is allowed to use the centerline of the public roadway as the development boundary for a length of 2 times the driveway width centered at the centerline of the driveway.

57.25.05 TRANSITIONS

GENERAL PROVISIONS

1. **Intent**: Transitions are intended to ensure that new development is consistent with the vision of the NE 85th Street Station Area Plan to provide appropriate transitions of development intensity, height, and bulk across zones.

2. **Applicability**: Transitions are required where the difference between the maximum height proposed for a subject property is more than 30' higher than the maximum allowed height of an abutting parcel. These transitions may be applied to side or rear lot lines. Front parcel transitions are addressed through upper story setbacks requirements for each regulating district. No portion of the structure shall extend into this Sky Plane Exposure.

3. **Transition Requirements**: Where transitions are applicable, they shall consist of a required Landscape Buffer and a Sky Plane Exposure.

4. **Landscape Buffer**: A minimum 15-foot-wide landscaped strip with a 6-foot-high solid screening fence or wall planted consistent with Buffering Standard 1 of KZC Ch 95.

5. **Sky Plane Exposure**: Transitions are established using a sky plane exposure plane that sets the maximum envelope for massing within the subject property. The sky exposure plane is measured at an angle from a vertical line. To calculate the sky exposure plane, use the following steps:

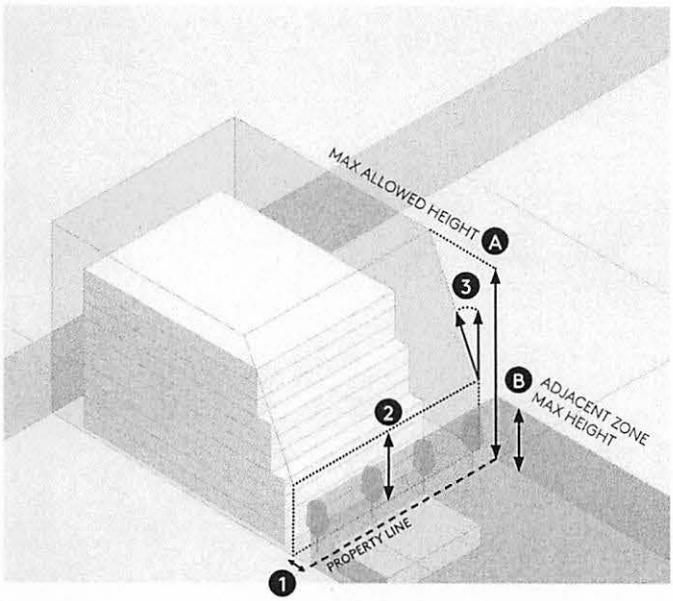
i. Establish a transition starting elevation by determining the existing grade at the subject property's midpoint elevation along the abutting common lot line.

ii. Create a vertical plane 15' set back from and parallel to the common lot line.

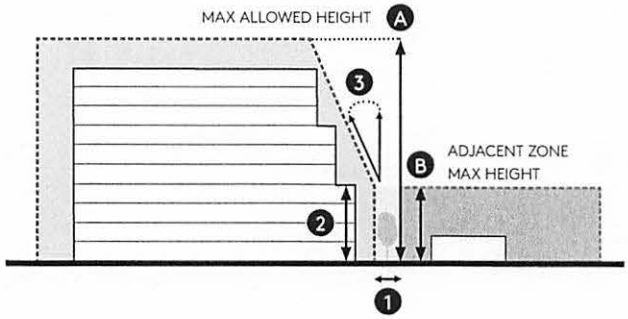
iii. Establish a maximum height of the vertical plane that is equal to the midpoint grade elevation plus the maximum allowed height for the zone of the adjoining property.

iv. From the top of this vertical plane, extend a sky exposure plane at an angle of 25 degrees to the maximum allowed height of the subject property zone.

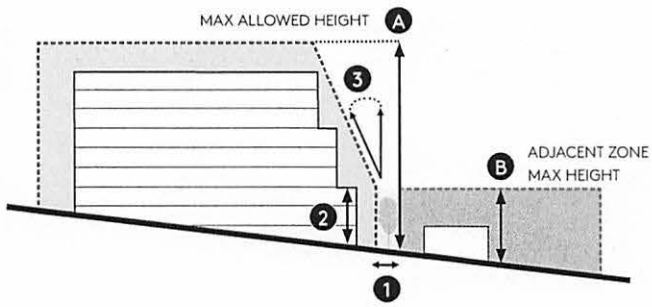
FIGURE 15: DISTRICTWIDE STANDARDS



EXAMPLE ONE



EXAMPLE TWO



TRANSITIONS

Applicability	A B	Transitions are required if the allowed maximum height for the subject parcel is greater than 30' above the maximum allowed height for any adjacent parcel.
Requirement	1	Create a vertical plane 15' away from and parallel to the common lot line.
	2	Establish a maximum height of the vertical plane that is equal to the midpoint grade elevation plus the maximum allowed height for the zone of the adjoining property.
	3	From the top of this vertical plane, extend a sky exposure plane at an angle of 25 degrees to the maximum allowed height of the subject property zone.

57.25.06 PARKING

GENERAL PROVISIONS

1. **Off-Street Parking:**

a. **Required Parking**: The following off-street parking requirements apply to uses in the regulating districts as shown in Table 3.

TABLE 3: OFF-STREET PARKING REQUIREMENTS

Land Use	Minimum Required Parking
Residential	Reserved
Commercial	2/1000 SF GFA
Industrial	Reserved
Institutional	set by traffic engineer under KZC 105.25

b. **Shared Parking Reduction**: Shared parking is allowed in accordance with the provisions in KZC 105.45.

c. **Modification to Minimum Required Parking**: For a modification to sub-section 1.a, a decrease in the required number of spaces may be granted by the Planning Official if the number of spaces proposed is documented by an adequate and thorough parking demand and utilization study to be sufficient to fully serve the use. The study shall be prepared by a licensed transportation engineer or other qualified professional, and shall analyze the operational characteristics of the proposed use which justify a parking reduction. The scope of the study shall be proposed by the applicant's transportation engineer and approved by the City Transportation Engineer. The study shall provide at least two (2) days of data for morning, afternoon and evening hours, or as otherwise approved or required by the City Transportation Engineer. Approval of a parking reduction shall be solely at the discretion of the City. A decrease in the minimum required number of spaces may be based in whole or part on the provision of nationally accepted TDM (Transportation Demand Management) measures. Data supporting the effectiveness of the TDM measures shall be provided as part of the parking demand and utilization study and approved by the City Transportation Engineer.

2. **Parking Location**: Refer to KZC Ch 105.

3. **Parking Area Design**: Refer to KZC Ch 105, as well as the Green Innovation section of this chapter for relevant requirements and incentives.

4. **Parking Dimensional Standards**: Refer to KZC Ch 105.

5. **Bike Parking:** Bicycle parking spaces shall be provided in all new development to encourage the use of bicycles as a form of transportation by providing safe and convenient places to park bicycles. Both short-term and long-term bicycle parking shall be provided. Short-term bicycle parking is intended to serve visitors or business patrons who visit the project site for a short time period, around 4 hours or less. Short-term bicycle parking is located near the site entrance in a visible location that makes it easy to find for visitors. Long-term bicycle parking is intended to serve residents or employees who may need to store bikes on site during a typical workday or overnight. Long-term bicycle parking is secured and weatherproof to provide a safe and comfortable storage place for longer periods.

General bicycle parking standards:
- Short and long-term bicycle parking shall be provided based on the following rates:

TABLE 4: BICYCLE PARKING RATES

Use	Short-Term Bicycle Parking Rate (spaces per 1,000 sq.ft. gross floor area)	Long-Term Bicycle Parking Rate (spaces per 1,000 sq.ft. gross floor area)
General Commercial	0.50	0.33
Office Uses	0.07	0.33
Institutional Uses	As determined by City Transportation Engineer under KZC 105.25	As determined by City Transportation Engineer

- The required number of short-term bicycle parking spaces shall be rounded up to the nearest even number.

- The required number of long-term bicycle parking spaces shall be rounded up to the nearest whole number.

- The Planning Official may modify the required amount of bicycle parking according to size of development and anticipated pedestrian and bicycle activity as determined by the City Transportation Engineer. Lack of existing bicycle and pedestrian activity shall not be considered as sufficient criteria to provide less than the minimum required amount of bicycle parking.

- Design of bike parking is subject to approval by Public Works Official.

6. **Loading and Driveways**: Refer to KZC 115.47. Additionally, the following standards apply in the regulating districts:

a. Wherever practical, vehicular access for loading or parking should not be provided along the following street types: Main Street, Major Thoroughfare.

b. Refer to Public Works Policy R-4 for driveway location standards, subject to approval by the Public Works Official.

7. **Special Regulations for Institutional Uses**: For school and/or childcare uses greater than 5,000 GSF, an on-site passenger loading area must be provided, unless otherwise approved by the Public Works Official. The Public Works Official shall determine the appropriate size of the loading areas on a case-by-case basis, depending on the number of attendees and the extent of the abutting right-of-way improvements. Carpooling, staggered loading/unloading time, right-of-way improvements or other means may be required to reduce traffic impacts on the network.

57.25.07 GREEN INNOVATION

RELATIONSHIP TO OTHER REGULATIONS

Reserved.

GENERAL PROVISIONS

1. **Intent**: The Green Innovation code is intended to ensure that new development is consistent with the vision of the NE 85th Street Station Area Plan Sustainability Framework as well as aligned with the Sustainability Master Plan.

2. **Requirements**: As part of any development permit submittal, all projects shall complete a form provided by the City of Kirkland indicating their review of the **NE 85th Street Station Area Plan Chapter 10.0, Sustainability Framework**, and how the development is aligned with those goals and opportunities. All new developments and major renovations requiring Design Board Review per KZC 142.15 shall be designed, built, and certified to achieve or exceed requirements in three categories: High Performance Buildings; Energy and Decarbonization; and Ecosystems and Green Infrastructure.

i. **High Performance Buildings**:

All new developments and major renovations shall be designed, built, and certified to achieve or exceed the High Performance Building Standards described in KZC 115.62. For commercial developments that are building Core and Shell only, they may be designed, built, and certified to achieve LEED v4 Core and Shell Gold as an alternative certification to meet requirements of KZC 115.62.2.b. Some third-party protocol certifications may be eligible for the Incentive Program, refer to KZC Ch 57.30.

ii. **Energy and Decarbonization**

(a) All new developments larger than 5,000 sf shall include a renewable energy generation system with production at a rate of 0.60 W/sf of all conditioned area. Renewable energy shall be produced on-site, or off-site including the following compliance options in 2021 Washington State Energy Code section C411.2.1.

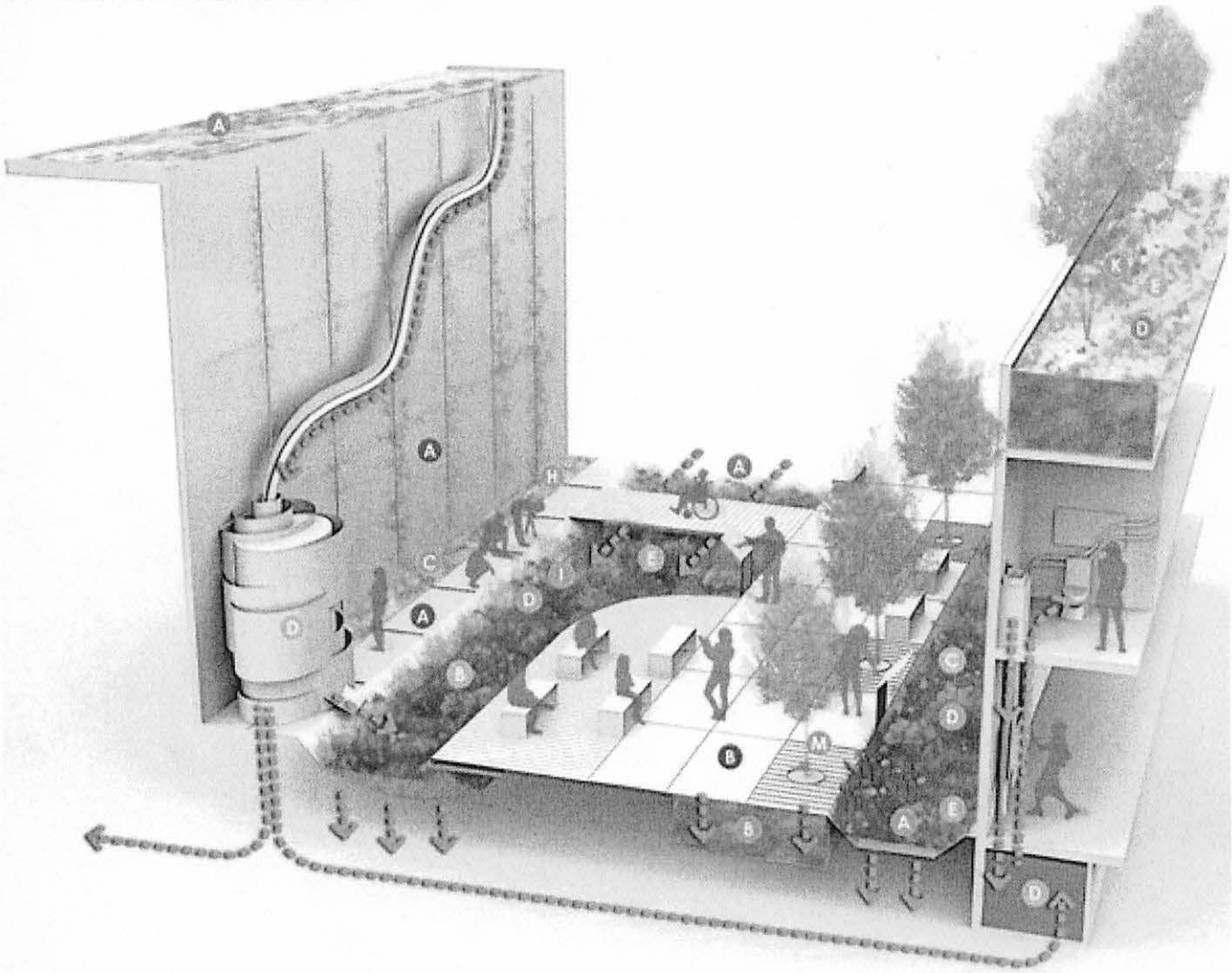
(b) All new developments and major renovations less than twenty stories shall include solar readiness, per 2021 Washington State Energy Code standards, Section C411.3.

iii. **Ecosystems and Green Infrastructure**

(a) All new developments and major renovations shall be designed, built, and certified to achieve or exceed a Green Factor score of 0.4.

The Green Factor sets criteria for landscape and site-based sustainability measures. The landscape elements listed will contribute to larger district sustainability goals focused on the natural environment, ecosystems, and stormwater. The elements that contribute more significantly to supporting the citywide Sustainability Master Plan's goals related to Sustainable Urban Waterways, Conservation and Stewardship, Access to Parks and Open Space, and Sustainable Urban Forestry have been weighted higher in this Green Factor.

FIGURE 17: GREEN FACTOR CRITERIA



1 LANDSCAPE ELEMENTS

- (A) Bioretention facilities and/or soil cells
- (B) Structural soil systems
- (C) Landscape areas with soil depth less than 24"
- (D) Landscape areas with soil depth of 24" or more
- (E) Preservation of existing trees
- (F) Preservation of Landmark trees bonus
- (G) Preservation of exiting evergreen trees bonus
- (H) Groundcovers or other low plants
- (I) Medium shrubs or perennials
- (J) Large shrubs or perennials
- (K) Small trees with 500 ft^3 soil volume
- (L) Medium trees with 1000 ft^3 soil volume
- (M) Large Trees with 1500 ft^3 soil volume

2 GREEN ROOFS

- (A) Area planted with at least 2" but less than 4" of soil
- (B) Area planted with at least 4" but less than 8" of soil
- (C) Area planted with at least 8" but less than 30" of soil
- (D) Area planted with trees and least 30" of soil

3 GREEN WALLS

- (A) Facade or wall surface onbstructed with vines
- (B) Facade or wall surface planted with a green wall system

4 LANDSCAPE BENEFITS

- (A) Landscaped areas in food cultivation
- (B) Landscape areas with native or drought tolerant plants
- (C) Landscape areas at sidewalk grade where the majority of the area is covered with vegetation that is native or drought tolerant, and/or provides habitat for urban wildife and pollinators
- (D) Rainwater harvesting
- (E) Planting that provides food, forage and refuge for a diversity of species and/or inclusion of habitat elements such as woody debris, gravel/cobble, nesting materials, etc.

5 PERMEABLE PAVING

- (A) Permeable paving over 6"-24" soil or gravel
- (B) Permeable paving over at least 24" of soil or gravel

GREEN FACTOR

The Green Factor score shall be calculated as follows:

1. Identify all proposed elements in Table 5.

2. Multiply the square feet, or equivalent unit of measurement where applicable, of each landscape element by the multiplier provided for that element in Table 5 according to the following provisions:

a. If multiple elements listed in Table 5 occupy the same physical area, they may all be counted.

b. Landscaping elements and other frontage improvements in the right-of-way between the lot line and the roadway may only be counted if the enhancements in the right-of-way contribute to district sustainability goals including habitat connectivity, tree canopy, or stormwater goals and a commitment is made to ongoing maintenance and management of the landscape areas. Subject to approval by the City of Kirkland.

c. Unless otherwise noted, elements shall be measured in square feet.

d. For trees, large and medium shrubs and perennials, use the equivalent square footage of each tree or shrub provided in Table 5.

e. For green wall systems, use the square footage of the portion of the wall that will be covered by vegetation at three years. Green wall systems shall include year-round irrigation and a submitted maintenance plan shall be included as an element in the calculation for a project's Green Factor Score.

f. All vegetated structures, including fences counted as vegetated walls shall be constructed of durable materials, provide adequate planting area for plant health, and provide appropriate surfaces or structures that enable plant coverage. Vegetated walls shall include year-round irrigation and a submitted maintenance plan shall be included as an element in the calculation for a project's Green Factor Score.

g. For all elements other than trees, large shrubs, large perennials, green walls, structural soil systems and soil cell system volume; square footage is determined by the area of the portion of the horizontal plane that lies over or under the element.

h. All permeable paving and structural soil credits may not count for more than one-third of a project's Green Factor Score.

i. An Innovation credit may be awarded at the discretion of the Planning Official. This credit can be awarded if a development seeks to exceed the minimum requirements in supporting larger district sustainability goals. The multiplier may range from 0.2-.5 depending on the development proposal.

3. Add together all the products calculated in Table 5 to determine the Green Factor numerator.

4. Divide the Green Factor numerator by the parcel area to determine the Green Factor score. A development shall achieve a minimum score of 0.4.

5. The City of Kirkland reviewer has the final authority in determining the accuracy of the calculation of the Green Factor score.

TABLE 5: GREEN FACTOR

1. Landscape Elements		Multiplier
A.	Bioretention facilities and/or soil cells	1.5
B.	*Structural soil systems	0.2
C.	Landscaped areas with soil depth less than 24"	0.1
D.	Landscaped areas with soil depth of 24" or more	0.6
E.	Preservation of existing trees - calculated at 20 sq ft per inch dbh (Trees must have a minimum diameter of 6" at dbh.)	1.0
F.	Preservation of Landmark Trees bonus - calculated at 20 sq ft per inch dbh (Trees must meet City of Kirkland's definition of Landmark Trees)	0.1
G.	Preservation of existing evergreen trees bonus - calculated at 20 sq ft per inch dbh (Preserved evergreen trees must have a minimum diameter of 6" at dbh)	0.1
H.	Ground covers or other low plants (less than or equal to 2' tall at maturity)	0.1
I.	Medium Shrubs or perennials - calculated at 9 sq ft per plant (2'-4' tall at maturity)	0.3
J.	Large Shrubs or perennials - calculated at 36 sq ft per plant (greater than 4' tall at maturity)	0.4
K.	**Small Trees or equivalent with calculated soil volume that meets or exceeds 500ft3 per tree - calculated at 90 sq ft per tree (canopy spread 10' to 15' at maturity)	0.3
L.	**Medium Trees or equivalent with calculated soil volume that meets or exceeds 1000 ft3 per tree - calculated at 230 sq ft per tree (canopy spread 16' to 24' at maturity)	0.5
M.	**Large Trees with calculated soil volume that meets or exceeds 1500 ft3 per tree - calculated at 350 sq ft per tree (canopy spread 25' and greater at maturity)	0.7
2. Green Roofs		
A.	Area planted with at least 2" of growth medium but less than 4" of soil	0.4
B.	Area planted with at least 4" but less than 8" of soil	0.7
C.	Area planted with at least 8" of but less than 30" of soil	1.0
D.	Area planted with tree(s) and at least 30" of soil	1.5
3. Green Walls		
A.	Façade or wall surface obstructed with vines (calculate at 3 years of growth)	0.1
B.	Façade or wall surface planted with a green wall system (must have year-round irrigation and maintenance plan)	0.2
4. Landscape Benefits		
A.	***Landscaped areas in food cultivation	0.2
B.	Landscaped areas planted with native or drought tolerant plants	0.1
C.	Landscaped areas at sidewalk grade where the majority of the area is covered with vegetation that is native or drought tolerant, and/or provides habitat for urban wildlife and pollinators	0.1
D.	Landscaped areas where at least 50% of annual irrigation needs are met through the use of harvested rainwater	0.2
E.	****Planting that provides food, forage and refuge for a diversity of species (native insects, pollinators, birds, and other urban wildlife) and/or inclusion of habitat elements such as woody debris, gravel/ cobble, nesting materials, etc.	0.2

TABLE 5: GREEN FACTOR (CONTINUED)

5. Permeable Paving		Multiplier
A.	Permeable paving over a minimum 6" and less than 24" of soil or gravel	0.2
B.	Permeable paving over at least 24" of soil or gravel	0.5
6. Innovation		
A.	Contributes to district sustainability goals including habitat connectivity, tree canopy, or stormwater goals beyond the site boundary. (i.e. Treating stormwater from public ROW on project site, daylighting piped streams, enhanced tree canopy and habitat connecting larger patches/corridors, enhance and maintain landscaping in ROW, enhanced stormwater treatment for water quality pollutants including metals, 6PPD Quinone, and phosphorus, landscape plan that demonstrates a commitment to minimal pesticide and fertilizer inputs, adaptive management plans) Scoring to be awarded at the discretion of the City of Kirkland.	0.2-0.5

* Structural soil system means a soil mix or equivalent structure that is engineered to support pavement while allowing healthy root growth.

** For purposes of determining the size category of a tree species, the tree must have a mature canopy spread of the following:
Small Trees - 8 feet to 16 feet
Medium Trees - 16 feet to 26 feet
Large Trees - 26 feet or more

*** Landscape areas in food cultivation are defined as a use in which land is used to grow plants and harvest food or ornamental crops for donation or for use by those cultivating the land and their households. Examples include Pea Patch community gardens.

**** Refer to the Green Factor Scoresheet Reference Pollinator Plant List tab and City Pollinator Plant List for reference plant species.

57.30 INCENTIVE PROGRAM

PURPOSE

The purpose of the Incentive Zoning Program within the Subarea is to provide additional development capacity above the allowed base height zoning in exchange for providing amenities with a clear public benefit while addressing the impacts that this additional development might have on the community.

57.30.01 GENERAL

The incentive zoning program may be utilized to achieve development up to the bonus maximum allowed height where the regulating district map (Fig. 2 of this chapter) identifies both a base and maximum allowed height (e.g., CMU 85'/150'). Where a regulating district identifies only a base maximum height, that property is not eligible to receive incentive development capacity (e.g., CMU 60). In no case may the incentive zoning allow development that exceeds the maximum building height as allowed in Figure 2.

57.30.02 REQUIRED REVIEW

The Planning and Building Director may approve an application for incentive zoning that complies with Table 6 if the Director finds that:

1. The design and/or extent of the amenity meets the standards established in Table 6 and table 7 criteria; and

2. Where amenities are to be provided on the subject property, the public benefits provided, described in Table 6 for each amenity type, will be derived from the development of the proposed amenity in the proposed location.

3. Covenants, easements, and agreements are established to ensure the provision of the proposed amenities in perpetuity.

An application for incentive zoning shall be made on the forms provided by the City and submitted with the established application fee.

An applicant may propose flexible amenity options as identified in Table 5 through a Development Agreement subject to the provisions of Section 57.05.03 of this Chapter provided that the City finds that the flexible amenity options clearly meet or exceed the public benefit that would result from the standard incentive amenities.

57.30.03 INCENTIVE AMENITIES AND EXCHANGE RATES FOR INCENTIVE CAPACITY

Tables 6 and 7 describe the incentive amenities that may be provided to receive incentive capacity and the exchange rate at which incentive capacity will be granted

for each unit of amenity provided. Measurements shall be in square feet (indicated as sf in Tables).

PROVIDED AMENITY STRUCTURE

1. An applicant must provide incentive amenities from at least two different categories in Table 6 in order to receive incentive capacity. No more than 75% of the requested incentive capacity may be achieved through provision of amenities in a single category. Applicants may choose to provide amenities from more than two amenity categories.

2. Modification of amenity structure requirements. The Planning & Building Director may grant a modification to allow an applicant to achieve more than 75% of their incentive capacity through provision of amenities from a single category in instances where it is determined the proposed amenity structure:
    a. Provides an exceptional community benefit in the chosen amenity category such that the benefit is demonstrably superior to what could be provided through the required diversification of amenities; or,
    b. The subject property has a unique condition that precludes the ability to provide the diversity of amenities.

Table 6: Incentive Amenities

Proposed List of Eligible Amenities	Public Benefit Provided
AFFORDABLE HOUSING	
Commercial development: Affordable housing contribution (fee-in-lieu)	Fee revenue for affordable housing
MOBILITY / TRANSPORTATION	
Enhanced Mid-block Green Connections: Enhancement to an active transportation connection through a property that provides a route alternate to the vehicular road network, established through either a public easement, or right-of-way dedication.	Square feet of enhanced mid-block green connections
PARKS / OPEN SPACE	
Public Open Space (outdoor): Outdoor space available for public use such as plazas, pocket parks, linear parks, rooftops, etc.	Square feet of improved public outdoor park-like space
Public Community Space (indoor): Space available for civic or community uses such as arts or performance spaces, after-school programming, recreation, event space, etc.	Square feet of improved public indoor community space
SUSTAINABILITY	
Enhanced Performance Buildings: Design, build, and certify to achieve ***Living Building Challenge v4 Carbon Certification*** or ***Living Building Challenge v4 Petal Certification***	New buildings that exceed Kirkland High Performance Building Code
Ecology and Habitat: Achieve a Green Factor Score ***of at least 0.75*** - (as-of-right requires projects to demonstate a score of at least 0.4)	SF of land, enhanced ecolocy/habit
Innovation Investments: Design, build and operate innovative energy and/or decarbonization systsems (on-site or within SAP)	New and innovative sustainability infrastructure in the Station Area
SCHOOLS, EDUCATION, AND CHILDCARE	
ECE/Day Care Operation Space: Floor area dedicated to child care, or Preschool learning space, as defined in KZC 5.10.194	Long-term dedication of building space for non-profit childcare use
School Operation Space: Floor area dedicated to school operation as defined in KZC 5.10.825	Long-term dedication of building space for education use
OTHER APPLICANT PROPOSED AMENITIES	
Flexible Amenity Options: Applicant may propose amenities not on this list (on a case-by-case basis). Amenities must have a clear public benefit and will be subject to approval by the City and formalized in a development agreement.	TBD

Table 7: Exchange Rates for Incentive Capacity

List of Eligible Amenities	Measure of Exchange Rate	Policy Weighted Bonus Ratio			Amenity Provided per 20,000sf of IZ bonus space
		Priority Rank	Priority Weight	Bonus Ratio (priority)	Bonus Ratio (priority)
AFFORDABLE HOUSING					
Commercial development contribution	Voluntary fee per SF of incentive bonus space	1	1.50	$16.67	$333,333
MOBILITY / TRANSPORTATION					
Enhanced Mid-block Green Connections	Bonus SF per SF of enhanced connections	3	1.00	5.0	4,000 sf
PARKS / OPEN SPACE					
Public Open Space (outdoor)	Bonus SF for each SF of improved public space	2	1.25	7.5	2,667 sf
Public Community Space (indoor)	Bonus SF for each SF of improved public space	2	1.25	8.8	2,286 sf
SUSTAINABILITY					
Enhanced Performance Buildings	Bonus SF per $1,000 invested	3	1.00	40.0	$500,000
Ecology and Habitat (GF score above 0.75)	Bonus SF for each SF of enhanced ecolocy/habitat land	3	1.00	1.4	14,286 sf
Innovation Investments: Energy and Decarbonization	Bonus SF per $1,000 invested	3	1.00	40.0	$500,000
SCHOOLS, EDUCATION, AND CHILDCARE					
ECE/Day Care Operation Space	Bonus SF for each SF of ECE/Day Care space	2	1.25	12.5	1,600 sf
School Operation Space	Bonus SF for each SF of school space	2	1.25	12.5	1,600 sf
OTHER APPLICANT PROPOSED AMENITIES					
Flexible Amenity Options	TBD	3	1.00	40.0	$500,000