

ORDINANCE NO. 3661

AN ORDINANCE OF THE CITY OF KIRKLAND, RELATING TO ZONING, PLANNING, AND LAND USE AND TO THE LIT AND ILC ZONES AND REGULATIONS THEREFORE; REPLACING LIT AND ILC USE ZONE CHARTS WITH NEW SECTION NUMBERS; AMENDING SECTION 57.10.150 OF THE ILC USE ZONE CHART TO CHANGE THE TERM "GYMNASTIC INSTRUCTIONAL FACILITY" TO "ATHLETIC INSTRUCTIONAL FACILITY;" AND ADDING SECTION 5.10.42 TO THE KIRKLAND MUNICIPAL CODE, DEFINING THE TERM "ATHLETIC INSTRUCTIONAL FACILITY."

WHEREAS, the City Council on September 1, 1998, passed Ordinance No. 3654 which replaces the LI Use Zone Charts with new LIT and ILC Use Zone Charts and added a Gymnastic Instructional Facility use listing category in the ILC Zone; and

WHEREAS, on September 15 and October 6, 1998, City Council reconsidered the passage of Ordinance No. 3654; and

WHEREAS, upon reconsideration, the City council determined that the use listing of Gymnastic Instructional Facility in the ILC Zone should be changed to Athletic Instructional Facility; and

WHEREAS, the new section numbering system for the LIT and ILC Use Zone Charts adopted by Ordinance No. 3654, needs to be amended;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Kirkland as follows:

Section 1. The Kirkland Zoning Code (Title 23 of the Kirkland Municipal Code) is amended in accordance with Attachment A, which by this reference is incorporated herein:

Section 2. If any section, subsection, sentence, clause, phrase, part or portion of this ordinance, including those parts adopted by reference, is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.


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

PASSED by majority vote of the Kirkland City Council in regular, open meeting this 3rd day of November, 1998.

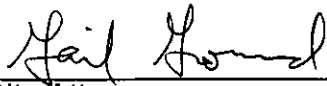
SIGNED IN AUTHENTICATION thereof this 3rd day of November, 1998.


Deputy Mayor

Attest:


City Clerk

Approved as to Form:


City Attorney

PUBLICATION SUMMARY
OF ORDINANCE NO. 3661

AN ORDINANCE OF THE CITY OF KIRKLAND, RELATING TO ZONING, PLANNING, AND LAND USE AND TO THE LIT AND ILC ZONES AND REGULATIONS THEREFORE; REPLACING THE LIT AND ILC USE ZONE CHARTS WITH NEW SECTION NUMBERS; AMENDING SECTION 57.10.150 OF THE ILC USE ZONE CHART TO CHANGE THE TERM "GYMNASTIC INSTRUCTIONAL FACILITY" TO "ATHLETIC INSTRUCTIONAL FACILITY"; AND ADDING SECTION 5.10.42 TO THE KIRKLAND MUNICIPAL CODE, DEFINING THE TERM "ATHLETIC INSTRUCTIONAL FACILITY."

SECTION 1. Amends specific portions of the text of the Kirkland Zoning Code as follows:

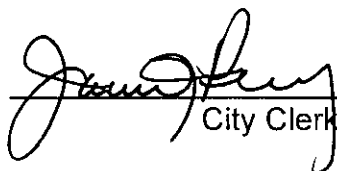
Replaces Use Zone Charts for the LIT and ILC Zone with new section numbers; changes the name of Section 57.10.150 to Athletic Instructional Facility; adds a definition for Athletic Instructional Facility

SECTION 2 Provides a severability clause for the ordinance.

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

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its regular meeting on the 3rd day of November, 1998.

I certify that the foregoing is a summary of Ordinance 3661 approved by the Kirkland City Council for summary publication.



City Clerk

30. Alluvium - Soil deposits transported by surface waters. O-3661
35. Alteration - A change or rearrangement of the structural members or exits in a building; an increase in the height or length or depth of the exterior walls of a building; the movement of a structure from one location to another; or, for office or commercial buildings, the changing by the use of partitions of more than one-third of the gross floor area of a single floor.
37. Amend - To change the Zoning Map, text of the Zoning Code, or Land Use Policies Plan in accordance with this Code.
40. Applicant - A person who applies for any permit or approval to do anything governed by this Code and who is the owner, of the subject property; the authorized agent of the owner, or the City.

Section 57.10.42 → 42.

42. Athletic Instructional Facility - An establishment limited to recreational activities that provide instructional classes in gymnastics, swimming, and dance, exclusive of athletic clubs or fitness clubs.
43. Automotive Service Center - Establishment primarily engaged in automotive repair, including the sale and installation of lubricants, tires, batteries, mufflers, and similar accessories.
45. Average Building Elevation - The average elevation of the topography prior to any development activity, at the center of all exterior walls of a building or structure.

Formula:

$$\text{Average Building Elevation} = (\text{Mid-point Elevation}) \times (\text{Length of Wall Segment}) + \frac{(\text{Mid-point Elevation}) \times (\text{Length of Segment})}{(\text{Length of Segment}) + (\text{Length of Segment})}$$

(See plate 17)

50. Average Ground Elevation - The average elevation of the topography, prior to any development activity, at the center of all sides of the structure or improvement.
55. Average Lot Elevation - The average elevation of all corners of a lot as measured from natural or existing topography.
60. Average Parcel Depth - The average of the distance from the high waterline to the street providing direct access to the subject property as measured along the side property lines or the extension of those lines where the water frontage of the subject property ends, the center of the high waterline of the subject property and the quarter points of the high waterline of the subject property. See the following diagram for examples.
65. Average Parcel Width - The average of the distance from the north to the south property lines as measured along the high waterline and the front property line.
67. Average Slope - The average grade of a site within each land area representing a distinct topographic change.
70. Backfill - Material placed into an excavated area, pit, trench or behind a constructed retaining wall or foundation.

Chapter 55 – LIGHT INDUSTRIAL TECHNOLOGY (LIT) ZONES

55.05 User Guide. The charts in Section 15 of this Chapter contain the basic zoning regulations that apply in the LIT zones of the City. Use these charts by reading down the extreme left hand column entitled Use. Once you locate the use in which you are interested, read across to find the regulations that apply to that use. In addition, you should read Chapter 1 of this Code which will assist you in finding other regulations that apply to your property or proposal.

Section 55.10

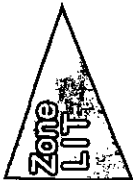


Section 55.10 - GENERAL REGULATIONS - The following regulations apply to all uses in this zone:

1. If any portion of a structure is adjoining a low density zone, then either:
 - a. The height of that portion of the structure shall not exceed 20 feet above average building elevation, or
 - b. The horizontal length of any facade of that portion of the structure which is parallel to the boundary of the low density zone shall not exceed 50 feet in width.

See the Section in Chapter 115 entitled "Distance Between Structures Regarding Maximum Horizontal Facade Regulation" for further details.
(This regulation does not apply to Public Transit Shelter and Hazardous Waste Treatment and Storage Facilities uses.)
2. Refer to Chapter 1 to determine what other provision of this Code may apply to the subject property.
(This regulation does not apply to Public Transit Shelter uses.)
3. Except if adjoining a low density zone, structure height may be increased above 35 feet in height through a Process IIA, Chapter 150, if:
 - a. It will not block local or territorial views designated in the Comprehensive Plan;
 - b. The increased height is not specifically inconsistent with the applicable neighborhood plan provisions of the Comprehensive Plan; and
 - c. The required yard of any portion of the structure may be increased up to a maximum of one foot for each foot that any portion of the structure exceeds 35 feet above average building elevation. The need for additional setback yards will be determined as part of the review of any request to increase structure height.

(This regulation does not apply to Public Transit Shelter, Hazardous Waste Treatment and Storage Facilities and Public Parks uses.)



USE ZONE CHART

DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS

Section 55.15	USE →	REGULATIONS ↑	MINIMUMS			MAXIMUMS		Special Regulations (See also General Regulations)				
			Required Review Process	Lot Size	REQUIRED YARD (See Ch. 115)		Landscaping Category (See Ch. 95)		Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)		
					Front	Side					Rear	Height of Structure
.010	Packaging of prepared materials Manufacturing (See Special Regulations #1 and #2)	None	None	20'	0'	0'	90%	If adjoining a low density zone other than RSX, then 25' above average building elevation. ----- Otherwise, 35' above average building elevation with a maximum of two stories, exclusive of parking levels.	A	C	1 per each 1,000 sq. ft. of gross floor area	1. The following manufacturing uses are permitted: a. Food, drugs, stone, clay, glass, china, ceramics products, electrical equipment, scientific or photographic equipment, fabricated metal products; b. Fabricated metal products, but not fabrication of major structural steel forms, heavy metal processes, boiler making, or similar activities; c. Cold mix process only of soap, detergents, cleaning preparations, perfumes, cosmetics, or other toilet preparations; d. Packaging of prepared materials; e. Textile, leather, wood, paper and plastic products from prepared material; and f. Other compatible uses which may involve manufacturing, processing, assembling, fabrication and handling of products, and research and technological processes. 2. May include as part of this use, accessory retail sales, office or service utilizing not more than 20% of the gross floor area. The landscaping and parking requirements for these accessory uses will be the same as for the primary use.
.020	A retail establishment providing storage services.	None	None	20'	0'	0'	90%		A	E	See Section 105.25	1. May include accessory living facilities for resident security manager.
.030	Warehouse Storage Service	None	None	20'	0'	0'	90%		A	C	1 per each 1,000 sq. ft. of gross floor area	1. May include as part of this use, accessory retail sales, office or service utilizing no more than 20% of the gross floor area. The landscaping and parking requirements for these accessory uses will be the same as for the primary use.
.040	Wholesale Trade											
.050	Industrial Laundry Facility											
.060	Wholesale Printing or Publishing											

Section 55.15



USE ZONE CHART

Section 55.15	USE ↓ REGULATIONS →	DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS										
		Required Review Process	Lot Size	MINIMUMS			Lot Coverage	MAXIMUMS Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
				REQUIRED YARD (See Ch. 115)	Front	Side						
.070	Wholesale establishment or Contracting Services in Building Construction, Plumbing, Electrical, Landscaping, or Pest Control	None	None	20'	0'	0'	80%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 35' above average building elevation with a maximum of two stories, exclusive of parking levels.	B	E	1 per each 1,000 sq. ft. of gross floor area	1. Outdoor storage for this use must be buffered as established in Chapter 95 for Landscaping Category A.
.080	A retail establishment providing banking and related financial services	None	None	20'	0'	0'	80%		B	E	1 per each 300 sq. ft. of gross floor area	1. This use is permitted if accessory to a primary use, and: a. It will not exceed 20% of the gross floor area of the building; b. The use is integrated into the design of the building; and c. There is no vehicle drive-in or drive-through.
.090	High Technology	None	None	20'	0'	0'	80%		A	D	If manufacturing then 1 per each 1,000 sq. ft. of gross floor area If office then 1 per 300 sq. ft. of gross floor area Otherwise, see Section 105.25	1. This use may include research and development, testing, assembly, repair or manufacturing or offices that support businesses involved in the pharmaceutical and biotechnology, communications and information technology, electronics and instrumentation, computers and software sectors. 2. May include as part of this use, accessory retail sales or service utilizing not more than 20% of the gross floor area. The landscaping and parking requirements for these accessory uses will be the same as for the primary use. 3. Refer to Chapter 115.105, for provisions regarding Outside Use, Activity and Storage.
.100	Office Use	None	None	20'	0'	0'	70%		C See also Spec. Reg. #1a	D	If a medical, dental, or veterinary office, then 1 per each 200 sq. ft. of gross floor area. Otherwise, 1 per each 300 sq. ft. of gross floor area	1. The following regulations apply only to veterinary offices: a. If there are outdoor runs or other outdoor facilities for the animals, then use must comply with Landscape Category A. b. Outside runs and other outside facilities for the animals must be setback at least 10 feet from each property line and must be surrounded by a fence or wall sufficient to enclose the animals. See the section in Chapter 115 entitled "Outdoor Use, Activity and Storage" for further regulations.

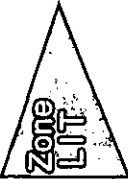


USE ZONE CHART

DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS														
Section 55.15	USE ↓ REGULATIONS ↑	Required Review Process	MINIMUMS			MAXIMUMS		Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARD (See Ch. 115)										
				Front	Side	Rear								
.110	Auction House (See Special Regulation #1)	None	None	20'	0'	0'	80%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 35' above average building elevation with a maximum of two stories, exclusive of parking levels.	B	E	1 per each 300 sq. ft. of gross floor area.	1. Livestock auctions are not permitted. 2. Outdoor storage for this use must be buffered as established in Chapter 95 for Landscaping Category A.		
.120	Kennel	None	None	20'	0'	0'	80%		B	E	1 per each 300 sq. ft. of gross floor area.	1. Outside runs and other facilities for the animals must be setback at least 10 feet from each property line and must be surrounded by a fence or wall sufficient to enclose the animals. See the section in Chapter 115 entitled "Outdoor Use, Activity and Storage" for further regulations. 2. Must provide suitable shelter for the animals. 3. Must maintain a clean healthful environment for the animals.		
.130	Daycare Center (See Special Regulation #1)	None	None	20'	0'	0'	80%		D	B	See Section 105.25	1. This use is permitted if accessory to a primary use, and: a. it will not exceed 20% of the gross floor area of the building; b. The use is integrated into the design of the building. 2. A 6-foot high fence is required along the property lines adjacent to the outside play areas. 3. Hours of operation may be limited to reduce impacts on nearby residential uses. 4. Structured play areas must be setback from all property lines as follows: a. 20 feet if this use can accommodate 50 or more students or children. b. 10 feet if this use can accommodate 13 to 49 students or children. c. Otherwise, 5 feet. 5. An on-site passenger loading area may be provided. The City shall determine the appropriate size of the loading areas on a case-by-case basis, depending on the number of attendees and the extent of the abutting right-of-way improvements. Car pooling, staggered loading/unloading time, right-of-way improvements or other means may be required to reduce traffic impacts on any nearby residential uses. 6. May include accessory living facilities for staff persons. 7. The location of parking and passenger loading areas shall be designed to reduce impacts on any nearby residential uses. 8. These uses are subject to the requirements established by the Department of Social and Health Services (WAC 388-73).		

Section 55.15

USE ZONE CHART



DIRECTIONS: FIRST, read down to find Use... THEN, across for REGULATIONS

Section 55.15	USE →	REGULATIONS ↑	MINIMUMS				MAXIMUMS		Special Regulations (See also General Regulations)		
			Required Review Process	Lot Size	REQUIRED YARD (See Ch. 115)		Lot Coverage	Height of Structure			
					Front	Side/Rear					
.140	Mini-daycare attendees (See Special Regulation #1)		None	20'	0'	0'	80%	D	B	See Section 105.25	1. This use is permitted if accessory to a primary use, and: a. It will not exceed 20% of the gross floor area of the building; b. The use is integrated into the design of the building. 2. A 6-foot high fence is required along the property lines adjacent to the outside play areas for mini -schools and mini-daycare centers only. 3. Hours of operation may be limited by the City to reduce impacts in nearby residential uses. 4. Structured play areas must be setback from all property lines by 5 feet. 5. An on-site passenger loading area may be required depending on the number of attendees and the extent of the abutting right-of-way improvements. 6. The location of parking and passenger loading areas shall be designed to reduce impacts on nearby residential uses. 7. May include accessory living facilities for staff persons. 8. These uses are subject to the requirements established by the Department of Social and Health Services (WAC 388-73).
.150	Recycling Center		None	20'	0'	0'	80%	A	C	See Section 105.25	1. May deal in metal cans, glass, and paper. Other materials may be recycled if the Planning Director determines that the impacts are no greater than those associated with recycling metal cans, glass, or paper. The individual will have the burden of proof in demonstrating similar impacts.
.160	Public Utility		None	20'	0'	0'	80%	C	B	See Section 105.25	1. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.
.170	Government Facility Community Facility		None	20'	0'	0'	80%	See Spec. Reg. #1	B	See Section 105.25	
.180	Public Transit Shelter		None	0'	0'	0'	100%	—	See Spec. Reg. #2	See Section 105.25	1. May be permitted only if it will not unreasonably impede pedestrian movement or create traffic safety problems. 2. May install transit route and information signs and markers.

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 55.15	USE ↓ REGULATIONS ↑	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.190	Hazardous Waste Treatment and Storage Facilities	None	None	30'	0'	0'	90%	35' above average building elevation with a maximum of two stories, exclusive of parking levels. (See also Special Regulation #2.)	A	C	1 per each 1,000 sq. ft. of gross floor area.	<ol style="list-style-type: none"> Must comply with the state siting criteria adopted in accordance with RCW 70.105.210. Structure height may be increased above 35 feet in height through a Process IIA, Chapter 150, if: <ol style="list-style-type: none"> It will not block local or territorial views designated in the Comprehensive Plan; and The increased height is not specifically inconsistent with the applicable neighborhood plan provisions of the Comprehensive Plan; and The need for an increase in height is directly related to the hazardous waste treatment and/or storage activity; and The required yard of any portion of the structure may be increased up to a maximum of one foot for each foot that any portion of the structure exceeds 35 feet above average building elevation. The need for additional setback yards will be determined as part of the review of any request to increase structure height.
.200	Vehicle or boat sales, repair, services, washing or rental (See Special Regulation #1)	None	None	20'	0'	0'	80%	If adjoining a low density zone other than RSX, then 25' above average building elevation. <hr/> Otherwise, 35' above average building elevation with a maximum of two stories, exclusive of parking levels.	A	E	See Section 105.25	<ol style="list-style-type: none"> Vehicle or boat sales or rental uses are only permitted if the property has direct vehicle access from NE 116th Street. Outdoor vehicle or boat parking or storage areas must be buffered as required for a parking area in Chapter 105. See the Section in Chapter 115 entitled "Outdoor Use, Activity and Storage" for further regulations. Access from drive-through facilities must be approved by the Public Works Department. Drive-through facilities must be designed so that vehicles will not block traffic in the right-of-way while waiting in line to be served.
.210	Fast Food or Restaurant (See Special Regulation #1)	None	None	20'	0'	0'	80%		B	E	1 per each 100 sq. ft. of gross floor area	<ol style="list-style-type: none"> This use is permitted if accessory to a primary use, and: <ol style="list-style-type: none"> It will not exceed 20% of the gross floor area of the building; The use is integrated into the design of the building; and There is no vehicle drive-in or drive-through.

Section 55.15



USE ZONE CHART

DIRECTIONS: FIRST, read down to find use. THEN, across for REGULATIONS.

Section	Public Park	Required Review Process	Lot Size	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
				REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.220	Public Park	See Special Regulations #1 and #2	None	Will be determined on case-by-case basis.						B	See Section 105.25	1. Development and use of a park does not require a development permit under this Code if: <ol style="list-style-type: none"> a. A master plan for that park has been approved by the City and the proposed development and use is consistent with the master plan; or b. The proposed use and development will not involve: <ol style="list-style-type: none"> 1) Lighting for outdoor nighttime activities; and 2) The construction of any building of more than 4,000 square feet; and 3) The construction of more than 20 parking stalls; and 4) The development of any structured sports or activity areas. 2. Any development or use of a park that does not meet the requirements of Special Regulation #1 must be approved through the Process III, Chapter 155. The City will use the following factors in determining what facilities and uses will be permitted: <ol style="list-style-type: none"> a. Ease of access to the park. b. Character of the neighborhood. c. Size, nature, and topography of the subject property.

CHAPTER 57 - INDUSTRIAL LIMITED COMMERCIAL (ILC) ZONES

57.05 User Guide. The charts in Section 15 of this Chapter contain the basic zoning regulations that apply in the ILC zones of the City. Use these charts by reading down the extreme left hand column entitled Use. Once you locate the use in which you are interested, read across to find the regulations that apply to that use. In addition, you should read Chapter 1 of this Code which will assist you in finding other regulations that apply to your property or proposal.

Section 57.10



Section 57.10 - GENERAL REGULATIONS - The following regulations apply to all uses in this zone:

1. Refer to Chapter 1 to determine what other provision of this Code may apply to the subject property.
(This regulation does not apply to Public Transit Shelter uses.)
2. Structure height may be increased above 35 feet in height through a Process IIA, Chapter 150, if:
 - a. It will not block local or territorial views designated in the Comprehensive Plan;
 - b. The increased height is not specifically inconsistent with the applicable neighborhood plan provisions of the Comprehensive Plan; and
 - c. The required yard of any portion of the structure may be increased up to a maximum of one foot for each foot that any portion of the structure exceeds 35 feet above average building elevation. The need for additional setback yards will be determined as part of the review of any request to increase structure height.

(This regulation does not apply to Public Transit Shelter and Public Park uses.)



DIRECTIONS: FIRST read down to find use, THEN across for REGULATIONS

Section 57.15	USE REGULATIONS	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
		Required Review Process	Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage				
				Front	Side	Rear					
.010	Packaging of prepared materials Manufacturing (See Special Regulations #1 and #2)	None	None	20'	0'	0'	90%	A	C	1 per each 1,000 sq. ft. of gross floor area	1. The following manufacturing uses are permitted: a. Food, drugs, stone, clay, glass, china, ceramics products, electrical equipment, scientific or photographic equipment, fabricated metal products; b. Fabricated metal products, but not fabrication of major structural steel forms, heavy metal processes, boiler making, or similar activities; c. Cold mix process only of soap, detergents, cleaning preparations, perfumes, cosmetics, or other toilet preparations; d. Packaging of prepared materials; e. Textile, leather, wood, paper and plastic products from pre-prepared material; and 1. Other compatible uses which may involve manufacturing, processing, assembling, fabrication and handling of products, and research and technological processes. 2. May include as part of this use, accessory retail sales, office or service utilizing not more than 20% of the gross floor area. The landscaping and parking requirements for these accessory uses will be the same as for the primary use.
.020	Warehouse Storage Service	None	None	20'	0'	0'	90%	A	C	1 per each 1,000 sq. ft. of gross floor area	1. May include as part of this use, accessory retail sales, office or service utilizing not more than 20% of the gross floor area. The landscaping and parking requirements for these accessory uses will be the same as for the primary use.
.030	Wholesale Trade										
.040	Industrial Laundry Facility										
.050	Wholesale Printing or Publishing										
.060	A retail establishment providing storage services. (See Special Regulation #1.)	None	None	20'	0'	0'	90%	A	E	See Section 105.25	1. May include accessory living facilities for resident security manager.

Section 57.15



USE ZONE CHART

DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS												
Section 57.15	USE ↓ REGULATIONS →	Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.070	A Retail Establishment Providing Building Construction, Plumbing, Electrical, Landscaping, or Pest Control Services	None	None	20'	0'	0'	80%	35' above average building elevation with a maximum of two stories, exclusive of parking levels.	B	E	1 per each 300 sq. ft. of gross floor area	1. Outdoor storage for this use must be buffered as established in Chapter 95 for Landscaping Category A.
.080	A Retail Establishment Selling Building Materials or Hardware											
.090	A Retail Establishment Providing Rental Services											
.100	A retail establishment providing banking and related financial services (See Special Regulation #1)	None	None	20'	0'	0'	80%		B	E	1 per each 300 sq. ft. of gross floor area	1. This use is permitted if accessory to a primary use, and: a. It will not exceed 20% of the gross floor area of the building; b. The use is integrated into the design of the building; and c. There is no vehicle drive-in or drive-through.
.110	High Technology	None	None	20'	0'	0'	80%		A	D	If manufacturing then 1 per each 1,000 sq. ft. of gross floor area ----- If office then 1 per 300 sq. ft. of gross floor area ----- Otherwise, See Section 105.25	1. This use may include research and development, testing, assembly, repair or manufacturing or offices that support businesses involved in the pharmaceutical and biotechnology, communications and information technology, electronics and instrumentation, computers and software sectors. 2. May include as part of this use, accessory retail sales, or service utilizing not more than 20% of the gross floor area. The landscaping and parking requirements for these accessory uses will be the same as for the primary use. 3. Refer to Chapter 115.105 for provisions regarding Outside Use, Activity and Storage.

Section 57.15

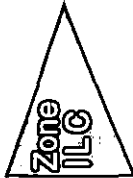
Zone
DLC

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use. THEN, across for REGULATIONS

Section 57.15	REGULATIONS USE → ↑	MINIMUMS			MAXIMUMS		Special Regulations (See also General Regulations)					
		Required Review Process	Lot Size	REQUIRED YARD (See Ch. 115)				Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)		
				Front	Side	Rear					Height of Structure	
.120	Office Use	None	None	20'	0'	0'	70%	35' above average building elevation with a maximum of two stories, exclusive of parking levels.	C See also Spec. Reg. #1a	D	If a medical, dental, or veterinary office, then 1 per each 200 sq. ft. of gross floor area. ----- Otherwise, 1 per each 300 sq. ft. of gross floor area.	1. The following regulations apply only to veterinary offices: a. If there are outdoor runs or other outdoor facilities for the animals, then use must comply with Landscape Category A. b. Outside runs and other outside facilities for the animals must be setback at least 10 feet from each property line and must be surrounded by a fence or wall sufficient to enclose the animals. See the section in Chapter 115 entitled "Outdoor Use, Activity and Storage" for further regulations.
.130	A Retail, Variety or Department Store	None	None	20'	0'	0'	80%		B	E	1 per each 300 sq. ft. of gross floor area	1. This use must contain at least 75,000 square feet of gross floor area. 2. Outdoor storage for this use must be buffered as established in Chapter 95 for Landscaping Category A. 3. A delicatessen, bakery, or other similar use may include, as part of this use, accessory seating if: a. The seating and associated circulation area does not exceed more than 10% 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. 4. No drive-through or drive-in facilities are permitted.
.140	A multi-use complex or mixed use building containing 7 or more restaurants, taverns, fast food restaurants, retail establishments, or churches	None	None	20'	0'	0'	80%		B	E	See Section 105.25.	1. Outdoor storage for this use must be buffered as established in Chapter 95 for Landscaping Category A. 2. No drive-through or drive-in facilities are permitted. 3. A delicatessen, bakery, or other similar use may include, as part of this use, accessory seating if: a. The seating and associated circulation area does not exceed more than 10% 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. 4. Ancillary assembly and manufactured goods on the premise of this use are permitted only if: a. The assembled or manufactured goods are directly related to and are dependent upon this use, and are available for purchase and removal from the premises. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other retail uses. 5. Churches are limited to no more than 15% of the gross floor area of the complex.

Section 57.15



USE ZONE CHART

DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS.

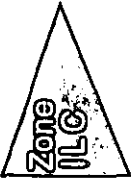
Section 57.15	USE →	REGULATIONS ↑	MINIMUMS			MAXIMUMS		Special Regulations (See also General Regulations)							
			Required Review Process	REQUIRED YARD (See Ch. 115)			Lot Coverage		Height of Structure						
				Lot Size	Front	Side				Rear					
.150	Athletic Instructional Facility	None	None	20'	0'	0'	80%	35' above average building elevation with a maximum of two stories, exclusive of parking levels.	See Section 105.25	Sign Category (See Ch. 95)	E	Landscaping Category (See Ch. 100)	E	Required Parking Spaces (See Ch. 105)	
.160	Hotel or Motel	None	None	20'	0'	0'	80%		1 per each room. See Special Reg. #2.	B	E				1. May include meeting and convention facilities. 2. Excludes parking requirements for ancillary meeting and convention facilities. Additional parking requirement for those ancillary uses shall be determined on a case-by-case basis.
.170	A Retail Establishment Providing Printing, Publishing, or Duplicating Services	None	None	20'	0'	0'	80%		1 per each 300 sq. ft. of gross floor area	B	E				1. Gross floor area for this use may not exceed 3,000 sq. ft. For a larger printing or publishing facility, see wholesale printing or publishing listing in this use zone.
.180	A retail establishment providing vehicle or boat sales, repair, services, washing, or rental	None	None	20'	0'	0'	80%		See Section 105.25	A	E				1. Outdoor vehicle or boat parking or storage areas must be buffered as required for a parking area in Chapter 105. See the Section in Chapter 115 entitled "Outdoor Use, Activity and Storage" for further regulations. 2. Access from drive-through facilities must be approved by the Public Works Department. Drive-through facilities must be designed so that vehicles will not block traffic in the right-of-way while waiting in line to be served.
.190	Fast Food or Restaurant (See Special Regulation #1)	None	None	20'	0'	0'	80%		1 per each 100 sq. ft. of gross floor area	B	E				1. This use is permitted if accessory to a primary use, and: a. It will not exceed 20% of the gross floor area of the building; b. The use is integrated into the design of the building, and c. There is no vehicle drive-no or drive-through.
.200	Auction House (See Special Regulation #1)	None	None	20'	0'	0'	80%		1 per each 300 sq. ft. of gross floor area	B	E				1. Livestock auctions are not permitted. 2. Outdoor storage for this use must be buffered as established in Chapter 95 for Landscaping Category A.
.210	Kennel	None	None	20'	0'	0'	80%		1 per each 300 sq. ft. of gross floor area	B	E				1. Outside runs and other facilities for the animals must be setback at least 10 feet from each property line and must be surrounded by a fence or wall sufficient to enclose the animals. See the section in Chapter 115 entitled "Outdoor Use, Activity and Storage" for further regulations. 2. Must provide suitable shelter for the animals. 3. Must maintain a clean healthful environment for the animals.

DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS

Section 57.15	USE ↓ REGULATIONS ↑	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.220	Vehicle Service Station	Process I Chapter 145	22,500 sq. ft.	40'	15' on each side	10'	80%	35' above average building elevation with a maximum of two stories, exclusive of parking levels.	A	E	See Section 105.25	<ol style="list-style-type: none"> May not be more than 2 vehicle service stations at any intersection. Gas pump islands may not be closer than 15 feet to any property line. Canopies or covers over gas pump islands may not be closer than 10 feet to any property line. Outdoor parking and service areas may not be closer than 10 feet to any property line. See the Section in Chapter 115 entitled "Outdoor Use, Activity and Storage" for further regulations.
.230	Hazardous Waste Treatment and Storage Facilities	None	None	30'	0'	0'	90%		A	C	1 per each 1,000 sq. ft. of gross floor area.	<ol style="list-style-type: none"> Must comply with the state siting criteria adopted in accordance with RCW 70.105.210. Structure height may be increased above 35 feet in height through a Process IIA, Chapter 150, if: <ol style="list-style-type: none"> It will not block local or territorial views designated in the Comprehensive Plan; The increased height is not specifically inconsistent with the applicable neighborhood plan provisions of the Comprehensive Plan; The need for an increase in height is directly related to the hazardous waste treatment and/or storage activity; and The required yard of any portion of the structure may be increased up to a maximum of one foot for each foot that any portion of the structure exceeds 35 feet above average building elevation. The need for additional setback yards will be determined as part of the review of any request to increase structure height.
.240	Daycare Center (See Special Regulation #6)	None	None	20'	0'	0'	80%		D	B	See Section 105.25	<ol style="list-style-type: none"> A 6-foot high fence is required along the property lines adjacent to the outside play areas. Structured play areas must be setback from all property lines as follows: <ol style="list-style-type: none"> 20 feet if this use can accommodate 50 or more students or children. 10 feet if this use can accommodate 13 to 49 students or children. Otherwise, 5 feet. An on-site passenger loading area may be provided. The City shall determine the appropriate size of the loading areas on a case-by-case basis, depending on the number of attendees and the extent of the abutting right-of-way improvements. Car pooling, staggered loading/unloading time, right-of-way improvements or other means may be required to reduce traffic impacts on any nearby residential uses. May include accessory living facilities for staff persons. These uses are subject to the requirements established by the Department of Social and Health Services (WAC 388-73). This use is permitted if accessory to a primary use, and: <ol style="list-style-type: none"> It will not exceed 20% of the gross floor area of the building; and The use is integrated into the design of the building.

Section 57.15

USE ZONE CHART



DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS

Section 57.15	USE →	REGULATIONS ↑	MINIMUMS			MAXIMUMS		Landscaping Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Required Review Process	Lot Size	REQUIRED YARD (See Ch. 115)		Lot Coverage					Height of Structure
					Front	Side						
.250	Mini-daycare (attendees) (See Special Regulation #6)		None	20'	0'	0'	80%	35' above average building elevation with a maximum of two stories, exclusive of parking levels.	D	B	See Section 105.25	<ol style="list-style-type: none"> A 6-foot high fence is required along the property lines adjacent to the outside play areas. Structured play areas must be setback from all property lines by 5 feet. An on-site passenger loading area may be required depending on the number of attendees and the extent of the abutting right-of-way improvements. May include accessory living facilities for staff persons. These uses are subject to the requirements established by the Department of Social and Health Services (WAC 388-73). This use is permitted if accessory to a primary use, and: <ol style="list-style-type: none"> It will not exceed 20% of the gross floor area of the building; and The use is integrated into the design of the building.
.260	Public Utility		None	20'	0'	0'	80%		C	See Section 105.25	See Section 105.25	<ol style="list-style-type: none"> Landscaping Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.
.270	Government* Facility Community Facility		None	20'	0'	0'	80%		See Spec. Reg. #1	See Section 105.25	See Section 105.25	
.280	Public Transit Shelter		None	0'	0'	0'	100%	15' above average building elevation	—	See Section 105.25	See Section 105.25	<ol style="list-style-type: none"> May be permitted only if it will not unreasonably impede pedestrian movement or create traffic safety problems. May install transit route and information signs and markers.
.290	Recycling Center		None	20'	0'	0'	80%	35' above average building elevation with a maximum of two stories, exclusive of parking levels.	A	See Section 105.25	See Section 105.25	<ol style="list-style-type: none"> May deal in metal cans, glass, and paper. Other materials may be recycled if the Planning Director determines that the impacts are no greater than those associated with recycling metal cans, glass, or paper. The individual will have the burden of proof in demonstrating similar impacts.

Section 57.15



USE ZONE CHART

Section 57.15		DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS.				Special Regulations (See also General Regulations)		
USE ↑	REGULATIONS ↑	MINIMUMS		MAXIMUMS		Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	
		Lot Size	REQUIRED YARD (See Ch. 115)	Lot Coverage	Height of Structure			
		Front	Side	Rear				
.300	Public Park	None	Will be determined on case-by-case basis.			B	See Section 105.25	<p>1. Development and use of a park does not require a development permit under this Code if:</p> <ul style="list-style-type: none"> a. A master plan for that park has been approved by the City and the proposed development and use is consistent with the master plan; or b. The proposed use and development will not involve: <ul style="list-style-type: none"> 1) Lighting for outdoor nighttime activities; and 2) The construction of any building of more than 4,000 square feet; and 3) The construction of more than 20 parking stalls; and 4) The development of any structured sports or activity areas. <p>2. Any development or use of a park that does not meet the requirements of Special Regulation #1 must be approved through the Process III, Chapter 155. The City will use the following factors in determining what facilities and uses will be permitted:</p> <ul style="list-style-type: none"> a. Ease of access to the park. b. Character of the neighborhood. c. Size, nature, and topography of the subject property.

O-3661