ORDINANCE O-4855

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING AND LAND USE AND AMENDING THE CITY OF KIRKLAND ZONING CODE, ORDINANCE O-3719 AS AMENDED, INCLUDING CHAPTERS 5, 10, 20, 25, 30, 40, 53, 57, 92, 95, 105, 110, 112, 115 AND 142, AND APPROVING A SUMMARY ORDINANCE FOR PUBLICATION, FILE NO. CAM20-00153.

WHEREAS, the City Council has received a recommendation from the Kirkland Planning Commission, dated July 6, 2023, 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 public hearings on February 23, 2023 and June 8, 2023, on the amendment proposals and considered the public testimony received for the hearing, the staff reports dated February 15, 2023 and June 1, 2023, and conducted deliberations on the amendments on February 23, 2023 and June 8, 2023; and

WHEREAS, pursuant to the State Environmental Policy Act (SEPA), a Draft Supplemental Environmental Impact Statement (DSEIS), issued on January 5, 2021, has accompanied the legislative proposal and recommendation of the NE 85th Street Station Area Plan through the entire consideration process, 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 WAC 197-11-630; and

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

WHEREAS, SEPA addenda to the Kirkland NE 85th Street Station Area Plan and Planned Action Final Supplemental Environmental Impact Statement were issued on June 24, 2022 and April 21, 2023 by the responsible official pursuant to Washington Administrative Code WAC 197-11-625 and 197-11-706; and

WHEREAS, in a public meeting on July 18, 2023 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 5, 10, 20, 25, 30, 40, 53, 57, 92, 95, 105, 110, 112, 115 and

142, Ordinance O-3719, as amended, are hereby amended as set forth in Exhibits A and B attached to this Ordinance and incorporated 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 18th day of July, 2023.

Signed in authentication thereof this 18th day of July, 2023.

Penny Sweet, Mayor

Attest:

Kathi Anderson, City Clerk

Approved as to Form:

Kevin Raymond, City Attorney

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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 the supporting ~~d~~ Design ~~g~~ Guidelines for the NE 85th St. Station Subarea Plan adopted by reference in Chapter 3.30 of the KMC. 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 (see Figure 2), 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~~ HOW TO USE THIS CODE

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.

• **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.

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• **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 ELEMENT

57.05.05 ~~Administrative~~ Review Process

This chapter shall be administered by the Planning and Public Works Officials through the related development permit process. Design Board Review is required for projects that meet the criteria established in KZC Ch 142.15, and which are located in the following zones: Commercial Mixed Use, Neighborhood Mixed Use, Civic Mixed Use. In cases where a development project is subject to Design Board Review and this chapter establishes ~~flexible standards~~ design departures and variation from the requirements in this chapter ~~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 that ~~which~~ may be granted design departures and ~~minor~~ variations by the Design Review Board are ~~the following~~:

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1. Maximum Street Level Façade Width
2. Minimum Façade Break Width and Depth
3. ~~Lot~~ Required Setbacks
4. Minimum Upper Story Street Setbacks
5. Maximum Floor Plate ~~Area~~
6. Minimum Ground Floor Parking Setbacks
7. Plaza/Public Space Dimensions
8. Overhead Weather Protection

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 regulations. Unless otherwise stated below, ~~W~~ where a provision in a referenced section below conflicts with a specific district or districtwide regulation contained in this chapter, the regulation of that 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 Corridor. Regulating standards of KZC 115.24 govern where provisions in district or districtwide standards conflict.

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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 St. Station Area Plan adopted by Resolution R-5547 into standards that define allowed uses, lot parameters, building massing, and height controls. Regulating districts consist of two elements: a Regulating Plan that maps these districts to specific parcels and Regulating District Standards that specify development standards for each district. ~~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.

• **Neighborhood Mixed Use (NMU)**: This zone is intended to encourage uses consistent with a mixed-use neighborhood that includes commercial development and a range of residential development types. It allows for commercial, civic/institutional, and residential uses. Maximum heights are established in the Regulating Plan and range from 60 ft west of I-405 to 150 ft east of I-405.

• **Urban Flex (UF)**: This zone is intended to encourage uses consistent with a mixed-use neighborhood that supports light industrial uses consistent with an urban, walkable character. It allows for commercial, retail, civic/institutional, and residential uses. Maximum heights are established in the Regulating Plan and allow heights up to 45 ft west of I-405.

• **Civic Mixed Use (CVU)**: This zone is intended to encourage uses consistent with a mixed-use environment anchored by civic/institutional uses. It allows for commercial and civic/institutional uses. Maximum heights are established in the Regulating Plan and allow heights up to 75 ft 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 for commercial uses. Residential uses are allowed up to the bonus height

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allowances by complying with Chapter 112 KZC, Affordable Housing requirements for Station Area districts. Where heights are stated as a single number, that number reflects the maximum height and there are no incentive allowances for additional height.

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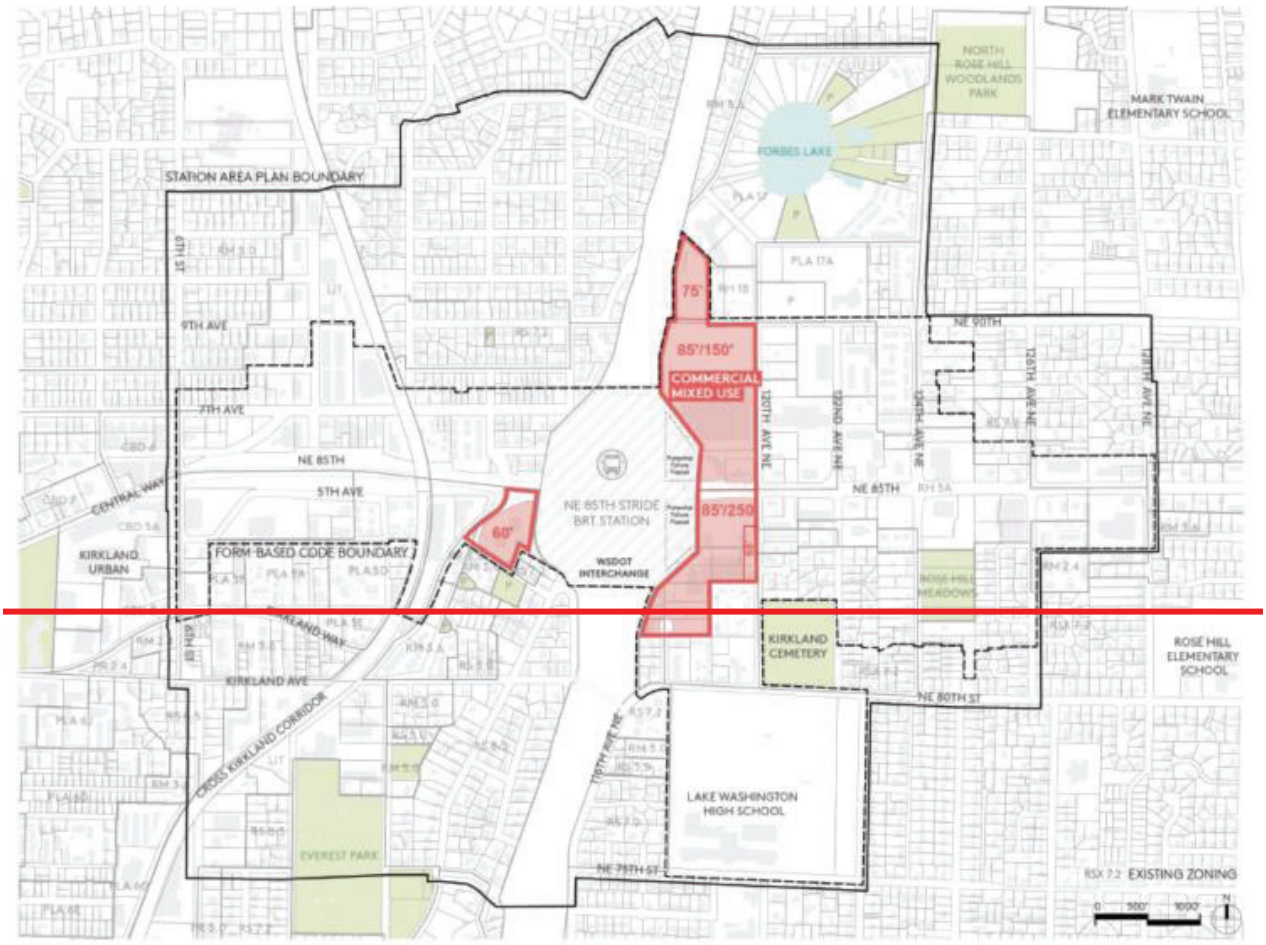
FIGURE 2: REGULATING PLAN

FIGURE 2: REGULATING PLAN



USING THE REGULATING PLAN

MAXIMUM ALLOWED HEIGHT

BASE MAXIMUM ALLOWED HEIGHT

BONUS MAXIMUM ALLOWED HEIGHT

REGULATING DISTRICT

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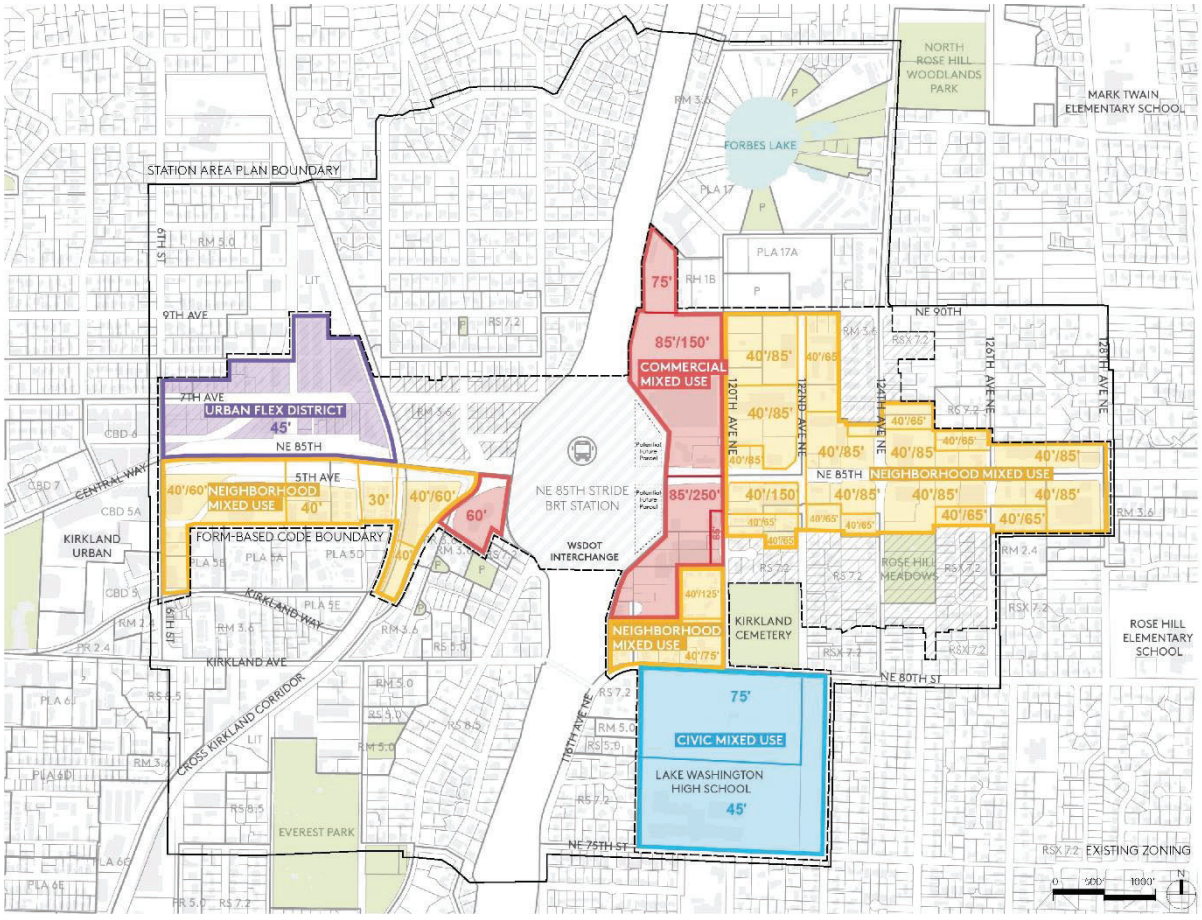

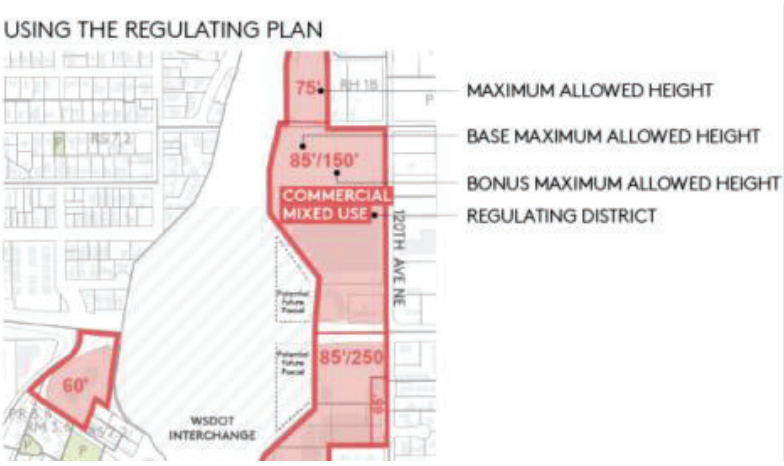

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57.10.04 REGULATING DISTRICT STANDARDS

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 lot development parameters and building massing. This section is intended to clarify intent.~~,~~ ~~f~~ For other ~~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.~~ 1. **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.~~ 2. **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, unless an alternate height calculation is identified in this chapter. For details on the incentive zoning allowances, see the Incentive Zoning section of this chapter KZC Ch 57.30.

~~10.~~ 3. **Building Height~~s~~ Maximums** are measured above Average Building Elevation unless a different benchmark is specified.

~~2.~~ 4. **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.

~~11.~~ 5. **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.

6. **Maximum Floor Plate** is the maximum ~~Gross Floor Area~~ square footage 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~~floor 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.

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~~8.~~ 7. **Minimum 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 above the Average Building Elevation as defined in KZC Ch 5.10 unless an alternate height calculation is identified in this chapter.

~~7.~~ 8. **Minimum 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 pedestrian clear zone or shared path ~~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.~~

10. **Vertical Articulation** refers to a required articulation of street-facing facades at 45' in height across the full width of the façade. For design guidance in achieving vertical articulation, refer to Design Guidelines for the NE 85th St. Station Subarea Plan.

57.10.04.03 ~~Commercial Mixed Use~~ Continued Uses

1. Applicability

~~Principal~~ Primary and accessory uses in existence in the ~~Commercial Mixed Use~~ Station Area, as defined by the Regulating Plan (Figure 2), ~~zones~~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.

2. Continued Uses and Minor Expansions

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

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enlargement of more than fifty percent of the footprint in existence at the time of adoption of this chapter shall conform to this chapter, except as provided in the next section.

3. Special Provisions for Continued Uses with Development Agreements

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.

57.10.04.04 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)** **Permitted (P)/Not Permitted (NP)~~?~~**
Commercial	P
Institutional	P
Residential	NP
Industrial	NP

Uses Specifically Prohibited as Primary Use

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Automotive Service Station
Vehicle Service Station
Sale, service, storage, and/or rental of motor vehicles, sailboats, motor boats, and recreational trailers
Drive-through facilities

SIGN CATEGORY (KZC CHAPTER 100)

All permitted uses within the Commercial Mixed Use District shall comply with Sign Category E unless otherwise specified in a development agreement or if a development receives bonus height. Developments that receive bonus height must have their signs proposed and approved as part of a master sign plan pursuant to KZC 100.80 and follow the guidelines described in the Design Guidelines for the NE 85th St. Station Subarea Plan.

~~***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:~~

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~~(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.~~

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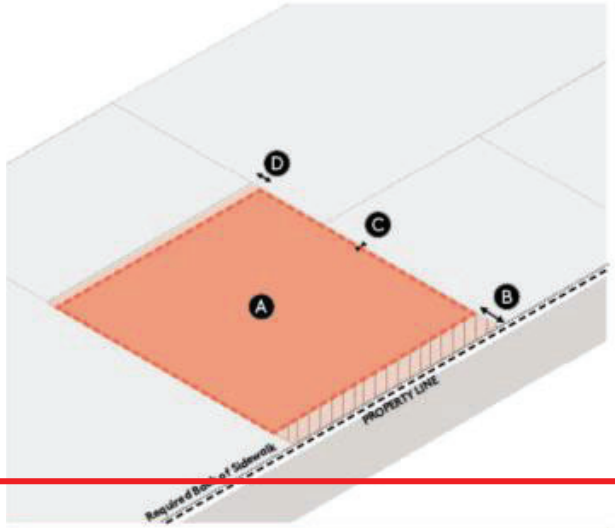
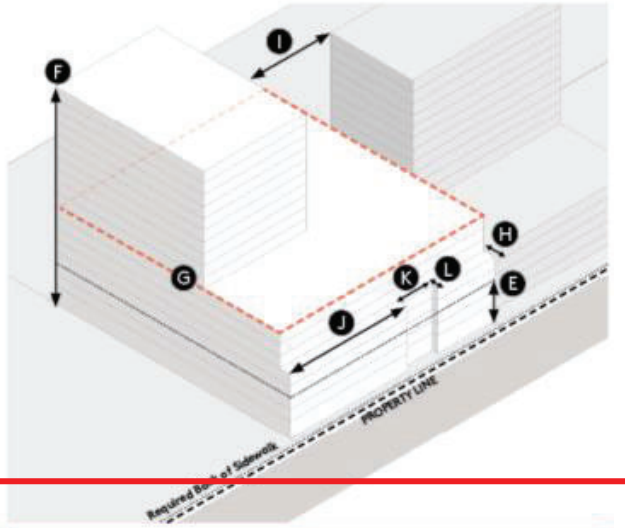
FIGURE 3: COMMERCIAL MIXED USE DISTRICT STANDARDS

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'

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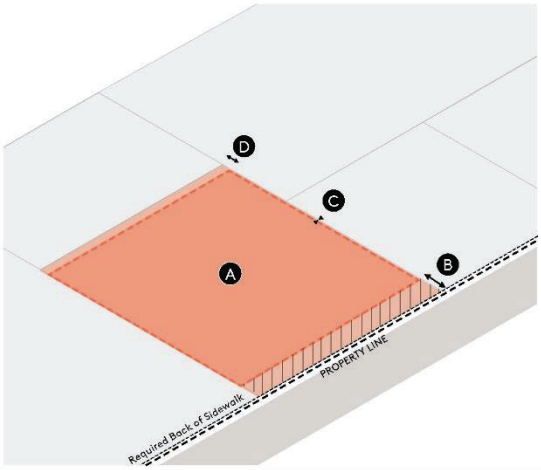
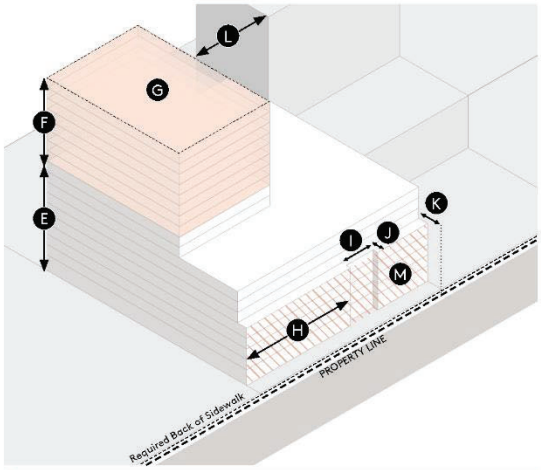


LOT COVERAGE AND SETBACKS

	Permitted Uses	
	General Permitted Uses	Commercial, Institutional
	Lot Coverage	
A	Max Lot Coverage *	90%
	Required Setbacks	
B	Front	Refer to Frontage Types
C	Side	0 ft Min
D	Rear	5 ft Min

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

Properties adjoining the Cross Kirkland Corridor are also subject to the standards of KZC 115.24.



MASSING AND DEVELOPMENT INTENSITY

	Maximum Height and Floor Plate	
E	Base Maximum Allowed Height	Refer to Regulating Plan
F	Bonus Maximum Allowed Height	Refer to Regulating Plan
G	Maximum Floor Plate (per building)	45 ft-75 ft: 35,000 SF 75 ft-125 ft: 25,000 SF Above 125 ft: 20,000 SF
	Facade Design	
H	Maximum Facade Width	160 ft
I	Minimum Facade Break Width	15 ft
J	Minimum Facade Break Depth	5 ft
	Upper Story Massing	
K	Upper Story Street Setbacks	At 75 ft: 15 ft setback At 125 ft: 30 ft setback
L	Tower Separation	60 ft
M	Vertical Articulation	Required at 45 ft Refer to Design Guidelines for recommended articulation strategies.

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57.10.04.045 Neighborhood Mixed Use

~~Reserved.~~

PERMITTED USES

Table 2 specifies permitted uses for this zone.

TABLE 2: NEIGHBORHOOD MIXED USE DISTRICT USE TABLE

General Use	**Neighborhood Mixed Use (NMU) Permitted (P)/Not Permitted (NP)**
Commercial	P
Institutional	P
Residential	P
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

SIGN CATEGORY (KZC CHAPTER 100)

All permitted uses within the Neighborhood Mixed Use District shall comply with Sign Category E unless otherwise specified in a development agreement or if a development receives bonus height. Developments that receive bonus height must have their signs proposed and approved as part of a master sign plan pursuant to KZC 100.80 and follow the guidelines described in the Design Guidelines for the NE 85th St. Station Subarea Plan.

FIGURE 4: NEIGHBORHOOD MIXED USE DISTRICT STANDARDS

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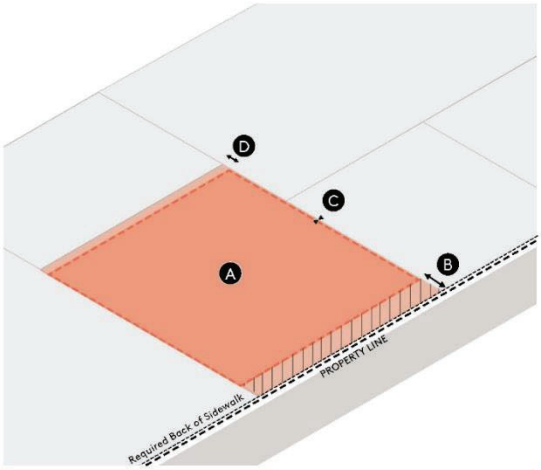
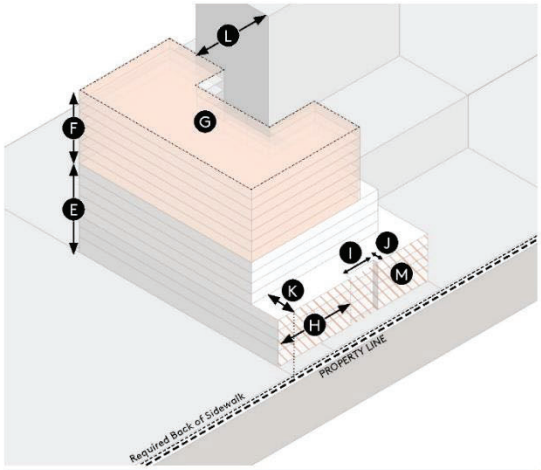


LOT COVERAGE AND SETBACKS

	Permitted Uses	
	General Permitted Uses	Commercial, Institutional, Residential
	Lot Coverage	
A	Max Lot Coverage *	90%
	Required Setbacks	
B	Front	Refer to Frontage Types
C	Side	0 ft Min
D	Rear	5 ft Min

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



MASSING AND DEVELOPMENT INTENSITY

	Maximum Height and Floor Plate	
E	Base Maximum Allowed Height	Refer to Regulating Plan
F	Bonus Maximum Allowed Height	Refer to Regulating Plan
G	Maximum Floor Plate (per building)	45 ft-75 ft: 30,000 SF 75 ft-85 ft: 25,000 SF Above 85 ft: 15,000 SF
	Facade Design	
H	Maximum Facade Width	120 ft
I	Minimum Facade Break Width	10 ft
J	Minimum Facade Break Depth	5 ft
	Upper Story Massing	
K	Upper Story Street Setbacks	At 75 ft: 15 ft setback At 100 ft: 30 ft setback
L	Tower Separation	60 ft
M	Vertical Articulation	Required at 45 ft Refer to Design Guidelines for recommended articulation strategies.

57.10.04.0~~5~~6 Neighborhood Residential

Reserved.

57.10.04.0~~6~~7 ~~Civic Mixed Use~~ Urban Flex

~~Reserved~~.

PERMITTED USES

Table 3 specifies permitted uses for this zone.

TABLE 3: URBAN FLEX DISTRICT USE TABLE

KIRKLAND ZONING CODE CHAPTER 57

FORM-BASED CODE FOR THE NE 85TH STREET STATION AREA PLAN

General Use	Urban Flex (UF) Permitted (P)/Not Permitted (NP)
Commercial	P
Institutional	P
Residential	P*
Industrial	P

**see section below on Residential Uses*

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

RESIDENTIAL USES

Residential use are not permitted on the street level floor, except for residential lobbies.

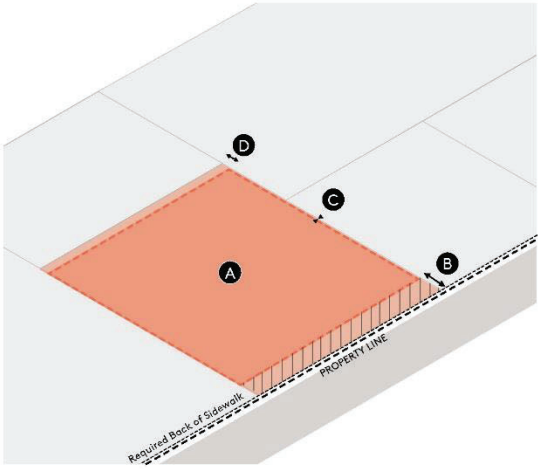
SIGN CATEGORY (KZC CHAPTER 100)

All residential uses shall comply with Sign Category A. Institutional uses shall comply with Sign Category B. Commercial uses shall comply with Sign Category E.

KIRKLAND ZONING CODE CHAPTER 57

FORM-BASED CODE FOR THE NE 85TH STREET STATION AREA PLAN

FIGURE 5: URBAN FLEX DISTRICT STANDARDS

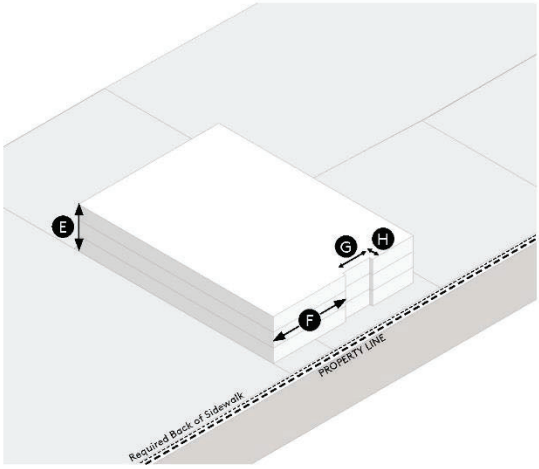


LOT COVERAGE AND SETBACKS

	Permitted Uses	
	General Permitted Uses	Light Industrial, Commercial, Institutional, Residential
	Lot Coverage	
A	Max Lot Coverage *	90%
	Required Setbacks	
B	Front	Refer to Frontage Types
C	Side	0 ft Min
D	Rear	5 ft Min

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

Properties adjoining the Cross Kirkland Corridor are also subject to the standards of KZC 115.24.



MASSING AND DEVELOPMENT INTENSITY

	Maximum Height and Floor Plate	
E	Base Maximum Allowed Height	Refer to Regulating Plan
	Facade Design	
F	Maximum Facade Width	160 ft
G	Minimum Facade Break Width	15 ft
H	Minimum Facade Break Depth	5 ft

KIRKLAND ZONING CODE CHAPTER 57

FORM-BASED CODE FOR THE NE 85TH STREET STATION AREA PLAN

57.10.04.0~~7~~8 ~~Urban Flex~~ Civic Mixed Use

~~Reserved.~~

PERMITTED USES

Table 4 specifies permitted uses for this zone.

TABLE 4: CIVIC MIXED USE DISTRICT USE TABLE

General Use	**Civic Mixed Use (CVU)** **Permitted (P)/Not Permitted (NP)**
Commercial	P
Institutional	P
Residential	P
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

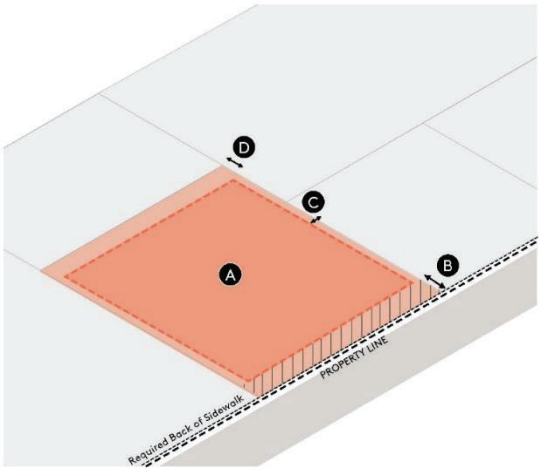
SIGN CATEGORY (KZC CHAPTER 100)

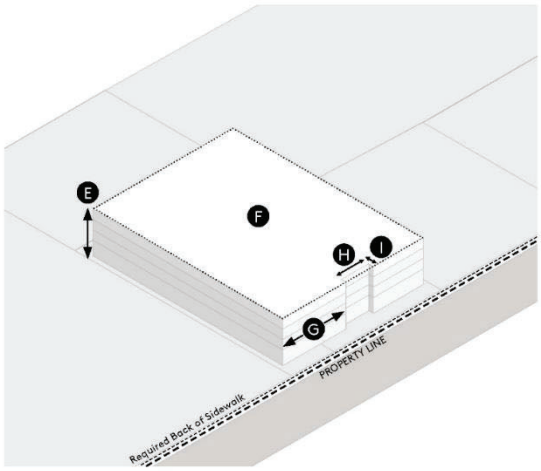
All residential uses shall comply with Sign Category A. Institutional uses shall comply with Sign Category B. Commercial uses shall comply with Sign Category E.

KIRKLAND ZONING CODE CHAPTER 57

FORM-BASED CODE FOR THE NE 85TH STREET STATION AREA PLAN

FIGURE 6: CIVIC MIXED USE DISTRICT STANDARDS





LOT COVERAGE AND SETBACKS

	Permitted Uses	
	General Permitted Uses	Commercial, Institutional, Residential
	Lot Coverage	
A	Max Lot Coverage *	80%
	Required Setbacks	
B	Front	Refer to Frontage Types
C	Side	5 ft Min
D	Rear	5 ft Min

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

MASSING AND DEVELOPMENT INTENSITY

	Maximum Height and Floor Plate	
E	Base Maximum Allowed Height	Refer to Regulating Plan
	Bonus Maximum Allowed Height	Refer to Regulating Plan
F	Maximum Floor Plate (Per building)	45 ft-75 ft: 30,000 SF
	Facade Design	
G	Maximum Facade Width	120 ft
H	Minimum Facade Break Width	10 ft
I	Minimum Facade Break Depth	5 ft

KIRKLAND ZONING CODE CHAPTER 57

FORM-BASED CODE FOR THE NE 85TH STREET STATION AREA PLAN

57.15 ~~FRONTAGE TYPES~~ STREET TYPES

57.~~20~~15.01 Purpose

Street types are intended to translate the vision and goals documented in the NE 85th St. 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~~15.02 Applicability

Street Types apply to areas shown in the Street Types Map, in Figure ~~14~~7. 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~~ protected 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~~ may accommodate designated bikeways or Neighborhood Greenways depending on roadway speeds and volumes ~~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.

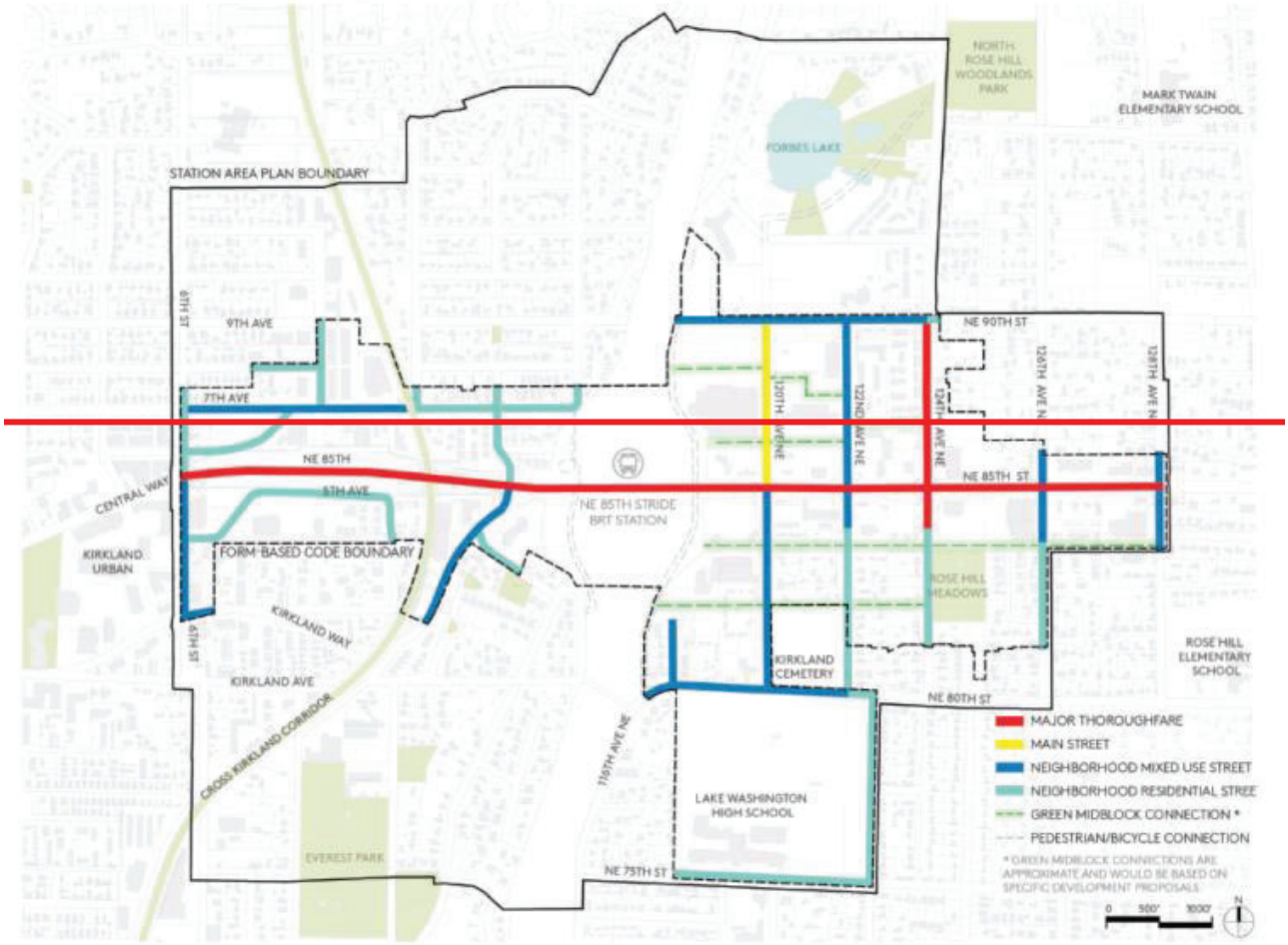
57.~~20~~15.03 Street Types Map

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

KIRKLAND ZONING CODE CHAPTER 57

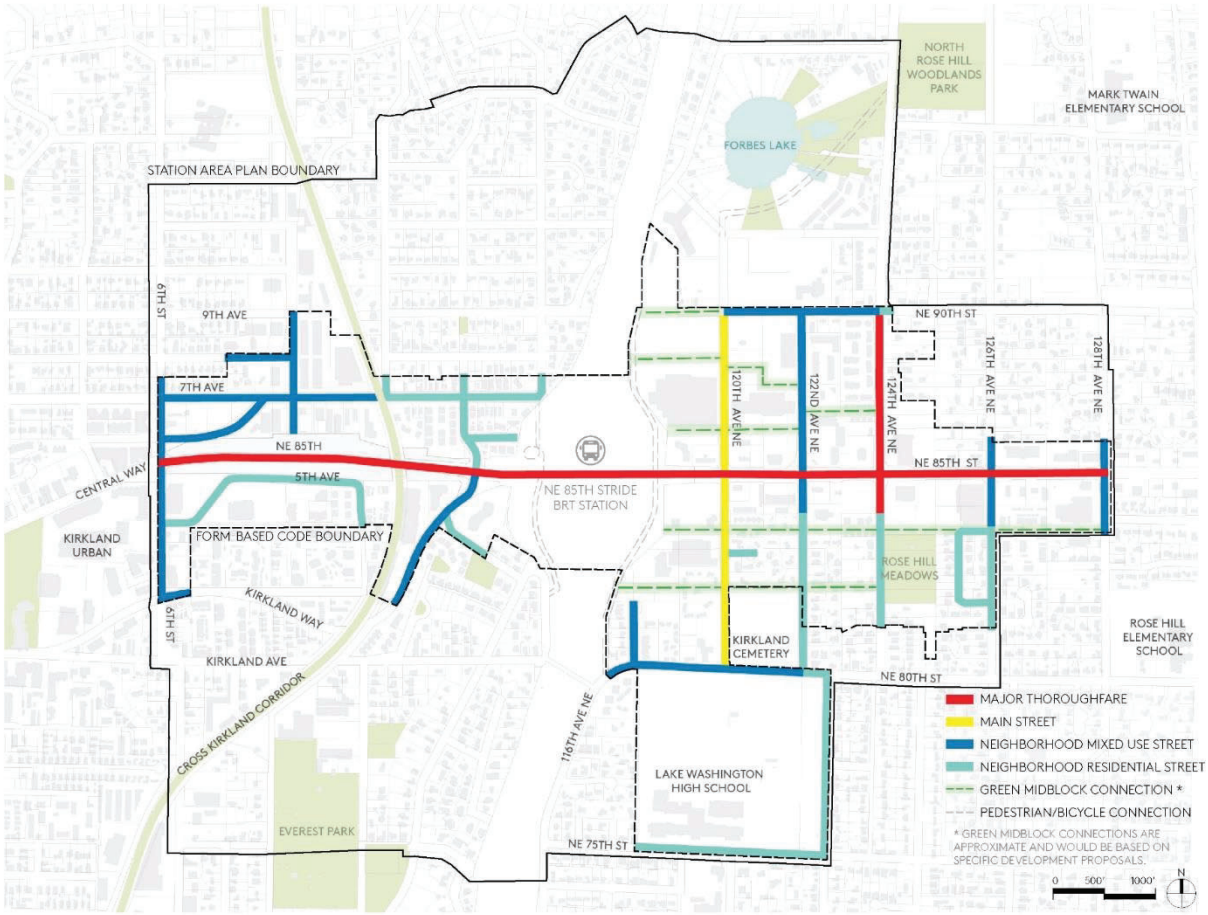
FORM-BASED CODE FOR THE NE 85TH STREET STATION AREA PLAN

FIGURE ~~14~~7: STREET TYPES MAP



KIRKLAND ZONING CODE CHAPTER 57

FORM-BASED CODE FOR THE NE 85TH STREET STATION AREA PLAN



KIRKLAND ZONING CODE CHAPTER 57

FORM-BASED CODE FOR THE NE 85TH STREET STATION AREA PLAN

57.~~20~~15.04 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 existing right-of-way conditions ~~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 exclusively dedicated to bicycle travel. This can include a variety of facilities, including designated bike lanes, at-grade protected bike lanes or grade-separated (sidewalk level) protected bike lanes. ~~paths within the roadway, raised paths between the curb and sidewalk~~ Bicycle riders may also use other facility types that are not exclusive bikeways, but shared facilities such as Neighborhood Greenways, which are low volume, low speed streets, with signage, pavement markings, and traffic calming elements to prioritize pedestrian and bicycle travel; ~~,~~ or shared use bicycle and pedestrian facilities such as temporary on-street paths or off-street shared use paths or trails ~~within the roadway~~.

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

~~Minimum and~~Preferred and Minimum 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 and minimum dimensions for street type elements 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.

KIRKLAND ZONING CODE CHAPTER 57

FORM-BASED CODE FOR THE NE 85TH STREET STATION AREA PLAN

TABLE ~~25~~: ~~MINIMUM AND~~ PREFERRED AND MINIMUM 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'/~~8'~~	6'*	~~8'/~~10'/~~8'~~	10'	5~~-6~~	No
Main Street****	~~8'/~~10'/~~6'~~	~~N/A~~6'*	~~5'/10'~~6'/~~5'~~	10'	~~2-~~3	~~Yes~~ Varies
Neighborhood Mixed Use	~~6'/~~8'/~~6'~~	~~5' bike lane/~~ 7' buffered bike lane/~~5' bike lane~~	~~5'/~~6'/~~5'~~	10'	2	~~Yes~~ Varies
Neighborhood Residential	~~5'/~~6'/~~5'~~	~~5' bike lane/~~ ~~7' buffered bike lane~~ Varies by configuration, see examples	~~5'/~~6'/~~5'~~	10'	2	~~Type 1: No~~ ~~Type 2: Yes~~ Varies by configuration
Green Mid-Block** Connection	~~6'/10'~~ 6-12', varies by configuration	~~5' bike lane/~~ ~~12' bidirectional trail~~ Varies by configuration, see examples	~~2'/6'~~ 4-6', varies by configuration	10', if vehicle access allowed	2, if vehicle access allowed	~~No~~ Varies by configuration

*~~:~~ Includes 1' separation between pedestrian and bike zones

~~** This configuration shows Vehicular/Bike/Pedestrian Shared version.~~

** See ~~subsection (6) of this section~~ Figure 13, Green Mid-Block Connection section, for alternative configurations.

***Exclusive of gutter pan

****Refer to 120th Ave NE corridor study for conceptual design

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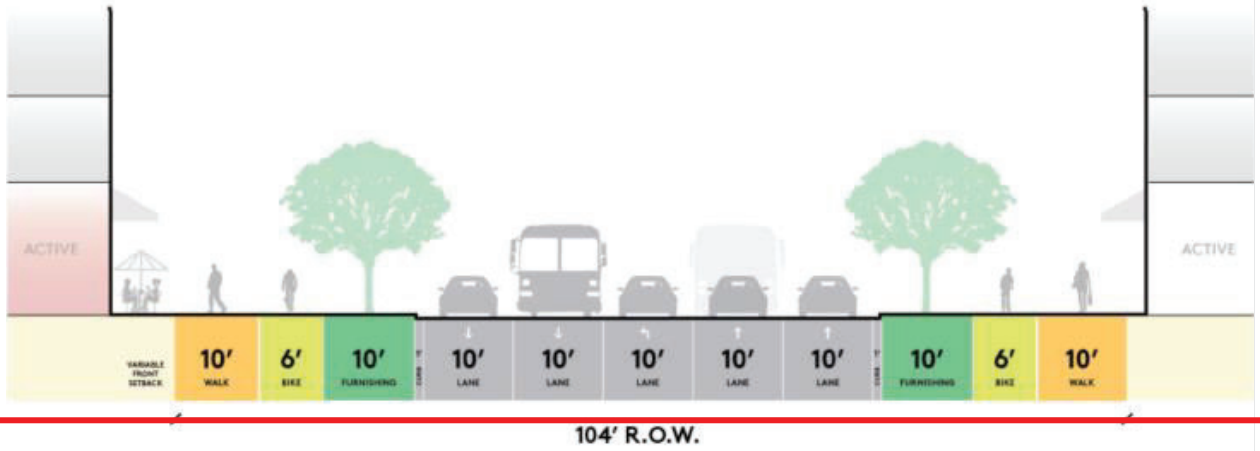
FORM-BASED CODE FOR THE NE 85TH STREET STATION AREA PLAN

KIRKLAND ZONING CODE CHAPTER 57

FORM-BASED CODE FOR THE NE 85TH STREET STATION AREA PLAN

FIGURE 8: MAJOR THOROUGHFARE

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.

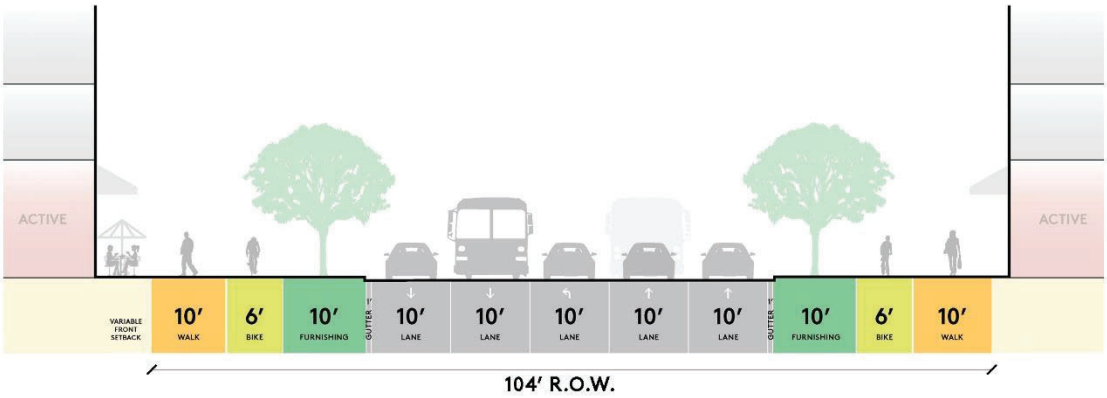
PERMITTED FRONTAGE TYPES

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

KIRKLAND ZONING CODE CHAPTER 57

FORM-BASED CODE FOR THE NE 85TH STREET STATION AREA PLAN



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

KIRKLAND ZONING CODE CHAPTER 57

FORM-BASED CODE FOR THE NE 85TH STREET STATION AREA PLAN

FIGURE 9: MAIN STREET

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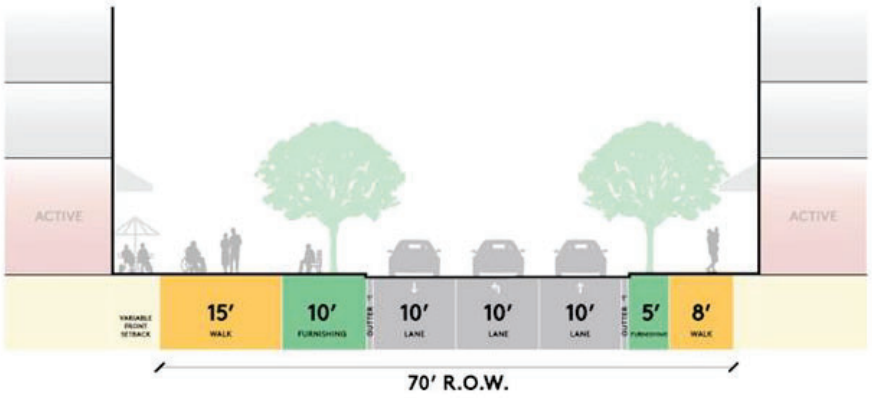
FORM-BASED CODE FOR THE NE 85TH STREET STATION AREA PLAN

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

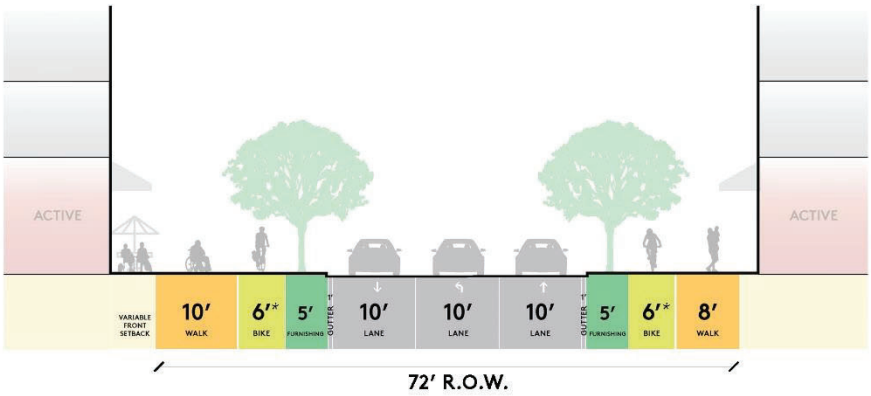
URBAN STREET EDGE	RETAIL & ACTIVE USES	RESIDENTIAL STOOP/PORCH	PLAZA/PUBLIC SPACE	PRIVATE YARD
Permitted	Permitted	Not Permitted	Permitted	Not Permitted

ADJACENT LAND USES

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

KIRKLAND ZONING CODE CHAPTER 57

FORM-BASED CODE FOR THE NE 85TH STREET STATION AREA PLAN



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. On-street parking may be accommodated where center turn lanes are not needed, or additional ROW dedication is provided.

** Includes 1′ separation between pedestrian and bike zones.*

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

KIRKLAND ZONING CODE CHAPTER 57

FORM-BASED CODE FOR THE NE 85TH STREET STATION AREA PLAN

FIGURE 10: NEIGHBORHOOD MIXED USE STREET

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.

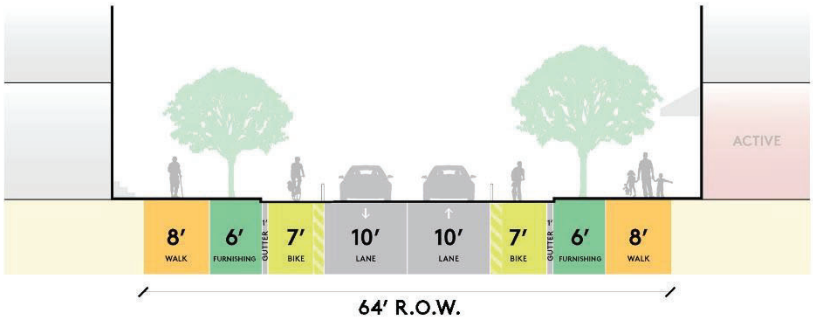
PERMITTED FRONTAGE TYPES

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

KIRKLAND ZONING CODE CHAPTER 57

FORM-BASED CODE FOR THE NE 85TH STREET STATION AREA PLAN



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

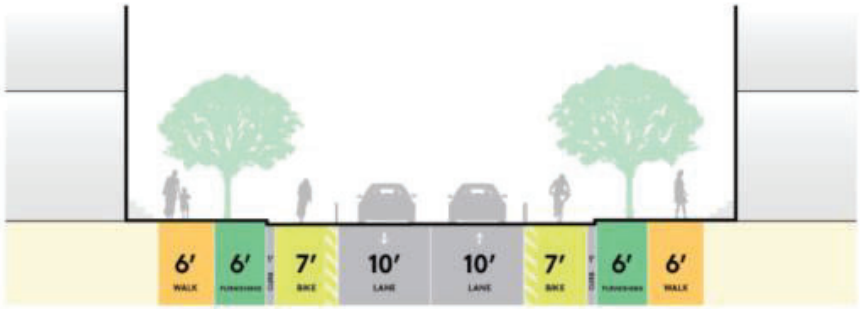
FUNCTIONAL CLASSES	Minor Arterial, Collector, Neighborhood Access
ADJACENT LAND USES	Low to mid-intensity commercial, residential, and occasional active ground-level uses, civic and urban flex uses

KIRKLAND ZONING CODE CHAPTER 57

FORM-BASED CODE FOR THE NE 85TH STREET STATION AREA PLAN

FIGURE 11: NEIGHBORHOOD RESIDENTIAL STREET TYPE 1

NEIGHBORHOOD RESIDENTIAL STREET TYPE 1



DESCRIPTION

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

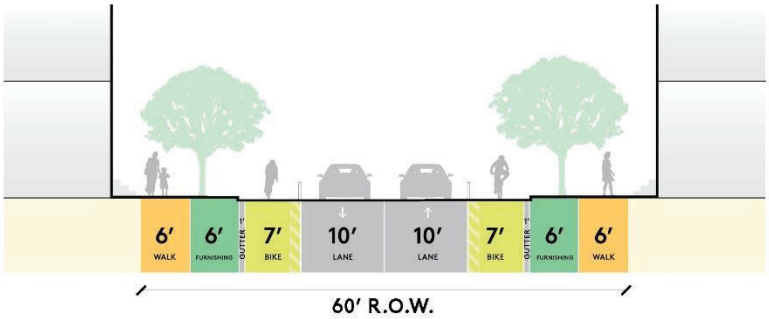
PERMITTED FRONTAGE TYPES

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

KIRKLAND ZONING CODE CHAPTER 57

FORM-BASED CODE FOR THE NE 85TH STREET STATION AREA PLAN



DESCRIPTION

Neighborhood residential streets are low vehicular traffic volume streets that have primarily residential frontages and dedicated bicycle facilities. On-Street parking may be considered in locations with wider ROW.

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

ADJACENT LAND USES Predominantly low to medium intensity residential uses

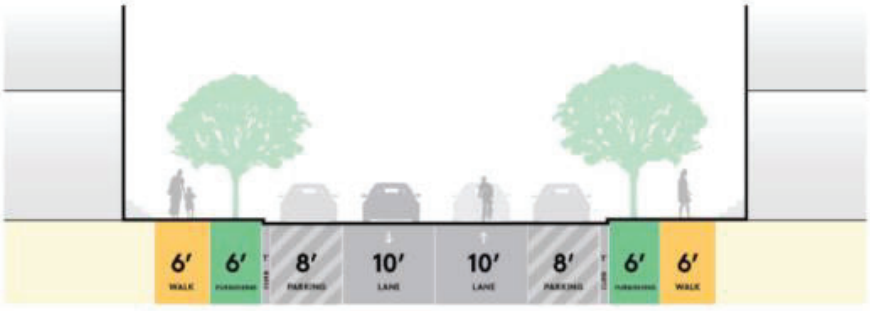
** Permitted frontage types within the Urban Flex Regulating District include Urban Street Edge, Retail & Active Uses, and Plaza/Public Space. Residential Stoop/Porch and Private Yard frontage types are prohibited.*

KIRKLAND ZONING CODE CHAPTER 57

FORM-BASED CODE FOR THE NE 85TH STREET STATION AREA PLAN

FIGURE 12: NEIGHBORHOOD RESIDENTIAL STREET TYPE 2

NEIGHBORHOOD RESIDENTIAL STREET TYPE 2



DESCRIPTION

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

PERMITTED FRONTAGE TYPES

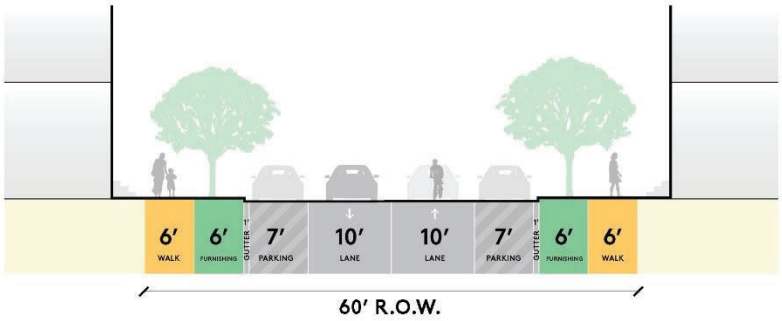
URBAN STREET EDGE	RETAIL & ACTIVE USES	RESIDENTIAL STOOP/PORCH	PLAZA/ PUBLIC SPACE	PRIVATE YARD
Not Permitted	Not Permitted	Permitted	Permitted	Permitted

FUNCTIONAL CLASSES Neighborhood Access

ADJACENT LAND USES Predominantly low to medium intensity residential uses

KIRKLAND ZONING CODE CHAPTER 57

FORM-BASED CODE FOR THE NE 85TH STREET STATION AREA PLAN



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

** Permitted frontage types within the Urban Flex Regulating District include Urban Street Edge, Retail & Active Uses, and Plaza/Public Space. Residential Stoop/Porch and Private Yard frontage types are prohibited.*

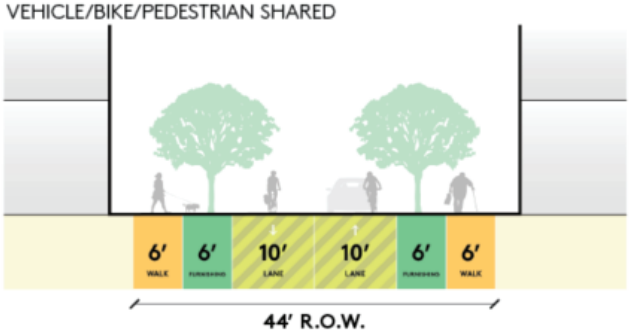
KIRKLAND ZONING CODE CHAPTER 57

FORM-BASED CODE FOR THE NE 85TH STREET STATION AREA PLAN

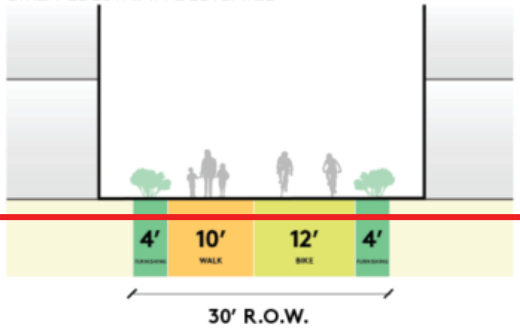
FIGURE 13: GREEN MID-BLOCK CONNECTION

GREEN MID-BLOCK CONNECTION

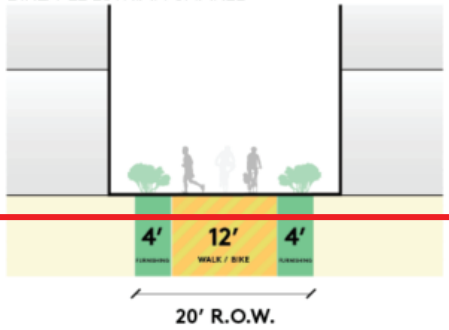
VEHICLE/BIKE/PEDESTRIAN SHARED



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

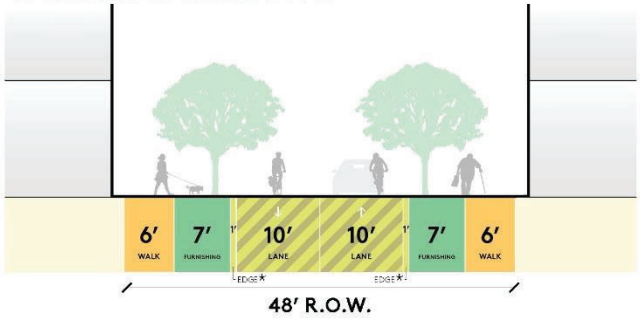
URBAN STREET EDGE	RETAIL & ACTIVE USES	RESIDENTIAL STOOP/PORCH	PLAZA/ PUBLIC SPACE	PRIVATE YARD
Permitted	Permitted	Permitted	Permitted	Permitted

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

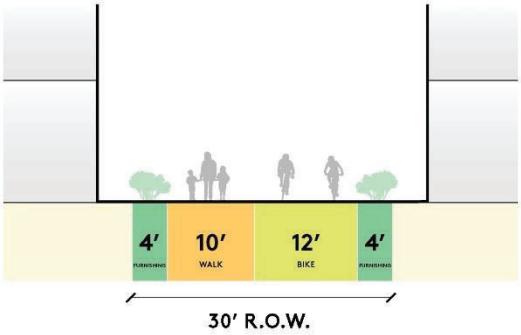
KIRKLAND ZONING CODE CHAPTER 57

FORM-BASED CODE FOR THE NE 85TH STREET STATION AREA PLAN

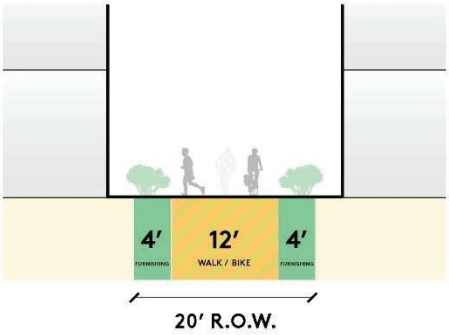
VEHICLE/BIKE/PEDESTRIAN SHARED



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.

** Edge refers to a material change at the same grade that transitions from travel lane to furnishing zone.*

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

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57.20 ~~STREET TYPES~~ FRONTAGE TYPES

57.~~15~~20.01 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~~20.02 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~~7. 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~~20.03 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.

~~10~~. ~~**Sidewalk**~~ **Building Frontage** **Amenity Zones** are portions of the frontage located between building façade and the back of the ~~prescribed minimum~~ required 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.

~~12.~~ **Corner Design** refers to the treatment of building facades at the intersection of specific street types. Facades shall be buffered from the corner property lines at a 45-degree angle behind a specified area within the property line at corners where the intersecting streets are a major thoroughfare, main street, or neighborhood mixed use street type. Corner design regulations apply to the full height of the building façade within the applicable area. For

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design guidance on how to achieve the desired corner design, refer to Design Guidelines for the NE 85th Street Station Subarea Plan.

~~5~~3. **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.

~~9~~4. **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.

~~1~~5. **Frontage** refers to a street-facing portion of a lot to a maximum depth of 50' from the required back of sidewalk.

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.

~~11~~9. **Minimum 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.

~~4~~10. **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

11. **Overhead Weather Protection** refers to building projections or structures that provide shelter from rain and other weather-related impacts to the pedestrian experience. For design guidance in providing overhead weather protection, refer to additional standards in section 57.20.04.06 and Design Guidelines for the NE 85th Street Station Subarea Plan.

12. **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.

~~2~~13. **Street Level Floor Story Height** refers to the floor to floor height of this pedestrian-oriented story.

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57.~~15~~20.04 FRONTAGE TYPE STANDARDS

57.~~15~~20.04.01 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~~14.

FIGURE ~~4~~14: CHARACTER EXAMPLES FOR URBAN STREET EDGE FRONTAGE TYPE

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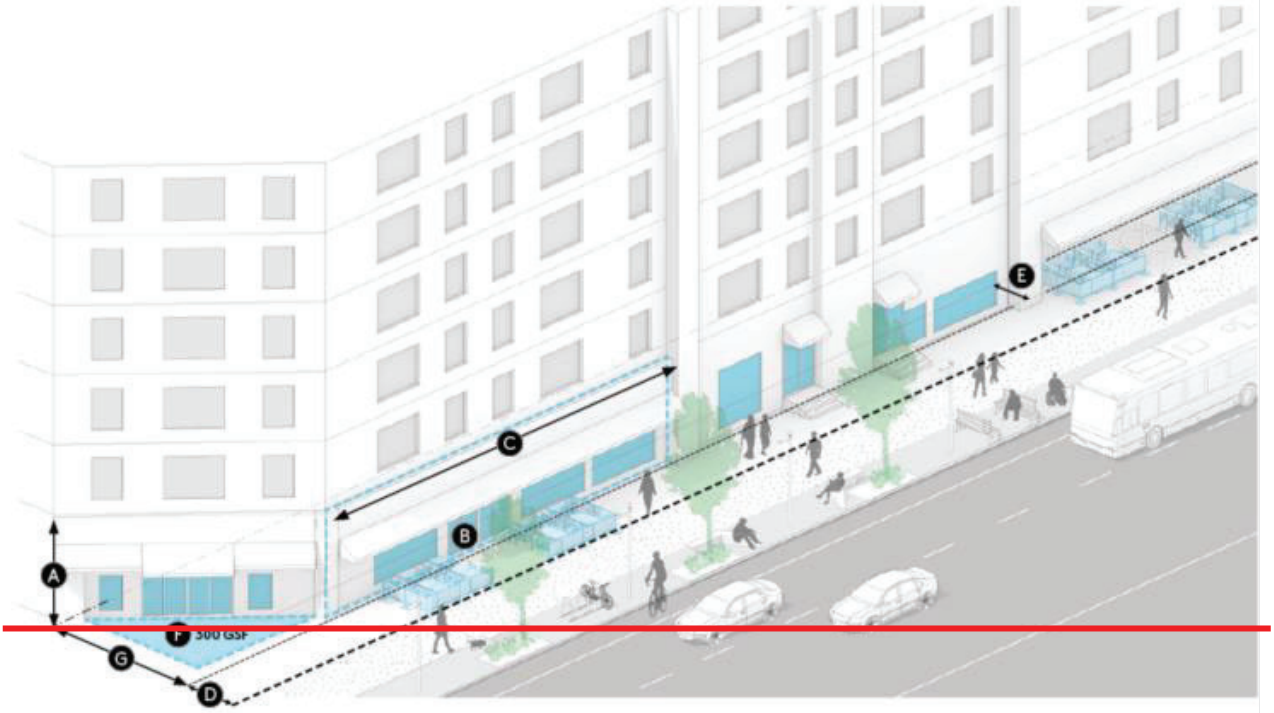
FIGURE ~~5~~15: URBAN STREET EDGE FRONTAGE STANDARDS



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'

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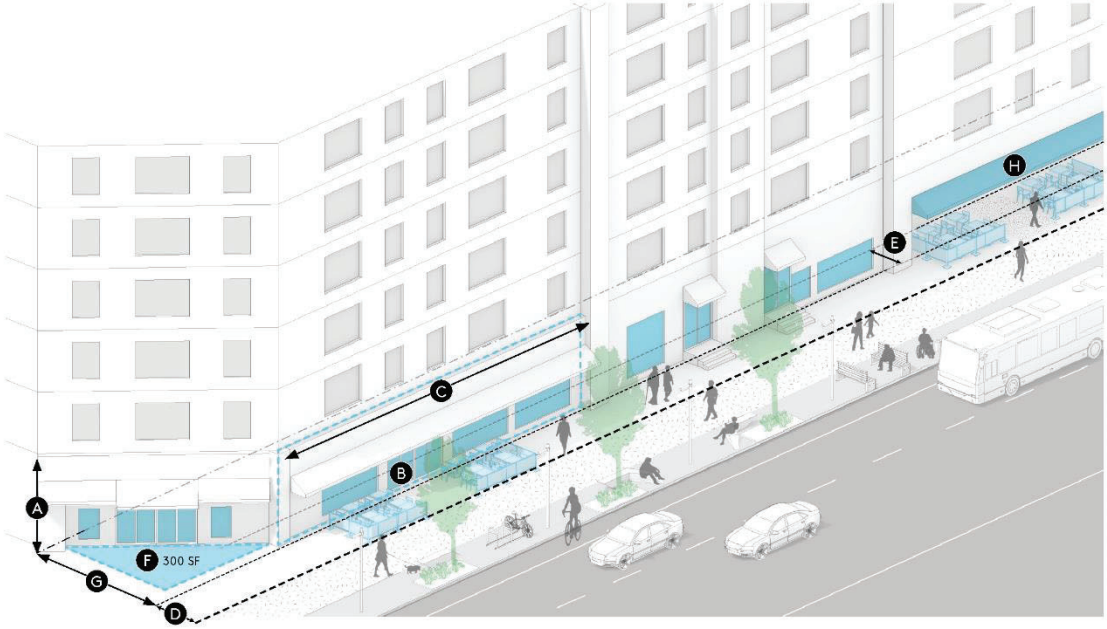

GROUND FLOOR DESIGN AND ENTRY

	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	Minimum 300 SF buffer required within property line at street corners
G	Ground Floor Parking Setback	Average 30', Minimum 20'
H	Overhead Weather Protection	Required for a minimum of 70% for all street-facing facades. See frontage type additional standards for specific requirements

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57.~~15~~20.04.02 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 16.

FIGURE 16: CHARACTER EXAMPLES FOR RETAIL / ACTIVE USE FRONTAGE TYPE

IMAGE CREDITS: CASCADE DESIGN COLLECTIVE, M. KENNEDY

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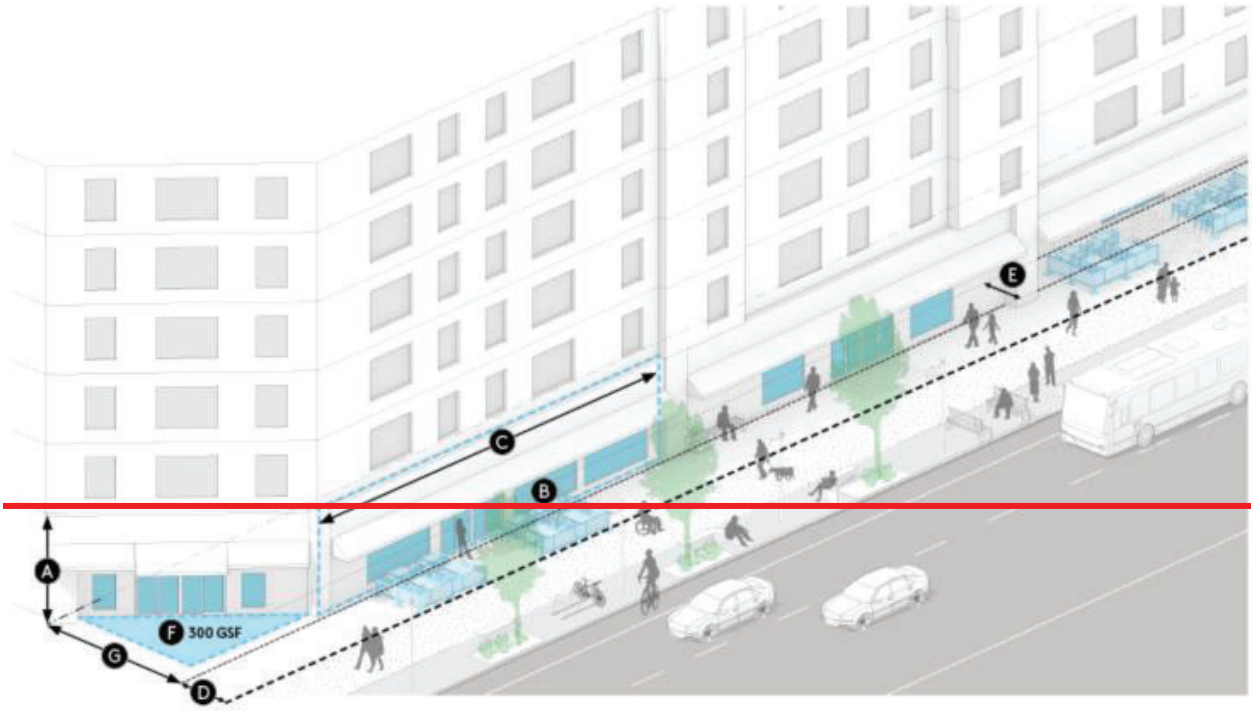
FIGURE 17: RETAIL AND ACTIVE USES FRONTAGE STANDARDS



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'

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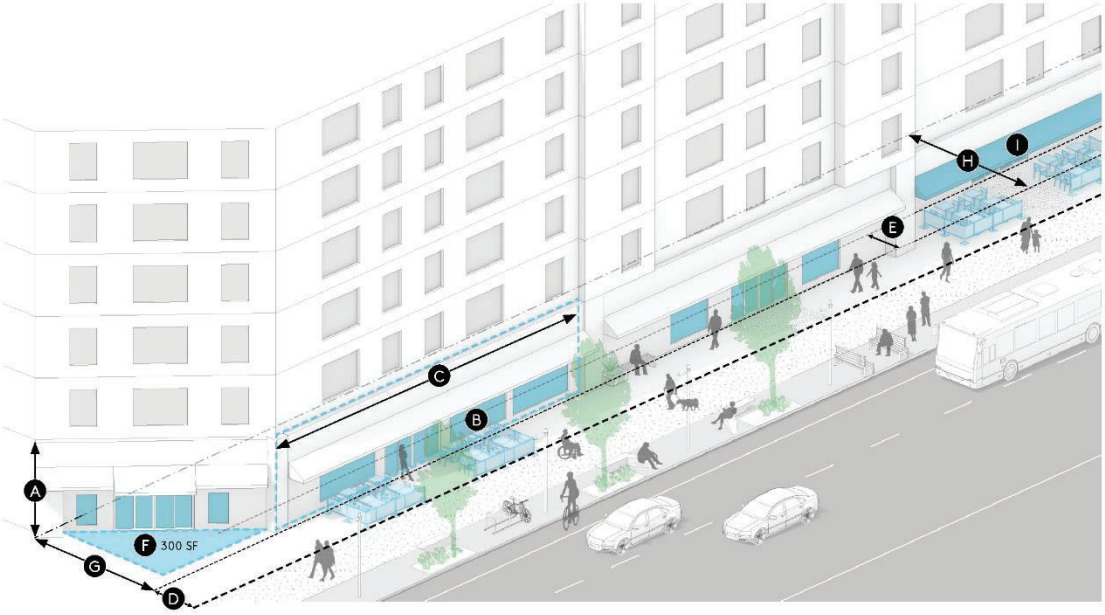

GROUND FLOOR DESIGN AND ENTRY

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	Minimum 300 SF buffer required within property line at street corners
G	Ground Floor Parking Setback	Average 30', Minimum 20'
H	Active Ground Floor Depth	Average 30'
I	Overhead Weather Protection	Required for a minimum of 90% for all street-facing facades. See frontage type additional standards for specific requirements

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57.~~15~~20.04.03 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 18: CHARACTER EXAMPLES FOR ~~URBAN STREET EDGE~~ RESIDENTIAL STOOP / PORCH FRONTAGE TYPE

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FIGURE 19: 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

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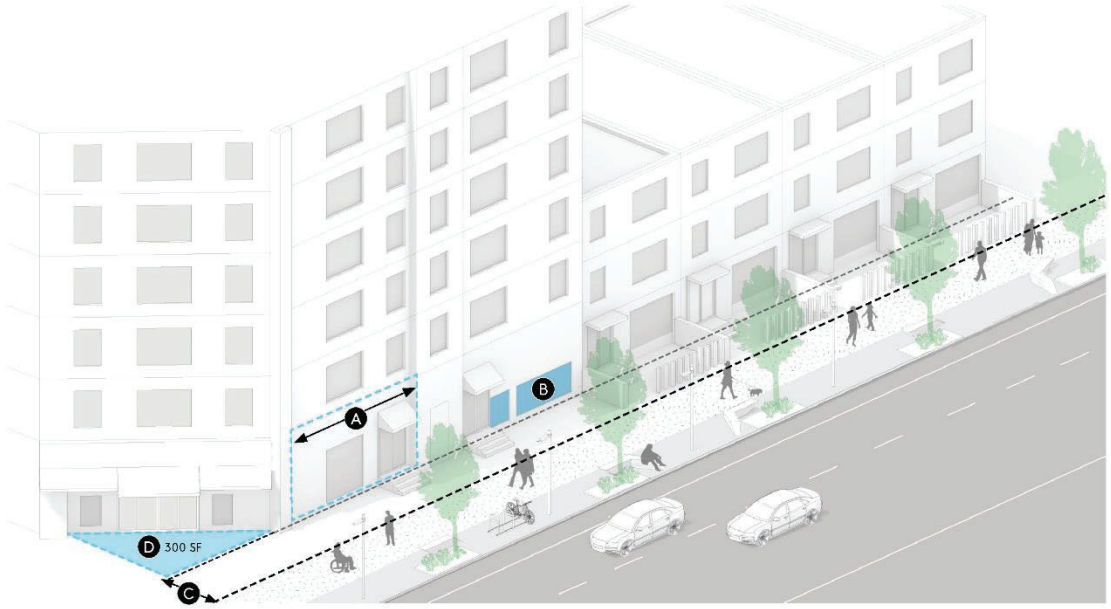

GROUND FLOOR DESIGN AND ENTRY

	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	Minimum 300 SF buffer required within property line at street corners

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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~~20.04.04 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 ~~1~~20: CHARACTER EXAMPLES FOR PLAZA/PUBLIC SPACE FRONTAGE TYPE

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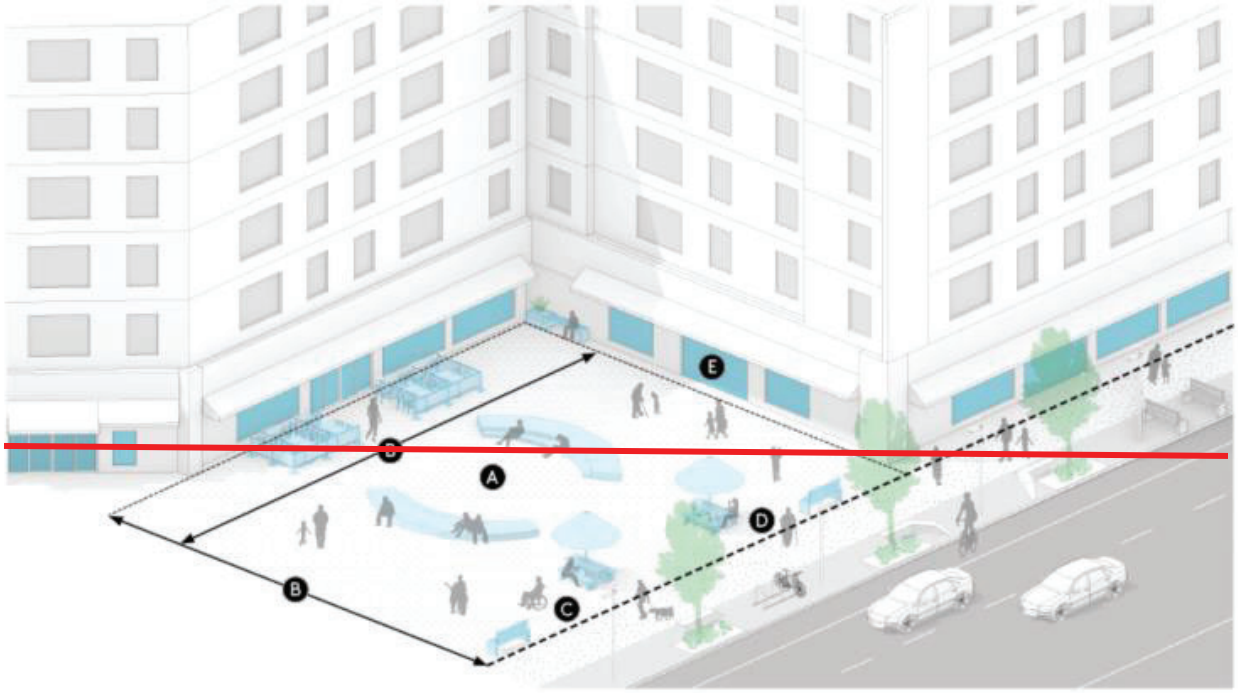
FIGURE 211: PLAZA/PUBLIC SPACE FRONTAGE STANDARDS



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

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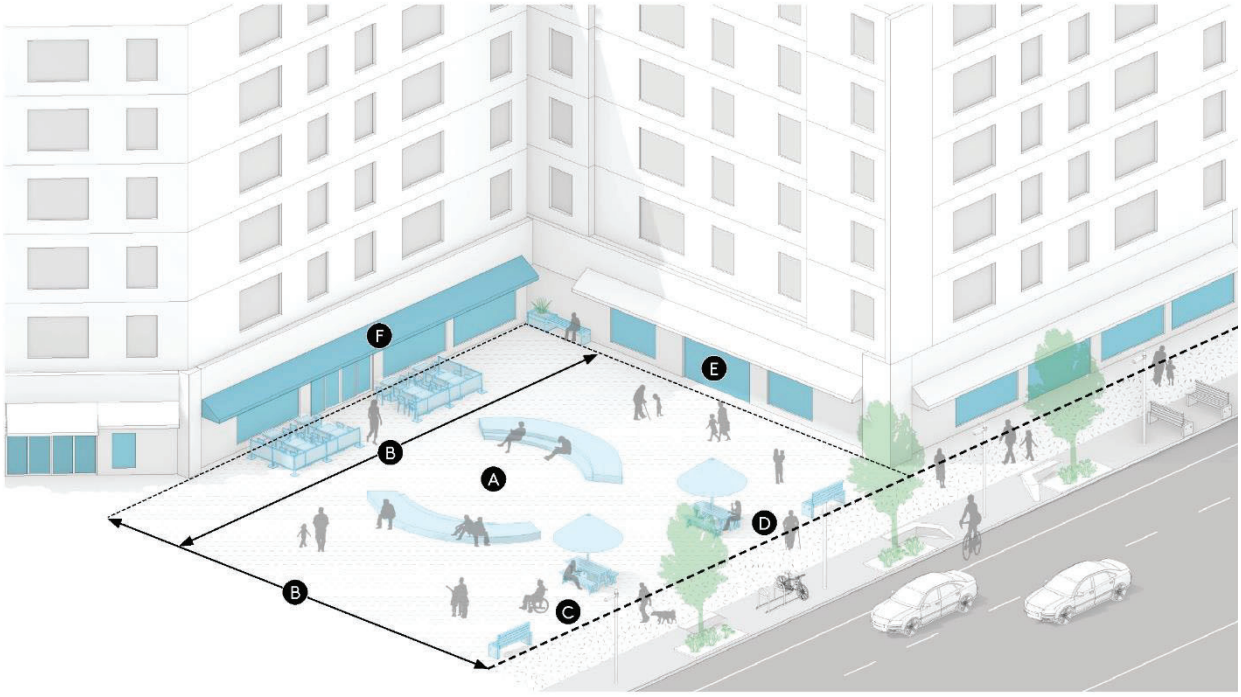

PUBLIC SPACE SIZE

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
F	Overhead Weather Protection	Required for a minimum of 70% for all street-facing facades. See frontage type additional standards for specific requirements

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Plaza/Open Space Additional Standards

DIMENSIONS

• **Minimum Area**: Plazas must be a minimum area of ~~1,500~~ 2,000 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 a combination of 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 pedestrian~~s~~ access.

• **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~~20.04.05 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 ~~1~~2: CHARACTER EXAMPLES FOR PRIVATE YARD FRONTAGE TYPE

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FIGURE ~~1~~23: 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'

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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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57.20.04.06 Additional Standards for all Frontage Types

OVERHEAD WEATHER PROTECTION

Frontage types that require overhead weather protection shall meet the following standards:

- Overhead weather protection is required for all street-facing facades, with the following exceptions:
    - Where the building facade is more than 10 feet from the required back of sidewalk
- Overhead weather protection should cover a minimum of 5 feet of the pedestrian clear zone on the nearest sidewalk, measured horizontally from the required back of sidewalk.
- Where possible, overhead weather protection should be located and designed to avoid water runoff into the pedestrian clear zone.
- Overhead weather protection must be a minimum of 10 feet and a maximum of 15 feet above required back of sidewalk grade

~~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~~

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~~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~~

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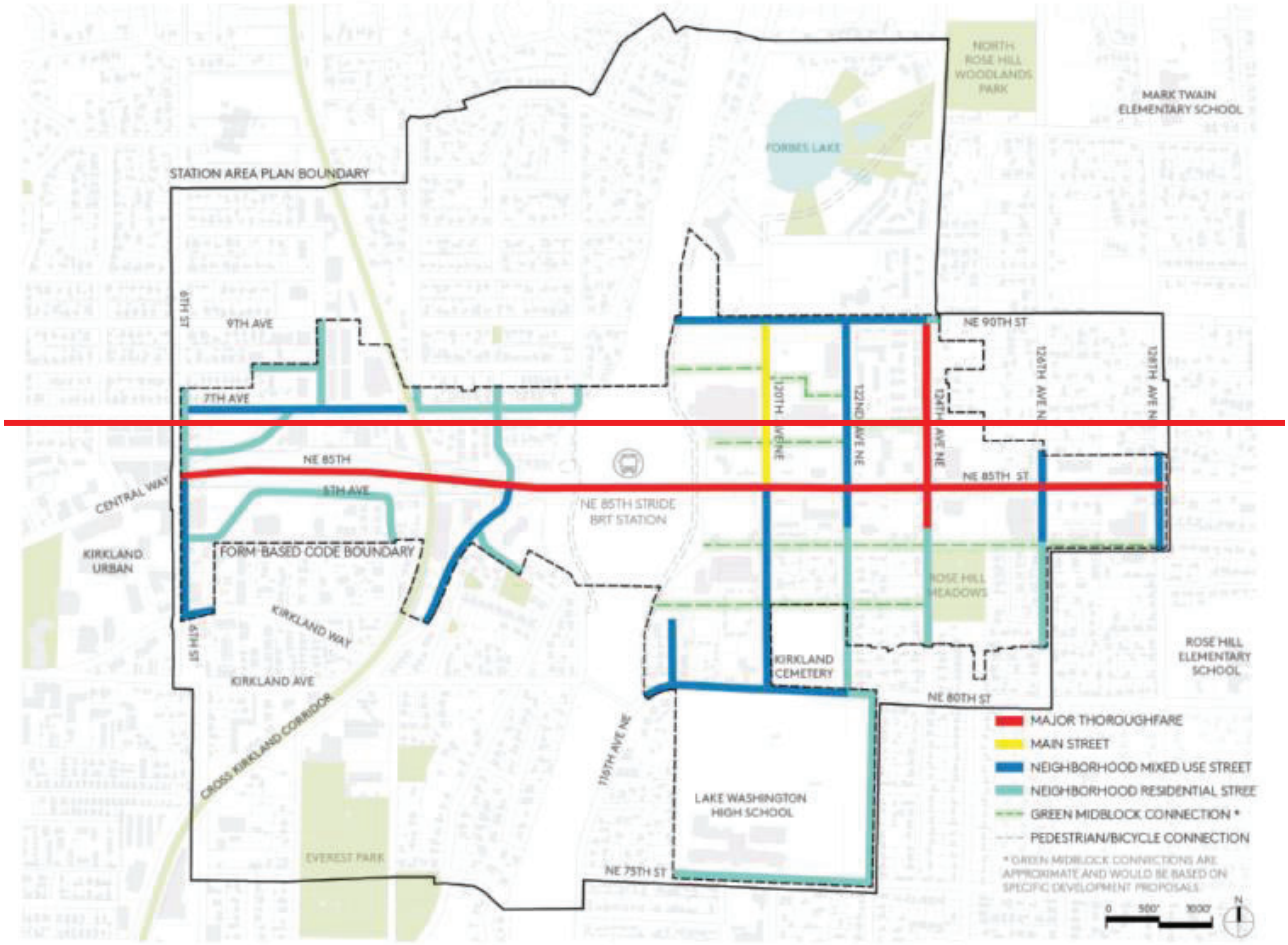

~~57.20.04 Using Street Types~~

~~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.~~

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~~• **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~~

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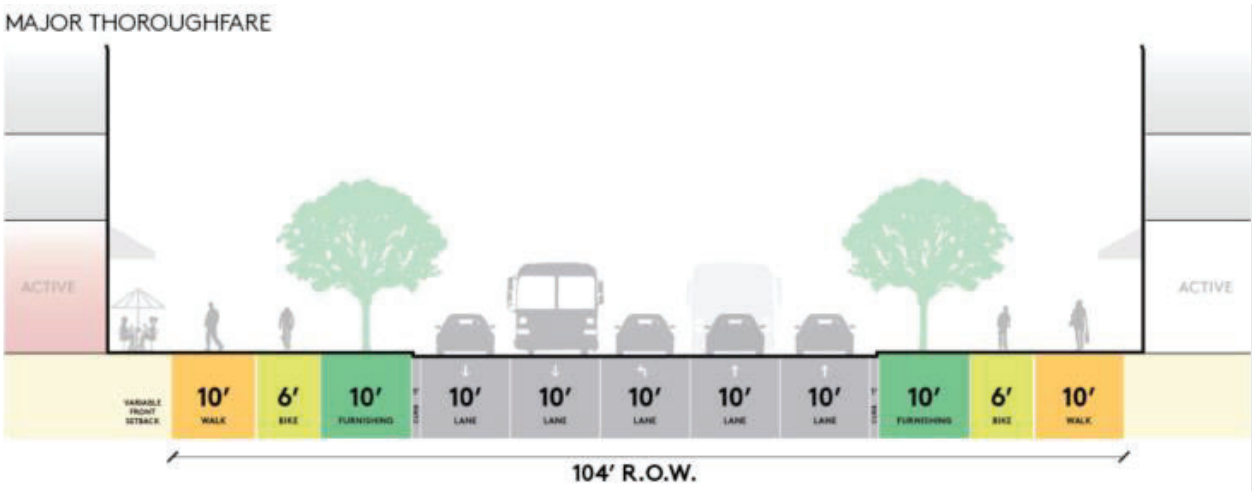
~~Neighborhood Mixed Use~~	~~6'/8'~~	~~5' bike lane/ 7' buffered bike lane~~	~~5'/6'~~	~~10'~~	~~2~~	~~Yes~~
~~Neighborhood Residential~~	~~5'/6'~~	~~5' bike lane/ 7' buffered bike lane~~	~~5'/6'~~	~~10'~~	~~2~~	~~Type 1: No~~ ~~Type 2: Yes~~
~~Green Mid-Block** Connection~~	~~6'/10'~~	~~5' bike lane/ 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.~~

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

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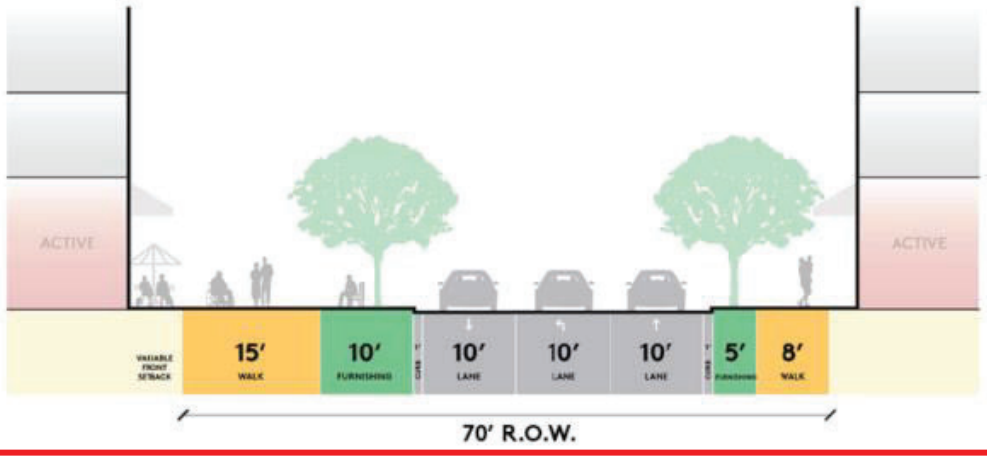
FORM-BASED CODE FOR THE NE 85TH STREET STATION AREA PLAN

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.

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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

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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

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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

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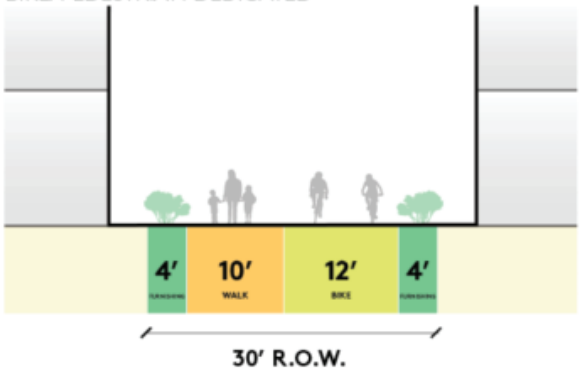
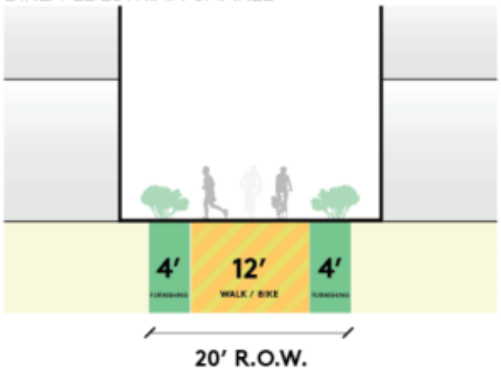
GREEN MID-BLOCK CONNECTION

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

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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~~ Sustainability Standards 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~~ Sustainability Standards 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~~ Sustainability Standards 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.

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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 St~~reet~~ Station Area Plan to provide appropriate transitions of development intensity, height, and bulk between different ~~across~~ zones.

2. **Applicability**: Transitions are required where the difference between the maximum allowed height of a zoning district ~~proposed for a subject property~~ is at least ~~more than~~ 30’ higher than the maximum allowed height of an ~~abutting parcel~~ adjacent zoning district. 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 Exposure Plane.

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

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 Plane**: 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:

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

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

ii~~i~~. Establish a maximum height of the vertical plane by determining the average elevation of the common property line between zoning districts, ~~that is equal to the midpoint grade elevation~~ plus the maximum allowed height of the adjacent ~~for the~~ zone ~~of the adjoining property~~ (see Figure 23).

iii~~v~~. From the top of this vertical plane, extend ~~a~~ the required sky exposure plane ~~at an~~ angle ~~of~~ 25 degrees to the maximum allowed height of the subject property ~~zone~~. Where the maximum height between zoning districts is 50' or higher extend the required sky exposure plane at an angle 30 degrees to the maximum allowed height of the subject property.

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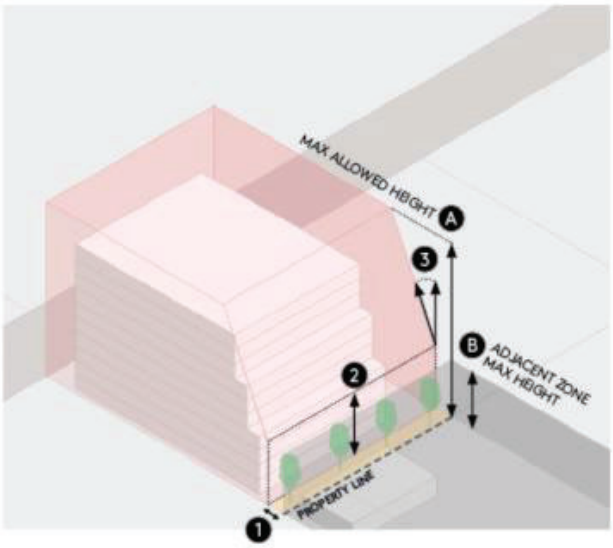
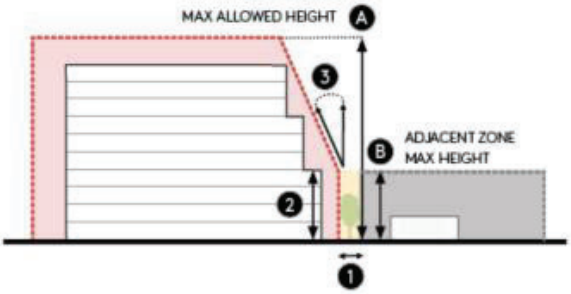
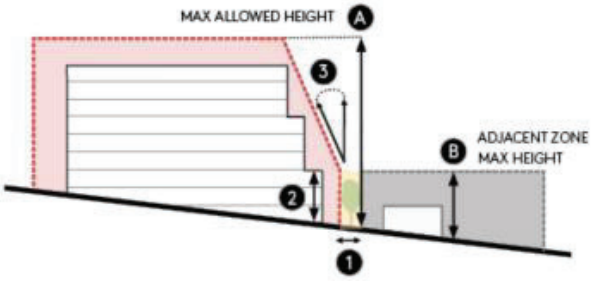
FIGURE ~~15~~24: ~~DISTRICTWIDE STANDARDS~~ TRANSITION REQUIREMENT



EXAMPLE ONE



EXAMPLE TWO



TRANSITIONS	
Applicability	A 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. B
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.

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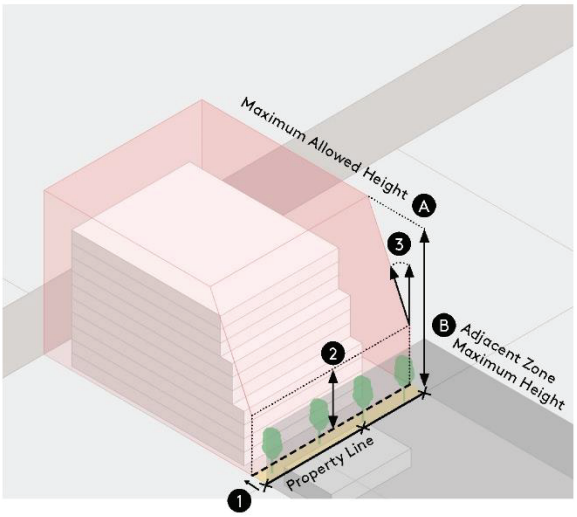
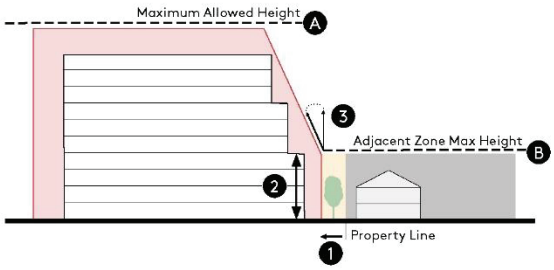
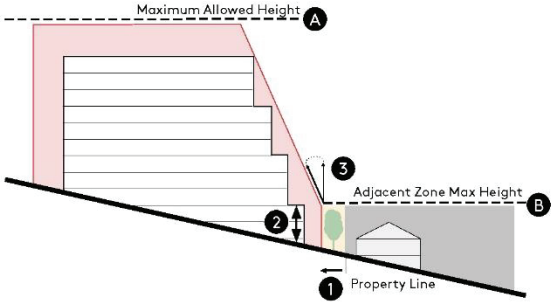


TRANSITIONS	
Applicability	A Transitions are required if the allowed maximum height for the subject parcel is greater than 30' B above the maximum allowed height for any adjacent parcel.
Requirement	1 Create a vertical plane 15' set back from and parallel to the common lot line. 2 Establish a maximum height of the vertical plane by determining the average elevation of the common property line between zoning districts, plus the maximum allowed height of the adjacent for the zone of the adjoining property. 3 From the top of this vertical plane, extend the required sky exposure plane at an angle of 25 degrees to the maximum allowed height of the subject property. Where the maximum height between zoning districts is 50' or higher extend the required sky exposure plane at an angle 30 degrees to the maximum allowed height of the subject property.

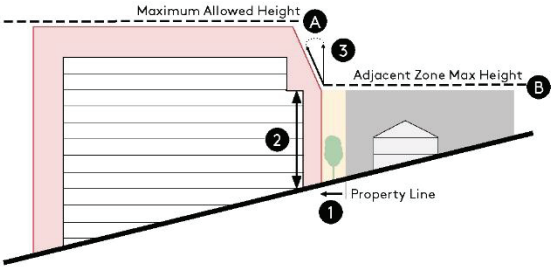
MINIMUM TOPOGRAPHY EXAMPLE



UPHILL DEVELOPMENT EXAMPLE



DOWNHILL DEVELOPMENT EXAMPLE



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~~6.

TABLE ~~3~~6: OFF-STREET PARKING REQUIREMENTS

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Land Use	Minimum Required Parking Spaces
Residential: Detached Dwelling Unit	~~Reserved~~ 2/unit
Residential: Residential Suites, Attached or Stacked Dwelling Units	0/affordable studio unit or residential suite 0/affordable one-bedroom unit 0.75/studio unit or residential suite[i] 1/one-bedroom unit 1.25/two-bedroom unit 1.5/three- or more bedroom unit
Residential: Assisted Living Facility	0.5/unit
Residential: Convalescent Center	0.5/bed
Commercial	2/1000 SF GFA
Industrial	~~Reserved~~ 1/1000 SF GFA Breweries, wineries or distilleries shall apply the minimum required industrial parking rate only for the portion of the building engaged in industrial uses. Tasting rooms for breweries, wineries, or distilleries shall provide parking at 2/1000 SF GFA.
Institutional	Set by the City Transportation ~~traffic e~~ Engineer under KZC 105.25

i. Market-rate Residential suite parking may be reduced to 0.5/suite if the following transportation demand management strategies are implemented in addition to the required transportation demand management strategies identified in KZC 57.25.07:

a. Provide a bus pass or equivalent alternative transportation mode subsidies for tenants who do not have cars.

b. Include lease provisions and monitoring requirements for the property owner to ensure that tenants are not parking off site to avoid parking charges.

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

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c. **Modification to Minimum Required Parking**: For a modification to subsection ~~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 licensed transportation engineer or other qualified professional 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 should be provided as part of the parking demand and utilization study and approved by the City Transportation Engineer.

d. **Parking Space Reductions Near Transit**: For senior citizen households or housing units specifically for people with disabilities that are located within one-quarter mile of a transit stop that receives transit service at least four (4) times per hour for 12 or more hours per day, minimum parking space requirements are eliminated for residents. Parking requirements for staff and visitors of such housing units will be established pursuant to KZC 105.25. The City will require an applicant to record a covenant that prohibits the rental or sale of a unit subject to this parking restriction for any purpose other than providing for senior citizen households or housing for people with disabilities.

e. **Guest Parking**: Refer to KZC Ch 105.

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

3. **Parking Area Design**: Refer to KZC Ch 105, as well as the ~~Green Innovation~~ Sustainability Standards 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~~7: BICYCLE PARKING RATES

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Use	Short-Term Bicycle Parking Rate (spaces per suite/unit/bed or per ~~1,000~~ sq.ft. of gross floor area)	Long-Term Bicycle Parking Rate (spaces per suite/unit/bed or per ~~1,000~~ sq.ft. of gross floor area)
Residential: Detached Dwelling Unit	Not required	Not required
Residential: Residential Suites, Attached or Stacked Dwelling Units	0.05/suite or unit	1/suite or unit
Residential: Assisted Living Facility	0.05/unit	0.08/unit
Residential: Convalescent Center	0.05/bed	0.08/bed
~~General~~ Commercial: General	0.50/1000 SF GFA	0.33/1000 SF GFA
Commercial: Office ~~Uses~~	0.07/1000 SF GFA	0.33/1000 SF GFA
Industrial	0.01/1000 SF GFA Breweries, wineries or distilleries shall apply the minimum required industrial parking rate only for the portion of the building engaged in industrial uses. Tasting rooms for breweries, wineries, or distilleries shall provide parking at 0.50/1000 SF GFA.	0.08/1000 SF GFA Breweries, wineries or distilleries shall apply the minimum required industrial parking rate only for the portion of the building engaged in industrial uses. Tasting rooms for breweries, wineries, or distilleries shall provide parking at 0.33/1000 SF GFA.
Institutional ~~Uses~~	As determined by City Transportation Engineer under KZC 105.25	As determined by City Transportation Engineer under KZC 105.25

- Commercial development, both general commercial and office uses, and institutional development required to provide 25 or more long-term bike parking spaces shall also provide at least 1 shower for commuters. Shower facilities shall be provided at a rate of 1 shower per 25 required long-term bike parking spaces. Showers should be provided adjacent to bike parking although showers provided on-site as part of other facilities may satisfy this requirement provided that wayfinding signage is included.

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

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- 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 Transportation Demand Management

GENERAL PROVISIONS

1. **Required Transportation Management Plan:** all new commercial development and all new residential development greater than 15 units within the station area shall prepare and implement a transportation management plan that identifies their proposed transportation demand management strategies.
2. **Transportation Management Plan Administration:**
    - **a.** Each Transportation Management Plan (TMP) shall be in a form approved by the City and recorded with King County. The TMP shall acknowledge that it is a violation of the KZC to deviate from the required transportation demand management strategies.
    - **b.** Each development shall designate a Transportation Coordinator to manage the TMP, provide commute information to residents or employees, and be a point of contact for the City.
    - **c.** Each development shall participate in a biannual survey of residents in a form approved by the City to document transportation mode share, parking utilization, and potential spillover parking.
3. **Required Transportation Demand Management Strategies:**
    - a. The costs to provide parking shall be unbundled from the rental costs.
    - b. New developments shall charge for off-street parking.
    - c. New developments shall monitor the demand for parking and manage the provided parking supply to reduce the risk of spillover parking.
    - d. New developments shall provide full transit pass subsidies for all employees.
    - e. New developments shall actively participate in City and development transportation demand management efforts by partnering on the development, distribution, and promotion of commuter marketing programs.

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f. New developments shall provide an emergency ride home program for employees.
g. New developments shall provide bicycle parking and other facilities as required in KZC 57.25.06.05.
h. New developments shall support carpooling by developing a ridematch program for employees.

57.25.0~~7~~8 ~~GREEN INNOVATION~~ SUSTAINABILITY STANDARDS

Relationship to other regulations

Reserved.

General Provisions

1. **Intent**: The ~~Green Innovation~~ Sustainability Standards 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 to the extent those standards are consistent with State and Federal mandated requirements. 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.

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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.

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FIGURE ~~17~~25: 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 existing evergreen trees bonus
- H Groundcovers or other low plants
- I Medium shrubs or perennials
- J Large shrubs or perennials
- K Small trees with 500 ft³ soil volume
- L Medium trees with 1000 ft³ soil volume
- M Large Trees with 1500 ft³ soil volume

2 GREEN ROOFS

- A [illegible] soil
- B [illegible] soil
- C [illegible] soil
- D [illegible] 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 wildlife 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

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Green Factor

The Green Factor score shall be calculated as follows:

1. Identify all proposed elements in Table ~~5~~8.

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~~8 according to the following provisions:

a. If multiple elements listed in Table ~~5~~8 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~~8.

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~~8 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~~8: GREEN FACTOR

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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

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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
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.	0.2-0.5

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	(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.	

* 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.

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57.30 INCENTIVE ZONING PROGRAM

57.30.01 PURPOSE

The purpose of the Incentive Zoning Program within the Subarea is to provide additional development capacity for commercial uses 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. This incentive zoning program is to be used in conjunction with the affordable housing requirements for residential uses in the station area pursuant to chapter 112 KZC.

57.30.02 GENERAL PROVISIONS

The incentive zoning program may be utilized to achieve development of commercial uses 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. Requirements for residential uses to achieve the bonus maximum allowed height are set forth in Chapter 112 KZC.

57.30.03 REQUIRED REVIEW

The Planning and Building Director may approve an application for commercial use incentive zoning that complies with Table ~~6~~9 if the Director finds that:

1. The design and/or extent of the amenity meets the standards established in Table ~~6~~9 and table ~~7~~10 criteria; and

2. Where amenities are to be provided on the subject property, the public benefits provided, described in Table ~~6~~9 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~~9 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.

57.30.04 INCENTIVE AMENITIES AND EXCHANGE RATES FOR INCENTIVE CAPACITY

Tables ~~6~~9 and ~~7~~10 describe the incentive amenities that may be provided to receive commercial incentive capacity and the exchange rate at which commercial 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~~9 in order to receive incentive capacity. No more than 75% of the requested incentive capacity may be achieved through

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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 ~~&~~and 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~~9: 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 alternative 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 spaces 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): Spaces available for civic or community uses such as arts or performance spaces, after-school	Square feet of improved public indoor community space

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programming, recreation, event space, etc.	
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 demonstrate a score of at least 0.4)	SF of land, enhanced ecology / habitat
Innovation Investments: Design, build and operate innovative energy and/or decarbonization systems (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 childcare, or preschool learning space, as defined in KZC 5.10.194 Design Criteria: 1. Bonus preschool space must provide a minimum of 4 classrooms, with a minimum of 900 SF per classroom. 2. Space shall be used in manner described for the life of the project. 3. Documentation of required licensing for day care operation shall be provided.	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 Design Criteria:	Long-term dedication of building space for education use

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1. Bonus school space must provide a minimum of 4 classrooms, with a minimum of 900 SF per classroom. 2. Space shall be used in manner described for the life of the project. 3. Documentation of required licensing for school operation shall be provided.	
GROCERY STORE	
Grocery Store: Floor area of at least 20,000 SF dedicated to a full-service grocery store. This amenity may only be used to achieve incentive capacity when there are no other grocery stores within one-half mile of the proposed location.	Long-term dedication of building space for neighborhood grocery 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~~10: EXCHANGE RATES FOR INCENTIVE CAPACITY

List of Eligible Amenities	Measure of Exchange Rate	Policy Weighted Bonus Ratio			Amenity Provided per 20,000 sf 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

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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	40.00	$500,000
Ecology and Habitat (GF score above 0.75)	Bonus SF for each SF of enhanced ecology /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
GROCERY STORES					
Grocery Store Space	Bonus SF for each SF of grocery space	3	1.00	40.0	4,000 sf

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OTHER APPLICANT PROPOSED AMENITIES					
Flexible Amenity Options	TBD	3	1.00	40.0	$500,000

NE 85TH ST STATION AREA PLAN PHASE 2 –
MISCELLANEOUS KIRKLAND ZONING CODE (KZC) AMENDMENTS

The following are amendments to various sections of the KZC. **Added text is shown as underlined and bold.** ~~Removed text is shown as strikethrough.~~

*Note, where chapter sub-sections are removed, impacted sub-sections will be re-numbered administratively. For streamlining purposes, the sections shown below are limited to those with text edits, and do not include sections when the only edit is re-numbering.

- **KZC 5 – DEFINITIONS**

5.10.023 - Affordable Housing Unit

1. An owner-occupied dwelling unit reserved for occupancy by eligible households and affordable to households whose household annual income does not exceed the following percent of the King County median household income, adjusted for household size, as determined by the United States Department of Housing and Urban Development (HUD), and no more than 30 percent of the monthly household income is paid for monthly housing expenses (mortgage and mortgage insurance, property taxes, property insurance and homeowners' dues):

a. Eighty percent in the CBD 5A, RH**8**, TL, HENC 2, ~~and~~ PLA 5C**, NMU, CVU, and UF** zoning districts and for Transit Oriented Development in the PR 1.8 zone; or

b. One hundred percent in density limited zoning districts.

2. A renter-occupied dwelling unit reserved for occupancy by eligible households and affordable to households whose household annual income does not exceed 50 percent of the King County median household income, adjusted for household size, as determined by HUD, and no more than 30 percent of the monthly household income is paid for monthly housing expenses (rent and an appropriate utility allowance).

In the event that HUD no longer publishes median income figures for King County, the City may use any other method for determining the King County median income, adjusted for household size. (Ord. 4733 § 1, 2020; Ord. 4637 § 3, 2018; Ord. 4474 § 1, 2015; Ord. 4222 § 1, 2009; Ord. 3938 § 1, 2004)

5.10.145 - Commercial Zones

145. The following zones: BN; BNA; BC 1; BC 2; BCX; CBD; FHNC; HENC 1; HENC 3; JBD 1; JBD 2; JBD 4; JBD 5; JBD 6; MSC 2; MSC 3; NRH 1A; NRH 1B; NRH 4; ~~RH 1A; RH 1B; RH 2A; RH 2B; RH 2C; RH 3; RH 5A; RH 5B; RH 5C; RH 7;~~ TL 2; TL 4A; TL 4B; TL 4C; TL 5; TL 6A; TL 6B; TL 8; YBD 2; YBD 3. (Ord. 4749 § 1, 2021; Ord. 4637 § 3, 2018; Ord. 4636 § 3, 2018; Ord. 4357 § 1, 2012; Ord. 4333 § 1, 2011; Ord. 4196 § 1, 2009; Ord. 4193 § 1, 2009; Ord. 4121 § 1, 2008; Ord. 4051 § 1, 2006; Ord. 4037 § 1, 2006; Ord. 4030 § 1, 2006; Ord. 3956 § 1, 2004; Ord. 3889 § 2, 2003; Ord. 3814 § 1, 2001)

5.10.595 - Office Zones

595. The following zones: PO; PR 8.5; PR 5.0; PR 3.6; PR 2.4; PR 1.8; PRA 1.8; JBD 3; PLA 5B, C; PLA 6B; PLA 15A; PLA 17A; MSC 1; MSC 4; NRH 2; NRH 3; NRH 5; NRH 6; ~~RH 4;~~ RH 8; TL 1A; TL 10A, TL 10B, TL 10C, TL 10D and TL 10E. (Ord. 4333 § 1, 2011; Ord. 4196 § 1, 2009; Ord. 4121 § 1, 2008; Ord. 4051 § 1, 2006; Ord. 4037 § 1, 2006; Ord. 4030 § 1, 2006; Ord. 3972 § 1, 2004; Ord. 3889 § 2, 2003; Ord. 3814 § 1, 2001)

5.10.930.6 - Transit-Oriented Development (TOD) Zone

.930.6. The following zone**s**: **CMU, CVU, NMU, UF, and** YBD-1. (Ord. 4450 § 1, 2014)

- **KZC 10.25 – ZONING CATEGORIES ADOPTED**

10.25. The City is divided into the following zoning categories:

Zoning Category		Symbol
1.	**Low-Density** ~~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)
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)
20.	**Station Area Civic Mixed-Use**	**CVU (followed by a height subdistrict)**
21.	**Station Area Neighborhood Mixed-Use**	**NMU (followed by a height subdistrict with base/bonus heights)**
22.	**Station Area Urban Flex**	**UF**

- **KZC 20.10 – MEDIUM DENSITY RESIDENTIAL ZONES, GENERAL REGULATIONS**

  20.10.020.4 - RM, RMA Zones

~~4. If the property is located in the Rose Hill Business District (RHBD), the following shall apply:~~

~~a. If the subject property is located south of NE 85th Street between 124th Avenue NE and 120th Avenue NE, the applicant shall to the extent possible save existing viable significant trees within the required landscape buffer separating nonresidential development from adjacent single-family homes.~~

~~b. If the subject property is located directly north of the RH 4 zone, the applicant shall install a through-block pedestrian pathway pursuant to the standards in KZC 105.19 to connect an east-west pedestrian pathway designated in the Comprehensive Plan between 124th Avenue NE and 120th Avenue NE. (See Plate 34K).~~

- **KZC 25.10.020 - HIGH DENSITY RESIDENTIAL ZONES, GENERAL REGULATIONS**

  25.10.020.4 – RM, RMA Zones

  ~~4. If the property is located in the Rose Hill Business District (RHBD), the following shall apply:~~

  ~~a. If the subject property is located south of NE 85th Street between 124th Avenue NE and 120th Avenue NE, the applicant shall to the extent possible save existing viable significant trees within the required landscape buffer separating nonresidential development from adjacent single-family homes.~~

  ~~b. If the subject property is located directly north of the RH 4 zone, the applicant shall install a through-block pedestrian pathway pursuant to the standards in KZC 105.19 to connect an east-west pedestrian pathway designated in the Comprehensive Plan between 124th Avenue NE and 120th Avenue NE. (See Plate 34K).~~

- **KZC 30.20 – OFFICE ZONES, PERMITTED USES (PU) SPECIAL REGULATIONS**

  PU-1: ~~Within the Rose Hill Business District (RHBD), D.R., Chapter 142 KZC.~~ **Reserved.**

  PU-12: Within the ~~Rose Hill Business District (RHBD) and~~ Yarrow Bay Business District, D.R., Chapter 142 KZC.

  PU-21: ~~Primary vehicular access must be directly from 6th Street or 4th Avenue.~~ **Reserved.**

- **KZC 40 – INDUSTRIAL ZONES**

  KZC 40.10.010 – General Regulations, LIT Zones

~~1. If the property is located in the Rose Hill Business District (RHBD), the applicant shall install a through-block pedestrian pathway to connect an east-west pathway designated in the Comprehensive Plan between 124th Avenue NE and 120th Avenue NE pursuant to the through-block pathway standards in KZC 105.19 (See Plate 34K).~~

1~~2~~. Retail uses are prohibited unless otherwise allowed in the use zone tables.

KZC 40.20 – Industrial Zones, Permitted Uses (PU) Special Regulations

PU-7. ~~Within the Rose Hill Business District (RHBD), D.R., Chapter 142 KZC.~~ **Reserved.**

- **KZC 53 – ROSE HILL BUSINESS DISTRICT (RHBD) ZONES**

  Repeal Rose Hill Business District zones RH 1B (KZC 53.08, 53.10, and 53.12), RH 3 (KZC 53.30, 53.32, and 53.34), RH 4 (KZC 53.40, 53.42, and 53.44), RH 5A and 5B (KZC 53.50, 53.52, and 53.54), RH 5C (KZC 53.55, 53.57, and 53.59), and RH 7 (KZC 53.70, 53.72, and 53.74).

- **KZC 92 – DESIGN REGULATIONS**

  92.05 - Introduction

  1. General – This chapter establishes the design regulations that apply to development in Design Districts including the Central Business District (CBD), Finn Hill Neighborhood Center (FHNC), Market Street Corridor (MSC), Neighborhood Business Districts (BN, BNA), Bridle Trails Neighborhood Center (BCX zone), Houghton/Everest Neighborhood Center (HENC), Juanita Business District (JBD), ~~Rose Hill Business District (RHBD)~~**NE 85th St. Station Area**, Totem Lake Business District (TLBD), North Rose Hill Business District (NRHBD), Business District Core (BDC), Yarrow Bay Business District (YBD) and in PLA 5C.

     Special provisions that apply to a particular Design District are noted in the section headings of the chapter.

  2. Applicability – The provisions of this chapter apply to all new development, with the exception of development in the TL 7 zone. The provisions of Chapters 142 and 162 KZC regarding Design Review and nonconformance establish which of the regulations of this chapter apply to developed sites. Where provisions of this chapter conflict with provisions in any other section of the code, this chapter prevails. For more information on each Design District refer to the Design Guidelines applicable to that Design District adopted by reference in Chapter 3.30 KMC.

  3. Design Review Procedures – The City will use Chapter 142 KZC to apply the regulations of this chapter to development activities that require Design Review approval.

  4. Relationship to Other Regulations – Refer to the following chapters of the Zoning Code for additional requirements related to new development on or adjacent to the subject property.

     a. Landscaping – Chapter 95 KZC describes the installation and maintenance of landscaping requirements on the subject property.

b. Installation of Sidewalks, Public Pedestrian Pathways and Public Improvements – Chapter 110 KZC describes the regulations for the installation of public sidewalks, major pedestrian sidewalks, pedestrian-oriented sidewalks, or other public improvements on or adjacent to the subject property in zones subject to Design Review. Plate 34 in Chapter 180 KZC provides the location and designation of the sidewalk, pedestrian walkways, pathways or other required public improvements within each Design District.

c. Pedestrian Access to Buildings, Installation of Pedestrian Pathways, Pedestrian Weather Protection – Chapter 105 KZC describes the requirements for pedestrian access to buildings and between properties, through parking areas and requirements for pedestrian weather protection. See also Plate 34 in Chapter 180 KZC.

d. Parking Area Location and Design, Pedestrian and Vehicular Access – Chapter 105 KZC describes the requirements for parking lot design, number of driveways, or pedestrian and vehicular access through parking areas.

e. Screening of Loading Areas, Outdoor Storage Areas and Garbage Receptacles – Chapter 95 KZC describes the location and screening requirements of outdoor storage. Chapter 115 KZC describes the screening of loading areas, waste storage and garbage disposal facilities.

5. Dedication – The City may require the applicant to dedicate development rights, air space, or an easement to the City to ensure compliance with any of the requirements of this chapter.

~~6. Design Districts in Rose Hill Business District – Various places in this chapter refer to the three (3) Design Districts in the Rose Hill Business District: Regional Center, Neighborhood Center and East End. Figure 92.05.A below describes where these are located. For a more detailed description of each area, see the Design Guidelines for the Rose Hill Business District adopted by reference in Chapter 3.30 KMC.~~

~~Design Districts within the Rose Hill Business District~~

Staff Note: Amendment removes Figure 92.05.A

~~FIGURE 92.05.A~~

6~~7~~. Design Districts in the Totem Lake Business District – Various places in this chapter refer to either the Business District Core (BDC) Design District or the larger Totem Lake Business District (TLBD). Figure 92.05.B below describes where the Business District Core Design District is located within the larger Totem Lake Business District. For more information on the design guidelines for each area see the Totem Lake Business District Design Guidelines and the Guidelines for Pedestrian-Oriented Business Districts that apply in the Business District Core adopted by reference in Chapter 3.30 KMC.

92.10 – Site Design, Building Placement and Pedestrian-Oriented Facades

This section contains regulations which establish the location of a building on the site in relationship to the adjacent sidewalk, pedestrian pathway or pedestrian-oriented elements on or adjacent to the subject property.

1. Building Placement in JBD – All buildings must front on a right-of-way or through-block pathway (see Plate 34).

2. Pedestrian-Oriented Facades Defined for RH~~BD~~**8** and TLBD – To meet the definition of a pedestrian-oriented facade (see Figure 92.10.A):

    a. The building's primary entrance must be located on this facade and facing the street. For purposes of this chapter, "primary entrance" shall be defined as the primary or principal pedestrian entrance of all buildings along that street. The primary entrance is the entrance designed for access by pedestrians from the sidewalk. This is the principal architectural entrance even though customers or residents may use a secondary entrance associated with a garage, parking area, driveway or other vehicular use area more frequently.

    b. Transparent windows and/or doors must occupy at least 75 percent of the facade area between two (2) and seven (7) feet above the sidewalk.

c. Weather protection feature(s) at least five (5) feet wide must be provided over at least 75 percent of the facade. This could include awnings, canopies, marquees, or other permitted treatments that provide functional weather protection.

3. Building Placement in RH~~BD~~**8**, TLBD and YBD

a. Building Location Featuring Pedestrian-Oriented Facades in RH~~BD~~**8**, TLBD and YBD Zones – Buildings may be located adjacent to the sidewalk of any street (except west of 124th Avenue NE in the TLBD) and in YBD (except for Lake Washington Boulevard and Northup Way), if they contain a pedestrian-oriented facade along that street frontage pursuant to the standards in subsection (2) of this section. As part of the Design Review process, required yards, setbacks or other development standards may be modified along the street frontage. Buildings not featuring a pedestrian-oriented facade along a street must provide a building setback of at least 10 feet from any public street (except areas used for pedestrian or vehicular access) landscaped with a combination of trees, shrubs, and groundcover per the requirements of supplemental landscape standards of KZC 95.41(2).

Pedestrian-Oriented Facade

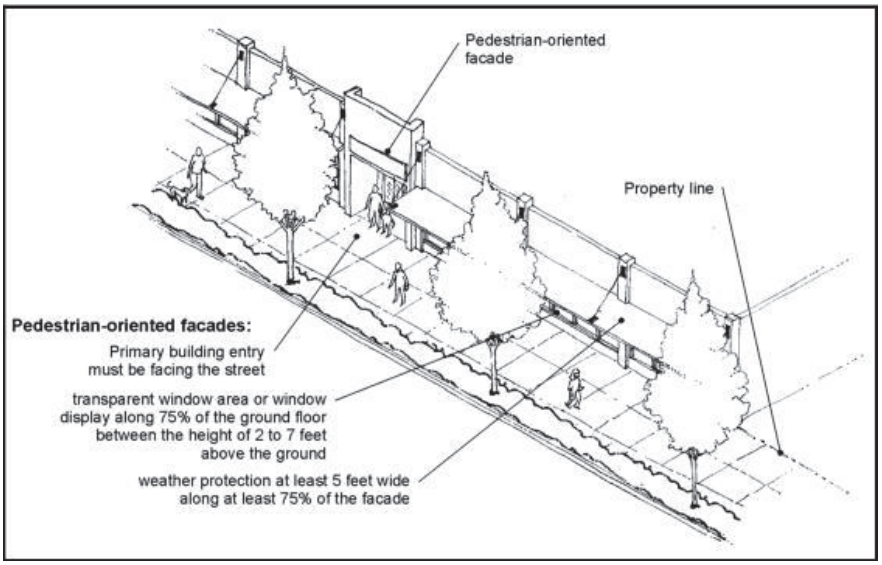

FIGURE 92.10.A

b. For All Other Building Facades in RH~~BD~~**8**and TLBD Zones (Non-Pedestrian-Oriented Facade) – Building facades not featuring a pedestrian-oriented facade described in subsection (2) of this section must provide at least three (3) feet of landscaping between any vehicular access area or walkway and the building. (See Figure 92.10.B.)

Exceptions:

1) Alleys and other areas generally not visible to the public, as determined by the City;

2) Other design options may be considered through the Design Review process, provided they meet the intent of the guidelines.

Interior Pedestrian Pathway Shall Be Separated from Non-Pedestrian-Oriented Facades by Landscaping

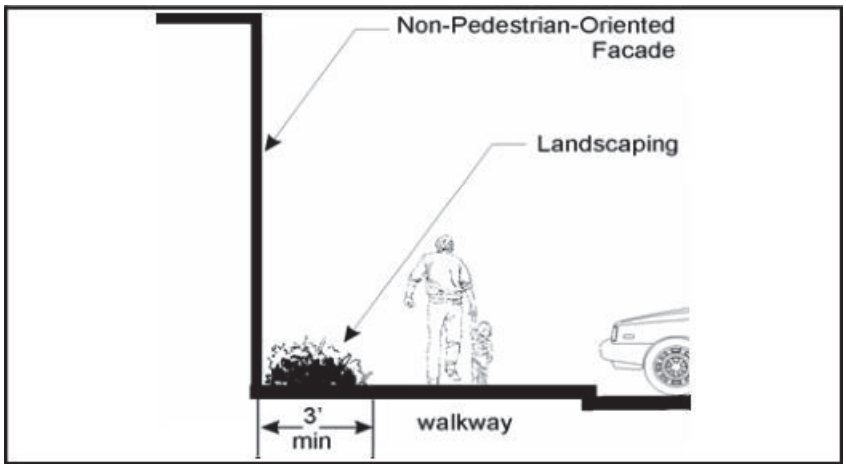

FIGURE 92.10.B

~~c. Neighborhood Center Frontage – At least 50 percent of the NE 85th Street property frontage must contain pedestrian-oriented facades located directly on the sidewalk. Vehicle sales uses are exempt as long as their showroom faces the street and is sited within 10 feet of the sidewalk.~~

d. Vehicle Sales Showrooms in ~~RHBD and~~ TLBD Zones – Vehicle sales uses are encouraged to locate their showrooms toward the street ~~(and toward NE 85th Street in RHBD)~~ with parking to the side or rear.

e. **Properties in** RH~~BD~~**8**~~East End –~~ NE 85th Street Building Frontage Options and Preferences

1) Preferred Option: Buildings may be located adjacent to the sidewalk on NE 85th Street if they contain a pedestrian-oriented facade (see Figure 92.10.A);

2) Second Option: Locate and orient building towards the sidewalk on NE 85th Street. In this option, the development features a 10-foot minimum landscaped front yard, a clear pathway between the sidewalk and the building, and a building entry and windows facing the street.

3) Least Preferred Option: Locate the building at the rear of the property with parking between NE 85th Street and the building as long as the following standards are applied:

a) Provide a perimeter parking landscape buffer between the sidewalk and parking area per Chapter 95 KZC.

b) Provide clear pedestrian access from the sidewalk to the building entry.

c) Provide a walkway along the building facade meeting through-block pathway standards as described in KZC 105.19.

f. **Properties in** RH~~BD~~**8**~~East End –~~ Rear Yard Building Placement – Pursuant to KZC 95.40 through 95.45, in most cases, commercial uses shall install a required landscaped buffer adjacent to single-family properties. By requesting a modification to these provisions, the property owners may negotiate an agreement to reduce the landscape buffer/setback in a way that can benefit both parties.

Where buildings are sited towards the rear of the property, the applicant must utilize one (1) of the following standards to minimize impacts to adjacent residential areas (see Figure 92.10.C and options below):

1) Meet the required landscape buffer pursuant to KZC 95.42.

2) Provide a blank wall no taller than 15 feet in height with no openings placed at the rear property line (building itself serves as a wall, uses are inside the building, shielded from adjacent residential uses). To qualify for this method, the treatment must be agreed to by the adjoining property owners per the modifications section of Chapter 95 KZC.

3) Provide a combination of both methods above. For example, provide a blank wall no taller than 15 feet in height between zero and 15 feet from the property line and landscape the applicable area between the building and the property line. In addition, an unfenced design option would effectively enlarge the adjacent homeowners' rear yard (a mutually beneficial arrangement). To qualify for these methods, the treatment must be agreed to by the adjoining property owners per the landscape buffer modifications section of Chapter 95 KZC.

Rear Yard Building Placement Options in ~~the~~ RH~~BD~~8

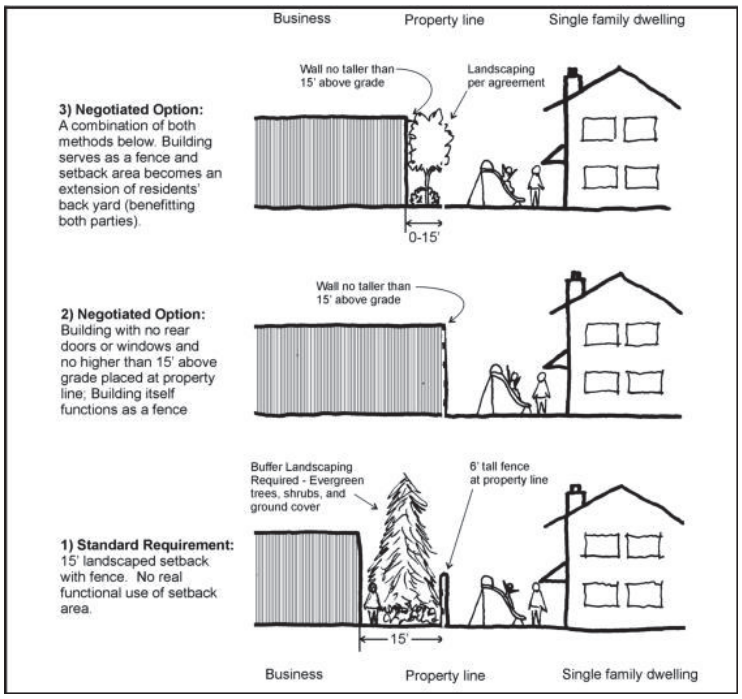

FIGURE 92.10.C

4. Multi-Story Buildings on Sites Adjacent to a Low Density Zone in RH~~BD~~8 and TLBD – Multi-story buildings on sites adjacent to a low density zone in RH~~BD~~8 and TLBD shall be configured and designed to minimize privacy impacts on adjacent low density uses. For example, a development may meet this requirement by orienting upper floors towards the street and/or towards interior courtyards.

5. Multifamily Buildings Located in TLBD – Multifamily buildings located in TLBD adjacent to NE 120th Street must be oriented toward this street. To meet this requirement, common and/or individual unit entries must face the street. The building must include windows that face the street. Parking areas between the building and the street are prohibited. Alternative configurations may be considered in the Design Review process.

6. Building Location at Street Corners in the RH~~BD~~8and TLBD Zones

    a. General Standards – For development at street corner sites, the applicant must incorporate one (1) or more of the following site treatments:

        1) Locate and orient the building towards the street corner (within 10 feet of corner property line). To qualify for this option, the building must have direct pedestrian access from the street corner. Exception: Properties in the RHBD Regional Center must provide a 10-foot minimum setback between NE 85th Street and any building.

        2) Provide an architectural feature that adds identity or demarcation of the area. Such an architectural element may have a sign incorporated into it (as long as such sign does not identify an individual business or businesses) (see Figure 92.10.D).

3) Provide a "pedestrian-oriented space" at the corner leading directly to a building entry or entries (see KZC 92.15 and Figure 92.10.D).

4) Install substantial landscaping (at least 30-foot by 30-foot or 900 square feet of ground surface area with trees, shrubs, and/or ground cover).

b. RH~~BD~~**8**Properties Located at the ~~124th, 126th, and~~ 128th Avenue NE Intersection~~s~~ – **For properties located east of 128th Avenue NE,** ~~B~~**b**uildings must be located at the street corner and provide pedestrian-oriented facades along both streets. Exceptions:

1) Setbacks will be allowed only where the space between the sidewalk and the building meets the definition of a pedestrian-oriented space. An example is shown in Figure 92.10.D.

~~2) Vehicle sales and properties on the west side of the 124th Avenue NE are exempt from this standard because of transmission line easement limitations.~~

92.15.2 – Pedestrian Oriented Space and Plazas

2. Pedestrian-Oriented Space and Plazas in BDC, CBD, BN, BNA, BCX, MSC 2, FHNC, HENC 1, HENC 3, NRHBD, RH~~BD~~**8** and TLBD Zones

a. In the CBD, BN, BNA, BCX, MSC 2, FHNC, HENC 1, HENC 3 or in BDC – If the subject property abuts a pedestrian-oriented street (see Plate 34 in Chapter 180 KZC) or public park, the space, if any, between the sidewalk and the building must be developed consistent with the following criteria:

1) Enhance visual and pedestrian access, including handicapped access, onto the subject property from the sidewalk.

2) Contain paved walking surface of either concrete or approved unit pavers.

3) Contain on-site or building-mounted lighting which provides adequate illumination.

4) Contain two (2) linear feet of seating area or one (1) individual seat per 65 square feet of area between the sidewalk and the building.

5) Contain landscaping such as trees, shrubs, trellises, or potted plants.

6) It may not include asphalt or gravel pavement or be adjacent to an unscreened parking area, a chain link fence or a blank wall which does not comply with the requirements of subsection (3) of this section, Blank Wall Treatment.

7) An alternative solution for the pedestrian-oriented space may be established through a Conceptual Master Plan in TL 2.

b. In the NRHBD Zones – If the subject property abuts a major pedestrian sidewalk on the southwest corner of NE 116th Street and 124th Avenue NE (see Plate 34 in Chapter 180 KZC), the space, if any, between the sidewalk and the building must be developed consistent with the following criteria:

1) Enhance visual and pedestrian access, including handicapped access, onto the subject property from the sidewalk.

2) Contain paved walking surface of either concrete or approved unit pavers.

3) Contain on-site or building-mounted lighting which provides adequate illumination.

4) Contain two (2) linear feet of seating area or one (1) individual seat per 65 square feet of area between the sidewalk and the building.

5) Contain landscaping, such as trees, shrubs, trellises, or potted plants.

6) In the alternative, the pedestrian-oriented space can be integrated with a pedestrian connection linking Slater Avenue NE and NE 116th Street, anywhere on the subject property, consistent with the criteria in subsections (2)(b)(1) through (5) of this section.

c. In the RH~~BD~~**8** and TLBD Zones – All nonresidential uses must provide pedestrian-oriented space in conjunction with new development according to the formula below. For the purposes of this section, required pathways shall not count as pedestrian-oriented space. However, as part of the Design Review, the City may allow those portions of pathways widened beyond minimum requirements to count towards the required pedestrian-oriented space as long as such space meets the definition of pedestrian-oriented space.

1) Size: One (1) percent of the applicable lot area plus one (1) percent of the nonresidential building gross floor area. (See Figure 92.15.A).

a) The City may exempt uses that are likely to generate very little customer/pedestrian activity and have few or no employees. These may include warehouse, storage, industrial, and other similar uses.

92.15.4.c – Parking Garages, RH8 and TLBD Zones

c. RH~~BD~~**8** and TLBD Zones – Structures containing parking on the ground floor:

1) Parking structures on designated pedestrian-oriented streets shall provide space for ground-floor commercial uses along street frontages at a minimum of 75 percent of the frontage width. The entire facade facing a pedestrian-oriented street must feature a pedestrian-oriented facade.

2) Parking structures adjacent to non-pedestrian-oriented streets may be located adjacent to a sidewalk where they provide space for ground-floor commercial uses along street frontages at a minimum of 75 percent of the frontage width and include a pedestrian-oriented facade along the applicable frontage.

3) Parking structures adjacent to non-pedestrian-oriented streets and not featuring a pedestrian-oriented facade shall be set back at least 10 feet from the sidewalk and feature substantial landscaping between the sidewalk and the structure. This includes a combination of evergreen and deciduous trees (one (1) per 20 lineal feet), shrubs (one (1) per 20 square feet), and ground cover (sufficient to cover 90 percent of the area

within three (3) years). Other treatments will be considered in the Design Review process.

4) Parking garage entries shall be designed and sited to complement, not subordinate, the pedestrian entry. If possible, locate the parking entry away from the primary street, to either the side or rear of the building.

5) The design of structured parking at finished grade under a building shall minimize the apparent width of garage entries.

6) Parking within the building shall be enclosed or screened through any combination of walls, decorative grilles, or trellis work with landscaping.

7) Parking garages shall be designed to be complementary with adjacent buildings. Use similar forms, materials, and/or details to enhance garages.

8) Parking structure service and storage functions shall be located away from the street edge and generally not be visible from the street or sidewalks.

92.30.3 – Techniques to Moderate Bulk and Mass

3. Techniques To Moderate Bulk and Mass in the RH~~BD~~**8** and TLBD Zones

   a. Along all streets, through-block pathways, and public open spaces, the maximum length of a facade is 120 feet. Any facade that exceeds 120 feet along the right-of-way shall comply with the following requirements (see Figure 92.30.A):

      1) Shall be divided by a 30-foot-wide modulation of the exterior wall so the maximum length of the facade is 120 feet without this modulation.

      2) The modulation shall be 20 feet in depth and shall start at finished grade and extend through all floors.

      3) Decks and roof overhangs may encroach up to three (3) feet (per side) into the modulation.

92.30.5 – Techniques to Achieve Architectural Scale

5. Techniques To Achieve Architectural Scale in the RH~~BD~~**8** and the TLBD Zones

   a. The following standards supplement the required techniques described in subsection (4) of this section. Where there are similar techniques, the standards in this section shall apply. All buildings in the RH~~BD~~**8** and TLBD zones shall include at least three (3) of the following modulation techniques at the articulation intervals described in subsection (5)(b) of this section along all facades containing the primary building entries (alley facades are exempt):

      1) Repeating distinctive window patterns at intervals less than the articulation interval;

      2) Horizontal Building Modulation – Minimum depth of modulation is two (2) feet and minimum width for each modulation is four (4) feet if tied to a change in color or building material and roof line modulation as defined below. Otherwise, minimum

depth of modulation is 10 feet (except balconies) and minimum width for each modulation is 15 feet;

3) Providing a separate covered entry or separate weather protection feature for each articulation interval;

4) Change of Roofline – To qualify for this measure, the maximum length of any continuous roofline shall not be less than the articulation interval and comply with the treatments below (see Figure 92.30.E):

a) For segments less than 50 feet in horizontal width, the height of visible roofline must change at least four (4) feet if tied to horizontal building modulation and at least eight (8) feet in other cases.

b) For segments more than 50 feet in horizontal width, the height of visible roofline must change at least six (6) feet if tied to horizontal building modulation and at least 12 feet in other cases.

c) The length of sloped or gabled roof line segments must be at least 20 feet. The minimum slope of the roof segment is three (3) feet vertical to 12 feet horizontal;

5) Change in building material or siding style coordinated with horizontal building modulation and/or change in building color where appropriate;

6) Providing lighting fixtures, trellis, tree, or other landscape feature within each interval;

7) Alternative methods that achieve the desired architectural scale as approved by the City.

b. Articulation Intervals – Modulation and/or articulation shall be provided at the following intervals:

1) No more than 30 feet for buildings containing residential uses on all floors above the ground floor;

2) No more than 70 feet for nonresidential buildings (within RHBD, this applies to the Regional Center);

~~3) RHBD – No more than 50 feet for nonresidential buildings in the Neighborhood Center;~~

4) RH~~BD~~**8** – No more than 30 feet for nonresidential buildings ~~in the East End~~.

Building Articulation and Modulation Techniques

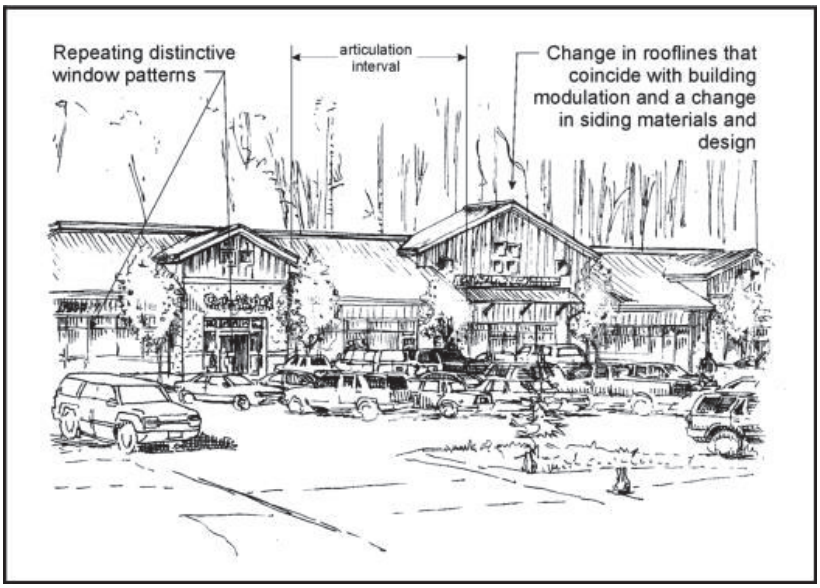

FIGURE 92.30.E

c. Techniques To Achieve Architectural Scale for Office Buildings in the RH~~BD~~**8** and in the TLBD Outside of Business District Core

1) Office Building Design Standards for the TLBD and the RH~~BD~~**8** ~~Regional Center~~ – These standards are intended to supplement other building design standards that apply to the Totem Lake Business District and to the Regional Center. Where there is a conflict between standards, these standards shall apply as they are specific to office buildings.

a) Buildings must use design techniques to break up long continuous building walls, reduce the architectural scale of the building, and add visual interest. Specifically, any building facade longer than 120 feet in width must employ design techniques to limit the length of individual facades. To meet this requirement, buildings must utilize a combination of horizontal building modulation with a change in building materials or finishes, a clear change in building articulation and/or a change in fenestration technique (see Figure 92.30.F).

This building uses an angled window wall over the primary building entry to break up the width of the facade:

FIGURE 92.30.F

b) Buildings must employ design techniques to divide windows into units that give the building an identifiable scale (see Figure 92.30.G). Specifically:

1) Windows must be broken into units of 35 square feet or less with each window unit separated by a visible mullion or other element.

2) Multi-paned windows separated by mullions shall not exceed 20 feet in width and shall not exceed the height of individual floors.

3) Horizontal groupings of windows shall not exceed 30 feet in width. At least one (1) vertical architectural feature at least six (6) inches wide shall be used within the grouping to break up individual multi-paned windows. Architectural features at least two (2) feet in width shall separate such horizontal groupings of windows.

4) Siding material at least two (2) feet in height shall separate windows on each floor.

5) Building facades shall employ techniques to recess or project windows at least two (2) inches from the facade (see Figure 92.30.H).

Standards to divide windows into units that will give buildings an identifiable sense of scale.

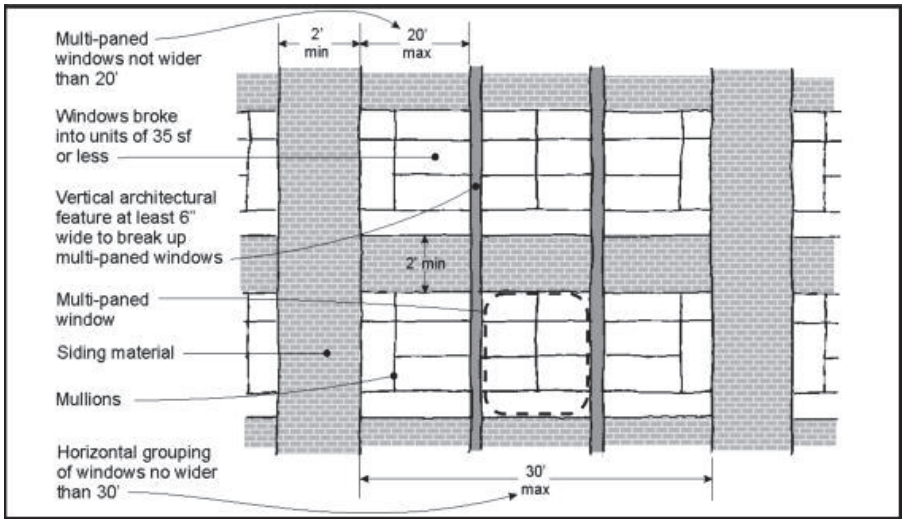

FIGURE 92.30.G

Some or all of these standards may be relaxed through the Design Review process where other methods can be effectively used to divide windows into units and give the building an identifiable scale.

c) Continuous window walls are prohibited, except where used as an accent facade element to break up long continuous building walls and/or emphasize a building entry. Such window walls should be modulated horizontally, by at least two (2) feet, and should not exceed 20 feet in width.

d) Mirrored glass and other highly reflective materials are prohibited (see Figure 92.30.I)

Recessed windows, mullions and trim

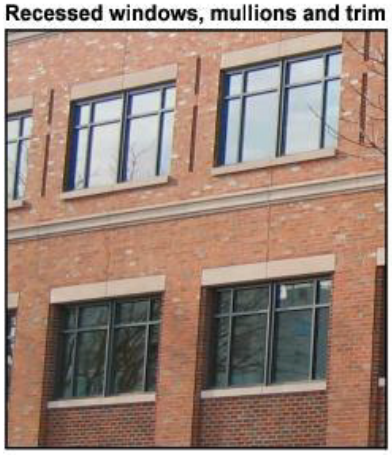

FIGURE 92.30.H

Continuous window walls are prohibited unless used as an accent, such as in this building:

FIGURE 92.30.I

.6. Achieving Human Scale in All Zones

a. General

1) CBD – Except as provided in subsection (6)(a)(3) of this section, the applicant shall use at least two (2) of the elements or techniques listed in subsection (6)(b) of this section in the design and construction of each facade of a building facing a street or public park.

2) BN, JBD, NRHBD, RH~~BD~~**8**, MSC, BDC, YBD and TLBD – Except as provided in subsection (6)(a)(3) of this section, the applicant shall use at least one (1) of the elements or techniques listed in subsection (6)(b) of this section in the design and construction of each facade of a 1-story building facing a street or through-block pathway, and at least two (2) of the elements or techniques for a 2-story building facing a street or through-block pathway (see Plate 34 in Chapter 180 KZC).

3) All Zones – The applicant shall use at least three (3) of the elements or techniques listed in subsection (6)(b) of this section in the design and construction of any facade of a building facing a street, through-block pathway or public park, if:

a) The facade has a height of three (3) or more stories; or

b) The facade is more than 100 feet long.

b. Techniques To Achieve Human Scale in All Zones – The techniques to be used in the design and construction of building facades under subsection (6)(a) of this section are listed below. As an alternative, the applicant may propose other techniques, elements or methods which provide human scale to the building and are consistent with the applicable design guidelines and the Comprehensive Plan.

1) On each story above the ground floor, provide balconies or decks, at least six (6) feet wide and six (6) feet deep.

2) On each story above the ground floor, provide bay windows that extend out at least one (1) foot, measured horizontally, from each facade of the building.

3) Provide at least 150 square feet of pedestrian-oriented space in front of each facade (see KZC 92.15(2)(c)(2)).

4) Provide at least one-half (1/2) of the window area above the ground floor of each facade consistent with all of the following criteria (see Figure 92.30.J):

a) The windows must have glazed areas with dimensions less than five (5) feet by seven (7) feet.

b) The windows must be surrounded by trim, molding and/or sill at least two (2) inches wide.

c) Individual window units must be separated from adjacent window units by at least six (6) inches of siding or other exterior finish material of the building.

5) Provide at least one-half (1/2) of the window area above the ground floor of each facade facing a street or public park in panes with dimensions less than two (2)

feet by three (3) feet and with individual panes separated by window mullions (see Figure 92.30.K).

Individual Windows Option

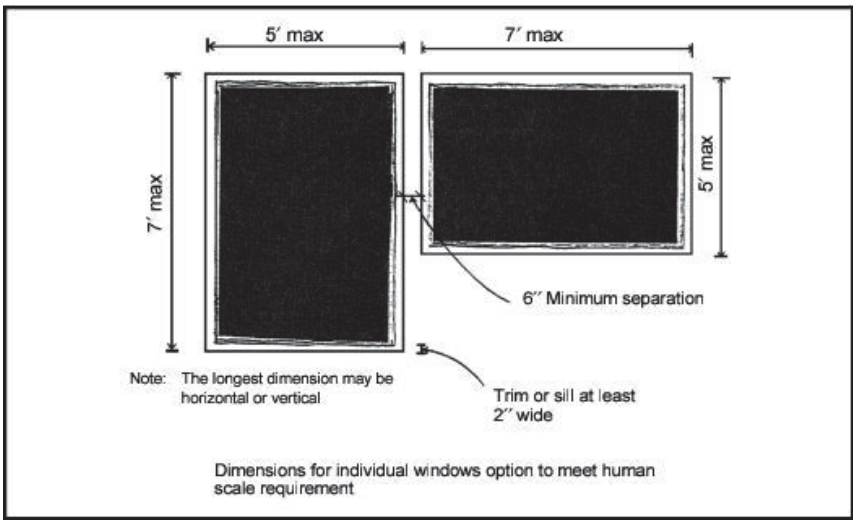

FIGURE 92.30.J

Multiple-Paned Fenestration Option

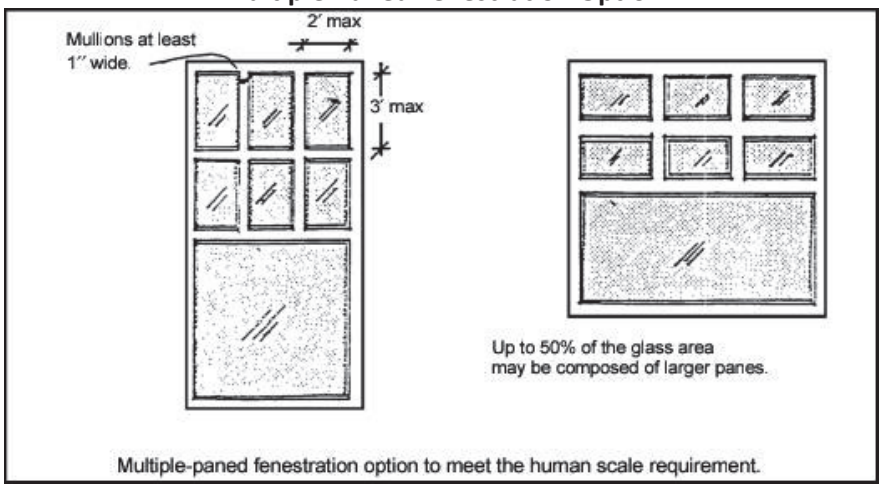

FIGURE 92.30.K

6) Provide a hipped or gable roof which covers at least one-half (1/2) of the building footprint and has a slope equal to or greater than three (3) feet vertical to 12 feet horizontal. To meet this requirement, the ridge width of a continuous roofline shall not extend more than 100 feet without modulation. This includes a gabled or other sloped roofline segment at least 20 feet in width.

7) If the main entrance of the building is on the facade of the building facing a street, through-block pathway, or public park, provide a covered porch or entry on the subject property at the building's main entrance. Pedestrian weather protection required under KZC 105.18 may not be used to meet this requirement unless the required pedestrian weather protection covers an area

at least 15 feet long by 15 feet wide and is available for outdoor display or outdoor vendors or contains pedestrian-oriented improvements or amenities beyond what is otherwise required.

8) Provide one (1) or more stories above the ground floor setback at least six (6) feet from the ground floor facade facing the street, through-block pathway, or a public park.

9) Compose smaller building elements near the entry of a large building (see Figure 92.30.L).

c. Techniques To Achieve Human Scale in RH~~BD~~**8** and TLBD – In addition to the requirements of subsection (6)(b) of this section, Techniques to Achieve Human Scale in All Zones, nonresidential uses (office, retail, industrial, etc.) in the RH~~BD~~**8** and TLBD with over 40,000 square feet of floor area shall incorporate the following human scale features on the facade featuring the primary building entry:

1) Provide pedestrian-oriented space near the building entry. The minimum size of the area shall be no less than one (1) percent of the floor area of the use (see Figure 92.15.A). This must include a covered area at least 15 feet long by 15 feet wide and is available for outdoor display or outdoor vendors; and

2) Compose smaller building elements near the entry (see Figure 92.30.L).

3) As an alternative, the applicant may propose other mechanisms for providing human scale to such buildings, consistent with the design guidelines.

- **KZC 95.45 - PERIMETER LANDSCAPE BUFFERING FOR DRIVING AND PARKING AREAS**

  95.45.3 – Design Districts

  a. By providing a landscape strip at least five feet wide planted consistent with subsection (1) of this section, or in combination with the following. ~~In the RHBD Regional Center (see KZC Figure 92.05.A) a 10-foot perimeter landscape strip along NE 85th Street is required to be planted consistent with subsection (1) of this section.~~

- **KZC 105.58 – LOCATION OF PARKING AREAS SPECIFIC TO DESIGN DISTRICTS**

  105.58.3 – Location of Parking Areas in Certain TLBD ~~and RHBD~~ Zones

  3. Location of Parking Areas in Certain TLBD ~~and RHBD~~ Zones – Parking areas and vehicular access may not occupy more than 50 percent of the street frontage in the following zones (see Figure 105.58.A):
     a. TL 4, only properties fronting on 120th Avenue NE;
     b. TL 5;
     c. TL 6A, only properties fronting on 124th Avenue NE. Auto dealers in this zone are exempt from this requirement;
     d. TL 6B, only properties fronting on NE 124th Street;
     e. TL 10E.

Alternative configurations may be considered through the Design Review process, if the project meets the objectives of the KMC Design Guidelines for the Totem Lake Business District.

~~f. In the Regional Center (RH 1A, RH 2A, RH 3 and RH 5A zones west of 124th Avenue). For parcels over two (2) acres in size, parking lots and vehicular access areas may not occupy more than 50 percent of the NE 85th Street property frontage (see Figure 105.58.A). Alternative configurations will be considered through the Design Review process, if the project meets the intent of the KMC Design Guidelines for the Rose Hill Business District.~~

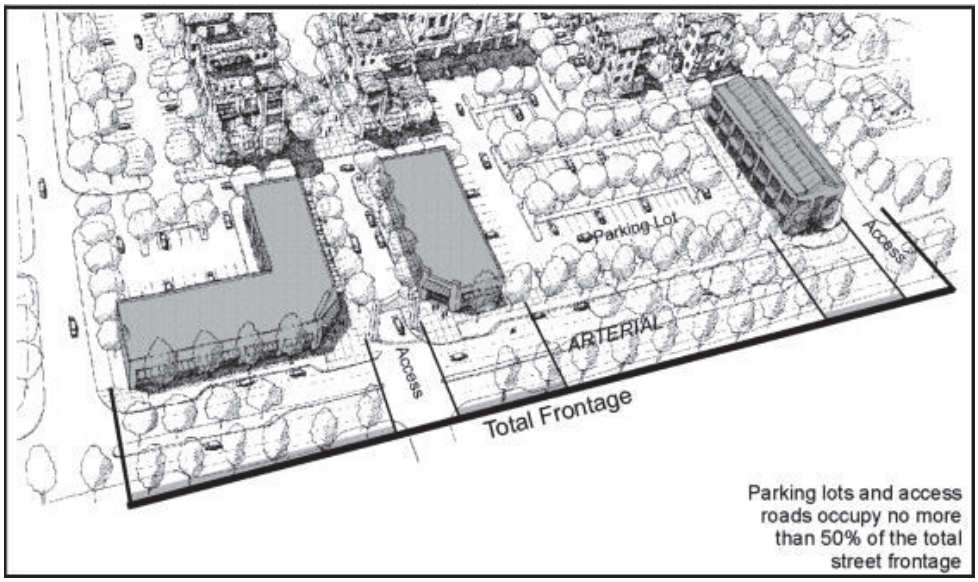

FIGURE 105.58.A

- **KZC 110.52 – SIDEWALKS AND OTHER PUBLIC IMPROVEMENTS IN DESIGN DISTRICTS**

  110.52.5 – NE 85th Street Sidewalk Standards

  5. NE 85th Street Sidewalk Standards **for Properties in the RH 8 zone** – If ~~the~~ **a** subject property **in the RH 8 zone** abuts NE 85th Street, the applicant shall install a minimum 6.5-foot-wide landscape strip planted with street trees located adjacent to the curb and a minimum 7-foot-wide sidewalk along the property frontage. Where the public right-of-way lacks adequate width to meet the previous standard, a 10-foot-wide sidewalk with street trees in tree grates may be permitted or in an easement established over private property.

- **KZC 112 – AFFORDABLE HOUSING INCENTIVES – MULTIFAMILY**

112.05 User Guide

This chapter offers dimensional standard flexibility and density and economic incentives to encourage construction of affordable housing units in commercial zones, high density residential zones, medium density zones, ~~and~~ office zones, and transit-oriented development zones.

If you are interested in proposing four (4) or more residential units in commercial zones, high density residential zones, medium density zones, ~~or~~ office zones, or transit-oriented development zones or you wish to participate in the City's decision on such a project, you should read this chapter.

112.10 Purpose

There is a limited stock of land within the City zoned and available for residential development and there is a demonstrated need in the City for housing which is affordable to persons of low and moderate income. Therefore, this chapter provides development incentives in exchange for the public benefit of providing affordable housing units in commercial zones, high density residential zones, medium density zones, ~~and~~ office zones, and transit-oriented development zones.

112.15 Affordable Housing Requirement

1. Applicability –

   a. Minimum Requirements

      1) All developments creating four or more new dwelling units in commercial, high density residential, medium density and office zones shall provide at least 10 percent of the units as affordable housing units and comply with the provisions of this chapter as established in the General Regulations or the Special Regulations for the specific use in Chapters 20 through 56 KZC. -For Transit Oriented Development in the PR 1.8 zone, see the permitted uses for the minimum amount of affordable housing to be provided and other requirements of this chapter that do not apply.

      2) All developments creating new dwelling units in the Neighborhood Mixed Use (NMU), Civic Mixed Use (CVU), or Urban Flex (UF) zones regulated in Chapter 57 KZC shall set aside the following minimum percentage of their residential units as affordable units at the indicated Average Median Income (AMI) levels, based on the maximum allowed height for each zone shown in the NE 85th St Station Area Regulating Plan in Figure 2, KZC 57.10.030:

Station Area – Base Affordable Housing Requirements		
Maximum Allowed Zone Height	**Renter-Occupied: Minimum Percent of Affordable Housing Units and AMI Requirements**	**Owner-Occupied: Minimum Percent of Affordable Housing Units and AMI Requirements**
Less than 65'	10% at 50% AMI	10% at 80% AMI
65' and Above	15% at 50% AMI	15% at 80% AMI

      Note that the minimum requirements for affordable housing units are applicable to the full development, including any units provided within the base height or capacity allowed for the zone. Options for alternative compliance with these requirements, and pioneer unit provisions, are shown in subsection 112.20.3.c KZC.

   b. Voluntary Use – All other provisions of this chapter are available for use in developments where the minimum requirement does not apply; provided, however, the provisions of this chapter are not available for use in developments located within the BN zone.

2. Calculation in Density-Limited Zones – For developments in density-limited zones, the required amount of affordable housing shall be calculated based on the number of dwelling units proposed prior to the addition of any bonus units allowed pursuant to KZC 112.20.

3. Calculation in CBD 5A, RH 8, HENC 2, TL, Transit Oriented Development in PR 1.8, FHNC, BCX~~,~~ ~~and~~ NMU, CMU, UF, and PLA 5C Zones – For developments in the CBD 5A, RH 8, TL, FHNC, BCX, TOD in PR 1.8, HENC 2, NMU, CMU, UF, and PLA 5C zones, the required amount of affordable housing shall be calculated based on the total number of dwelling units proposed.

4. Rounding and Alternative Compliance – In all zones, the number of affordable housing units required is determined by rounding up to the next whole number of units if the fraction of the whole number is at least 0.66. KZC 112.30 establishes methods for alternative compliance, including payment in lieu of construction for portions of required affordable housing units that are less than 0.66 units.

112.20 Basic Affordable Housing Incentives

1. Approval Process – The City will use the underlying permit process to review and decide upon an application utilizing the affordable housing incentives identified in this section.

2. Bonus –

   a. Height Bonus – In RH 8, PLA 5C, FHNC, and TL use zones where there is no minimum lot size per dwelling unit, and for Transit Oriented Development in the PR 1.8 zone, additional building height has been granted in exchange for affordable housing, as reflected in each Use Zone Chart for the RH 8, FHNC and TL zones and tables for the PLA 5C and PR 1.8 zones.

   b. Development Capacity Bonus – On lots or portions of lots in the RH 8 use zone located more than 120 feet north of NE 85th Street, between 132nd Avenue NE and parcels abutting 131st Avenue NE, in the HENC 2 use zone, and in the CBD 5A use zone, where there is no minimum lot size per dwelling unit, additional residential development capacity has been granted in exchange for affordable housing as reflected in the Use Zone Chart. On lots in the NE 85th St Station Area- NMU, CVU, and UF zones, additional residential development capacity and reduced parking requirements have been granted in exchange for affordable housing as reflected in Chapter 57 KZC.

   c. Bonus Units – For uses in zones where the number of dwelling units allowed on the subject property is determined by dividing the lot size by the required minimum lot area per unit, two (2) additional units (“bonus units”) may be constructed for each affordable housing unit provided. (See Plate 32 for example of bonus unit calculations.)

   d. Maximum Unit Bonuses – The maximum number of bonus units achieved through a basic affordable housing incentive shall be 25 percent of the number of units allowed based on the underlying zone of the subject property.

e. Density Bonus for Assisted Living Facilities – The affordable housing density bonus may be used for assisted living facilities to the extent that the bonus for affordable housing may not exceed 25 percent of the base density of the underlying zone of the subject property.

3. Alternative Affordability Levels – An applicant may propose affordability levels different from those defined in Chapter 5 KZC for the affordable housing units.

   a. In use zones where a density bonus is provided in exchange for affordable housing units, the ratio of bonus units per affordable housing unit for alternative affordability levels will be as follows:

Affordability Level	**Bonus Unit to Affordable Unit Ratio**
Renter-Occupied Housing	
60% of median income	1.9 to 1
70% of median income	1.8 to 1
Owner-Occupied Housing	
90% of median income	2.1 to 1
80% of median income	2.2 to 1

   b. In the CBD 5A, HENC 2, RH 8, TL and PLA 5C use zones, the percent of affordable units required for alternative affordability levels will be as follows:

Affordability Level	**% of Project Units Required to Be Affordable**
Renter-Occupied Housing	
60% of median income	13%
70% of median income	17%
Owner-Occupied Housing	
70% of median income	8%
90% of median income	13%

100% of median income	21%

c. ~~To encourage "pioneer developments" in the Rose Hill and Totem Lake business districts, the definition of affordable housing for projects in the RH and TL zones shall be as provided in the following table. This subsection shall apply only to those projects which meet the affordability requirements on site or off site. This subsection shall not apply to those projects which elect to use a payment in lieu of constructing affordable units as authorized in KZC 112.30(4).~~

~~The affordable housing requirements for projects vested on or after the effective date of the ordinance codified in this section must be targeted for households whose incomes do not exceed the following:~~

~~**Number of Total Units**~~		~~**Affordability Level**~~	
~~***RH Zones***~~	~~***TL Zones***~~	~~***Renter Occupied***~~	~~***Owner Occupied***~~
~~First 50 units~~	~~First 150 units~~	~~70% of median income~~	~~100% of median income~~
~~Second 50 units~~	~~Second 150 units~~	~~60% of median income~~	~~90% of median income~~
~~All subsequent units~~	~~All subsequent units~~	~~50% of median income~~	~~80% of median income~~

~~"Number of total units" shall mean the total number of housing units (affordable and otherwise) permitted to be constructed within the RH and TL zones where affordable housing units are required and which have not received funding from public sources.~~

c. In the Station Area NMU, UF, and CVU use zones, the first 10% of total units in a development must be provided at the base required affordability level set forth in subsection 112.15.1.(a)(2) KZC, and the remainder of required units to reach the minimum set-aside established in that section may be provided at the equivalency ratios shown below:

Affordability Level	**Exchange Ratio** **(50% AMI unit : Equivalent AMI unit)**
Renter-Occupied Housing	
60% of median income	1 : 1.3
70% of median income	1 : 1.7
80% of median income	1 : 2.0
Owner-Occupied Housing	
90% of median income	1 : 1.3
100% of median income	1 : 2.1

When calculating the number of affordable units required for any of the alternate affordability levels, any fraction of a unit shall be rounded up to the next whole number.

Example Alternative Compliance Calculation

1. *Calculate how many total affordable units are required under fixed base requirement.*
    - *Example: A 100-unit rental development (in a zone allowing heights at 65 feet or above) requires 15 units at 50% AMI (base requirement).*
2. *At least 10% of (total) units must be provided at 50% AMI = 10 units at 50% AMI.*
3. *Remainder of units (5 units per the base requirement) may be provided at the equivalency of a 50% AMI unit. For each 50% AMI unit not provided, the exchange ratio will be used to determine how many equivalent units (based on chosen affordability level) must be provided.*
    - *Example: Any of the below options could be used to fulfill remainder of affordable housing requirement:*
      5 units at 50% AMI = 7 units at 60% AMI (rounded up from 6.5); or
      5 units at 50% AMI = 9 units at 70% AMI (rounded up from 8.5); or
      5 units at 50% AMI = 10 units at 80% AMI.

d. To encourage "pioneer residential development" in the Station Area NMU, UF, and CVU use zones with allowed heights 65 feet or higher, the below base (or fixed) pioneer provisions shall be utilized to calculate the minimum affordable housing units required for the indicated total number of units constructed in projects vested on or after the effective date of the ordinance codified in this section:

Number of Total Units in NMU, UF, and CVU Zones	Renter-Occupied: Minimum Percent of Affordable Housing Units and AMI Requirements	Owner-Occupied: Minimum Percent of Affordable Housing Units and AMI Requirements
Units with vested applications before December 31, 2025, or first 624 units (whichever is later)	10% at 50% AMI, or the alternative affordability level options in KZC 112.20.3(c) with at least 5% of units required to be provided at 50% AMI.	10% at 80% AMI, or the alternative affordability level options in KZC 112.20.3(c)
All subsequent units	Base requirements in KZC 112.15.1(a)(2)	Base requirements in KZC 112.15.1(a)(2)

"Number of total units" shall mean the total number of housing units (affordable and otherwise) with vested applications within the NMU, UF, and CVU use zones where affordable housing units are required and which have not received funding from public sources.

ed. Depending on the level of affordability provided, the affordable housing units may not be eligible for the impact fee waivers described in subsections (5)(a) and (5)(b) of this section.

4. Dimensional Standards Modification – To the extent necessary to accommodate the bonus units allowed under subsection (2)(c) of this section on site, the following requirements of the Kirkland Zoning Code may be modified through the procedures outlined in this subsection. These modifications may not be used to accommodate the units resulting from the base density calculation.

   a. Maximum Lot Coverage – The maximum lot coverage may be increased by up to five (5) percentage points over the maximum lot coverage permitted by the underlying use zone. Maximum lot coverage may not be modified through this provision on properties with streams, wetlands, minor lakes or their buffers. In addition, this modification would require a shoreline variance as set forth in Chapter 141 KZC for properties within jurisdiction of the Shoreline Management Act. See Chapter 83 KZC.

   b. Parking Requirement – The required parking may be reduced to 1.0 space per affordable housing unit. No additional guest parking is required for affordable housing units. If parking is reduced through this provision, the owner of the affordable housing unit shall sign a covenant, in a form acceptable to the City Attorney, restricting the occupants of each affordable housing unit to a maximum of one (1) automobile.

   c. Structure Height – Maximum height for structures containing affordable housing units may be increased by up to six (6) feet for those portions of the structure(s) that are at least 20 feet from all property lines. Maximum structure height may not be modified through this provision for any portion of a structure that is adjoining a low density zone. This modification may be permitted

or may require a shoreline variance as set forth in Chapter 141 KZC for properties within jurisdiction of the Shoreline Management Act. See Chapter 83 KZC.

d. Required Yards – Structures containing affordable housing units may encroach up to five (5) feet into any required yard except that in no case shall a remaining required yard be less than five (5) feet. A modification to the shoreline setback would require a shoreline variance set forth in Chapter 141 KZC for properties within jurisdiction of the Shoreline Management Act. See Chapter 83 KZC.

e. Common Recreational Space – Common recreational open space per unit, when required, may be reduced by 50 square feet per affordable housing unit.

5. Impact Fee and Permit Fee Calculation –

a. Applicants providing a greater number of affordable housing units or a greater level of affordability than is required by this code may request an exemption from payment of:

1) ~~Road~~ Traffic impact fees as established by KMC 27.04.050; and

2) Park impact fees as established by KMC 27.06.050.

The allowed exemption shall only apply to those units in excess of the minimum required by code unless the development will be utilizing public assistance targeted for low-income housing.

b. Applicants providing affordable housing units may request an exemption from payment of school impact fees as established by KMC 27.08.050.

c. Applicants providing affordable housing units are eligible for exemption from various planning, building, plumbing, mechanical and electrical permit fees for the bonus units allowed under subsection (2)(c) of this section as established in KMC 5.74.070 and KMC Title 21.

6. Property Tax Exemption – A property providing affordable housing units may be eligible for a property tax exemption as established in Chapter 5.88 KMC.

a. Properties within the NMU, CVU, or UF Station Area zones utilizing alternate affordability options in subsection 112.20.3(c) shall not be eligible for the 12-year Multi-Family Tax Exemption described in Chapter 5.88 KMC.

- **KZC 115 – MISCELLANEOUS USE DEVELOPMENT AND PERFORMANCE STANDARDS**

KZC 115.120.4 Allowable Height and Size – Rooftop Appurtenances

b. For stacked dwelling units and commercial buildings, rooftop appurtenances necessary to access rooftop amenities, such as elevators and associated equipment and/or stair enclosures, may extend above the maximum height of structure for the zone beyond the allowance in subsection (4)(a) of this section, provided:

1) The elevator and associated equipment and/or stair enclosure height is the minimum necessary for rooftop access and does not exceed 15 feet above the maximum height of structure. For buildings with a height limit of 85 feet or taller, the additional height allowance for elevators and associated equipment and/or stair enclosures shall be 20 feet. The height allowances for elevators and/or stair enclosures shall be measured above the roof of the rooftop amenity room if they provide access to a rooftop amenity room. See also subsection (4) below.

2) Elevators and associated equipment may include an enclosed entry/exit vestibule matching the height of the elevator, but not exceeding the minimum area required by the building code.

3) The stair enclosure, including the top landing of stairs, does not exceed the minimum area required by the building code.

4) Rooftop appurtenances necessary to access rooftop amenities, such as elevators and associated equipment and/or stair enclosures, proposed where the subject property is partially, or wholly, adjoining low-density residential zones may only be approved through the modification process in subsection (4)(c) of this section.

c. The Planning Official may approve a modification to the standards of subsection (4)(a) of this section if:

1) No reasonable alternative to the increased height or size exists, such as utilizing alternative equipment design or technology or locating the appurtenances at or below grade or within the structure, and the amount of increase and the size of the appurtenance and its screening is the minimum amount necessary; and

2) The applicant submits accurate graphic representations or other information that demonstrate that:

a) Views from adjoining properties will not be significantly blocked by the appurtenance(s); and

b) Visibility of the appurtenances from adjoining properties and streets will be minimized; and

c) Aesthetic impacts resulting from the increased height and/or area will be minimized through appropriate screening, architectural integration, and/or location or consolidation of the appurtenance(s); and

3) The height of the appurtenance, except for elevators and associated equipment and/or stair enclosures, shall in no event exceed the height of the story immediately below the appurtenance; and

4) In no event shall the total area occupied by rooftop appurtenances or enclosed within their screening exceed 25 percent the total area of the building footprint.

- **KZC 142 – DESIGN REVIEW**

142.25.1 – Authority

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 Street Station Area, 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 Dev~~7~~elopment as adopted in KMC 3.30.040.

142.35 – Design Review Board (DBR) Process

142.35.9 – Design Response Conference

9. Design Response Conference – The design response stage allows the Design Review Board to review the design plans and provide direction to the applicant on issues to be resolved for final approval. The applicant shall present a summary of the project to the Design Review Board. The Planning Official shall present a review of the project for consistency with the requirements specified in subsection (3) of this section. Public comment relevant to the application may be taken. Persons commenting must provide their full name**, email address,** and mailing address. The Design Review Board may reasonably limit the extent of comments to facilitate the orderly and timely conduct of the conference.

   The Design Review Board shall decide whether the application complies with the requirements specified in subsection (3) of this section. The Design Review Board shall make its decision by motion that adopts approved project drawings in addition to changes or conditions required by the Design Review Board. If the Design Review Board finds that the application does not meet those requirements, it shall specify what requirements have not been met and options for meeting those requirements. The Design Review Board may continue the conference if necessary to gather additional information necessary for its decision on the design review application. If the conference is continued to a specific date, no further public notice is required; otherwise notice shall be mailed to all parties participating in the design response conference.

   Conceptual Master Plan Conference for TL 2 – The Design Review Board shall consider a Conceptual Master Plan (CMP) for properties over one and one-half (1-1/2) acres in size in TL 2. The CMP shall incorporate the design principles set forth in the special regulations for the use in the TL 2 zoning chart.

   Conceptual Master Plan Conference for TL 5 – The Design Review Board shall consider a Conceptual Master Plan (CMP) for properties over four (4) acres in size in TL 5. The CMP

shall incorporate the design principles set forth in the special regulations for the use in the TL 5 zoning chart.

~~Conceptual Master Plan Conference for RHBD – The Design Review Board shall consider a Conceptual Master Plan (CMP) in the RH-3 zone within the Rose Hill Business District (RHBD). The CMP shall incorporate the design considerations for the RH-3 zone set forth in the Design Guidelines for the Rose Hill Business District.~~

142.35.10 – Approval

10. Approval – After reviewing the D.B.R. application and other application materials, the Design Review Board may grant, deny or conditionally approve subject to modifications the D.B.R. application for the proposed development. No development permit for the subject property requiring D.B.R. approval will be issued until the proposed development is granted D.B.R. approval or conditional approval. The terms of D.B.R. approval or conditional approval will become a condition of approval on each subsequent development permit and no subsequent development permit will be issued unless it is consistent with the D.B.R. approval or conditional approval. The Planning Official shall send written notice of the D.B.R. decision to the applicant and all other parties who participated in the conference(s) within 14 calendar days of the approval. If the D.B.R. is denied, the decision shall specify the reasons for denial. The final D.B.R. decision of the City on the D.B.R. application shall be the date of distribution of the written D.B.R. decision or, if the D.B.R. decision is appealed, the date of the City's final decision on the appeal. Notwithstanding any other provision of this code, if an applicant submits a complete application for a building permit for the approved D.B.R. development within 180 days of the final D.B.R. decision, the date of vesting for the building permit application shall be the date of the final D.B.R. decision.

    Additional Approval Provision for TL 2 and TL 5 – The Notice of Approval for a Conceptual Master Plan (CMP) shall set thresholds for subsequent D.B.R. or A.D.R. review of projects following approval of a CMP in TL 2 or TL 5. The Notice of Approval shall also include a phasing plan for all improvements shown or described in the CMP.

    ~~Additional Approval Provision for RHBD – The Design Review Board shall determine the thresholds for subsequent D.B.R. or A.D.R. review of projects following approval of a Conceptual Master Plan (CMP) in the RHBD. The Notice of Approval for the CMP will state the thresholds for future review of projects and also include a phasing plan for all improvements shown or described in the CMP.~~

142.37 – Design Departure and Minor Variations

142.37.4. Application Information – The applicant shall submit a complete application on the form provided by the Planning and Building Department, along with all information listed on that form, including a written response to the criteria in subsection (4**5**) of this section.