

ORDINANCE NO. 3859

*Renewed by 3862*

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, PLANNING, AND LAND USE AND AMENDING CHAPTER 60 - PLA 12 ZONE OF ORDINANCE 3719 AS AMENDED, THE KIRKLAND ZONING ORDINANCE, AND ORDINANCE 3710 AS AMENDED, THE KIRKLAND ZONING MAP (FILE NO. IV-02-7)

WHEREAS, the City Council has received from the Kirkland Planning Commission a recommendation to amend certain sections of the text of the Kirkland Zoning Code, Ordinance 3719 as amended, all as set forth in that certain report and recommendation of the Planning Commission dated August 26, 2002 and bearing Kirkland Department of Planning and Community Development File No. IV-02-7; and

WHEREAS, prior to making said recommendation, the Planning Commission, following notice thereof as required by RCW 35A.63.070, on June 27<sup>th</sup>, 2002, held a public hearing on the amendment proposals and considered the comments received at said hearing; and

WHEREAS, pursuant to the State Environmental Policies Act there has accompanied the legislative proposal and recommendation through the entire consideration process, a final determination of nonsignificance, including supporting environmental documents, issued by the responsible official pursuant to WAC 197-11-340 and WAC 197-11-390; and

WHEREAS, in regular public meeting the City Council considered the environmental documents received from the responsible official, together with the report and recommendation of the Planning Commission.

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

Section 1. Zoning text amended: The following specified sections of the text of Ordinance 3719 as amended, the Kirkland Zoning Ordinance, be and they hereby are amended to read as follows:

As set forth in Attachment A which by this reference is incorporated herein.

Section 2: Zoning Map amended: The following specified zones of Ordinance 3710 as amended, Kirkland Zoning Map, is hereby amended as follows:

As set forth in Attachment B which by this reference is incorporated herein.

Section 3 If any section, subsection, sentence, clause, phrase, part or portion of this ordinance, including those parts adopted by reference, is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 4. This ordinance shall be in full force and effect five days from and after its passage by the Kirkland City Council and publication,

(pursuant to Section 1.08.017 Kirkland Municipal Code, in the summary form attached to the original of this ordinance and by this reference approved by the City Council), as required by law.

Section 5. A complete copy of this Ordinance shall be certified by the City Clerk, who shall then forward the certified copy to the King County Department of Assessments.

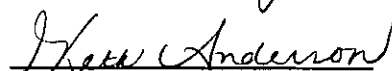
PASSED by majority vote of the Kirkland City Council in open meeting this 17th of September, 2002.

SIGNED IN AUTHENTICATION thereof this 17th day of September, 2002.



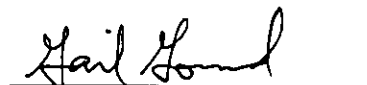
Mayor

Attest:



Deputy City Clerk

Approved as to Form:



City Attorney

# Regulations for TL-3 (Evergreen Hospital Medical Center Area)

## Section 60.155 General Regulations

1. Refer to Chapter 1 KZC to determine what other provision of this Code may apply to the subject property.

## Section 60.157.010

**Use:** Hospital, Medical, Outpatient Facility and ancillary uses including Food Services, Retail Sales, Offices and Daycare. See special regulation 1.

**Required Review Process:** Process IIB, Chapter 152 KZC for a Master Plan. Development consistent with an approved Master Plan, D.R., Chapter 142 KZC. See special regulations 9, 10 and 11.

**Lot size (Minimum):** None

**Required Yards (Minimum):** Front, Side and Rear: 10' minimum setback required, with an average building setback of 15 feet from perimeter campus property lines and street-rights-of way. See special regulation 2.

**Lot Coverage (Max):** 70%. Additional lot coverage allowed, pursuant to special regulation 3.

**Height of Structure (Max):** 30' above A.B.E. east of 124<sup>th</sup> Avenue NE, in TL 3C. See special regulation 4.  
65' above A.B.E. north of NE 130<sup>th</sup> Lane, in TL 3D. See special regulation 5.  
75' above A.B.E. south of NE 128<sup>th</sup> Street, in TL 3B. See special regulation 6.  
75' above A.B.E. west of 124<sup>th</sup> Avenue NE, south of NE 130<sup>th</sup> Lane and north of NE 128<sup>th</sup> Street, in TL 3A. Additional height allowed pursuant to special regulation 7.

**Landscape Category:** B.

**Sign Category:** E. See special regulation 8.

**Required Parking Spaces:** As approved in the Master Plan.

## Special Regulations

1. May include housing as part of this use. Residential uses shall be limited to five stories in height.
2. A minimum setback of 20 feet is required where campus property abuts residential zones.
3. Lot coverage may be increased to 85% if a transit center is located within TL 3.
4. In TL 3C, building height may be increased up to 60' above A.B.E. in the portions of the area that lie more than 100 feet from residential zones, based on the extent to which the increased building heights would have impacts on the surrounding residential areas. Proposed methods for mitigating such impacts, as determined by an analysis of shadowing, transition and lighting impacts, must be provided.
5. In TL 3D, building heights must step back from the adjacent residential zone to the east. Design guidelines for appropriate transitions must be included within the Master Plan.
6. In area TL 3B, building heights may be increased up to 150 feet above A.B.E., based on the following considerations:
  - a. If a transit center is included within TL 3;
  - b. The extent to which the siting of the transit center on the campus would limit development on the transit center site.
  - c. The extent to which an analysis of the impacts of the additional height on public views from the intersection of 124<sup>th</sup> Avenue NE and NE 128<sup>th</sup> Street indicates retention of a view to the west.
  - d. The extent that rooftop appurtenances of buildings would have significant impacts on residential areas and public views. Rooftop appurtenances of medical buildings shall not exceed fifteen feet in height and fifty percent of the total rooftop area of individual buildings, and total building height shall not exceed 150 feet.
7. In order to retain openness and public views across a portion of the site, development within the southern 100 feet of TL 3A, located east of the driveway leading to the hospital parking garage and west and north of the curb along 124<sup>th</sup> Avenue NE, shall be limited to 75 feet in height (see Plate 30).

Elsewhere, in TL 3A, building heights may be increased up to 150 feet above A.B.E., with the height increases to be based on the following considerations:

- a. If a transit center is included within TL 3;
- b. The extent to which the siting of the transit center on the campus would limit development on the transit center site;

- c. The extent that the increased building heights would have impacts on the surrounding residential areas, and the proposed methods for mitigating such impacts, as determined by an analysis of shadowing, transition and lighting impacts;
  - d. The extent that taller buildings would be stepped back from the perimeters of TL 3 boundaries, away from adjacent residential zones;
  - e. The extent that impacts to territorial views from public streets would be avoided or minimized through mechanisms such as variations in building heights, horizontal modulation and other techniques aimed at reducing the appearance of building mass; and
  - f. The extent that rooftop appurtenances of buildings would have significant impacts on residential areas and public views. Rooftop appurtenances of medical buildings shall not exceed fifteen feet in height and fifty percent of the total rooftop area of individual buildings, and total building height shall not exceed 150 feet.
8. All signs must be consistent with an approved master sign plan for the hospital campus.
9. This use requires an approved conceptual Master Plan. Approval of the Master Plan shall be through Process IIB, Chapter 152 KZC. The Master Plan approved for the site will become the guiding document for the location, configuration and nature of improvements to be constructed within the TL-3 zone. The master plan must be approved by ordinance, and contain a conceptual site plan to be kept on file with the City. The Master Plan must contain:
- a. A conceptual site plan which shows the approximate location and size of all known and potential future development.  
  

Developed building square footage may not exceed 1.2 million square feet, nor may vehicle trips exceed either 27,500 average daily trips or 2,150 PM peak trips (whichever is achieved first). An estimate of trip generation based on projected uses and a trip rate, approved by the City, must be provided with the Master Plan. The trip rate shall reflect only those trips generated by the hospital. Trips associated with the operation of a transit center shall not be included in the total trips under this special regulation.

Specific trip generation and traffic analysis must be provided with subsequent building permits.
  - b. A proposed phasing plan for development of the campus, describing which of the proposed improvements will be included with each phase.
  - c. Proposed sub-areas for the campus. The following elements are to be addressed by sub-area:
    - 1) Anticipated uses.
    - 2) Maximum building height (including penthouses/rooftop-mounted equipment).

- 3) Minimum building set backs from property lines and/or edges of easements.
- 4) Guidelines for stepping back taller building elements from the perimeter of the campus.
- 5) Areas of buffers and landscaping.
- 6) Estimated building square footage.
- 7) Maximum lot coverage.
- 8) Open/green spaces – Locations and proposed activities to occur in these spaces. The use of green roofs is encouraged, and will be considered in the evaluation of open and green spaces on the campus.
- 9) Vehicular and pedestrian access points and through ways. Connections to the Totem Lake Mall and the transit center should be included in the plan. The plan should also explore options for providing pedestrian connections across the site.
- 10) Parking – number of stalls and location.
- 11) Lighting – Specific standards to limit the impact of internal and external light sources on off-site areas.

d. Discussion of 124<sup>th</sup> Avenue NE, south of NE 130<sup>th</sup> Lane, including future projects contemplated by Evergreen Hospital Medical Center within this roadway. A Memorandum of Understanding for this section of 124<sup>th</sup> Avenue NE between Evergreen Hospital Medical Center and the City of Kirkland should be developed during the review of the Master Plan.

10. The Master Plan application must be accompanied by:

- a. An analysis of the manner in which the proposed building design concepts comply with the applicable design principles contained in the Municipal Code and the Totem Center policies contained in the Comprehensive Plan.

Proposed design concepts must indicate compatibility of the treatment of campus edges with neighboring uses. Buildings should provide pedestrian friendly features along rights-of-ways. Human scale elements should be provided where development exists at campus edges. The relationships of buildings to adjacent rights-of-way and to neighboring uses should ensure appropriate transitions, through the use of landscaping or building elements that are of a similar scale as neighboring uses.

b. A proposed Transportation Management Plan

11. The City shall consider all of the elements of the Master Plan as proposed above, and the Conditions of Approval of a Master Plan for the campus should include guidelines for the following:

- a. Appropriate process for subsequent permit review, to include possible thresholds for permits to be reviewed by the Planning Official alone, and those that shall include review by the Design Review Board.

- b. Distinction between major and minor modifications from the approved Master Plan. Subsequent to Master Plan approval, the Planning Official may approve minor modifications from the approved Master Plan. Major modifications, as defined in the conditions of approval for the Master Plan, must be approved through Process IIB, Chapter 152, KZC.
- c. Time frame, not to exceed ten years, for the Master Plan to be in effect. In addition:
  - 1) All construction must be consistent with Zoning and Building Codes in effect at the time of construction, regardless of the duration of the Master Plan, except for those code provisions that have been superceded or modified by development standards included in the approved Master Plan.
  - 2) An extension to the horizon date for the Master Plan may be granted if major changes have not been made to Zoning or other regulations.
- d. Requirements for further analysis to be provided with each submittal for improvements to the campus (such as traffic reports, parking analysis, etc.).
- e. Submittal of a proposed Memorandum of Understanding or other similar instrument providing for the dedication of 124<sup>th</sup> Avenue NE, south of NE 130<sup>th</sup> Lane, while streamlining the process for future projects within this right-of-way contemplated by Evergreen Hospital Medical Center. The subsequent dedication should be recorded prior to issuance of the first building permit under the Master Plan.

### Section 60.157.020

**Use:** Public Utility

(No changes proposed)

### Section 60.157.030

**Use:** Government Facility or Community Facility

(No changes proposed)

### Section 60.157.040

**Use:** Public Park

(No changes proposed.)

60.154 User Guide. The charts in KZC 60.157 contain the basic zoning regulations that apply in Planned Area 12, including sub-zones. Use these charts by reading down the left hand column entitled Use. Once you locate the use in which you are interested, read across to find the regulations that apply to that use.

Section 60.155

Section 60.155 – GENERAL REGULATIONS

Zone  
PLA12

1. Refer to Chapter 1 KZC to determine what other provision of this Code may apply to the subject property.

DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS												
Section 60.157	USE ↓ REGULATIONS ↑	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.010	Hospital Facility	If development is consistent with a Master Plan adopted using Process III, Chapter 155 KZC, then none. Otherwise, Process III Chapter 155 KZC.	None	20'	20' on each side	20'	70%	The existing structure, including addition, may not exceed 75' above average building elevation and may not exceed 6 stories.  New structures may not exceed 30' above average building elevation unless otherwise specified in the Master Plan.	B	E See Spec. Reg. 4.	1 per each 1,000 sq. ft. of gross floor area. <i>front</i>	<del>1. Traffic flow must be designed to minimize impacts on the areas to the north and south of the hospital.</del> <del>2. Access to 120th Avenue N.E. must be designed to insure safety and to prevent arterial congestion.</del> <del>3. May include the following accessory components as part of this use: a. Temporary living facilities for staff persons. b. A helipad, if noise from this facility is minimized using the best available technology.</del> <del>4. Regardless of the linear frontage of the subject property, the maximum sign area for this use is 450 square feet. All other provisions of Chapter 100 KZC apply to signs for this use.</del>
.020	Public Utility	Process IIA, Chapter 150 KZC.							A	B	See KZC 105.25.	1. Refer to Chapter 1 KZC to determine what other provisions of this Code may apply to the subject property. 2. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.
.030	Government Facility or Community Facility	Process IIA, Chapter 150 KZC.			10'				C See Spec. Reg. 2.			

**DELETED**

See Section 105.25



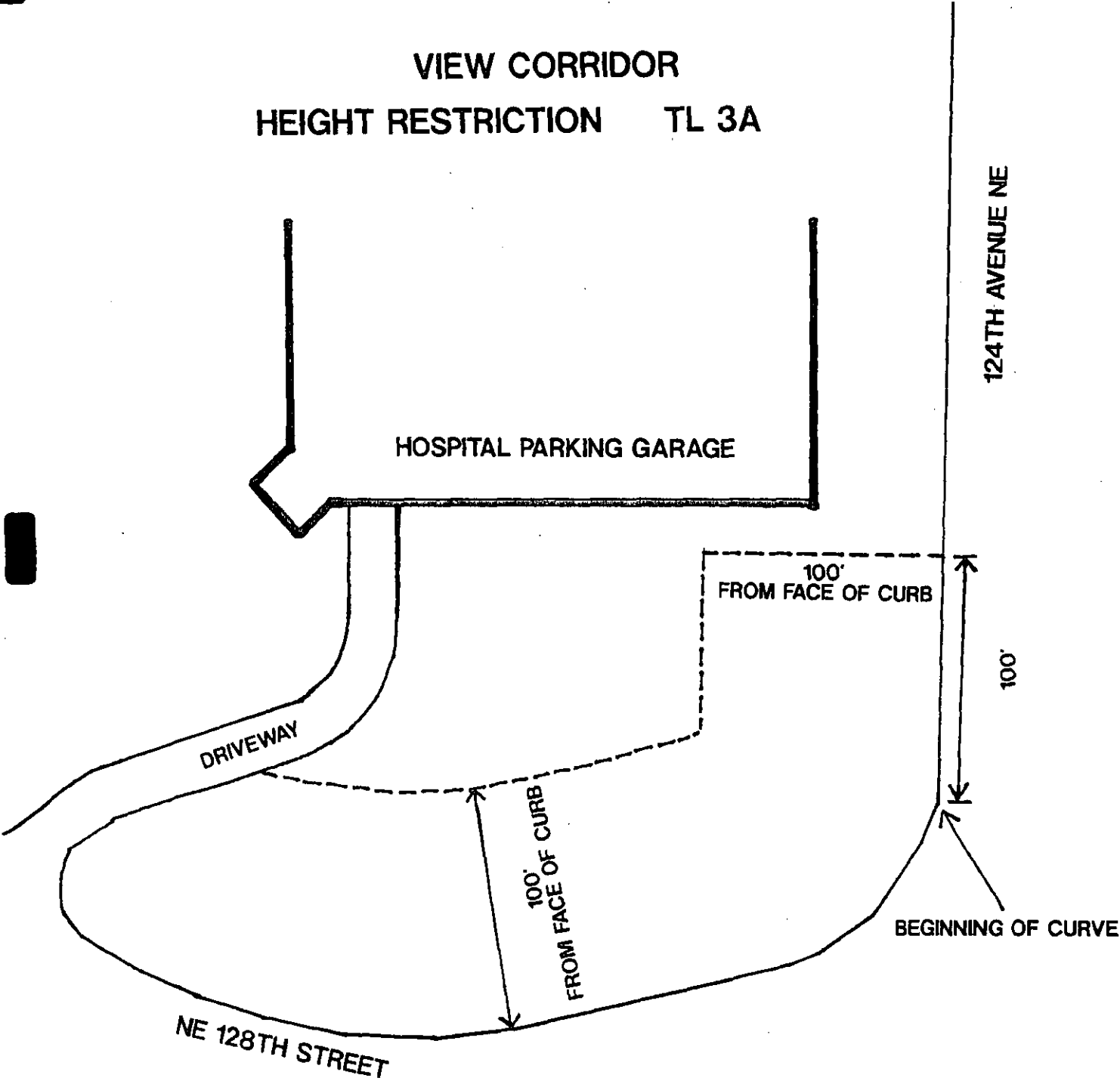
USE ZONE CHART

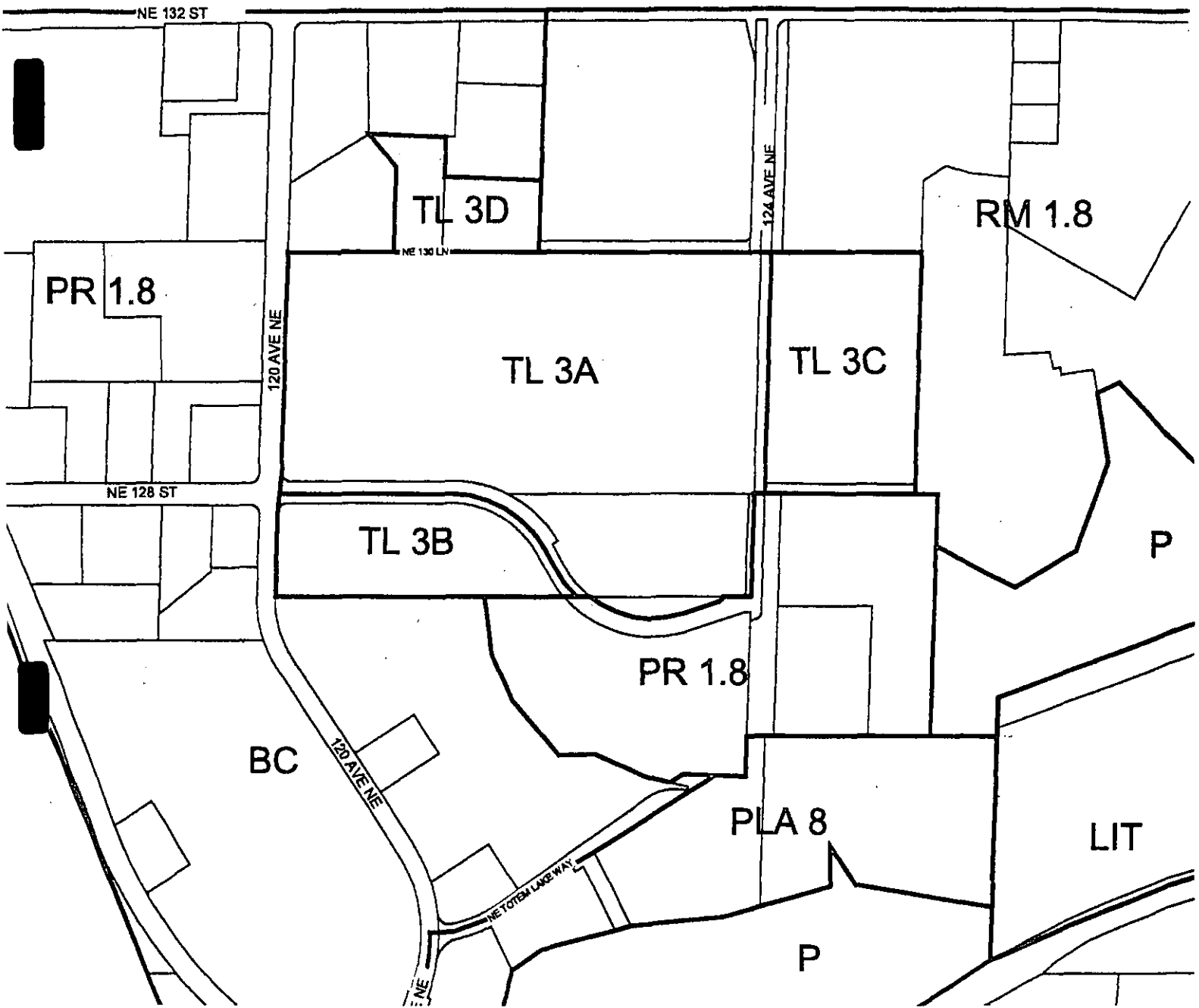
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			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.040	Public Park	See Special Regulations 1 and 2.	None	Will be determined on case-by-case basis.			--	B	See KZC 105.25.	1. Development and use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

PLATE 30

VIEW CORRIDOR  
HEIGHT RESTRICTION TL 3A

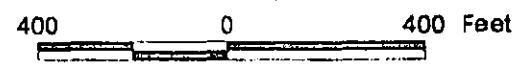




**Proposed Rezones  
Evergreen Hospital Medical Center Campus**

**September, 2002**

ATTACHMENT   B  



PUBLICATION SUMMARY  
OF ORDINANCE NO. 3859

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, PLANNING, AND LAND USE AND AMENDING CHAPTER 60 – PLA 12 ZONE OF ORDINANCE 3719 AS AMENDED, THE KIRKLAND ZONING ORDINANCE, AND ORDINANCE 3710 AS AMENDED, THE KIRKLAND ZONING MAP (FILE NO. IV-02-7)

SECTION 1. Amends the following sections of the Zoning text: 60.155 AND 60.157.

SECTION 2: Amends the Zoning Map.

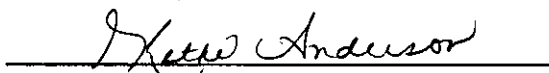
SECTION 3. Provides a severability clause for the ordinance.

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

SECTION 5. Establishes certification by City Clerk and notification of King County Department of Assessments.

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its regular meeting on the 17th day of September, 2002

I certify that the foregoing is a summary of Ordinance 3859 approved by the Kirkland City Council for summary publication.

Deputy   
City Clerk