

ORDINANCE NO. 3972

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, PLANNING AND LAND USE, AMENDING CHAPTERS 1, 5, 10, 55, 57, 60, 92, 105, 162, AND 180, OF ORDINANCE 3719 AS AMENDED, THE KIRKLAND ZONING CODE (TITLE 23 OF THE KIRKLAND MUNICIPAL CODE), REPEALING ORDINANCE 3933, AND AMENDING ORDINANCE 3710 AS AMENDED, THE KIRKLAND ZONING MAP (FILE NO. IV-02-70).

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 July 22, 2004 and bearing Kirkland Department of Planning and Community Development File No. IV-02-70;

WHEREAS, prior to making the recommendation the Planning Commission, following notice as required by RCW 35A.63.070, held on February 12, 2004, April 8ⁿ, 2004, May 13ⁿ, 2004, May 27ⁿ, 2004, June 10ⁿ, 2004 and June 24ⁿ, 2004, public hearings on the amendment proposals and considered the comments received at the hearings; and

WHEREAS, pursuant to the State Environmental Policy Act there has accompanied the legislative proposal and recommendation through the entire consideration process, an addendum to the Environmental Impact Statement for the 1995 Kirkland Comprehensive Plan (including supporting environmental documents) issued by the responsible official pursuant to WAC 197-11-625 and WAC 197-11-630; 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, the City Council of the City of Kirkland do ordain as follows:

Section 1. Zoning text amended: The following specified sections of the text of Ordinance 3719 as amended, the Kirkland Zoning Code (Title 23 of the Kirkland Municipal Code) are amended to read as follows:

- A. Chapter 1. User Guide:
Text amendments to Section 1.05 to delete reference to PLA 12 and add references to TL 1A and TL 1B, as shown in Exhibit A attached to this ordinance and incorporated by reference.
- B. Chapter 5 Definitions:
Text amendments to Sections 5.10.360, 5.10.415, 5.10.595 and 5.10.960 as shown in Exhibit B attached to this ordinance and incorporated by reference.
- C. Chapter 10 Legal Effect/Applicability:
Text amendment to Section 10.25, as shown in Exhibit C attached to this ordinance and incorporated by reference.

- D. Chapter 55 Light Industrial Technology:
Text amendment to renumber the existing Zoning Code charts from Chapter 55 to Chapter 48.
- E. Chapter 55 Totem Lake (TL) Zones:
Text amendments also add new Use Zone Charts as the new TL 1A and TL 1B Zones in Chapter 55, as shown in Exhibits D-1 and E attached to this ordinance and incorporated by reference.
- F. Chapter 57 Light Industrial Commercial:
Text amendment to renumber the existing Zoning Code charts from Chapter 57 to Chapter 49.
- G. Chapter 60 Planned Area 12:
Text amendment to delete Sections 60.154, 60.155 and 60.157.
- H. Chapter 60 TL 3:
Text amendment to move Sections 60.155 and 60.157, as adopted in Ordinance 3862, to Chapter 55.
- I. Chapter 92 Design Regulations:
Text amendments and new Figure 92.10.B.2, as shown in Exhibit F attached to this ordinance and incorporated by reference.
- J. Chapter 105 Parking and Parking Area, Vehicle and Pedestrian Access, and Related Improvements:
Text amendments to Sections 105.75 and 105.80, as shown in Exhibit G attached to this ordinance and incorporated by reference.
- K. Chapter 162 Non Conformance:
Text amendment to Section 162.35, as shown in Exhibit H attached to this ordinance and incorporated by reference.
- L. Chapter 180 Plates
Text amendment to add Plate X, as shown in Exhibit I attached to this ordinance and incorporated by reference.

Section 2. Zoning Map amended: The following specified zones of the Ordinance 3710 as amended, the Kirkland Zoning Map, are amended as follows:

As set forth in Exhibit J-1 which by this reference is incorporated herein.

Section 3. Severability: 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. Effective Date: This ordinance shall be in full force and effect five days from and after its passage by the City Council and publication, as required by law.

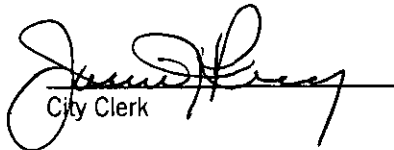
Section 5 Ordinance Copy: A complete copy of this ordinance shall be certified by the City Clerk, who shall then forward the certified copy to the King County Department of Assessments.

Passed by majority vote of the Kirkland City Council in open meeting this 16th day of November, 2004.

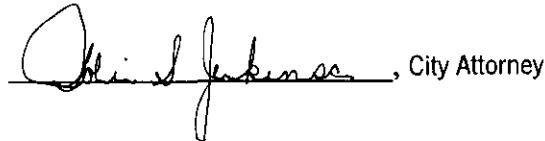
SIGNED IN AUTHENTICATION THEREOF this 16th day of November, 2004.


Mayor

Attest:


City Clerk

Approved as to Form:


City Attorney

PUBLICATION SUMMARY
OF ORDINANCE NO. 3972

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, PLANNING AND LAND USE, AMENDING CHAPTERS 1, 5, 10, 55, 57, 60, 92, 105, 162, AND 180, OF ORDINANCE 3719 AS AMENDED, THE KIRKLAND ZONING CODE (TITLE 23 OF THE KIRKLAND MUNICIPAL CODE), REPEALING ORDINANCE 3933, AND AMENDING ORDINANCE 3710 AS AMENDED, THE KIRKLAND ZONING MAP (FILE NO. IV-02-70).

Section 1. Amends the following specific portions of the Kirkland Zoning Code.

- A. Amends text in Chapter 1, User Guide
- B. Amends text in Chapter 5, Definitions
- C. Amends text in Chapter 10, Legal Effect/Applicability
- D. Amends Chapter 55, renumbering LIT to Chapter 48
- E. Amends Chapter 55, adding TL 1A and TL 1B.
- F. Amends Chapter 57, renumbering LIC to Chapter 49
- G. Amends Chapter 60, deleting PLA 12
- H. Amends Chapter 60, adding TL 3.
- I. Amends text in Chapter 92, Design Regulations
- J. Amends text in Chapter 105, Parking and Parking Area, Vehicle and Pedestrian Access and Related Improvements
- K. Amends text in Chapter 162, Non Conformance
- L. Amends Chapter 180, Plates

Section 2. Amends the Kirkland Zoning Map as set forth in Exhibit J-1.

Section 3. Provides a severability clause for the ordinance.

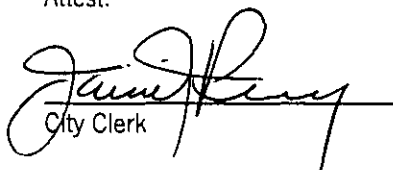
Section 4. Establishes the effective date for the ordinance.

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

Passed by majority vote of the Kirkland City Council in open meeting this 16th day of November, 2004.

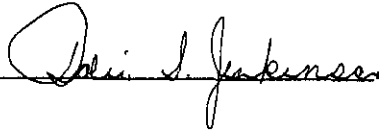
SIGNED IN AUTHENTICATION THEREOF this 16th day of November, 2004.

Attest:


City Clerk

Approved as to Form:

Approved as to Form:

 City Attorney

Chapter 1 – USER GUIDE

Sections:

1.05 How To Use This Code

1.10 Additional Regulations

1.05 How To Use This Code

This code has been designed and drafted to make it as easy as possible for the user to determine all land use regulations that apply to a particular piece of property and to uses, structures, and activities on that piece of property. Follow the step-by-step procedure laid out below to find applicable regulations.

1. Find the subject property on the Zoning Map. The subject property will be within one of the following use zones sequentially listed:

RS	BC	JBD 3	ILC	PLA 13
RSX	BCX	JBD 4	PLA 1	PLA 14
RM	CBD 1	JBD 5	PLA 2	PLA 15
PR	CBD 2	JBD 6	PLA 3	PLA 16
PO	CBD 3	NRH1A	PLA 5	PLA 17
WD I	CBD 4	NRH1B	PLA 6	P
WD II	CBD 5	NRH2	PLA 7	<u>TL 1A</u> <u>TL 1B</u>
WD III	CBD 6	NRH3	PLA 8	TL 2
FC I	CBD 7	NRH4	PLA 9	TL 3
FC II	CBD 8	NRH5	PLA 10	
FC III	JBD 1	NRH6	PLA 11	
BN	JBD 2	LIT	PLA 12	

2. Refer to the text of this code and find the chapter that corresponds to the use zone in which the subject property is located.
3. Each of these use zone chapters contains a series of charts. Read down the first vertical column of each chart to find the use in which you are interested. In some zones, certain uses are listed specifically (e.g., "Retail variety or department store" in Neighborhood Business Zones). In other zones, uses are listed generally (e.g., "Any retail establishment ... selling goods or providing services..." in Community Business Zones). In many cases, the general listing encompasses what could otherwise be numerous separate uses.

Uses and activities that fall under the definition of "adult entertainment use or activity" are not permitted except as allowed in Chapter 72 KZC.

.330 Glare – The reflection of harsh, bright light, or “the physical effect resulting from high luminances or insufficiently shielded light sources in the field of view.”

.335 Government Facility – A use consisting of services and facilities operated by any level of government, excluding those uses listed separately in this code.

.340 Gross Floor Area – The total square footage of all floors in a structure as measured from either the interior surface of each exterior wall of the structure or, if the structure does not have walls, from each outer edge of the roof. Exterior areas may constitute gross floor area. See Chapter 115 KZC.

.345 Ground Floor – The floor of a structure that is closest in elevation to the finished grade along the facade of the structure that is principally oriented to the street which provides primary access to the subject property.

.350 Ground-Mounted Sign – All of the following: pole signs, pedestal signs and monument signs.

.351 Hazardous Waste – All dangerous and extremely hazardous waste, including substances composed of radioactive and hazardous components (see RCW 70.105.010(15)).

.352 Hazardous Waste Storage – The holding of dangerous waste for a temporary period (see WAC 173-303-040(85)).

.353 Hazardous Waste Treatment – The physical, chemical, or biological processing of dangerous wastes to make such wastes nondangerous or less dangerous, safer for transport, amenable for energy or material resource recovery, amenable for storage, or reduced in volume (see WAC 173-303-040(97)).

.355 Heat – Added energy that causes substances to rise in temperature, fuse, evaporate, expand or undergo any other related change.

.357 Height of Structure – The vertical distance measured from the average building elevation to the highest point of any element or feature of a structure, excluding the exceptions identified in KZC 115.60.

.360 High Density Residential Zones – The following zones: RM 2.4; RM 1.8; PLA 5A, D, E; PLA 6A, D, I, J; and PLA 7A, B and TL 1B.

.362 High Technology Use – A place of employment engaging in research, development and testing, assembly, office and manufacturing, including industries in biotechnology, medical instrumentation or supplies, communications and information technology, electronics and instrumentation, and computer hardware and software.

.365 High Waterline – The line where the water meets the land when the water level of Lake Washington is 21.8 feet above mean sea level based on the Corps of Engineers Datum Point. High Waterline shall be construed to be the same as Ordinary High Water Mark (OHWM), as defined in WAC 173-16-030(10).

.370 Home Occupation – An occupation, enterprise, activity, or profession which is incidental to a residential use, which is carried on for profit or customarily carried on for profit, and which is not an otherwise permitted use in the zone in which it is pursued.

380 Hospital – An institution providing primary health services and medical or surgical care to persons, primarily inpatients, suffering from illness, disease, injury, deformity and other abnormal physical or mental conditions, and including, as an integral part of the institution, related facilities such as laboratories, out-patient facilities, extended care facilities or training facilities.

.385 Hotel or Motel – A facility providing lodging and related services for a charge, typically for a period of one month or less. "Hotel" or "motel" shall include inns, residence or extended stay hotels, other similar facilities, and all businesses subject to collection and payment of the tax levied by Chapter 67.28 RCW or City code. "Hotel" or "motel" does not include accessory dwelling unit, assisted living facility, bed and breakfast house, convalescent center, dwelling unit, nursing home, residential use, or special needs housing.

.390 Improvement – Any structure or manmade feature.

.395 Industrial Use – The uses allowed in the industrial zones and not permitted in any other zones.

.400 Industrial Zones – The following zones: ILC; LIT; PLA 6G; and PLA 11.

.405 Inner Harbor Line – The line designated as such on the Zoning Map.

.410 Institutional Uses – The following uses: schools, churches, colleges, hospitals, parks, governmental facilities and public utilities.

.415 Institutional Zones – The following zones: P; PLA 1; ~~PLA 12~~; TL 3 and PLA 14.

.420 Instructional Sign – A sign which designates public information such as, but not limited to, public restrooms, public telephones, exitways and hours of operation.

.425 Integral Sign – A sign displaying a building date, monument citation, commemorative inscription or similar historic information.

.440 Irrevocable License – A written irrevocable permission given by a property owner to the City for specified purposes.

.445 Isolation – When a use abuts or is directly across the street from high density or higher intensity uses, on at least three sides.

.447 Junk – Old or scrap copper; brass; rope; rags; batteries; paper; trash; rubber debris; wastes; machinery; scrap wood; junked, dismantled or wrecked automobiles, or parts thereof; iron; steel; and other old or scrap ferrous or nonferrous material.

.448 Junk Yard – A property or place of business which is maintained, operated, or used for storing, keeping, buying, selling, or salvaging junk.

.450 Kenel – An establishment, generally retail in nature, which houses, cares for, breeds, raises or sells dogs or cats.

.455 Land Surface Modification – The clearing or removal of trees, shrubs, groundcover and other vegetation, and all grading, excavation and filling of materials. The removal of overhanging vegetation and fire hazards as specified in Chapter 9.12 KMC shall not be deemed to be land surface modifications.

.465 Landscaping – The planting, removal and maintenance of vegetation along with the movement and displacement of earth, topsoil, rock, bark and similar substances done in conjunction with the planting, removal and maintenance of vegetation.

.467 Landslide Hazard Areas – As defined in Chapter 85 KZC.

- .595 Office Zones – The following zones: PO; PR 8.5; PR 5.0; PR 3.6; PR 2.4; PR 1.8; JBD 3; PLA 3A; PLA 5B, C; PLA 6B; PLA 10B, C; PLA 11; PLA 13B; PLA 15A; PLA 17B, C; FC III, NRH 2, NRH 3, NRH 5, and NRH 6 and TL 1A.
- .600 Official Newspaper of the City – The publication designated by ordinance or resolution to contain official newspaper publications for City government.
- .605 Official Notification Boards of the City – The bulletin boards in the public areas of City Hall and the Kirkland Public Library.
- .607 On-Site Hazardous Waste Treatment and Storage Facilities – Facilities which treat and store hazardous wastes generated on the same lot, geographically contiguous, or bordering property. Travel between two properties divided by a public right-of-way, and owned, operated, or controlled by the same person, shall be considered on-site travel if: (a) the travel crosses the right-of-way at a perpendicular intersection, or (b) the right-of-way is controlled by the property owner and is inaccessible to the public (see WAC 173-303-040(59)).
- .610 Open Space – Land not covered by buildings, roadways, parking areas or surfaces through which water can percolate into the underlying soils.
- .612 Ordinary High Waterline – This term has the same meaning as “high waterline.”
- .615 Oriented – Facing or directed toward.
- .620 Outdoor – Not contained within a building.
- .622 Outdoor Storage – Any material, including items for storage or sale, lease, processing and repair (including vehicles), not in an enclosed structure.
- .625 Outer Harbor Line – The line designated as such on the Zoning Map.
- .630 Owner – In reference to property, the person listed at the King County Assessor’s Office as paying the property taxes on the subject property.
- .632 Parking Area – Any area designed and/or used for parking vehicles.
- .633 Parking Lot – An outdoor parking area, excluding outdoor storage or display areas of vehicles or boats for sale or lease.
- .635 Parking Space – An area which is improved, maintained and used for the sole purpose of temporarily accommodating a motor vehicle that is not in use.
- .640 Pedestal Sign – A ground-mounted sign which is no higher than five feet above average ground elevation. See Plate 12 in Chapter 180 KZC for a graphic depiction of pedestal signs.
- .645 Pedestrian Orientation – Pertaining to facilities which encourage pedestrian movement and are designed and oriented toward use by pedestrians.
- .647 Pedestrian-Oriented Street – Every street within or abutting the CBD 1 Zone or CBD 2 Zone, except First Avenue South and First Street South, and those streets designated in the design regulations for the JBD.
- .650 Person – Any individual, partnership, association, corporation, unit of government or any other legal entity.
- .655 Planning Department – The Department of Community Development of the City of Kirkland.

945 Uniform Sign Code – The Uniform Sign Code as amended and adopted in Chapter 21.16 KMC.

.955 Use – The nature of the activities taking place on private property or within structures thereon. Each separate listing under the "Use" column in the Chapters 15 through 65 KZC is a separate use.

.960 Use Zone – The zoning designations on the Zoning Map as follows:

RS 35	BC	PLA 6C	
RSX 35	BCX	PLA 6D	
RS 12.5		PLA 6E	
RSX 12.5	CBD 1	PLA 6F	
RS 8.5	CBD 2	PLA 6G	
RSX 8.5	CBD 3	PLA 6H	
RS 7.2	CBD 4	PLA 6I	
RS 5.0	CBD 5	PLA 6J	
RSX 5.0	CBD 6	PLA 6K	
	CBD 7	PLA 7A	
RM 5.0	CBD 8	PLA 7B	
RM 3.6		PLA 7C	
RM 2.4	JBD 1	PLA 8	NRH 3
RM 1.8	JBD 2	PLA 9	NRH 4
	JBD 3	PLA 10A	NRH 5
WD I	JBD 4	PLA 10B	NRH 6
WD II	JBD 5	PLA 10C	
WD III	JBD 6	PLA 11	TL 1A
			<u>TL 1B</u>
PR 8.5	LIT	PLA 13A	TL 2
PR 5.0	ILC	PLA 13B	TL 3
PR 3.6	PLA 1	PLA 15A	
PR 2.4	PLA 2	PLA 15B	
PR 1.8	PLA 3A	PLA 16	
	PLA 3B	PLA 17A	
PO	PLA 5A	PLA 17B	
	PLA 5B	PLA 17C	
FC I	PLA 5C		
FC II	PLA 5D	P	
FC III	PLA 5E	NRH 1A	
	PLA 6A	NRH 1B	
BN	PLA 6B	NRH 2	

.965 Vehicle Service Station – A commercial use supplying petroleum products that are for immediate use in a vehicle.

.970 Vehicle Storage Area – An outside area which is used for the storage of operational vehicles.

.973 Vehicular Access Easement or Tract – A privately owned right-of-way, but not including a driveway easement.

.974 View Corridor – An open area that provides an unobstructed view across the subject property to and beyond Lake Washington from the adjacent right-of-way.

.975 Wall Sign – A sign attached to and extending not more than 18 inches from the facade or face of a building with the exposed face of the sign parallel to the facade or face of the building.

2. Multifamily Residential Zones	RM (followed by a designation indicating minimum lot size per dwelling unit)
3. Professional Office/Residential Zones	PR (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. Freeway Commercial Zones	FC (followed by a designation indicating which Freeway Commercial Zone)
7. Neighborhood Business	BN
8. Community Business	BC and BCX
9. Central Business District	CBD (followed by a designation indicating which sub-zone within the Central Business District)
10. Juanita Business District	JBD (followed by a designation indicating which sub-zone within the Juanita Business District)
11. North Rose Hill Business District	NRH (followed by a designation indicating which sub-zone within the North Rose Hill Business District)
<u>12. Totem Center</u>	<u>TL (followed by a designation indicating which sub-zone within Totem Center)</u>
12 <u>13</u> Light Industrial Zones	LIT, ILC
13 <u>14</u> Planned Areas	PLA (followed by a designation indicating which Planned Area, and in some cases, which sub-zone within a Planned Area)
14 <u>15</u> Park/Public Use Zones	P

10.30 Overlay Designations Adopted

The following overlay zones apply in various areas:

<u>Overlay Zoning Category</u>	<u>Symbol</u>
1. Adult Activities Overlay Zone	"AE"
2. Historic Landmark Overlay Zone	"HL"
3. Equestrian Overlay Zone	"EQ"

10.35 Zoning Boundary Interpretation

1. Following Property Lines – Where a zone boundary is indicated as approximately following a property line, the property line is the zone boundary.
2. Following Streets – Where a zone boundary is indicated as following a street, the midpoint of the street is the zone boundary.

CHAPTER 55 – TOTEM LAKE (TL) ZONES

55.05 User Guide. The charts in KZC 55.09 contain the basic zoning regulations that apply in the TL 1A zone of the City. 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 55.07

Section 55.07 GENERAL REGULATIONS

The following regulations apply to all uses in these zones unless otherwise noted:

1. Refer to Chapter 1 KZC to determine what other provisions of this Code may apply to the subject property.
2. All ground floor uses shall be a minimum of 15 feet in height. This regulation does not apply to parking garages or property with no frontage on NE 128th Street.
3. In addition to the height exceptions established by KZC 115.60, the following exceptions to height regulations in TL zones are established:
 - a. Decorative parapets may exceed the height limit by a maximum of four feet; provided, that the average height of the parapet around the perimeter of the structure shall not exceed two feet.
 - b. For structures with a peaked roof, the peak may extend eight feet above the height limit if the slope of the roof is equal to or greater than four feet vertical to 12 feet horizontal.
4. The minimum required front yard is 10 feet, unless otherwise prescribed in the use zone chart. Ground floor canopies and similar entry features may encroach into the front yard, provided the total horizontal dimension of such elements may not exceed 25 percent of the length of the structure. No parking, other than underground parking, may encroach into the required 10 foot front yard.
5. The ability to accommodate new development in the TL 1A zone is dependent upon the construction of two new streets: 119th Ave. NE, between NE 128th St. and NE 130th Place, and NE 130th Place, between 120th Avenue NE and Totem Lake Blvd. NE, as shown on Plate X. Consistent with and to the extent authorized by applicable statutes and court decisions, new development on properties across which these streets in whole or in part extend, shall contribute to the creation of the streets as follows:
 - a) With all new development, the portions of these streets crossing the subject property shall be dedicated as public right of way consistent with Plate X; and
 - b) With all new development exceeding 30 feet in height, the streets shall be improved as determined by the Public Works Director. Minor deviations in the location and width of the streets may be approved by the Public Works Director if the deviations will not negatively affect the functioning of the streets.
6. Properties located between TL 2 and NE 128th Street may be required to provide a pedestrian connection between TL 2 and NE 128th Street.



USE ZONE CHART

DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS													
Section 55.09	USE	REGULATIONS	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 95)	Req'd Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
				Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
					Front	Side	Rear						
.10	Office Use	DESIGN REVIEW Chapter 142 KMC	None	10'	0'	0'	85% (see special regulation 5)	30'-160' above average building elevation (see special regulation 4).	B	D	See KZC 105	<ol style="list-style-type: none"> 1. The minimum Floor Area Ratio (F.A.R.) for development on the subject property is 1.0, or 100 percent of lot size. 2. The maximum Floor Area Ratio (F.A.R.) for development on the subject property is 2.0, or 200 percent of lot size, except as provided in Special Regulation 3 below. When combined with residential use, the maximum FAR for this use is determined as follows: (% office use x 2) + (% residential use x 3) = FAR of each use allowed on the subject property. Maximum FAR is determined based on parcel size, prior to any road dedication required pursuant to General Regulation 5 for this zone. 3. On parcels where road dedication is required pursuant to General Regulation 5, the maximum Floor Area Ratio (F.A.R.) may be increased by an additional .2 FAR for each 10% or portion thereof, of the subject property required to be dedicated. Where this use is combined with residential use, the maximum FAR for the residential use may be increased by an additional .3 of residential use for each 10% or portion thereof, of the subject property required to be dedicated. 4. Building height may be increased as follows: <ol style="list-style-type: none"> a. Building height may exceed 30' above average building elevation, if one of the following public improvements is provided: <ol style="list-style-type: none"> i. Dedication and improvement of new streets pursuant to General Regulation 5; or ii. Where General Regulation 5 does not apply, the development of pedestrian oriented elements that exceed the requirements of KZC Section 92.10. 	

O-3972

USE ZONE CHART

TL 1A

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

Section 55.09	USE	REGULATIONS	MINIMUMS				MAXIMUMS			Landscape Category (See Ch. 95)	Sign Category (See Ch. 95)	Req'd Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure	Front	Side				
(10 cont.)													<p>Examples include pedestrian walkways through the subject property, public plazas, public art and fountains.</p> <p>b. Building height may exceed 80' and be increased up to 160' above average building elevation, with the height increases to be based on the following considerations:</p> <ul style="list-style-type: none"> i. Development on the subject property complies with 4(a) above. ii. Design of buildings meets guidelines for towers set forth in Design Guidelines (KZC Chapter 142, and Chapter 3.30 KMC). iii. Floor plates may not exceed 10,000 square feet per floor, for the portion of the building above 80 feet in height, <u>except on those parcels where road dedication is required pursuant to General Regulation 5.</u> On these parcels, <u>floor plates may not exceed 20,000 square feet on floors between 80' and 120' in height.</u> Beyond 120' in height, floor plates may not exceed 10,000 square feet per floor. iv. Portions of structures exceeding 80' in height must be separated by at least 60', both on the subject property and from taller building elements on adjacent properties. <p>5. Increases in lot coverage may be considered if:</p> <ul style="list-style-type: none"> a. Land dedication on the subject property provided pursuant to General Regulation 5 limits area available for development on the property, and/or b. Other techniques used to provide open space result in superior landscaping, such as the use of gardens on lower portions of structures or on rooftops, the provision of

USE ZONE CHART

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

Section	USE	REGULATIONS	Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 95)	Req'd Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
				Lot Size	Front	Side	Rear	Lot Coverage	Height of Structure				
(10 cont.)													5. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: <ul style="list-style-type: none"> a. The assembled or manufactured goods are subordinate to and are dependent upon this use. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing must be no different from other office uses. 7. The following regulations apply to veterinary offices only: <ul style="list-style-type: none"> a. May only treat small animals on the subject property b. Outside runs and other outside facilities for the animals are not permitted. c. Site must be designed so noise from this use is not audible off the subject property. A certification to this effect, signed by an Acoustical Engineer, must be submitted with the development permit application. d. A veterinary office is not permitted if the subject property contains dwelling units.
.20	Restaurant or Tavern		DESIGN REVIEW Chapter 142									1 per each 100 sq. ft. of gross floor area.	1. This use is only permitted as an accessory use to another permitted use within this zone. It may not be located in a separate structure from the primary use.

See Special Regulation 1.

USE ZONE CHART

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

Section 55.09	USE	REGULATIONS		MINIMUMS				MAXIMUMS				Special Regulations (See also General Regulations)
		Required Review Process	Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 95)	Req'd Parking Spaces (See Ch. 105)	
				Front	Side	Rear						
.30	Any retail establishment, other than those specifically listed in this zone, selling goods and providing services including banking and other financial services	DESIGN REVIEW Chapter 142									1 per each 300 square feet of gross floor area.	<ol style="list-style-type: none"> 1. This use is only permitted as an accessory use to another permitted use within this zone. It may not be located in a separate structure from the primary use. 2. The location of drive-through facilities may not compromise pedestrian movement. 3. The following uses and activities are prohibited: <ol style="list-style-type: none"> a. Vehicle and/or boat sales, repair, service or rental facilities. b. Retail establishments providing storage services unless accessory to another permitted use. c. Storage and operation of heavy equipment except normal delivery vehicles associated with retail uses. d. Outdoor storage of bulk commodities, except in the following circumstances: <ol style="list-style-type: none"> 1) If the square footage of the storage area is less than 10% of the retail structure, 2) If the commodities represent growing stock in connection with horticultural nurseries, whether the stock is in open ground, pots, or containers.

See special regulation 1.

O-3972

USE ZONE CHART

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

Section <u>55.09</u>	USE	REGULATIONS	Required Review Process	MINIMUMS REQUIRED YARDS (See Ch. 115)			MAXIMUMS			Landscape Category (See Ch. 95)	Sign Category (See Ch. 95)	Req'd Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
				Lot Size	Front	Side	Rear	Lot Coverage	Height of Structure				

.40	Attached or Stacked Dwelling Units	DESIGN REVIEW Chapter 142	None	10'	0'	0'	85% (see spec reg 6)	30'-160' above average building elevation (see special regulation 5).	C	A	See KZC 105.25.	<ol style="list-style-type: none"> Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use. Residential development must provide a minimum density of 50 dwelling units per gross acre. The maximum Floor Area Ratio (F.A.R.) for development on the subject property is 3.0, or 300 percent of lot size, except as provided in Special Regulation 4 below. When combined with office use, the maximum FAR for this use is determined as follows: (% office use x 2) + (% residential use x 3) = FAR of each use allowed on the subject property. Maximum FAR is determined based on parcel size, prior to any road dedication required pursuant to General Regulation 5 for this zone. On parcels where road dedication is required pursuant to General Regulation 5, the maximum Floor Area Ratio (F.A.R.) may be increased by an additional .30 FAR for each 10% or portion thereof, of the subject property required to be dedicated. Where this use is combined with office use, the maximum FAR for the office use may be increased by an additional .2 of office use for each 10% or portion thereof, of the subject property required to be dedicated. Building height may be increased as follows: <ol style="list-style-type: none"> Building height may exceed 30' above average building elevation, if one of the following public improvements is provided: <ol style="list-style-type: none"> Dedication and improvement of new streets pursuant to General Regulation 5; or Where General Regulation 5 does not apply, the development of pedestrian oriented elements that
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DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS

Section - 55.09	USE	REGULATIONS		Required Review Process	Lot Size	MINIMUMS			MAXIMUMS			Landscape Category (See Ch. 95)	Sign Category (See Ch. 95)	Req'd Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
		REQUIRED YARDS (See Ch. 115)				Lot Coverage	Height of Structure								
		Front	Side					Rear							
(40 cont.)															<p>exceed the requirements of KZC Section 92.10. Examples include pedestrian walkways through the subject property, public plazas, public art and fountains, and</p> <p>iii. Provides for at least 10 percent of the units in new residential developments of 10 units or greater as affordable housing units, as defined in Chapter 5 of the KZC. The number of affordable housing units is determined by rounding up to the next whole number (unit) if the fraction of the whole number is at least 0.66.</p> <p>An agreement in a form approved by the City must be recorded with King County Department of Records and Elections to stipulate conditions under which required affordable housing units will remain as affordable housing units for the life of the project for rental units, and at least 30 years from the date of initial owner occupancy for ownership units.</p> <p>Additional affordable housing incentives may be applicable to residential development (see Chapter 112 of the KZC).</p> <p>b. Building height may exceed 80' and be increased up to 160' above average building elevation, with the height increases to be based on the following</p>

Section 55.09	USE	REGULATIONS	Required Review Process	Lot Size	MINIMUMS			MAXIMUMS			Landscape Category (See Ch. 95)	Sign Category (See Ch. 95)	Req'd Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
					REQUIRED YARDS (See Ch. 115)			Height of Structure	Lot Coverage	Height of Structure				
					Front	Side	Rear							
(-40 cont.)													considerations: i. Development on the subject property complies with 5(a) above, ii. Design of buildings meets guidelines for towers set forth in Design Guidelines (KZC Chapter 142, and Chapter 3.30 KMC). Floor plates may not exceed 10,000 square feet per floor, for the portion of the building above 80 feet in height, except on those parcels where road dedication is required pursuant to General Regulation 5. On these parcels, floor plates may not exceed 20,000 square feet on floors between 80' and 120' in height. Beyond 120' in height, floor plates may not exceed 10,000 square feet per floor. iv. Portions of structures exceeding 80' in height must be separated by at least 60', both on the subject property and from taller building elements on adjacent properties. 6. Increases in lot coverage may be considered if: a. Land dedication on the subject property provided pursuant to General Regulation 5 limits area available for development on the property, and/or b. Other techniques used to provide open space result in superior landscaping, such as the use of gardens on lower portions of structures or rooftops, the provision of visual and pedestrian access to public garden areas, or other approaches that	



USE ZONE CHART

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

Section __55.09__	USE	REGULATIONS	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 95)	Req'd Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
				Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
					Front	Side	Rear						

.50	Church	DESIGN REVIEW Chapter 142	None	10'	0'	0'	80%	40' above average building elevation (see special regulation 3.	C	B	1 for every four people based on maximum occupancy load of any area of worship (see spec. reg.2).	<ol style="list-style-type: none"> May include accessory living facilities for staff persons. No parking is required for day-care or school ancillary to this use When included as an accessory use within the structure of a primary use with a taller height limit, the height limit for the primary use applies.
.60	School, Day-care Center or Mini School or Mini-day-care	DESIGN REVIEW Chapter 142	None	10' (see special reg. 3).	0' (See special reg. 3).	0' (See special reg. 3).	80%	40' above average building elevation (see spec. reg. 6).	D	B	See KZC 105.25. (see spec. reg 4).	<ol style="list-style-type: none"> A six-foot high fence is required along property lines adjacent to outside play areas. . Hours of operation may be limited by the City to reduce impacts on nearby residential uses. Structured play areas must be setback from all property lines by at least five feet. An on-site passenger loading area may be required depending on the number of attendees and the extent of the abutting right-of-way improvements. . These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388). When included as an accessory use within the structure of a primary use with a taller height limit, the height limit for the primary use applies.

Section 55.09	USE	REGULATIONS		Required Review Process	Lot Size	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 95)	Reg'd Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
		Front	Side			Rear	Lot Coverage	Height of Structure						
.70	Assisted Living Facility	DESIGN REVIEW Chapter 142	None	10'	0'	0'	0'	85% (see spec. reg. 5)	30'-160' above average building elevation (see special regulation 4).	B	A	See KZC 105.25.	<ol style="list-style-type: none"> 1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use. 2. The maximum Floor Area Ratio (F.A.R.) for development on the subject property is 3.0, or 300 percent of lot size, except as provided in Special Regulation 3 below. Maximum FAR is determined based on parcel size, prior to any road dedication required pursuant to General Regulation 5 for this zone. 3. On parcels where road dedication is required pursuant to General Regulation 5, the maximum Floor Area Ratio (F.A.R.) may be increased by an additional .30 FAR for each 10% or portion thereof, of the subject property required to be dedicated. 4. Building height may be increased as follows: <ol style="list-style-type: none"> a. Building height may exceed 30' above average building elevation, if one of the following public improvements is provided: <ol style="list-style-type: none"> i. Dedication and improvement of new streets pursuant to General Regulation 5; or ii. Where General Regulation 5 does not apply, the development of pedestrian oriented elements that exceed the requirements of KZC Section 92.10. Examples include pedestrian walkways through the subject property, public plazas, public art and fountains, and iii. Provides for at least 10 percent of the units in new residential developments of 10 units or greater as affordable housing units, as 	

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

Section 55.09	USE	REGULATIONS		Required Review Process	Lot Size	MINIMUMS			MAXIMUMS			Landscape Category (See Ch. 95)	Sign Category (See Ch. 95)	Req'd Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
		Front	Side			Rear	Lot Coverage	Height of Structure								
(70 cont.)																<p>defined in Chapter 5 of the KZC.</p> <p>The number of affordable housing units is determined by rounding up to the next whole number (unit) if the fraction of the whole number is at least 0.66.</p> <p>An agreement in a form approved by the City must be recorded with King County Department of Records and Elections to stipulate conditions under which required affordable housing units will remain as affordable housing units for the life of the project for rental units, and at least 30 years from the date of initial occupancy for ownership units.</p> <p>Additional affordable housing incentives may be applicable to residential development (see Chapter 112 of the KZC).</p> <p>b. Building height may exceed 80' and be increased up to 160' above average building elevation, with the height increases to be based on the following considerations:</p> <ul style="list-style-type: none"> i. Development on the subject property complies with 4(a) above. ii. Design of buildings meets guidelines for towers set forth in Design Guidelines (KZC Chapter 142, and Chapter 3.30 KMC). iii. Floor plates may not exceed 10,000 square feet per floor, for the portion of the building above 80 feet in

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

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Section	USE	REGULATIONS		Required Review Process	Lot Size	MINIMUMS			MAXIMUMS		Special Regulations (See also General Regulations)	
		Front	Side			Rear	Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 95)		Req'd Parking Spaces (See Ch. 105)
70 (cont.)												height, except on those parcels where road dedication is required pursuant to General Regulation 5. On these parcels, floor plates may not exceed 20,000 square feet on floors between 80' and 120' in height. Beyond 120' in height, floor plates may not exceed 10,000 square feet per floor. iv. Portions of structures exceeding 80' in height must be separated by at least 60', both on the subject property and from taller building elements on adjacent properties. 5. Increases in lot coverage may be considered if: a. Land dedication on the subject property provided pursuant to General Regulation 5 limits area available for development on the property, and/or b. Other techniques used to provide open space result in superior landscaping, such as the use of gardens on lower portions of structures or on rooftops, the provision of visual and pedestrian access to public garden areas, or other approaches that provide for useable green space.
80	Convalescent Center or Nursing Home	DESIGN REVIEW Chapter 142	None	10	0'	0'	85% (see spec. reg. 4).	30'-160' above average building elevation (see special regulation 3).	C	B	1 for each bed.	1. The maximum Floor Area Ratio (F.A.R.) for development on the subject property is 3.0, or 300 percent of lot size, except as provided in Special Regulation 2 below. Maximum FAR is determined based on parcel size, prior to any road dedication required pursuant to General Regulation 5 for this zone. 2. On parcels where road dedication is required

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

Section	USE	REGULATIONS	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 95)	Req'd Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
				Lot Size	REQUIRED YARDS (See Ch. 115)		Height of Structure					
				Front	Side	Rear	Lot Coverage					
(80 cont.)												pursuant to General Regulation 5, the maximum Floor Area Ratio (F.A.R.) may be increased by an additional .30 FAR for each 10% or portion thereof, of the subject property required to be dedicated. 3. Building height may be increased as follows: a. Building height may exceed 30' above average building elevation, if one of the following public improvements is provided: i. Dedication and improvement of new streets pursuant to General Regulation 5; or ii. Where General Regulation 5 does not apply, the development of pedestrian oriented elements that exceed the requirements of KZC Section 92.10. Examples include pedestrian walkways through the subject property, public plazas, public art and fountains. b. Building height may exceed 80' and be increased up to 160' above average building elevation, with the height increases to be based on the following considerations: i. Development of the subject property complies with 3(a) above. ii. Design of buildings meets guidelines for towers set forth in Design Guidelines (KZC Chapter 142, and Chapter 3.30 KMCI). iii. Floor plates may not exceed 10,000 square feet per floor, for the portion of the building above 80 feet in height, except on those parcels where road dedication is required pursuant to General Regulation 5.

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

Section 55.09	USE	REGULATIONS		Required Review Process	Lot Size	MINIMUMS			MAXIMUMS			Special Regulations (See also General Regulations)
		Front	Side			Rear	Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 95)	Req'd Parking Spaces (See Ch. 105)	

(80 cont.)													<p>On these parcels, floor plates may not exceed 20,000 square feet on floors between 80' and 120' in height. Beyond 120' in height, floor plates may not exceed 10,000 square feet per floor.</p> <p>iv. Portions of structures exceeding 80' in height must be separated by at least 60', both on the subject property and from taller building elements on adjacent properties.</p> <p>4. Increases in lot coverage may be considered if:</p> <p>a. Land dedication on the subject property provided pursuant to General Regulation 5 limits area available for development on the property, and/or</p> <p>b. Other techniques used to provide open space result in superior landscaping, such as the use of gardens on lower portions of structures or on rooftops, the provision of visual and pedestrian access to public garden areas, or other approaches that provide for useable green space.</p>
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90	Public Utility	DESIGN REVIEW Chapter 142	None	10'	0'	0'	0'	80%	40' above average building elevation (see special regulation 1).	A	B	See KZC 105.25.	1. When included as an accessory use within the structure of a primary use with a taller height limit, the height limit for the primary use applies.
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USE ZONE CHART

DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS													
Section __55.09__	USE	REGULATIONS	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 95)	Req'd Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
				Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
					Front	Side	Rear						
.100	Government Facility or Community Facility	DESIGN REVIEW Chapter 142	None	10'	0'	0'	80%	40' above average building elevation (see special regulation 1).	C (see special regulation 2).	B	See KZC 105.25.	<ol style="list-style-type: none"> When included as an accessory use within the structure of a primary use with a taller height limit, the height limit for the primary use applies. Landscape category A or B may be required depending on the type of use on the subject property and the impacts associated with this use. 	
.110	Public Park	DESIGN REVIEW Chapter 142	None	Will be determined on a case by case basis.						B	See KZC 105.25.		

NOTE: FINAL PRODUCTION OF CHARTS WILL INCLUDE REFORMATING TO ALLOW FOR CONSOLIDATION OF USES AND REQUIREMENTS ON FEWER PAGES.

CHAPTER 55- TOTEM LAKE (TL) ZONES

55.11 User Guide. The charts in KZC 55.15 contain the basic zoning regulations that apply in the TL 1B zone of the City. 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 55.13

Section 55.13 GENERAL REGULATIONS

The following regulations apply to all uses in these zones unless otherwise noted:

1. Refer to Chapter 1 KZC to determine what other provisions of this Code may apply to the subject property.
2. In addition to the height exceptions established by KZC 115.60, the following exceptions to height regulations in TL zones are established:
 - a. Decorative parapets may exceed the height limit by a maximum of four feet; provided, that the average height of the parapet around the perimeter of the structure shall not exceed two feet
 - b. For structures with a peaked roof, the peak may extend eight feet above the height limit if the slope of the roof is equal to or greater than four feet vertical to 12 feet horizontal.
3. The minimum required front yard is 10 feet, unless otherwise prescribed in the use zone chart. Ground floor canopies and similar entry features may encroach into the front yard, provided the total horizontal dimension of such elements may not exceed 25 percent of the length of the structure. No parking may encroach into the required 10 foot front yard.
4. The ability to accommodate new development in the TL 1A and 1B zones is dependent upon the construction of two new streets: NE 130th Place, between 120th Ave. NE and Totem Lake Blvd. NE, and 119th Ave. NE, between NE 128th St. and NE 130th Place, as shown on Plate X. Consistent with and to the extent authorized by applicable statutes and court decisions, new development on properties across which these streets in whole or in part extend, shall contribute to the creation of the streets as follows:
 - a) With all new development, the portions of the streets crossing the subject property shall be dedicated as public right of way consistent with Plate X; and
 - b) With all new development exceeding 30 feet in height, the streets shall be improved consistent with Plate X.Minor deviations in the location, width and improvement of the streets may be approved by the Public Works Director if the deviations will not negatively affect the functioning of the streets.

USE ZONE CHART

REGULATIONS
 

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

Section 55.15	USE	REGULATIONS	Required Review Process	Lot Size	MINIMUMS			MAXIMUMS			Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Req'd Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
					Front	Side	Rear	Lot Coverage	Height of Structure					
.10	Office Use		DESIGN REVIEW Chapter 142 KMC	None	10' (See special regulation 3).	0'	0'	85% (see special regulation 4).	30' above average building elevation.	C	D	If a medical, dental, or veterinary office, then 1 per each 200 square feet of gross floor area, Otherwise 1 per 300 gross floor area.	<ol style="list-style-type: none"> Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: <ol style="list-style-type: none"> The assembled or manufactured goods are subordinate to and are dependent upon this use. The outward appearance and impacts of this use with ancillary assembly or manufacturing must be no different from other office uses. The following regulations apply to veterinary offices only: <ol style="list-style-type: none"> May only treat small animals on the subject property. Outside runs and other outside facilities for the animals are not permitted. Site must be designed so noise from this use is not audible off the subject property. A certification to this effect, signed by an Acoustical Engineer, must be submitted with the development permit application. A veterinary office is not permitted if the subject property contains dwelling units. 20 foot yard required where properties abut NE 132nd Street. Increases in lot coverage may be considered if: <ol style="list-style-type: none"> Land dedication on the subject property provided pursuant to General Regulation 4 limits area available for development on the property, and/or Other techniques used to provide open space result in superior landscaping, such as the use of gardens on lower portions of structures or on rooftops, the provision of visual and pedestrian access to public garden areas, or other approaches that provide for useable green space. 	
.20	Development containing both Office Use and Attached or Stacked Dwelling Units		DESIGN REVIEW Chapter 142 KMC	None	10' (See special regulation 2).	0'	0'	85% (see special regulation 5).	30'-160' above average building elevation (see special regulations 3 and 4).	C	D	See KZC 105.	<ol style="list-style-type: none"> The maximum Floor Area Ratio (F.A.R.) for this use is determined as follows: (% office use x 2) + (% residential use x 3) = FAR of each use allowed on the subject property. In addition, the following regulations apply to this use: <ol style="list-style-type: none"> Where land dedication for 119th Avenue NE is not required pursuant to General Regulation 4, office use is limited to .5 FAR. Where land dedication is required for the improvement of 119th Avenue NE, pursuant to General Regulation 4, office use may be increased according to the formula set forth in paragraph 1 above. Office use may not exceed 90% of the total FAR for the mixed use. 	

<p>development. If the office use is proposed, it prior to the residential use, the applicant may propose a rezoning plan for the residential component to the Planning Department. Maximum FAR is determined based on parcel size, prior to any road dedication required pursuant to General Regulation 4 for this zone.</p> <p>c. On parcels where land dedication is required pursuant to General Regulation 4, the maximum Floor Area Ratio (F.A.R.) may be increased by an additional .2 FAR of office use, or .3 of residential use for each 10% or portion thereof, of the subject property required to be dedicated.</p> <p>2. 20 foot yard required where properties abut NE 132nd Street.</p> <p>3. Within 100' of the centerline of NE 132nd Street, building height may not exceed 30 feet above the elevation of the centerline of NE 132nd Street along the subject property.</p> <p>4. Building height may be increased as follows:</p> <p>a. Building height may exceed 30' above average building elevation, if</p> <p>i. One of the following public improvements is provided:</p> <p>a. Dedication and improvement of new streets pursuant to General Regulation 4; or</p> <p>b. Where General Regulation 4 does not apply, the development of pedestrian oriented elements that exceed the requirements of KZC Section 92.10. Examples include pedestrian walkways through the subject property, public plazas, public art and fountains, and</p> <p>ii. Provides for at least 10 percent of the units in new residential developments of 10 units or greater as affordable housing units, as defined in Chapter 5 of the KZC. The number of affordable housing units is determined by rounding up to the next whole number (unit) if the fraction of the whole number is at least 0.66.</p> <p>An agreement in a form approved by the City must be recorded with King County Department of Records and Elections to stipulate conditions under which required affordable housing units will remain as affordable housing units for the life of the project for rental units, and at least 30 years from the date of initial owner occupancy for ownership units.</p> <p>Additional affordable housing incentives may be applicable to residential development (see Chapter 112 of the KZC).</p> <p>b. Building height may exceed 80' and be increased up to 160' above average building elevation, with the height increases to be based on the following considerations:</p> <p>i. Development on the subject property complies with 4(a) above,</p> <p>ii. Design of buildings meets guidelines for towers set forth in</p>									

Design Guidelines (KZC Chap [redacted] Chapter 3.30 KMC).

- iii. Floor plates may not exceed 10,000 square feet per floor, for the portion of the building above 80 feet in height.
 - iv. Methods for mitigating any significant shadowing and lighting impacts of the increased building height on the residential areas to the north are proposed.
 - v. Taller elements of buildings would be stepped back from the perimeter of TL 1B boundaries, away from adjacent residential zones.
 - vi. Portions of structures exceeding 80' in height must be separated by at least 60', both on the subject property and from taller building elements on adjacent properties.
5. Increases in lot coverage may be considered if:
- c. Land dedication on the subject property provided pursuant to General Regulation 4 limits area available for development on the property, and/or
 - d. Other techniques used to provide open space result in superior landscaping, such as the use of gardens on lower portions of structures or on rooftops, the provision of visual and pedestrian access to public garden areas, or other approaches that provide for useable green space.
6. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if:
- a. The assembled or manufactured goods are subordinate to and are dependent upon this use.
 - b. The outward appearance and impacts of this use with ancillary assembly or manufacturing must be no different from other uses.
7. The following regulations apply to veterinary offices only:
- c. May only treat small animals on the subject property.
 - d. Outside runs and other outside facilities for the animals are not permitted.
 - e. Site must be designed so noise from this use is not audible off the subject property. A certification to this effect, signed by an Acoustical Engineer, must be submitted with the development permit application.
 - f. A veterinary office is not permitted if the subject property contains dwelling units.

.30	Restaurant or Tavern	DESIGN REVIEW Chapter 142	See Special Regulation 1.	1 per each 100 sq. ft. of gross floor area.	<ol style="list-style-type: none">1. This use is only permitted as an accessory use to another permitted use within this zone. It may not be located in a separate structure from the primary use.2. This use is not allowed within 100 feet of NE 132~ Street. Access to this use from NE 132~ Street is not permitted.
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Section 55.15	REGULATIONS	Required Review Process	MINIMUMS			MAXIMUMS			Special Regulations (See also General Regulations)		
			Lot Size	REQUIRED YARDS (See Ch. 115)		Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)		Sign Category (See Ch. 100)	Req'd Parking Spaces (See Ch. 105)
				Front	Side						
.40	Any retail establishment, other than those specifically listed in this zone and those prohibited by Special Regulation 3, selling goods and providing services including banking and other financial services	DESIGN REVIEW Chapter 142				See special regulation 1.			<ol style="list-style-type: none"> This use is only permitted as an accessory use to another permitted use within this zone. It may not be located in a separate structure from the primary use. The location of drive-through facilities may not compromise pedestrian movement. The following uses and activities are prohibited: <ol style="list-style-type: none"> Vehicle and/or boat sales, repair, service or rental facilities. Retail establishments providing storage services unless accessory to another permitted use; Storage and operation of heavy equipment except normal delivery vehicles associated with retail uses; Outdoor storage of bulk commodities, except in the following circumstances: <ol style="list-style-type: none"> If the square footage of the storage area is less than 10% of the retail structure, If the commodities represent growing stock in connection with horticultural nurseries, whether the stock is in open ground, pots, or containers Floor area for this use may not exceed 5,000 square feet. 		

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

USE ZONE CHART

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

Section	USE REGULATIONS	Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Req'd Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	Front	Side	Rear	Lot Coverage	Height of Structure				
.50	Attached or Stacked Dwelling Units	DESIGN REVIEW Chapter 142	None	10' (See spec reg 5).	0'	0'	85% (See spec reg 8)	30'-160' above average building elevation (see special regulations 6 and 7).	C	A	See KZC 105.25.	<ol style="list-style-type: none"> Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use. Residential development must provide a minimum density of 50 dwelling units per gross acre. The maximum Floor Area Ratio (F.A.R.) for development on the subject property is 3.0, or 300 percent of lot size. Maximum FAR is determined based on parcel size, prior to any road dedication required pursuant to General Regulation 4 for this zone. On parcels where road dedication is required pursuant to General Regulation 4, the maximum Floor Area Ratio (F.A.R.) may be increased by an additional .30 for each 10% or portion thereof, of the subject property required to be dedicated. 20 foot yard required where properties about NE 132nd Street. Within 100' of the centerline of NE 132nd Street, building height may not exceed 30 feet above the elevation of the centerline of NE 132nd Street along the subject property. Building height may be increased as follows: <ol style="list-style-type: none"> Building height may exceed 30' above average building elevation, if one of the following public improvements is provided: <ol style="list-style-type: none"> Dedication and improvement of new streets pursuant to General Regulation 4; or Where General Regulation 4 does not apply, the development of pedestrian oriented elements that exceed the requirements of KZC Section 92.10. Examples include pedestrian walkways through the subject property, public plazas, public art and fountains, and Provides for at least 10 percent of the units in new residential developments of 10 units or greater as affordable housing units, as defined in Chapter 5 of the KZC. The number of affordable housing units is determined by rounding up to the next whole number (unit) if the fraction of the whole number is at least 0.66. <p>An agreement in a form approved by the City must be recorded with King County Department of Records and</p>

(50 cont.)

Electrons to stipulate conditions which required affordable housing units will remain as affordable housing units for the life of the project for rental units, and at least 30 years from the date of initial owner occupancy for ownership units.

Additional affordable housing incentives may be applicable to residential development (see Chapter 112 of the KZC).

- b. Building height may exceed 80' and be increased up to 160' above average building elevation, with the height increases to be based on the following considerations:
 - i. Development on the subject property complies with 7(a) above,
 - ii. Design of buildings meets guidelines for towers set forth in Design Guidelines (KZC Chapter 142, and Chapter 3.30 KMC).
 - iii. Floor plates may not exceed 10,000 square feet per floor, for the portion of the building above 80 feet in height.
 - iv. Methods for mitigating any significant shadowing and lighting impacts of the increased building height on the residential areas to the north are proposed.
 - v. Taller elements of buildings would be stepped back from the perimeter of TL 1B boundaries, away from adjacent residential zones.
 - vi. Portions of structures exceeding 80' in height must be separated by at least 60', both on the subject property and from taller building elements on adjacent properties.
- 8. Increases in lot coverage may be considered if:
 - a. Land dedication on the subject property provided pursuant to General Regulation 4 limits area available for development on the property, and/or
 - b. Other techniques used to provide open space result in superior landscaping, such as the use of gardens on lower portions of structures or on rooftops, the provision of visual and pedestrian access to public garden areas, or other approaches that provide for useable green space.



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

Section 55.15	USE ↓ REGULATIONS ↗	Required Review Process	MINIMUMS					MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Req'd Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure					
				Front	Side	Rear							
.60	Church	DESIGN REVIEW Chapter 142	None	10'. (See spec reg 3).	0'	0'	85-100 % (see spec reg 5).	40' above average building elevation (see special regulation 4).	C	B	1 for every four people based on maximum occupancy load of any area of worship. (See Spec. Reg. 2).	<ol style="list-style-type: none"> May include accessory living facilities for staff persons No parking is required for day-care or school ancillary to this use. 20 foot yard required where properties abut NE 132nd Street. When included as an accessory use within the structure of a primary use with a taller height limit, the height limit for the primary use applies. Increases in lot coverage may be considered if: <ol style="list-style-type: none"> Land dedication on the subject property provided pursuant to General Regulation 4 limits area available for development on the property, and/or Other techniques used to provide open space result in superior landscaping, such as the use of gardens on lower portions of structures or on rooftops, the provision of visual and pedestrian access to public garden areas, or other approaches that provide for useable green space. 	
.70	School, Day-care center or Mini-school or Mini-day-care	DESIGN REVIEW Chapter 142	None	10' (See Special Reg. 1).	0' (See Special Reg. 4).	0' (See Special Reg. 4).	85-100 % (see spec reg 7).	40' above average building elevation (See Special Reg. 6).	D	B	See KZC 105.25. (See Special Reg. 5).	<ol style="list-style-type: none"> 20 foot yard required where properties abut NE 132nd Street. A six-foot high fence is required along property lines adjacent to outside play areas. Hours of operation may be limited by the City to reduce impacts on nearby residential uses. Structured play areas must be setback from all property lines by at least five feet. An on-site passenger loading area may be required depending on the number of attendees and the extent of the abutting right-of-way improvements. When included as an accessory use within the structure of a primary use with a taller height limit, the height limit for the primary use applies. Increases in lot coverage may be considered if: <ol style="list-style-type: none"> Land dedication on the subject property provided pursuant to General Regulation 4 limits area available for development on the property, and/or Other techniques used to provide open space result in superior landscaping, such as the use of gardens on lower portions of structures or on rooftops, the provision of visual and pedestrian access to public garden areas, or other approaches that provide for useable green space These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388). 	

Section 55.15	USE	REGULATIONS	Required Review Process	Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage	MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Req'd Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
					Front	Side	Rear		Height of Structure					
.80	Assisted Living Facility	↑	DESIGN REVIEW Chapter 142	None	10' (See spec. reg. 4).	0'	0'	85% (see spec reg. 7).	30'-160' above average building elevation (see spec. regs. 5 and 6).	C	A	1 per assisted living unit.	<ol style="list-style-type: none"> Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use. The maximum Floor Area Ratio (F.A.R.) for development on the subject property is 3.0, or 300 percent of lot size. Maximum FAR is determined based on parcel size, prior to any road dedication required pursuant to General Regulation 4 for this zone. On parcels where road dedication is required pursuant to General Regulation 4, the maximum Floor Area Ratio (F.A.R.) may be increased by an additional .30 for each 10% or portion thereof, of the subject property required to be dedicated. 20' foot yard required where properties abut NE 132nd Street. Within 100' of the centerline of NE 132nd Street, building height may not exceed 30 feet above the elevation of the centerline of NE 132nd Street. Building height may be increased as follows: <ol style="list-style-type: none"> Building height may exceed 30' above average building elevation, if one of the following public improvements is provided: <ol style="list-style-type: none"> Dedication and improvement of new streets pursuant to General Regulation 4; or Where General Regulation 4 does not apply, the development of pedestrian oriented elements that exceed the requirements of KZC Section 92.10. Examples include pedestrian walkways through the subject property, public plazas, public art and fountains, and Provides for at least 10 percent of the units in new residential developments of 10 units or greater as affordable housing units, as defined in Chapter 5 of the KZC. The number of affordable housing units is determined by rounding up to the next whole number (unit) if the fraction of the whole number is at least 0.66. An agreement in a form approved by the City must be recorded with King County Department of Records and Elections to stipulate conditions under which required affordable housing units will remain as affordable housing 	

(.80 cont.)	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	<p>units for the life of the project [REDACTED] and at least 30 years from the date of initial owner occupancy for ownership units.</p> <p>Additional affordable housing incentives may be applicable to residential development (see Chapter 112 of the KZC).</p> <p>b. Building height may exceed 80' and be increased up to 160' above average building elevation, with the height increases to be based on the following considerations:</p> <ul style="list-style-type: none"> i. Development on the subject property complies with 6(a) above, ii. Design of buildings meets guidelines for towers set forth in Design Guidelines (KZC Chapter 142, and Chapter 3.30 KMC). iii. Floor plates may not exceed 10,000 square feet per floor, for the portion of the building above 80 feet in height. iv. Methods for mitigating any significant shadowing and lighting impacts of the increased building height on the residential areas to the north are proposed. v. Taller elements of buildings would be stepped back from the perimeter of TL 1B boundaries, away from adjacent residential zones. vi. Portions of structures exceeding 80' in height must be separated by at least 60', both on the subject property and from taller building elements on adjacent properties. <p>7. Increases in lot coverage may be considered if:</p> <ul style="list-style-type: none"> a. Land dedication on the subject property provided pursuant to General Regulation 4 limits area available for development on the property, and/or b. Other techniques used to provide open space result in superior landscaping, such as the use of gardens on lower portions of structures or on rooftops, the provision of visual and pedestrian access to public garden areas, or other approaches that provide for useable green space.
.90	Convalescent Center or Nursing Home	DESIGN REVIEW Chapter 142	None	10'. (See spec. reg 1).	0'	0'	80%	30'-160' above average building elevation (see spec. reg. 4).	C	B	1 for each bed.	<ol style="list-style-type: none"> 1. 20' foot yard required where properties abut NE 132nd Street. 2. Within 100' of the centerline of NE 132nd Street, building height may not exceed 30 feet above the elevation of the centerline of NE 132nd Street. 3. The maximum Floor Area Ratio (F.A.R.) for development on the subject property is 3.0, or 300 percent of lot size. Maximum FAR is determined based on parcel size, prior to any road dedication required pursuant to General Regulation 4 for this zone. 4. On parcels where road dedication is required pursuant to General Regulation 4, the maximum Floor Area Ratio (F.A.R.) may be increased by an additional .30 for each 10% or portion thereof, of the subject property required to be dedicated. 5. Building height may be increased as follows:

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																<p>a. Building height may exceed 30' above average building elevation, if one of the following public improvements is provided:</p> <ul style="list-style-type: none"> i. Dedication and improvement of new streets pursuant to General Regulation 4; or ii. Where General Regulation 4 does not apply, the development of pedestrian oriented elements that exceed the requirements of KZC Section 92.10. Examples include pedestrian walkways through the subject property, public plazas, public art and fountains and <p>b. Building height may exceed 80' and be increased up to 160' above average building elevation, with the height increases to be based on the following considerations:</p> <ul style="list-style-type: none"> i. Development on the subject property complies with 5(a) above. ii. Design of buildings meets guidelines for towers set forth in Design Guidelines (KZC Chapter 142, and Chapter 3.30 KIMC). iii. Floor plates may not exceed 10,000 square feet per floor, for the portion of the building above 80 feet in height. iv. Methods for mitigating any significant shadowing and lighting impacts of the increased building height on the residential areas to the north are proposed. v. Taller elements of buildings would be stepped back from the perimeter of TL 1B boundaries, away from adjacent residential zones. vi. Portions of structures exceeding 80' in height must be separated by at least 60', both on the subject property and from taller building elements on adjacent properties. <p>6. Increases in lot coverage may be considered if:</p> <ul style="list-style-type: none"> a. Land dedication on the subject property provided pursuant to General Regulation 4 limits area available for development on the property, and/or b. Other techniques used to provide open space result in superior landscaping, such as the use of gardens on lower portions of structures or on rooftops, the provision of visual and pedestrian access to public garden areas, or other approaches that provide for useable green space.
.100	Public Utility	DESIGN REVIEW Chapter 142	None	10'. See spec. reg 1.	0'	0'	0'	0'	80%	40' above average building elevation (see special regulation 2).	A	B	See KZC 105.25.	<ul style="list-style-type: none"> 1. 20 foot yard required where properties abut NE 132nd Street. 2. When included as an accessory use within the structure of a primary use with a taller height limit, the height limit for the primary use applies. 		
.110	Government	DESIGN	None	10'	0'	0'	0'	80%	40' above	C	B	See KZC	<ul style="list-style-type: none"> 1. 20 foot yard required where properties abut NE 132nd Street. 			

	Facility Community Facility	REVIEW Chapter 142		(see spec reg 1.			average building elevation (see special regulation 2).	special reg. 3).	105.25.	2. When included as an accessory use within [redacted] of a primary use with a taller height limit, the height limit for the primary use applies. 3. 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.
.120	Public Park	DESIGN REVIEW Chapter 142	None	Will be determined on a case-by-case basis.				B	See KZC 105.25.	

NOTE: FINAL PRODUCTION OF CHARTS WILL INCLUDE REFORMATING TO ALLOW FOR CONSOLIDATION OF USES AND REQUIREMENTS ON FEWER PAGES.

Chapter 92 – DESIGN REGULATIONS

92.05 Introduction 630.5

1. General
2. Applicability
3. D.R. Procedures
4. Landscaping
5. Dedication

92.10 Pedestrian-Oriented Elements 630.5

1. Installation of Sidewalks
2. Required Major Pedestrian Pathways
3. Pedestrian-Oriented Elements Provisions Supersede
4. Through-Block Sidewalks in the JBD
5. Pedestrian Weather Protection
6. Building Frontage
7. Access to Buildings
8. Pedestrian-Oriented Space and Plazas
9. Blank Wall Treatment
10. Treatment of Building Facades
11. Screening of Certain Areas

92.15 Entry Features in the JBD 630.12

92.20 Public Improvements and Site Features 630.12

1. Public Improvement and Site Feature Standards and Masterplan for Public Property
2. On-Site Improvements

92.25 Parking Area Location and Design 630.13

1. Location of Parking Lots
2. Parking Lot Entrances and Driveways
3. Parking Lots – Pedestrian and Vehicular Access
4. Internal Parking Lot Landscaping
5. Perimeter Parking Lot Landscaping
6. Perimeter Parking Lot Landscaping – Adjacent Properties
7. Parking Garages
8. Miscellaneous Parking Area Design Details

92.30 Scale 630.20

1. Techniques To Moderate Bulk and Mass in the CBD
2. Achieving Human Scale
3. Techniques To Achieve Architectural Scale

92.35 Building Material, Color and Detail 630.27

1. Required Elements
2. Prohibited Materials
3. Metal Siding
4. Concrete Block
5. Awnings
6. Covering of Existing Facades
7. Building Cornerstone or Plaque
8. Building Corners in the CBD

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92.05 Introduction

1. General – This chapter establishes the design regulations that apply to development in the Central Business District (CBD), the Juanita Business District (JBD), North Rose Hill Business District (NRHBD) and in Totem Center. Special provisions that apply to only the CBD, the JBD, the NRHBD or Totem Center are noted in the margins and text of the chapter.
2. Applicability – The provisions of this chapter apply to all new development. The provisions of Chapters 142 and 162 KZC regarding Design Review (D.R.) 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.
3. D.R. Procedures – The City will use Chapter 142 KZC to apply the regulations of this chapter to development activities that require D.R. approval.
4. Landscaping – Various places in this chapter require that landscaping be installed and maintained. The following provisions apply to the installation and maintenance of all landscaping, including street trees, installed under the provisions of this chapter unless otherwise specifically indicated:
 - a. At the time of planting, deciduous trees must be three to four inches in diameter, as measured using the standard of the American Association of Nurserymen, and coniferous trees must be six to eight feet in height at the time of planting.
 - b. Shrubs must be 18 inches high at the time of planting.
 - c. Drought-tolerant plants are encouraged.
 - d. The City will review plant choice and specific plant location as part of the D.R. approval. The City may also require or permit modification to the required plant size as part of D.R. approval. Where appropriate, the City will apply the provisions of KZC 95.20(2)(c) to require additional or more mature landscaping.
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.

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92.10 Pedestrian-Oriented Elements

This section contains regulations which require various pedestrian-oriented elements on or adjacent to the subject property.

1. Installation of Sidewalks – The applicant shall install a sidewalk constructed of concrete or unit pavers, at least 10 feet in width (or as specified in the public improvement and site feature masterplan), along the entire frontage of the subject property adjacent to each *pedestrian-oriented street*. If the required improvements cannot be accommodated within existing right-of-way, the difference may be made up with a public easement over private property. Buildings may cantilever over such easement areas, flush with the property line. (See Figures 92.10.A, B, B.1, B.2 and C).
2. Required Major Pedestrian Pathways – If the subject property abuts a street designated to contain a major pedestrian pathway on Figure 92.10.A, 92.10.B, 92.10.B.1 or Figure 92.10.B.2, the applicant shall install that pathway on and/or adjacent to the subject property consistent with the following standards:

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- a. The major pedestrian pathways must be installed in the approximate location shown on Figures 92.10.A, 92.10.B and 92.10.B.1, and make the connections shown on the figures.
 - b. The major pedestrian pathways must be paved with concrete or unit pavers and have a minimum width of at least eight feet, unless otherwise noted in Figure 92.10.A. If the required improvements cannot be accommodated within the existing right-of-way, the difference may be made up with a public easement over private property. Buildings may cantilever over such easement areas, flush with the property line.
 - c. The major pedestrian pathways must have adequate lighting with increased illumination around building entrances and transit stops.
 - d. If parcels are developed in aggregate, then alternative solutions may be proposed.
3. Pedestrian-Oriented Elements Provisions Supersede – If the provisions of subsections (1) and (2) of this section both apply to improvements within and/or adjacent to a street, the provisions of subsection (1) of this section, and not subsection (2) of this section, must be followed.

Pedestrian Circulation in the CBD

FIGURE 92.10.A

Pedestrian Circulation in the JBD

FIGURE 92.10.B

Pedestrian Circulation in the NRHBD

FIGURE 92.10.B.1

Pedestrian Circulation in Totem Center

Figure 92.10.B.2

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Pedestrian Circulation in Totem Center

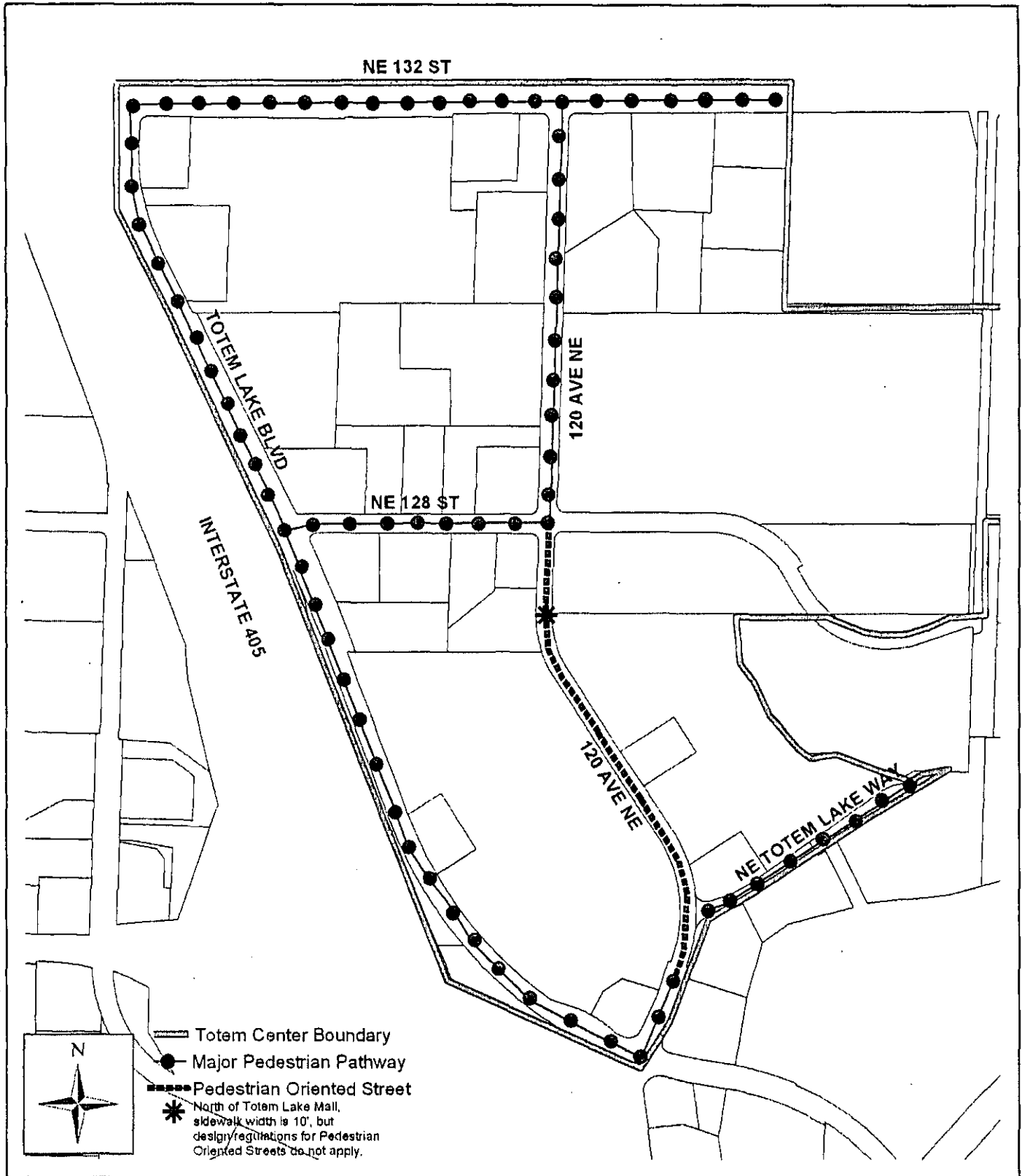


Figure 92.10.B.2

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Required Sidewalk on Pedestrian-Oriented Streets and Major Pedestrian Ways

FIGURE 92.10.C

JBD

- 4. Through-Block Sidewalks in the JBD – The applicant shall install a through-block sidewalk extending from the north end to the south end of JBD 1 of the Juanita Business District. Two through-block sidewalks, spaced far enough apart to provide maximum accessibility for the whole block, will also extend from the east side to the west side of JBD 1.

The alignment of these sidewalks will take into account proposed and existing buildings and, to the extent possible, will extend along building fronts or property lines.

- a. The applicant must install sidewalks that run generally north/south (or diagonally northeast/southwest) and east/west on the subject property. The sidewalks shall be located to provide a direct continuation of the existing or future through-block sidewalk on adjacent properties. When possible, the sidewalks shall be located to create view corridors and reinforce connections to Lake Washington. During the D.R. process, the City may determine that a through-block sidewalk is not required if a suitable sidewalk exists on adjacent properties.
- b. Through-block sidewalks adjacent to the front of buildings must be 10 feet wide with a six-inch vertical curb, and paved with concrete or unit pavers. Sidewalks that are not adjacent to the front of buildings must have a minimum width of eight feet and be differentiated from underlying pavement with texture or material, unless otherwise determined through D.R.
- c. The through-block sidewalks must have adequate lighting with increased illumination around building entrances and transit stops.
- d. If parcels are developed in aggregate, then alternative solutions may be proposed.
- e. Barriers which will limit pedestrian access between the subject property and adjacent properties are not permitted.

TC

- 5. Through-Site Connections in TL 2 – The applicant shall install at least one through-site connection from Totem Lake Boulevard to 120th Avenue NE, between the upper and lower portions of TL 2 and within TL 2 where necessary, to strengthen the pedestrian connections to streets and between buildings, parking areas and public spaces. Pedestrian connections to surrounding uses, including the Transit Center, the Evergreen Hospital Medical Center campus and to the TL 1 zone should also be provided.

Pedestrian connections should be developed according to the following standards:

- a. The minimum width, curb specifications and paving materials for through-site connections shall be established through the Conceptual Master Plan review.
- b. Through-site connections must have adequate lighting, with increased illumination around building entrances and at street crossings.
- c. Barriers which will limit pedestrian access between the subject property and adjacent properties are not permitted.

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CBD, JBD and TC, 6 Pedestrian Weather Protection – The applicant shall provide overhead weather protection, consistent with the following standards:

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- CBD a. In the CBD, along at least 80 percent of the frontage of the subject property on each pedestrian-oriented street;
- JBD b. In the JBD, along 100 percent of the front of the building;
- c. The overhead weather protection may be composed of awnings, marquees, canopies or building overhangs;
- d. It must cover at least five feet of the width of the sidewalk. The width may vary (not less than three feet) to accommodate street trees, streetlights, etc.;
- e. The lowest element of the overhead weather protection must be at least eight feet above the ground immediately below it;
- f. The City will specifically review and approve the color, material and configuration of all overhead weather protection as part of the D.R. decision. See KZC 92.35(5), Awnings.

JBD 7. Building Frontage – In the JBD, all buildings must front on a right-of-way or through-block sidewalk.

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8. Access to Buildings

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CBD a. In the CBD, all buildings on property abutting pedestrian-oriented streets must have direct access from the sidewalk of the pedestrian-oriented street to the main building entrance.

JBD b. In the JBD, all buildings must have convenient access from the street sidewalk or the through-block sidewalk to the main building entrance.

NRHBD c. In the NRHBD, all buildings on property abutting major pedestrian pathways must have direct access from the sidewalk of the major pedestrian pathway to the main building entrance.

TC d. In Totem Center, all buildings on property abutting a major pedestrian pathway or a pedestrian-oriented street must have convenient access from the sidewalk of the major pedestrian pathway or pedestrian-oriented street to the main building entrance.

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TC, CBD 9. Pedestrian-Oriented Space and Plazas
NRHBD

CBD/TC a. In the CBD or in Totem Center, if the subject property abuts a pedestrian-oriented street or public park, the space, if any, between the sidewalk and the building must be developed consistent with the following criteria:

- 1) 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.

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- 4) Contain two linear feet of seating area or one 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 (10) of this section.

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

NRHBD

- b. In the NRHBD, if the subject property abuts a *major pedestrian pathway* on the southwest corner of NE 116th Street and 124th Avenue NE, 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 linear feet of seating area or one 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 criteria (1) through (5) above.

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10. Blank Wall Treatment

- a. Each wall or portion of a wall that is closer than 50 feet to any exterior property line of the subject property and is visible from any right-of-way or is adjacent to a through-block sidewalk, must be screened or treated in at least one of the ways listed in subsection (9)(c) of this section if it meets the criteria for a blank wall under subsection (10)(b) of this section.
- b. A blank wall is any wall or portion of a wall that meets either of the following criteria (see Figure 92.10.D):
 - 1) A wall or portion of a wall with a surface area of at least 400 square feet having both a length and a width of at least 10 feet without a window, door, building modulation at least one foot in depth or other architectural feature.
 - 2) Any wall or portion of a wall between four feet and 13 feet above ground level with a horizontal dimension longer than 15 feet without a window, door, building modulation at least one foot in depth or other architectural feature.

Designating Blank Walls

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FIGURE 92.10.D

- c. At least one of the following techniques must be used to treat or screen blank walls:
- 1) By the installation of a vertical trellis with climbing vines or plant material in front of the blank wall.
 - 2) By providing a landscaped planting bed at least five feet wide or a raised planter bed at least two feet high and three feet wide in front of the blank wall and planted with plant materials that will obscure or screen at least 50 percent of the blank wall within two years.
 - 3) By providing artwork, such as mosaics, murals, sculptures or bas-relief on the blank wall.
 - 4) By proposing alternative techniques as part of the D.R.
- d. The provisions of this subsection (10) may be modified or eliminated as part of the D.R. decision if they conflict with the Uniform Building Code.

CBD

11. Treatment of Building Facades – In the CBD, each facade of a building facing a *pedestrian-oriented street* or public park must contain or be treated with at least one of the following elements:

- a. It must contain transparent windows or window displays comprising at least 75 percent of the area of the facade between two feet and seven feet above ground level (see Figure 92.10.E).
- b. It must contain sculptural, mosaic or bas-relief artwork comprising at least 75 percent of the area of the facade between two feet and seven feet above ground level (see Figure 92.10.E).
- c. The area next to the facade must be developed such that for every 10 linear feet of the facade, at least 20 square feet of this area must be developed with landscaping consistent with subsection (10)(c)(1) or (2) of this section, depending on the location, dimensions, and size of the area.

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Pedestrian-Friendly Building Facade Requirements**FIGURE 92.10.E**

12. Screening of Certain Areas – All loading areas, service areas, outdoor storage areas of more than 100 square feet; areas containing waste storage and disposal facilities or containers; and similar areas must be:

- 1) Located on the subject property so that they are not visible from any street, through-block sidewalk, or public park. If the City determines that this is not physically possible, then these areas must be screened from public view using a compact evergreen hedge, a solid wall or fence, or in a manner approved by the City as part of the D.R. decision.
- 2) Screened from on-site ground floor uses using a compact evergreen hedge, a solid wall or fence, or in a manner approved by the City as part of the D.R. decision.

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92.15 Entry Features in the JBD

JBD In the JBD, if the subject property includes an area designated for an entry feature in the Comprehensive Plan or design guidelines, the applicant shall provide the City with a publicly maintained easement or dedication of property for this purpose. The size of the entry feature area will be at least 100 square feet. The applicant shall propose and install landscaping for the area that will be reviewed by the City and decided upon as part of the design review for the proposed development.

92.20 Public Improvements and Site Features

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

a. The Public Works Director, in consultation with the Planning Director, shall administratively adopt and publish public improvement and site feature standards for the placement, installation, construction and maintenance of the following features to be constructed on and adjacent to major pedestrian pathways, streets, alleys and public parks:

- 1) Street trees and street tree grates.
- 2) Landscape plant materials.
- 3) Paving materials.
- 4) Lighting fixtures for streets, pedestrian areas and special areas.
- 5) Public signs.
- 6) Benches and seating areas.
- 7) Trash receptacles.
- 8) Drinking fountains.
- 9) Sidewalk widths and details.
- 10) Bicycle racks.
- 11) Bollards.
- 12) Crosswalks.

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

- b. The City shall adopt a masterplan for public spaces. The masterplan shall discuss the placement of the features noted in subsection (1)(a) of this section, present a long-range and coordinated plan for public property, and further implement the downtown plan chapter and the JBD plan provisions of the Comprehensive Plan.
- c. Once adopted and published, the City may allow departure from the public improvement and site feature standards or the masterplan as part of the D.R. approval where

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compliance with those standards or masterplan is not feasible or where major development warrants special design emphasis.

2. On-Site Improvements

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

92.25 Parking Area Location and Design

This section regulates the location and design of, access for and other features of parking areas.

1. Location of Parking Lots

CBD/TC

- a. In the CBD and in Totem Center:
 - 1) On *pedestrian-oriented streets*, parking lots shall not be located between the *pedestrian-oriented street* and a building unless specified in the public improvement and site feature masterplan or in a Conceptual Master Plan in TL 2.
 - 2) On all other streets, parking lots shall not be located between the street and the building on the subject property unless no other feasible alternative exists.

JBD, NRHBD b. In JBD 2 and the NRHBD, parking lots shall not be located between the street and the building unless no other feasible alternative exists on the subject property.

2. Parking Lot Entrances and Driveways – As part of D.R., the City may impose additional restrictions on the width, number and location of driveways to and from the subject property to improve vehicle circulation or public safety or to enhance pedestrian movement or desirable visual characteristics. Parking lot entrances and driveways must be shared between properties whenever possible.

3. Parking Lots – Pedestrian and Vehicular Access

- a. Any property adjacent to a right-of-way or park must contain a pedestrian walkway from the right-of-way or park to the main entrance of the building, or to a central location if the building has multiple entrances, even if this pathway must cross a parking lot (see Figure 92.25.A).
- b. As determined through D.R., the walkway shall be:
 - 1) Centrally located within the parking lot.
 - 2) Delineated by painted markings, distinctive pavement, or by being raised six inches above the parking lot pavement.
 - 3) At least five feet wide.
 - 4) Handicapped accessible.
- c. All parking lots which contain more than 25,000 square feet of paved area, including access lanes and driveways, must include clearly identified pedestrian routes from the parking stalls to the main building entrance or central location.

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- d. In addition to the walkways required under subsections (3)(a) and (3)(b) of this section, the applicant must provide a sidewalk, plaza or platform with an area of at least 175 square feet at the main building entrance or central location. This area must be raised at least six inches above the parking lot surface and must be paved with concrete or unit pavers.
- e. Convenient pedestrian access must be provided on the subject property to adjacent properties. Barriers which will limit future pedestrian and vehicular access are not permitted.

Pedestrian Walkway

FIGURE 92.25.A

- 4. Internal Parking Lot Landscaping – The following provisions apply to each parking lot or portion thereof containing more than 14 parking stalls within 100 feet of a street, through-block sidewalk or public park. The provisions do not apply to parking lots that are not visible from a street, through-block sidewalk or public park.
 - a. The parking lot must contain 25 square feet of landscape area per parking stall planted as follows (see Figure 92.25.B):
 - 1) At least one tree for every six parking stalls.
 - 2) At least one shrub for every 20 square feet of landscaped area. Up to 50 percent of the shrubs may be deciduous.
 - 3) Groundcover shall be selected and planted to achieve 90 percent coverage within two years.
 - 4) The location of the landscaping will be reviewed through D.R.
 - b) As part of the D.R., the City may require or permit a modification to the provisions of subsection (4)(a) of this section to use existing vegetation for internal parking lot landscaping.
- 5. Perimeter Parking Lot Landscaping – Each side of a parking lot that abuts a street, through-block sidewalk or public park must be screened from that street, through-block sidewalk or public park using one or a combination of the following methods:
 - a. By installation of a compact evergreen hedge or wall consistent with the following standards as applicable (see Figure 92.25.C):
 - 1) The hedge or wall must extend at least two feet, six inches, and not more than three feet above the ground directly below it.
 - 2) The wall may be constructed of masonry or concrete, if consistent with the provisions of KZC 92.35(1)(g)(1), in building material, color and detail, or of wood if the design and materials match the building on the subject property.
 - 3) In the JBD, if the street is a *pedestrian-oriented street*, the wall may also include a continuous trellis or grillwork, at least five feet in height above the ground, placed on top of or in front of the wall and planted with climbing vines consistent with KZC

JBD

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92.05(4), Landscaping. The trellis or grillwork may be constructed of masonry, steel, cast iron and/or wood.

JBD

- 4) In the JBD, if the wall abuts a *pedestrian-oriented street*, the requirements of this subsection may be fulfilled by providing *pedestrian weather protection* along at least 80 percent of the frontage of the subject property.
- b. By providing a landscaped strip, consistent with KZC 92.05(4), Landscaping, at least five feet wide planted as follows (see Figure 92.25.D):
 - 1) Trees planted 30 feet or closer on center.
 - 2) At least one shrub for every 20 square feet of landscaped strip.
 - 3) Groundcover selected and planted to achieve 90 percent coverage of the remaining landscaped strip within two years.
- c. As part of D.R., the City may require or permit a modification to the provisions of subsection (4)(b) of this section to use existing vegetation for perimeter parking lot landscaping.

Internal Parking Lot Landscaping

FIGURE 92.25.B

FIGURE 92.25.C

Shrub and Trees Option for Perimeter Parking Lot Landscaping

FIGURE 92.25.D

6. Perimeter Parking Lot Landscaping – Adjacent Properties – Each side of the perimeter of a parking lot containing more than 14 parking stalls, that is within 10 feet of any adjacent property and that is not regulated under the provisions of this subsection (6), shall be screened using a combination of the following methods:
 - a. By installing a solid, continuous fence or wall at least five feet in height constructed of wood and/or masonry.
 - b. By installing a compact evergreen hedge designed to reach at least five feet in height.
 - c. As part of D.R., the City may require or permit a modification to the provisions of this subsection for any side of the parking lot which abuts or is connected to a parking lot on an adjacent property if the parking lots have internal vehicular or pedestrian connections.
7. Parking Garages
 - a. Each facade of a garage or a building containing ground floor parking must either:

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- 1) Provide and maintain a ground floor area of the garage or building extending along the entire facade of the garage or building (excluding vehicle access points) which is developed as and made available for pedestrian-oriented businesses (see Figure 92.25.E); or

Providing Space for Pedestrian-Oriented Business

FIGURE 92.25.E

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- 2) Provide and maintain a pedestrian-oriented space, consistent within the standards of KZC 92.10(8), at least 10 feet in depth and extending along the entire facade of the garage or building (excluding vehicle access points); or
 - 3) Treat the facade consistent with KZC 92.10(10)(a), (b), or (c), Treatment of Building Facades.
- b. There must be architectural screening or other treatment of openings above the ground level for the facades of parking garages along *pedestrian-oriented streets* or through-block sidewalks.
 - c. All parking garages and parking within a structure must contain designated pedestrian walkways that:
 - 1) Do not use vehicle entrance or exit driveways, from the parking area to a public right-of-way; and
 - 2) Go from the parking spaces to the pedestrian entrance of the building served by the parking.
8. Miscellaneous Parking Area Design Details
- a. All parking areas must have adequate lighting. Lights in parking lots must be nonglare and must be mounted no more than 20 feet above the ground.
 - b. All landscape and pedestrian areas shall be protected from encroachment by parked cars. At a minimum, the parking area must be designed and constructed so that car wheels are kept at least two feet from landscape and pedestrian areas. Freestanding wheel-stop bumpers must be replaced or repaired if cracked or broken (see Figure 92.25.F).
 - c. No freestanding or wall-mounted signs for individual parking spaces are permitted to extend more than three feet above the ground. Provisions in the UBC for handicapped stalls supersede this requirement.
 - d. Moveable parking area equipment, such as barrels and sawhorses, may not be visible from a street when not in use. Parking areas and accessory components, areas and facilities must be well-maintained and kept in a clean, neat and litter-free manner at all times.

Extended Curb Used To Protect Landscape Strip

FIGURE 92.25.F

92.30 Scale

CBD 1. Techniques To Moderate Bulk and Mass In the CBD

- a. General – This section establishes required techniques to be used in the design and construction of building facades in specific areas of the CBD. The applicant shall comply with the techniques listed below in order to reduce the perceived bulk and mass of large structures by dividing the building mass into smaller-scale components. As an alternative, the City may approve other techniques, elements, or methods if consistent with the following criteria:

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- 1) The alternative is generally consistent with the downtown plan provisions of the Comprehensive Plan and the design guidelines.

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- 2) The alternative clearly provides superior moderation of the architectural bulk and mass than would result from strict application of the required techniques.
- b. Vertical Definition – The applicant shall comply with the following requirements to moderate the horizontal scale of buildings:
- 1) All Zones – The maximum length of any facade facing a street is 70 feet without vertical definition. Vertical definition may be in the form of changes in color and materials, modulations of sufficient width and depth to define the vertical element, or some combination of these techniques. This vertical element should carry through all floors of the building.
 - 2) CBD 4, CBD 6, CBD 8 – Along First Street, Second Street South, First Avenue South, and Fifth Street, 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):
 - a) 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.
 - b) The modulation shall be 20 feet in depth and shall start at finished grade and extend through all floors.
 - c) Decks and roof overhangs may encroach up to three feet (per side) into the modulation.

Vertical Definition: CBD 4, 6, and 8

FIGURE 92.30.A

- 3) CBD 6, CBD 8: Along the axes of all buildings which are predominantly east-west and/or most closely parallel to Central Way, Third Avenue, Fourth Avenue, or Sixth Avenue, the maximum length of a building is 120 feet. The following exceptions apply (see Figure 92.30.B):
 - a) Portions of buildings which are below the elevation of Third Avenue, Fourth Avenue, or Sixth Avenue, as measured at the midpoint of the frontage of the subject property on the applicable right-of-way, may exceed the 120-foot limitation.
 - b) Portions of the building above Third Avenue, Fourth Avenue, or Sixth Avenue shall be divided into two or more distinct building masses with a maximum length of 120 feet separated by at least 20 feet in width.
 - c) Decks, bay windows, roof overhangs, and chimneys may encroach up to three feet (per side) into the separation.

Vertical Definition: CBD 6 and 8

FIGURE 92.30.B

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c. Horizontal Definition – The applicant shall comply with the following requirements to moderate the vertical scale of buildings. All buildings in the CBD shall include design techniques which clearly define the building's top, middle, and bottom (see Figure 92.30.C). The following techniques are suggested methods of achieving vertical articulation:

- 1) Top: Sloped roofs, strong eave lines, cornice treatments, horizontal trellises, or sunshades, etc.
- 2) Middle: Windows, balconies, material changes, railings, and similar treatments that unify the building design.
- 3) Bottom: Pedestrian-oriented storefronts, pedestrian scale building details, awnings, arcades, "earth" materials such as concrete stone, stucco, etc.

Where appropriate, the applicant should coordinate the horizontal elements (i.e., cornices, window lines, arcades, etc.) in a pattern and height to reflect similar elements on neighboring buildings.

Horizontal Definition: Articulation of Buildings' Top, Middle and Bottom

FIGURE 92.30.C

2. Achieving Human Scale

a. General

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CBD

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

JBD, NRHBD, TC

- 2) JBD, NRHBD and Totem Center: Except as provided in subsection (2)(a)(3) of this section, the applicant shall use at least one of the elements or techniques listed in subsection (2)(b) of this section in the design and construction of each facade of a one-story building facing a street or through-block sidewalk, and at least two of the elements or techniques for a two-story building facing a street or through-block sidewalk.

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- 3) The applicant shall use at least three of the elements or techniques listed in subsection (2)(b) of this section in the design and construction of any facade of a building facing a street, through-block sidewalk or public park, if:

- a) The facade has a height of three or more stories; or
- b) The facade is more than 100 feet long.

b. Techniques To Achieve Human Scale – The techniques to be used in the design and construction of building facades under subsection (2)(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 in the Comprehensive Plan.

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- 1) On each story above the ground floor, provide balconies or decks, at least six feet wide and six feet deep.
- 2) On each story above the ground floor, provide bay windows that extend out at least one foot, measured horizontally, from each facade of the building.
- 3) Provide at least 150 square feet of pedestrian-oriented space that meets the criteria of KZC 92.10(8) and is in front of each facade.
- 4) Provide at least one-half of the window area above the ground floor of each facade consistent with all of the following criteria (see Figure 92.30.D):
 - a) The windows must have glazed areas with dimensions less than five feet by seven feet.
 - b) The windows must be surrounded by trim, molding and/or sill at least two inches wide.
 - c) Individual window units must be separated from adjacent window units by at least six inches of siding or other exterior finish material of the building.
- 5) Provide at least one-half of the window area above the ground floor of each facade facing a street or public park in panes with dimensions less than two feet by three feet and with individual panes separated by window mullions (see Figure 92.30.E).

Individual Windows Option

FIGURE 92.30.D

Multiple-Paned Fenestration Option

FIGURE 92.30.E

- 6) Provide a hipped or gable roof which covers at least one-half of the building footprint and has a slope equal to or greater than three feet vertical to 12 feet horizontal.
 - 7) If the main entrance of the building is on the facade of the building facing a street, through-block sidewalk, 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 92.10(5) 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 or more stories above the ground floor setback at least six feet from the ground floor facade facing the street, through-block sidewalk, or a public park.
3. Techniques To Achieve Architectural Scale – The applicant shall use at least two of the following elements and features in the design and construction of all buildings that are three or more stories or have a building footprint of more than 10,000 square feet. As an

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alternative, the applicant may propose slight variations from the required dimensions noted in the following techniques, or other methods to comply with the requirements of this subsection. The City may approve the proposal if it is consistent with the design guidelines and the Comprehensive Plan.

- a. All stories above the second story must be set back at least 10 feet from the ground floor facade along at least two facades of the building.
- b. On all building facades visible from a street or public park, provide horizontal modulation consistent with all of the following standards:
 - 1) The maximum allowable horizontal dimension of the facade between modulations is 70 feet;
 - 2) The minimum depth of each modulation, except balconies, is 10 feet; and
 - 3) The minimum width of each modulation, except balconies, is 15 feet.
- c. On all building facades visible from a street or public park, provide balconies which are consistent with the following standards:
 - 1) Balconies must be placed on at least every other floor above the ground floor;
 - 2) The maximum distance between balconies, measured horizontally, is 100 feet; and
 - 3) The minimum amount of floor area for each balcony is 100 square feet.
- d. Provide vertical modulation of the roof line of all facades of the building adjoining a street or public park. For buildings with flat, gabled, hipped or similar roofs, the maximum length of any continuous roof line, with a slope of less than three feet vertical to 12 feet horizontal, is 50 feet without being modulated. If modulation is necessary, at least one of the following methods must be used (see Figure 92.30.F):
 - 1) The height of the visible roof line must change at least eight feet if the adjacent roof segments are less than 50 feet in length.
 - 2) The height of the visible roof line must change at least 12 feet if the adjacent roof segments are greater than 50 feet in length.

Flat Roof Modulation Options

FIGURE 92.30.F

- 3) The length of a sloped or gabled roof line segment must be at least 20 feet. The minimum slope of the roof segment is three feet vertical to 12 feet horizontal.
- e. Buildings with other roof forms, such as arched, gabled, vaulted, dormered or sawtooth, must have a significant change in slope or significant change in roof line at least every 100 feet.

92.35 Building Material, Color and Detail

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1. Required Elements – The applicant shall incorporate at least three of the following elements on each facade of a building that faces a street, through-block sidewalk or a public park. As an alternative, the applicant may propose other mechanisms for providing interesting visual detail to buildings, consistent with the design guidelines.
 - a. Decorative roof lines, including ornamental molding, frieze or other roof line devices visible from the ground. Linear features must be at least eight inches wide, measured vertically.
 - b. Decorative molding or framing details around all ground floor doors and windows. The molding or trim may have a traditional, contemporary, geometric or sculptural design.
 - c. Decorative glazing on all ground floor doors and windows, including stained glass, crystal cut glass, etched glass or similar individualized and permanent treatment, but excluding single-colored glass, opaque glass or plastic. On all ground floor windows, this decorative glazing must have a surface area of at least 30 square feet.
 - d. Railings, grill work, landscape guards or other similar elements including materials, design, configuration, embellishment or workmanship that exceeds the normal functional requirements for the element.
 - e. Trellises or arbors having an area of at least 100 square feet and planted, consistent with the requirements of KZC 92.05(4), to achieve at least 30 percent coverage of the trellis or arbor with plant material within three years.
 - f. Decorative light fixture or fixtures, either one if one-of-a-kind or custom-built or one every 30 feet along the facade of the building if not one-of-a-kind or custom-built, that meet either of the following criteria:
 - 1) Includes a diffuse, visible light source, such as a globe.
 - 2) Contains a shade or mounting that includes some use of material, configuration, shape, embellishment or detail that exceeds the normal functional requirement for the shade or mounting.
 - g. Use of any of the following decorative materials:
 - 1) Any of the following decorative masonry elements:
 - a) Decorative masonry patterns, other than running bond pattern.
 - b) Bricks, tile, stone, cast stone or other masonry units of at least two colors installed in layers or tiers to form a geometric pattern.
 - c) Decorative bands of masonry, such as a soldier course of brick or multicolored ceramic tile band, in conjunction with another exterior surface material.
 - 2) Individualized wood patterns or continuous wood details, such as fancy butt shingles in a geometric pattern, decorative moldings, brackets, eave trim or lattice work.
 - 3) Ceramic tile, stone, glass blocks, camera glass or other similar materials incorporated into other compatible surface materials and used to form or create, or in conjunction with, a geometric pattern, distinctive shape, unusual surface treatment, special lighting or other decorative or textural element.

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- 4) Other materials with decorative or textural qualities, as demonstrated by architectural drawings and material samples, approved by the City as part of D.R.
 - h. Decorative unit paving, including at least 50 square feet of multicolored tile, paver blocks, brick or other paving material in a decorative pattern, installed in a pedestrian-circulation area adjacent to the facade.
 - i. Artwork in the form of a mosaic mural, bas-relief sculpture, light sculpture, water sculpture, fountain, freestanding sculpture, art in pavement, murals, graphics or other forms, either freestanding in front of the facade or attached to the facade.
2. Prohibited Materials – The following materials may not be used on any exterior surface which is visible from any area beyond the subject property:
 - a. Mirrored glass.
 - b. Corrugated fiberglass.
 - c. Chain link fencing, except for temporary purposes, such as during construction.
 3. Metal Siding – Corner and edge trim must be used to cover exposed edges of metal siding. If metal siding covers more than 25 percent of a building's facade, the following regulations apply:
 - a. The siding must have a matted finish.
 - b. The siding must be in a neutral, earth tone or dulled color such as buff, grey, beige, tan, creme, white, barn-red, blue-grey, burgundy or ocher.
 - c. The facade must have visible window and door trim painted or finished in a color which is complementary to the siding color.
 4. Concrete Block – Any concrete block, masonry unit or cinder block wall which is visible from a street or public park must contain one or more of the following features or elements:
 - a. Use of textured blocks with surfaces such as split-faced or grooved.
 - b. Use of colored mortar complementary to the color of the blocks.
 - c. Use of other surface material such as bricks, glass blocks or tile as a significant feature of the wall.
 5. Awnings
 - a. The design of awnings should complement the architecture of the building. Steel and glass, fabric, and other materials of a more permanent nature are encouraged. Vinyl or plastic awnings and awnings used predominantly for advertising are discouraged.
 - b. Translucent awnings shall not be backlit. Lights directed downward mounted from internal awning frames are permitted. Lights mounted above awnings and directed downward are permitted.
 6. Covering of Existing Facades – Existing brick or cast stone masonry facades may not be covered with metal siding, metal screening, plastic siding, fiberglass siding, plywood siding, or wood siding materials. Other existing facades may be covered if consistent with the

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provisions of this subsection (6). As part of D.R. for remodels, the City may require the removal of coverings.

7. Building Cornerstone or Plaque – All commercial buildings designed for use by more than one tenant must have a building cornerstone or plaque, placed in a prominent location, consistent with the following standards:
 - a. Building cornerstones must be constructed in carved stone, cast stone, carved masonry, terra cotta or other vandal-resistant material.
 - b. Building plaques must be mounted no lower than two feet and no higher than 10 feet above ground and must be made of bronze, brass, anodized aluminum, porcelain enamel-covered steel or aluminum or other corrosion-resistant material.
 - c. Building cornerstones and plaques must indicate the name of the building and, if known, the date of construction and architect.
 - d. Building cornerstones and plaques may include the owner's name and other historical information.

CBD

8. Building Corners in the CBD – If the subject property is adjacent to the intersection of two streets, at least one of which is a *pedestrian-oriented street*, the applicant shall use one or more of the following elements or treatments in the design and construction of the corner of the building facing the intersection of the streets which includes the *pedestrian-oriented street*. As an alternative, the applicant may propose other techniques, elements or treatments in the design of the corner which are consistent with the design guidelines and the provisions of the Comprehensive Plan.
 - a. Provide at least 100 square feet of sidewalk area or pedestrian-oriented open space in addition to the area required to produce a 10-foot-wide sidewalk as required under KZC 92.10(1) (see Figure 92.35.A).
 - b. Provide an entranceway to a store, building atrium or lobby, exterior courtyard or pedestrian-oriented open space (see Figure 92.35.B).
 - c. Provide a pedestrian pathway, at least eight feet in width, that connects to another street, public feature or building (see Figure 92.35.B).
 - d. Provide one or more of the elements listed below on both sides of an axis running diagonally through the corner of the building and bisecting the angle formed by the two building facades (see Figure 92.35.C):
 - 1) A bay window or turret.
 - 2) A roof deck.
 - 3) Balconies above the ground floor.
 - 4) A building corner setback notch or curved facade surface.
 - 5) Sculpture or artwork, either bas-relief or figurative.
 - 6) Distinctive use of facade materials.

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- e. Provide special or unique treatment, other than the use of fabric or vinyl awnings, for pedestrian weather protection at the corner of the building.

Options for Corner Setback Configurations

FIGURE 92.35.A

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Options for Corner Entry Elements

FIGURE 92.35.B

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Architectural Elements for Corners

FIGURE 92.35.C

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105.75 Parking Area Design – Landscaping

1. General – Except as specified in subsection (2) of this section, the applicant shall arrange the spaces so that there are no more than eight contiguous spaces in each row of spaces. An island or peninsula of the same dimensions as the adjacent parking stalls must separate adjacent groups of spaces from one another and each row of spaces from any adjacent driveway which runs perpendicular to the row. This island or peninsula must be surrounded by a six-inch high vertical curb and must be landscaped with at least one deciduous tree, two inches in diameter as measured using the standards of the American Association of Nurserymen or a coniferous tree five feet in height.
2. Exception – The requirements of subsection (1) of this section do not apply to any parking area that:
 - a. Is within the CBD Zone; or
 - b. Is within or under a building; or
 - c. Contains less than 14 parking spaces; or
 - d. Is within the JBD, NRHBD or Totem Center Zones and requires JBD, NRHBD, or Totem Center design regulation compliance.

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105.77 Parking Area Design – Curbing

All parking areas and driveways, for uses other than detached dwelling units, must be surrounded by a six-inch high vertical concrete curb.

105.80 Parking Area Design – Buffering

1. General – Except as specified in subsection (2) of this section, the applicant shall buffer all parking areas and driveways from the right-of-way and from adjacent property with a five-foot-wide strip along the perimeter of the parking areas and driveways planted as follows:
 - a. One row of trees, two inches in diameter as measured using the standards of the American Association of Nurserymen, planted 30 feet on center along the entire length of the strip. No more than 25 percent of the required trees may be deciduous.
 - b. Groundcover planted to attain a coverage of at least 60 percent of the strip area within two years.
2. Exception – The requirements of subsection (1) of this section do not apply to any parking area that:
 - a. Is within the CBD Zone; or
 - b. Is within or under a building; or
 - c. Serves detached dwelling units exclusively; or

d. Is a shared parking area serving two or more adjacent uses; or

e. Is within the JBD, NRHBD or Totem Center Zones and requires JBD, NRHBD or Totem Center design regulation compliance.

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3. Overlapping Requirements – If buffering is required under Chapter 95 KZC and by this section, the applicant shall utilize the more stringent buffering requirement.

4. Significant Natural Vegetation

a. General – The applicant may use significant natural vegetation to meet all or part of the requirements of subsection (1) of this section.

b. Protection Techniques – The applicant shall use the protection techniques described in Chapter 95 KZC to ensure the protection of significant natural vegetation.

c. Supplement – The City may require the applicant to plant trees and shrubs according to the requirements of subsection (1) of this section to supplement the retained significant natural vegetation in order to provide a buffer at least as efficient as the required standard.

162.35 Certain Nonconformances Specifically Regulated

8. CBD, JBD, NRHBD and Totem Center Design Regulations

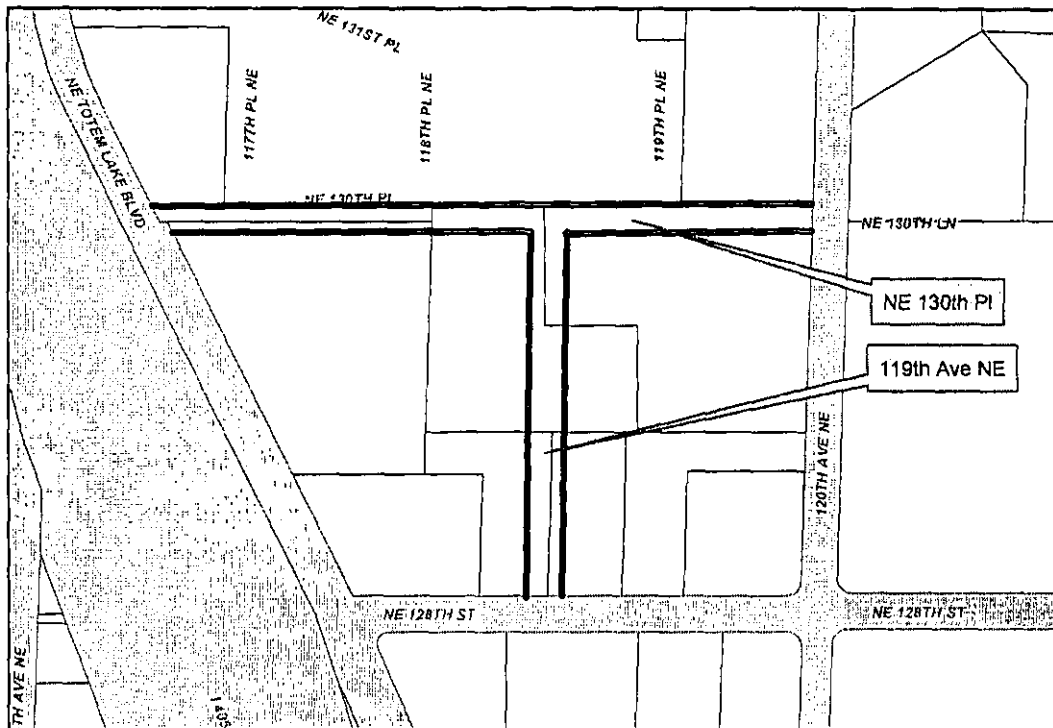
- a. The provisions of this subsection (8) regulate under what circumstances nonconformance with the CBD, ~~JBD, NRHBD and Totem Center~~ design regulations of Chapter 92 KZC must be corrected. Compliance with CBD, ~~JBD, NRHBD and Totem Center~~ design regulations is only required when D.R. is required pursuant to Chapter 142 KZC. However, the City encourages voluntary compliance with the design regulations even for projects which do not require D.R. approval.
- b. If the applicant proposes to modify a building or site (or portions thereof) that does not conform to the design regulations, then the nonconforming elements on or within the building or site (or portions thereof) must be brought into conformance to the greatest extent feasible, as determined by the City, depending on the scope of the project.

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

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Chapter 180
Plate X

119th Avenue NE and NE 130th Place Street Improvements



Required street improvements for 119th Avenue NE and NE 130th Place:

119th Avenue NE:

- 40 - 51 feet of public right-of-way
- Specific improvements to be determined by the Public Works Director

NE 130th Place:

- 51 feet of public right-of-way
- Specific improvements to be determined by the Public Works Director

Note: The precise right of way alignment may vary, and shall be determined by the Public Works Director.

From: PR 1.8
To: TL 1B

NE 132nd ST

TOTEM LAKE BLVD

TL 1B

120th AVE NE

TL 3D

124th AVE NE

Evergreen Hospital

TL 3A

TL 3C

NE 128th ST

From: PR 1.8
To: TL 1A

TL 1A

TL 3B

INTERSTATE 405

Totem Lake Mall

TL 2

120th AVE NE



Proposed Rezones

