## ORDINANCE NO. 4030

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AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, PLANNING, AND LAND USE AND AMENDING CHAPTERS 1, 5, 10, 20, 25, 35, 48, 53, 60, 72, 92, 95, 105, 110, 115, 142, AND 162 OF ORDINANCE 3719 AS AMENDED, THE KIRKLAND ZONING ORDINANCE (TITLE 23 OF THE KIRKLAND MUNICPAL CODE), AND KIRKLAND ZONING MAP, FILE NO. IV-02-05.

WHEREAS, the City Council has received a recommendation from the Kirkland Planning Commission 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 October 20, 2005, and bearing Kirkland Department of Planning and Community Development File No. IV-02-05; and

WHEREAS, prior to making said recommendation, the Kirkland Planning Commission, following notice thereof as required by RCW 35A.63.070, on October 11, 2005, held a public hearing, on the amendment proposals and considered the comments received at said hearing; and

WHEREAS, pursuant to the State Environmental Policy Act (SEPA), there has accompanied the legislative proposal and recommendation through the entire consideration process, a SEPA Addendum to Existing Environmental Documents issued by the responsible official pursuant to WAC 197-11-600; and

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

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

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

A. Chapter 1 User Guide:

Text amendments to Section 1.05 to add references to new RH 1A, RH 1B, RH 2A, RH 2B, RH 2C, RH 3, RH 4, RH 5A, RH 5B, RH 5C, RH 7, and RH 8 zones (herein after referred to as RH 1-RH 8 zones), and delete references to PLA 13, and FC II zones as shown in Exhibit A, attached to this ordinance and incorporated by reference.

B. Chapter 5 Definitions:

Text amendments to definitions Sections 5.10.145, 5.10.410, 5.10.475, 5.10.595, 5.10.960, add new Sections 5.10.325.5, 5.10.325.10, 5.10.327.5, 5.10.470.50, 5.945.5 and to delete Section 5.10.647, as shown in Exhibit B attached to this ordinance and incorporated by reference.

C. Chapter 10 Legal Effect/Applicability:

Text amendments to Section 10.25.12, to add reference to the RH (Rose Hill) zoning category, as shown in Exhibit C attached to this ordinance and incorporated by reference.

D. Chapter 20 Multifamily Residential (RM) zones:

Text amendments to add that the design review process is required for new detached, attached or stacked dwelling units in RM zones located in the NE 85<sup>th</sup> Street Subarea and other changes as shown in Exhibit D attached to this ordinance and incorporated by reference.

E. Chapter 25 Professional Office Residential (PR) zones:

Text amendments to add that the design review process is required for new commercial and multi family development in PR zones located in the NE 85<sup>n</sup> Street Subarea and other changes as shown in Exhibit E attached to this ordinance and incorporated by reference.

F. Chapter 35 Freeway Commercial (FC) zones: Delete Section 35.15, FC II Use Zone Charts.

G. Chapter 48 Light Industrial Technology (LIT) zones:

Text amendments to add that the design review process is required for new development activities in LIT zones located in the NE 85<sup>n</sup> Street Subarea as shown in Exhibit F attached to this ordinance and incorporated by reference.

H. Chapter 53 Rose Hill Business District (RH) Zones:

Text amendments to add a new Chapter 53 of the Zoning Code and to add Use Zone Charts for the RH 1 to RH 8 zones as shown in Exhibits G to O attached to this ordinance and incorporated by reference.

### I. Chapter 60 Planned Areas:

Delete the following Use Zone Charts: Sections 60.159 PLA 13A, 60.164 PLA 13B, 60.189 PLA 17B, and 60.194 PLA 17C Use Zone Charts. Add a new Section 60.189 PLA 17A Use Zone Charts as shown in Exhibit P attached to this ordinance and incorporated by reference.

### J. Chapter 72 Adult Activities Overlay Zones:

Text amendments to delete reference to the BC and CBD zones and to add zones where adult entertainment overlay zones may be designated in commercial zones where retail or theater uses are permitted, as shown in Exhibit Q attached to this ordinance and incorporated by reference.

#### K. Chapter 92 Design Regulations:

Text amendments to add new design regulations for application of design review of new commercial and multi family development located in the NE 85<sup>th</sup> Street Subarea, as shown in Exhibit R attached to this ordinance and incorporated by reference.

#### L. Chapter 95 Tree Management and Required Landscaping:

Text amendments to Section 95.40.4 to add reference to the Rose Hill Business District in the landscaping buffer requirements, as shown in Exhibit S attached to this ordinance and incorporated by reference. M. Chapter 105 Parking and Parking Area, Vehicles and Pedestrian Access, and Related Improvements:

Text amendments to add Section 105. 96 standards for the design and function of drive through facilities as shown in Exhibit T attached to this ordinance and incorporated by reference.

## N. Chapter 110 Required Public Improvements:

Text amendments to Section 110.15 to reference the Rose Hill Business District, as shown in Exhibit U attached to this ordinance and incorporated by reference.

O. Chapter 115 Miscellaneous Use Development and Performance Standards:

Text amendments to Section 115.85 to add new exterior lighting standards for all non-residential development in the Rose Hill Business District, as shown in Exhibit V attached to this ordinance and incorporated by reference.

## P. Chapter 142 Design Review:

Text amendments to Sections 142.17 and 142.35 regarding applying administrative design review for new multi family development located in the RH 8, PR, RM and PLA 17A zones within the NE 85<sup>•</sup> Street Subarea, the documents that will be used to interpret the design regulations during design review, the development standards that may be varied, and which RH zones require a conceptual master plans, as shown in Exhibit W attached to this ordinance and incorporated by reference.

Q. Chapter 162 Non Conformance:

Text amendment to Section 162.35 to reference the Rose Hill Business District as shown in Exhibit X attached to this ordinance and incorporated by reference.

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

To add new RH 1-RH 8 zoning categories and delete the FC II, PLA 17B, PLA 17C, PLA 13A, PLA 13B, BCX, BC, and PO zoning designations located in the NE 85<sup>n</sup> Street Subarea on the zoning map, as set forth in Exhibit Y which by this reference is incorporated herein.

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

<u>Section 4.</u> This ordinance shall be in full force and effect five days from and after its passage by the Kirkland City Council and publication pursuant to Section 1.08.017 of the Kirkland Municipal Code in the summary form attached to the original of this ordinance and by this reference approved by the City Council.

<u>Section 5</u>. A complete copy of this ordinance, including Findings, Conclusions and Recommendations adopted by reference, 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 <u>3rd</u> day of <u>January</u>, 20<u>06</u>

SIGNED IN AUTHENTICATION thereof this <u>3rd</u> day of <u>January</u>, 20<u>06</u>

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Attest:

Approved as to Form:

**City Attorney** 

## PUBLICATION SUMMARY OF ORDINANCE NO. 4030

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, PLANNING, AND LAND USE AND AMENDING CHAPTERS 1, 5, 10, 20, 25, 35, 48, 53, 60, 72, 92, 95, 105, 110, 115, 142, AND 162 OF ORDINANCE 3719 AS AMENDED, THE KIRKLAND ZONING ORDINANCE (TITLE 23 OF THE KIRKLAND MUNICPAL CODE), AND KIRKLAND ZONING MAP, FILE NO. IV-02-05.

<u>SECTION 1.</u> Amends the following specific portions of the Kirkland Zoning Code related to permitted uses, development activities and design regulations in the NE 85<sup>s</sup> Street Subarea.

- 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 text in Chapter 20 MF zones
- E. Amends text in Chapter 25 PR zones
- F. Repeals Chapter 35 FC II zones
- G. Amends text in Chapter 48 LIT zones
- H. Adds a new Chapter 53 Rose Hill Business District (RH) for the RH 1A, 1B, 2A, 2C, RH 3, RH 4, RH 5A, 5B, 5C, RH 7 and RH 8 zones
- I. Amends Chapter 60 to repeal Sections 60.159 PLA 13A, 60.164 PLA 13B, 60.189 PLA 17B, 60.194 PLA 17C use zone charts and adds a new Section 60.189 PLA 17A zone
- J. Amends text in Chapter 72 Adult Activities
- K. Amends text in Chapter 92 Design Regulations for the Rose Hill Business District
- L. Amends text in Chapter 95 Tree Management and Landscaping
- M. Amends text in Chapter 105 Parking, Vehicles and Pedestrian Access to add design and function requirements for drive through facilities
- N. Amends text in Chapter 110 Required Public Improvements
- O. Amends text in Chapter 115 Miscellaneous Use Development and Performance Standards to add exterior lighting standards for certain non-residential uses
- P. Amends text in Chapter 142 to apply design review for new commercial and multi family development located within the NE 85<sup>n</sup> Street Subarea
- Q. Amends text in Chapter 162 Nonconformances

SECTION 2. Amends the Kirkland Zoning Map

SECTION 3. Provides a severability clause for the ordinance.

<u>SECTION 4.</u> Authorizes publication of the ordinance by summary, which summary is approved by the City Council pursuant to Kirkland Municipal

Code 1.08.017 and establishes the effective date as five days after publication of summary.

<u>SECTION 5.</u> Establishes certification by City Clerk and notification of King County Department of Assessments.

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the <u>3rd</u> day of <u>January</u>, 20<u>06</u>

I certify that the foregoing is a summary of Ordinance <u>4030</u> approved by the Kirkland City Council for summary publication.

City Clerk

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## Chapter 1 – USER GUIDE-Revised 12-13-05

tions: 5 How To Use This Code 9 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 1	NRH6	PLA 8
RSX	BCX	JBD 2	TL 1A	PLA 9
RM		JBD 3	TL 1B	PLA 10
PR	Р	JBD 4	TL 2	
PO	CBD 1	JBD 5	TL 3	PLA 14
WD I	CBD 2	JBD 6	ILC	PLA 15
WD II	CBD 3	NRH1A	PLA 1	PLA 16
WD III	CBD 4	NRH1B	PLA 2	PLA 17
FC I	CBD 5	NRH2	PLA 3	PLA 17A
	CBD 6	NRH3	PLA 5	RH 1A
FC III	CBD 7	NRH4	PLA 6	RH 1B
BN	CBD 8	NRH5	PLA 7	RH 2A
RH 2B	RH 2C	RH 3	RH 4	RH 5A
RH 5B	RH 5C	RH 7	RH 8	

- 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 <u>72</u> KZC.

4. After finding the appropriate use, then read across to find a variety of regulations that apply to the subject property. In addition, review all of the sections to which the use zone chart refers you. You may conduct two or more listed uses on one lot if you comply with all of the regulations that apply to each use. However, if a use zone contains a specific combined use listing, you must comply with the provision of that combined use listing.

## Chapter 5 – DEFINITIONS – Revised 12-19-05

tions: <u>5</u> User Guide 0 Definitions

.145 <u>Commercial Zones</u> – The following zones: BN; BC; BCX; CBD; FC I; <del>FC I</del>; JBD 1; JBD 2; JBD 4; JBD 5; JBD 6; PLA 8; PLA 10A; <del>PLA-13A</del>; NRH 1A; NRH 1B; NRH 4; <u>RH 1A, RH 1B, RH 2A, RH 2B, RH 2C, RH 3, RH 5A, RH 5B, RH 5C, RH 7,</u> and TL 2.

.325.10 Foot-candle- (fc): a unit of luminance amounting to one lumen per square foot.

.327.5 Full Cut Off Type Fixture- A light fixture that by design of the housing, does not allow any light dispersion or direct glare to shine above a 90 degree, horizontal plane from the base of the fixture.

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

<u>470.5 Light trespass- Unwanted light which, because of quantitative, directional or spectral attributes in a given contact, gives rise to annovance, discomfort, distraction, or a reduction in the ability to see essential information.</u>

.475 Linear Frontage of Subject Property – The frontage of the subject property adjacent or parallel to all open improved public rights-of-way. Frontage adjacent to I-405 is not applicable except for properties within FC I, EG-II, and PLA 10 Zones. If the subject property does not have frontage on an open improved right-of-way, the frontage of any public access easements which serve the subject property and unopened rights-of-way which front on the subject property is the linear frontage of the subject property.

.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, PLA 17A, G; FC III; NRH 2; NRH 3; NRH 5; NRH 6; RH 4, RH 8, and TL 1A.

Delete definition; covered in KZC Chapter 92- .647 Pedestrian-Oriented-Street—Every-street-within-or-abutting-the-CBD-4-Zone or-CBD-2-Zone, except First-Avenue-South and First-Street-South, and those streets designated in the design regulations for-the-JBD.

.945.5 Uniformity Ratio- Uniformity ratio describes the maximum level of illumination in relation to the lowest level of illumination for a given area. Example: uniformity ratio=4:1 for the given area, the lowest level of illumination (1) should be no less than ¼ or "4 times less" than the maximum (4) level of illumination.

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

RS 35	FC1	NRH 1A	PLA 6C	
RSX 35	FC-II	NRH 1B	PLA 6D	i
RS 12.5	FC III	NRH 2	PLA 6E	
RSX 12.5		NRH 3	PLA 6F	
<b>ŖS 8.5</b>	BN	NRH 4	PLA 6G	
RSX 8.5	BC	NRH 5	PLA 6H	

RS 7.2	BCX	NRH 6	PLA 6I
RS 5.0			PLA 6Ĵ
R\$X 5.0	LIT	TL 1A	PLA 6K
	Р	TL 18	ΡιΑ 7Α
RM 5.0		TL 2	PLA 78
RM 3.6	CBD 1	TL 3	PLA 7C
RM 2.4	CBD 2		PLA 8
RM 1.8	CBD 3	ILC	PLA 9
	CBD 4		PLA 10A
WDI	CBD 5	PLA 1	PLA 10B
WD II	CBD 6	PLA 2	PLA 10C
WD III	CBD 7	PLA 3A	PLA 11
	CBD 8	PLA 3B	PLA-13A
PR 8.5		PLA 5A	PLA-13B
PR 5.0	JBD 1	PLA 5B	PLA 15A
PR 3.6	JBD 2	PLA 5C	PLA 15B
PR 2.4	JBD 3	PLA 5D	PLA 16
PR 1.8	J8D 4	PLA 5E	PLA 17
	JBD 5	PLA 6A	PLA 178 <u>A</u>
PO	J8D 6	PLA 6B	PLA 17C
RH 1A	RH 3	RH 7	
· RH-1B	RH 4	RH 8	
RH 2A	RH 5A		-
RH 2B	RH 5B		
RH 2C	RH 5C		

EXHIBIT B

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	<u>pter 10 – LEGAL EFFECT</u>	APPLICABILITY-Revised 12-19-05
	5 Zoning Categories Adopte	d
	The City is divided into the	ne following zoning categories:
	Zoning Category	Symbol
1.	Single-Family Residential Zones	RS and RSX (followed by a designation indicating minimum lot size per dwelling unit)
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)
· <b>4</b> .	Professional Office Zones	PO
5.	Waterfront Districts	WD (followed by a designation indicating which Waterfront District)
6. <sub>.</sub>	Freeway Commercial Zones	FC (followed by a designation indicating which Freeway Commercial Zone)
	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</u>	Rose Hill Business District	<u>RH (followed by a designation indicating which sub-zone within the Rose Hill Business District)</u>
1 <u>3</u> 2.	Totem Center	TL (followed by a designation indicating which sub-zone within Totem Center)
1 <u>4</u> 3.	Light Industrial Zones	LIT, ILC
1 <u>5</u> 4.	Planned Areas	PLA (followed by a designation indicating which Planned Area, and in some cases, which sub- zone within a Planned Area)
	Park/Public Use Zones	P

## Revised 12 3 CHAPTER 20 -MULTI-FAMILY RESIDENTIAL (RM) ZONES

20.05 User Guide.

The charts in KZC 20.10 contain the basic zoning regulations that apply in each RM 5, RM 3.6, RM 2.4, and RM 1.8 zones 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

use.	
Section	Section 20.08 GENERAL REGULATIONS
0.08	The following regulations apply to all uses in this zone unless otherwise noted:
	1.Refer to Chapter 1 KZC to determine what other provisions of this code may apply to the subject property.
	2.If any portion of a structure is adjoining a low density zone or a low density use in PLA 17, then either:
	a. The height of that portion of the structure shall not exceed 15 feet above average building elevation, or
	b. The horizontal length of any facade of that portion of the structure which is parallel to the boundary of the low density zone shall not exceed 50 feet in width.
	See KZC 115.30, Distance Between Structures Regarding Maximum Horizontal Facade Regulation, for further details. (Does not apply to General Moorage Facility and Detached Dwelling Units uses).
	3.If the subject property is located east of JBD 2 and west of 100th Avenue NE, the following regulation applies:
	Must provide a public pedestrian access easement if the Planning Official determines that it will furnish a pedestrian connection or part of a connection between 98th Avenue NE and 100th Avenue NE. Pathway improvements will also be required if the easement will be used imme iately. No more than two complete connections shall be required (does not apply to General Moorage Facility uses).
	4.If the subject property is located within the North Rose Hill neighborhood, east of Slater Avenue NE and north of NE 116th Street, the minimum required front yard is 10 feet. Ground floor canopies and similar entry features may encroach into the front yard; provided, th 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.
	5.Any required yard abutting Lake Washington Boulevard or Lake Street South must be increased two feet for each one foot the structure exceeds 25 feet above average building elevation (does not apply to General Moorage Facility and Public Park uses).

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<ul> <li>6.If the subject property is located between Juanita Drive and Lake Washington or 98th Avenue NE and Lake Washington, the following regulations apply:</li> <li>a.Must provide a required yard of 15 feet or 15 percent of average parcel depth, measured from the high waterline. To the extent that this provision is inconsistent with other required yard dimensions identified in this Chapter, this provision shall govern.</li> <li>b.Must provide public pedestrian access from the right-of-way to and along the entire waterfront of the subject property within the high waterline yard. Access to the waterfront may be waived by the City if public access along the waterfront of the subject property can be reached from adjoining property. In addition, the City may require that part or all of the high waterline yard be developed as a public use area. The City shall require signs designating the public pedestrian access and public use affeas.</li> </ul>
provision is inconsistent with other required yard dimensions identified in this Chapter, this provision shall govern. b.Must provide public pedestrian access from the right-of-way to and along the entire waterfront of the subject property within the high waterline yard. Access to the waterfront may be waived by the City if public access along the waterfront of the subject property can be reached from adjoining property. In addition, the City may require that part or all of the high waterline yard be developed as a
waterline yard. Access to the waterfront may be waived by the City if public access along the waterfront of the subject property can be reached from adjoining property. In addition, the City may require that part or all of the high waterline yard be developed as a
be reached from adjoining property. In addition, the City may require that part or all of the high waterline yard be developed as a
I DUDIE USE AFEA. THE UITY SHAIL FEOLIFE SIGNS DESIGNATION THE DUDIE DEDESTIAN ACCESS AND DUDIE USE AUGAS.
c.A view corridor must be maintained across 30 percent of the average parcel width. The view corridor must be in one contiguous piece. Within the view corridor, structures, parking areas, and landscaping will be allowed, provided they do not obscure the view from
Juanita Drive or 98th Avenue NE to and beyond Lake Washington. This corridor must be adjacent to either of the side property lines, whichever will result in the widest view corridor given development on adjacent properties. (Does not apply to General Moorage
Facility, Detached Dwelling Units and Public Park uses).
<ol> <li>If the property is located in the NE 85<sup>th</sup> Street Subarea the following shall apply:         <ul> <li><u>a. if the subject property is located south of NE 85<sup>th</sup> Street between 124<sup>th</sup> Avenue and 120<sup>th</sup> Avenue, the applicant shall to the extent possible, save existing viable significant trees within the required landscape buffer separating non-residential development from adjacent single family homes.</u></li> </ul> </li> </ol>
b. If the subject property is located directly north of the RH 4 zone, the applicant shall install a pedestrian pathway to connect to an east- west pedestrian pathway designated in the Comprehensive Plan between 124 <sup>th</sup> Avenue NE to 120 <sup>th</sup> Avenue NE.
8.May not use lands waterward of the high waterline to determine lot size or to calculate allowable density.
9.May also be regulated under the Shoreline Master Program, KMC Title 24.

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RM	RM 3.6			·	-	USF	ZONE	CHART	RT		
.22				NIM:	SMUMINIM		MAXIMUMS	+			
on 60.	ULATIC	Required	<u>ج</u>	REQUI	REQUIRED YARDS (See Ch. 115)		1	Iscape egory e Ch. (5),	egory a Ch.	eq'd rking aces e Ch. 05)	Special Regulations
Secti			Size	Front	Side R	8	Lot Cove Structure	Cat (Se	Cat	Pa Sp (Se	(See also General Regulations)
.010	Detached	None	5,000	20	5 but 2	5	60% If adjoining a	m	>	2.0 per unit	1.For this use, only one dwelling unit may be on each lot regardless
	Dwelling Units	-	sq. ft.		side						of the size of the lot.
•			in an		yards		zone other				2.Chapter 115 KZC contains regulations regarding home
			RM 5.0		must		than RSX, then	<u> </u>			occupations and other accessory uses, facilities and activities
			Otherw		equal		25 above				associated with this use.
			ise,	-	at least		average				
			3,600		15.		building				
			sq. ft.	•	<u></u>		elevation.				
							Otherwise, 30				
-							above average	ē			
							building				
							elevation.	,			
.020	.020 Detached.							, o		1.7 per unit.	1. Minimum amount of lot area per dwelling unit is as follows:
	Attached or							See			a.In RM 5.0 zones the minimum lot area per unit is 5,000 sq. ft.
	Stacked		with a					opec.			oun KM 3.5 zones the minimum for area per unit is 3,500 sq. it.
	Dwelling Units	Inits Street	density					Reg. 5.			c.In RM 2.4 zones the minimum lot area per unit is 2,400 sq. ft.
		Subarea	as		<b></b>						d.In RM 1.8 zones, the minimum lot area per unit is 1,800 sq. ft.
	Stacked	Design	estab								2. Chapter 115 KZC contains regulations regarding home
	Dwelling Units	nits Review.	lished								occupations and other accessory uses, facilities and activities
	are not permit	mit Chapter	on the							ŗ	associated with this use.
	ted in RM 5.0.	5.0. 142, KZC	Zoning				•				3.If the subject property contains four or more units, then it must
		Otherwise	Map.		••••						contain at least 200 sq. ft. per unit of common recreational space
		none	See								usable for many activities. This required common recreational
			Spec.								open space must have the following minimum dimensions:
			Reg. 1.								a. For four to 20 units, the open space must be in one or more
						<u>.</u> .					pieces each having at least 800 sq. ft. and having a length and
											width of at least 25 feet.
											b.For 21 units or more, the open space must be in one or more
											pieces having a length and width of at least 40 feet.
						-					4. The required common recreational open space may be reduced to
							· · · · · · · · · · · · · · · · · · ·				

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landscape category A applies.	adjoins a low density zone or a low density use in PLA 17, then	west of Slater Avenue NE and south of NE 100th Street, and if it	5.If the subject property is located within the NRH neighborhood,	the reduced open space area.	these outdoor provisions may also be reduced in proportion to	the required minimum dimension for the open space containing	the number of residents that they would serve at one time. Also,	opportunities as would the open space that is reduced, based on	these outdoor provisions provide comparable recreational	provided in the common open space. The City shall determine If	facilities, playing equipment, and/or a recreation building are	150 sq. ft. per unit if permanent outdoor furniture, pool, cooking		

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Revised 12-15

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Section         MIXIMUMS         MAXIMUMS         MAXIMUMS           Required         Required         REQUIRED YARDS         Height of           Required         Lot         (See Ch. 115)         E         Height of           No.30         Church         Mithin the         7,200 sq.         20'         20'         70%         If adjoining a         C           NE 85 <sup>th</sup> ft.         Size         Front         Side         Rear         E         Structure         Act Category           NE 85 <sup>th</sup> ft.         20'         20'         20'         70%         If adjoining a         C         C           NE 85 <sup>th</sup> ft.         Size         Front         Size         Zone other         See         Category         See         Zone other         See
Required         MINIMUMS         MAXIMUMS         MAXIMUMS           Review         Lot         REQUIRED YARDS         Height of Size         Height of Front         Height of Size         Height of Rear         Height of Structure         Height of Structure         Height of Structure         Height of Process         Height of Structure         Height of Process         Height of Structure         Height of Process         Height of Structure         Height of Process         He
Regulared     Lot     Required     Required     Required     Required     Regulared     Height of       Review     Size     Front     Side     Rear     Structure     Height of       Within the     7,200 sq.     20'     20'     20'     Jd     Structure       Street     T.     20'     20'     20'     Jow density     See       Street     tt     20'     20'     1' adjoining a     C       Subarea     T.     20'     20'     1' adjoining a     C       Street     T.     20'     20'     1' adjoining a     C       Subarea     T.     20'     20'     1' adjoining a     C       Design     T.     See     2' adverage     Spec.       Chapter     See     2' adverage     building     elevation.       142. KZC,     See     See     Structure     above average       Otherwise     See     See     See     Structure       Process IIA,     See     See     See     See
Refer     Lot     (See Ch. 115)     E     Height of Rest     Height of Structure       Within the NE_85 <sup>th</sup> 7.200 sq.     20'     20'     20'     13'     Structure     A fight of Structure
Here within the     7.200 sq.     20'     20'     20'     70% If adjoining a     C       NE.85 <sup>th</sup> ft.     20'     20'     70% If adjoining a     C       Street     subarea     tt.     20'     20'     10w density     See       Street     tt.     subarea     chan RSX, then     Reg.       Design     subarea     subarea     subarea     subarea     subarea       Chapter     subarea     subarea     subarea     subarea     subarea       Othenwise     subarea     subarea     subarea     subarea     subarea       Chapter     subarea     subarea     subarea     subarea     subarea       Othenwise     subarea     subarea     subarea     subarea     subarea       Process IIA,     subarea     subarea     subarea     subarea
Within the         7,200 sq.         20'         20'         20'         70%           NE_85 <sup>th</sup> ft.         Street         It.
r (5 ) 
ġ <u>&gt;</u> <sup>8</sup> [ <sup>0</sup>
<u><u></u><u></u><u></u><u></u><u></u><u></u><u></u><u></u><u></u><u></u><u></u><u></u><u></u><u></u><u></u><u></u><u></u><u></u><u></u></u>
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RM 3.6

# **USE ZONE CHART**

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		5			MIN	IMUMS		MAXIMUMS	<b>7</b>	2	bit us wi	
Section 60.22	USE	REGULATIONS	Required Review Process	Lot Size	1 7	IRED YARDS e Ch. 115) Side Rear	Ē	Height of Structure	pe Category (See Ch.	Category (See Ch.	Req'd Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.040	School		Vithin the NE	7,200	If this use	can	70%	If adjoining a	D	в	See KZC 105.25.	1.May locate on the subject property only if:
	Day-Ca	re 👔	5 <sup>th</sup> Street	sq. ft.	accommo	date 50 or		low density				It will not be materially detrimental to the character of the neighbor hood in which
	Center		Subarea		more stud	tents or		zone other than			6	Site and building design must minimize adverse impacts on surrounding residenti
		Ľ	Design		children, t	then:		RSX, then 25				2.A six-foot-high fence is required only along the property line adjacent to the out
		Į	Review,	8		-		above average				3.Structured play areas must be setback from all property lines as follows:
		ļ k	Chapter 142,				1	building				.20 feet if this use can accommodate 50 or more students or children.
			<u>(ZC,</u>					elevation.				.10 feet if this use can accommodate 13 to 49 students or children,
		<u>k</u>	Otherwise					Otherwise, 30				4.An on-site passenger loading area must be provided. The City shall determine 1
		F	Process IIA,					above average				right-of-way improvements or other means may be required to reduce traffic in
<b>]</b> .		ķ	Chapter 150				1	building				5.May include accessory living facilities for staff persons.
		Þ	CZC.					elevation.				6. To reduce impacts on nearby residential uses, hours of operation of the use m
							4	See Spec. Reg.				7. These uses are subject to the requirements established by the Department of S
							×	8.				8.For school use, structure height may be increased, up to 35 feet, if:
							8					The school can accommodate 200 or more students; and
												The required side and rear yards for the portions of the structure exceeding the b.
										1		The increased height is not specifically inconsistent with the applicable neighborh
												The increased height will not result in a structure that is incompatible with surrour
1.						1 1						his special regulation is not effective within the disapproval jurisdiction of the Hou
	-				50	50 on 50						
						each						
						side						
	ļ				If this use							
						date 13 to 49						
					1	or children,				1		
					then:	- ha				1		
						)on 20		1	ļ			
				<u> </u>	j jea	ach side		L	Į		. <b>I</b>	

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RM 3.6

# USE ZONE CHART

Section 60.22	USE	REGULATIONS	Required Review Process	Lot Size	REC	INIMUMS QUIRED YA See Ch. 11		Ę	MAXIMUMS Height of Structure	pe Category (See Ch.	Category (See Ch.	Req'd Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.050	Grocery		Process IIA,	7,200	20	5 but 2	10	60%	lf adjoining a	В	E	1 per each 300	1. This use may be permitted only if it is specifically consistent with the Comprehe
	Store, D	rug	Chapter 150	sq. ft.		side yardı	s		low density		1	sq. ft. of gross	2.May only be permitted if placement, orientation, and scale indicate this use is p
	Store,	ļ	KZC.			must			zone other than			floor area.	3. Must be located on a collector arterial or higher volume right-of-way.
	Laundro	mat,				equal			RSX, then 25				4.Placement and scale must indicate pedestrian orientation.
	Dry					at least			above average				5.Must mitigate traffic impacts on residential neighborhood.
	Cleaners	i,				15.	}		building				6.Gross floor area may not exceed 3,000 square feet.
	Barber								elevation.				7.May not be located above the ground floor of a structure.
	Shop,								Otherwise, 30				8. Hours of operation may be limited to reduce impacts on nearby residential uses
	Beauty S	hop							above average		·		9. This use is not permitted in an RM zone located within the NE 85 <sup>th</sup> Street Suba
	or Shoe								building				
	Repair S	hop				ļ			elevation.				

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<b>KIYI 3.0</b>					7 0 N C	CHA	x -		
NS									
r101			MINIMUMS		MAXIMUMS				
USE	Required		REQUIRED YARDS		-	<u>zor</u> ;		ing	Special Regulations
GUI	Review	<u>ב</u>	(See Ch. 115)	it aver	Height of	pe iteg	iteg iee (	Req arki ipac iee 105	(See also General Regulations)
	Process	92IC	Front Side Rear	14 - C4	Structure			P	
.060 Minl-School or Within the	or Within the	3,600 20'	)' 5' but 2 10'	60%	If adjoining	0	B	See KZC 105.25.	1.May locate on the subject property if:
Mini- Day-	NE 85 <sup>th</sup>	sq. ft.	yards	<u></u>	a low den				It will not be materially detrimental to the character of the neighbor hood.
Care	Street		must		sity zone				in which it is located.
	Subarea		equal 15'	,	other than				Site design must minimize adverse impacts on surrounding residential
	Design				RSX, then				neighborhoods.
	Review,				25 above				2.A six-foot-high fence is required along the property line adjacent to the
	Chapter				average				outside play areas.
	142, KZC,				building			·	3.Structured play areas must be setback from all property lines by five
	Otherwise				elevation.				feet.
					Otherwise,				4.An on-site passenger loading area may be required depending on the
	None				30 above				number of attendees and the extent of the abutting right-of-way
					average				improvements.
					building				5. To reduce impacts on nearby residential uses, hours of operation of
					elevation,				the use may be limited and parking and passenger loading areas
			· ·						relocated.
									6.May include accessory living facilities for staff persons.
	2 23030							,	7. These uses are subject to the requirements established by the
									Department of Social and Upplith Sections AMAO Title 2001

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RM	3.6					U	S E	Z	ONE	C H A	RT	•	
Section	ÚSE.	REGULATIONS	Required Review Process	Lot Size	REC	NIMUMS JUIRED YARD iee Ch. 115) Side R		Lot Count	MAXIMUMS Height of Structure	pe Category (See Ch.	Category (See Ch.	Req'd Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
Li (M	ssisted iving F Not per RM 5	acility mit ted .0)	Within the NE 85 <sup>th</sup> Street Subarea Design Review, Chapter 142, KZC, Otherwise None	3,600 sq. t.	20	5 but 2 side yards must equal at least 15.	10 .	60%	If adjoining a low density zone other than RSX, then 25 above average building elevation. Otherwise, 30 above average building elevation.	See Spec.	A	1.7 per independent unit. 1 per assisted living unit.	<ol> <li>A facility that provides both independent dwelling units and assisted living facility.</li> <li>If a nursing home use is combined with an assisted living facility u in order to provide a continuum of care for residents, the required review process shall be the least intensive process between the two uses.</li> <li>For density purposes, two assisted living units shall constitute one dwelling unit. Total dwelling units may not exceed the number of stacked dwelling units allowed on the subject property. Through Process IIB, Chapter 152 KZC, up to 1 1/2 times the number of stacked dwelling units allowed on the property may be approved the following criteria are met:</li> <li>Project is of superior design, and</li> <li>Project will not create impacts that are substantially different than would be created by a permitted multifamily development.</li> <li>The assisted living units and independent dwelling units, with a, minimum of 50 square feet of usable recreation space per unit located outside.</li> <li>Chapter 115 KZC contains regulations regarding home occupatior and other accessory uses, facilities, and activities associated wit this use.</li> <li>If the subject property is located within the NRH neighborhood, we of Stater Avenue NE and south of NE 100th Street, and if It adjol a low density zone or a low density use in PLA 17, then landscap category A applies.</li> </ol>

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RM	RM 3.6						U S	E Z	USE ZONE CHART	CHA	RT	
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0.2		10N			MIN	SWRWINI	5		MAXIMUMS	!		
tion 6	USE	GULAT	Required Review	ž	REQU	REQUIRED YARDS (See Ch. 115)	5) RDS	era	Height of	dscap tegory ee Ch. 웃들),	tegory ee Ch.	leq'd arking paces ee Ch. LOS)
Sect			Process	Size	Front	Side	Rear	Lot _Cm	Structure	Ca (Se	Ca	Pa Sj (Sd
.080	.080 Convalescent		Within the	7,200	20'	10 on		70%	If adjoining a	C	В	1 for each bed.
_	Center or		NE 85"	sq. ft.		each			tow density	See		
	Nursing Home Street	tome	street			side			zone other	Spec.		
		VA	Subarea						than RSX, then Reg. 2.	Reg. 2.		
		-	Desinn						25 above			

	,										
			INIM	MINIMUMS		3	MAUMUMS	y	У		
ion 6 Se M	Required Review	ĕ	REQU	REQUIRED YARDS (See Ch. 115)	- <u>s</u>		Height of	dscap tegory te Ch. 25),	egory e Ch.	eq'd rking aces e Ch. 05)	Special Regulations
	Process	Size	Front	Side	lear	Lot _Cmu		Cat (Se	Cat (Se	Pa Sp (Sc	(economizati te tector and
.080 Convalescent	nt Within the	7,200	20	10 on	70%		tf adjoining a	c	в	1 for each bed.	1.If a nursing home use is combined with an assisted living facility
Center or	NE 85"	sq. ft.		each		low	low density	See			use in order to provide a continuum of care for residents, the
Nursing Home Street	ne Street			side		20Z	zone other	Spec.	-		required review process shall be the least intensive process
	Subarea					thai	than RSX, then Reg. 2.	Reg. 2.		-	between the two uses.
	Design	····· n				25	25 above				2. If the subject property is located within the NRH neighborhood,
	Review.					ave	average				west of Slater Avenue NE and south of NE 100th Street, and if it
	Chapter					buil	building				adjoins a low density zone or a low density use in PLA 17, then
	142, KZC						elevation.				landscape category A applies.
	Otherwise					C	Outerwise, so				
	Process (IA,					200	apove average				
	Chapter 150					bui	building				
	KZC.				-	ele	elevation.				
.090 Public Utility	Within the	None	20	20 on	20 70%	%		A 22	B	See KZC 105.25.	1.Site design must minimize adverse impacts on surrounding
	Street			side				Spec.			2.Landscape Category A or B may be required depending on the
	Subarea							Regs. 2			type of use on the subject property and the impacts associated
	Design							and 3.			with the use on the nearby uses.
	Review.										3.If the subject property is located within the NRH neighborhood,
	Chapter										west of Slater Avenue NE and south of NE Turth Street, and if it
	142, KZC,										adjoins a low density zone or a low density use in PLA 17, then
	Otherwise										landscape category A applies.
	Process IIA,										
	Chapter 150										
	KZC.					-					

RM 3.6				_	USE	m N	ZONE	СНА	HART		
	ð										
			MINI	MINIMUMS			MAXIMUMS				
ion 60	Required	ž	REQUI	REQUIRED YARDS (See Ch. 115)	20 <sup>(</sup>	•ra	Height of	dscap tegory e Ch. 95).	tegory e Ch.	eq'd Inking Jaces Se Ch. 105)	Special Regulations
		Size		2		ot Love	-	Cal (Se	Cat	Pa Sp	(See also general veguiations)
				┝							
.100 Government	nt Within the	None -	20	10	10 70%		If adjoining a	ი	ω	See KZC 105.25	1.Site design must minimize adverse impacts on surrounding
Facility	NE 85 <sup>th</sup>			ŝ			low density	See			residential neighborhoods.
Community	y Street			each		N	zone other	Spec.			2.Landscape Category A or B may be required depending on the type
Facility	Subarea			side			than RSX, then Regs. 2	Regs. 2			of use on the subject property and the impacts associated with the
	Design					-13	25 above	and 3.			use on the nearby uses.
	Review,				<u> </u>	0	average				3. If the subject property is located within the NRH neighborhood, west
	Chapter						building				of Slater Avenue NE and south of NE 100th Street, and if it adjoins a
	142, KZC,					<u>.</u>	elevation.				low density zone or a low density use in PLA 17, then landscape
	Otherwise		<u></u>			~~	Otherwise, 30		~		category A applies.
-	Process IIA,	<i></i>				<u>.</u>	above average				
	Chapter 150	0				<del>.</del>	building				
	KZC					-0	elevation				
.110 Public Park	8	ment stand	ards will t	e detern	mined o	n a ca	e by case bas	ls. See Ki	ZC Chapi	Development standards will be determined on a case by case basis. See KZC Chapter 49 for required	
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## CHAPTER 25 - PR ZONES

25.05 User Guide.

b. The horizontal length of any facade of that portion of the structure which is parallel to the boundary of the low density zone shall not exceed 50 feet in width.

See KZC 115.30, Distance Between Structures Regarding Maximum Horizontal Facade Regulation, for further details.

3. The required yard of a structure abutting Lake Washington Boulevard or Lake St. S. must be increased two feet for each one foot that struc ture exceeds 25 feet above average building elevation (does not apply to Public Park uses).

4. If the property is located south of NE 85<sup>th</sup> Street between 124<sup>th</sup> Avenue and 120<sup>th</sup> Avenue, to the extent possible, the applicant shall save existing viable significant trees within the required landscape buffers separating non-residential development from adjacent single family homes.

EXHIBIT E

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PR	70					Ē	ы С	N 0 Z	<b>T</b>	CHART	RT		•
		DNS			MIN	MINIMUMS			MAXIMU		ry 0)		
60.22	USE		Required Review		REQUI	REQUIRED YARDS (See Ch. 115)	- <sup>3</sup>			dscape ory (Se 1. 95)	Catego Ch. 10	Parki (See (05)	Special Regulations
Section			Process		Front	Side	Lot	Covera	Structure	Categ	Sign ( (See (	Spaces	(see area replicative financial)
2	010 Detached	None		8,500 sq.	20, 5,	but 2	10. 7	70% If	If adjoining	m	۲ ۲	2.0 per dwelling unit.	1. For this use, only one dwelling unit may be on each lot regardless of lot
	Dwelling Units	Units	ft. if PR	PR	side	œ		0	a low				size.
			00 .51	8.5 zone,	. ya	yards		<u>n</u>	density zone				2.Chapter 115 KZC contains regulations regarding home occupations and
			5,00	5,000 sq.	<u>a</u>	must		<u>p</u>	other than				other accessory uses, facilities and activities associated with this use.
			tt: if PR	문	eq	equal at		त्	RSX, then			•=	
			5.0	5.0 zone,	e	least		<u>ג</u>	25 above				
			othe	otherwise	15.			2	average				
			9 <b>6,</b>	3,600 sq.				ਰਾ	build ing				
			77					ē	elevation.				
								-0	Otherwise,		<del></del>		
									30 above		0		
								۵.	average				
						<u>.</u>		<u>e</u> g	elevation.				
.02	.020 Detached.		Within the 8,500 sq.	)0 sq						U	<u></u>	1,7 per unit.	1. Minimum amount of lot area per dwelling unit is as follows:
	Attached or		55" ft. If PR	PR				-					a.In PR 8.5 zones, the minimum lot area per unit is 8,500 sq. ft.
	Stacked	Street		8.5 zone,					0				b.in PR 5.0 zones, the minimum lot area per unit is 5,000 sq. ft.
	<b>Dwelling Units</b>	Jnits Subarea		5,000 sq.								~	c.In PR 3.6 zones, the minimum lot area per unit is 3,600 sq. ft.
		Design		PR								·	d.In PR 2,4 zones, the minimum tot area per unit is 2,400 sq, ft.
<u>-</u> -		Review,		5.0 zone,									e.In PR 1.8 zones, the minimum lot area per unit is 1,800 sq. ft.
		Chapter		other wise								 	2. Chapter 115 KZC contains regulations regarding home occupations and
		142.	142, KZC. 3,600 sq.	)0 sq.		_	-						other accessory uses, facilities and activities associated with this use
		,											

								tion 1.	Regula	Special	See	ing Map.	the Zon	lished on	estab	none density as	Otherwise ft, with a
-								· · · · ·									
-		-									_						
to the reduced open space area.	containing these outdoor provisions may also be reduced in proportion	one time. Also, the required minimum dimension for the open space	reduced, based on the number of residents that they would serve at	comparable recreational opportunities as would the open space that is	space. The City shall determine if these outdoor provisions provide	ment, and/or a recreation building are provided in the common open	permanent outdoor furniture, pool, cooking facilities, playing equip	recreational open space may be reduced to 150 sq. ft, per unit if	having a length and width of at least 40 feet. The required common	b.For 21 units or more, the open space must be in one or more pieces	least 25 feet.	each having at least 800 sq, ft. and having a length and width of at	a.For four to 20 units, the open space must be in one or more pleces	following minimum dimensions:	activities. This required common recreational open space must have the	least 200 sq. ft. per unit of common recreational space usable for many	3. If the subject property contains four or more units, then it must contain at

PR	2				•		USI	EZ	ZONE	CHA	RT	• 	
Section	USE	REGULATIONS	Required Review Process	Lot Size	REQU	IMUMS IRED YAR e Ch. 115 Side		Lot	MAXIMUMS Height of Structure	pe Category (See Ch.	Category (See Ch.	Req'd Parking Spaces (See Ch. 105)	ل Special Regulations (See also General Regulations)
030	Office	e Uses	Within the NE 85 <sup>th</sup> Street Subarea Design Review, Chapter 142, KZC, Otherwise none	None	20*	5' but 2 side yards must equal at least 15'.	10'		If adjoining a low density zone other than RSX, then 25 above average build ing elevation. Otherwise, 30 above average building elevation.	С	D	If Medical, Den tal or Veterinary office, then one per each 200 sq. ft. of gross floor area. Otherwise one per each 300 sq. ft. of gross floor area.	<ol> <li>The following regulations apply to veterinary offices only:         <ul> <li>a.May only treat small animals on the subject property.</li> <li>b.Outside runs and other outside facilities for the animals are not per mitted.</li> <li>c.Site must be designed so that noise from this use will not be audible the subject property. A certification to this effect, signed by an Acoustical Engineer, must be submitted with the development per m application.</li> </ul> </li> <li>Ancillary assembly and manufacture of goods on the premises of this us are permitted only if:         <ul> <li>a. The ancillary assembled or manufactured goods are subordinate to and dependent on this use.</li> <li>b. The outward appearance and Impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.</li> </ul> </li> </ol>
)40	Conta Stack Attack Dwell and C Uses. Speci	ied or hed ling Units Office . See		3,600 sq. ft. with a residen tial den sity as estab lished on the Zon ing Map. See Spe cial Reg ulation 2.								See KZC 105,25.	<ol> <li>A veterinary office is not permitted in any development containing dwelli units.</li> <li>Minimum amount of lot area per dwelling unit is as follows:         <ul> <li>a. In PR 8.5 zones, the minimum lot area per unit is 8,500 square feet.</li> <li>b. In PR 5.0 zones, the minimum lot area per unit is 5,000 square feet.</li> <li>c. In PR 3.6 zones, the minimum lot area per unit is 3,600 square feet.</li> <li>d. In PR 2.4 zones, the minimum lot area per unit is 2,400 square feet.</li> <li>e. In PR 1.8 zones, the minimum lot area per unit is 2,400 square feet.</li> </ul> </li> <li>Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.</li> <li>If the subject property contains four or more units, then it must contain a least 200 square feet per unit of common recreational space usable for many activities. This required common recreational open space must have the following minimum dimensions:</li> </ol>

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office uses.		
assembly or manufacturing activities must be no different from other		
b. The outward appearance and impacts of this use with ancillary		
and dependent on this use.		
a. The ancillary assembled or manufactured goods are subordinate to		
are permitted only if:		
5. Ancillary assembly and manufacture of goods on the premises of this use		
reduced in proportion to the reduced open space area.	· · ·	
the open space containing these outdoor provisions may also be		
would serve at one time. Also, the required minimum dimen sion for		
space that is reduced, based on the number of residents that they		
provide comparable recreational opportunities as would the open		
open space. The City shall determine if these outdoor provi sions		
equipment, and/or a recreation building are provided in the com mon		
permanent outdoor furniture, pool, cooking facilities, playing		
recreational open space may be reduced to 150 square feet per unit if		
having a length and width of at least 40 feet. The required common		
b.For 21 units or more, the open space must be in one or more pleces		
at least 25 feet.		
each having at least 800 square feet and having a length and width of		
a. For four to 20 units, the open space must be in one or more pieces		

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0.2;		ION	<b>-</b>		MIN	MINIMUMS	-	L	MAXIMUMS	Y	, v		•••
on 6(	USE	ULAT	Required	<b>Ş</b>	REQU (Se	(See Ch. 115)	- BS	rag	Height of	scap egory e Ch.	ign egory e Ch.	20) :q'd rking aces e Ch. 05)	Special Regulations
Secti		REG	Process		+ Fron	Side	Rear	Lot _Cove	Structure	Cat (Se	Cat (Se	Ri Pai Sp	(See also General Regulations)
.050	Restaurant or		Process I, 8	8,500 sq.	20,	5' but 2	10' 70	0% If ad	70% If adjoining a	σ	'n	1 per each 100 sq.	1. This use is not permitted in a PR 3.6 zone located in the NE 85th Street
	Tavem	<u></u>	Chapter 145 ft. if PR	t. If PR	-10	side	-	WO	low density			ft. floor area.	Subarea.
		7	KZC.	8.5 zone,	-	yards		ZOD	zone other				
			. <u>~</u>	other wise		must		than	than RSX, then				
		13	Within the	7,200 sq.		equal at		25 a	25 above				-
		1ż	NE 85"			least		aver	average build				
	_	Ro.	Street			15	_	Dur	ng elevation.				
		N)	Subarea,					<b>P</b>	Otherwise, 30				
		סו	Design			1		abo	above average				
		120	Review					building	ling				
<b></b>					T		<u> </u>	elev	elevation.				
.060	Grocery					10' on	÷			·		1 per each 300 sq.	1. This use is not permitted in a PR 3.6 zone located in the NE 85th Street
	Store, Drug	ų		•		each						ft. floor area.	Subarea.
	Store,					side							<ol><li>May not be located above the ground floor of a structure.</li></ol>
	Laundromat,	mat,			-							6	3.Gross floor area may not exceed 3,000 square feet.
	Dry Cleaners	ners,										-	
	Barber Shop,	<u>40</u>											
	or Shoe					····							
	Repair Shop	рор				-			-				
.070	Funeral Home	fome			- 51-	20' on	20'			ი 	œ		1. This use is not permitted in a PR 3.6 zone located in the NE 85 <sup>th</sup> Street
	or Mortuary	7. -	-			each		04.5					<u>Subarea</u> .
Γ			,	<del>.</del>		side							
.080	.080 Church				<del></del>		-					1 for every four	1. No parking is required for day-care or school ancillary to this use.
												people based on	
					•							maximum	
									e.		-2	occupancy load of	
												any area of worship.	-
											1-	See Spec. Reg. 1.	

PR

USE ZONE CHART

	8		S			±			APAVISIONA O					
	Section 60.22	USE	EGULATIONS	Required			NIMUMS UIRED YARDS		MAXIMUMS	i i i i i i i i i i i i i i i i i i i		ੇ ਦ	고 알 5 년 ~	
	E.	Uac	EUL	Review	Lot	(Se	ee Ch. 115)	Aras	Height of Structure	Category (See Ch.	35)	Category (See Ch.	Req'd Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
	Sec		R.	Process	Size	Front	Side Rear	5 E	Structure	5 S		S S	i d S	(
Γ	.090	School			8,500 so	, If this	use can accom	70%	If adjoining a	D		в	See KZC 105.25.	1.A six-foot-high fence is required only along the property lines adjacent to the
		Day-Ca	re	85th Street	ft. if PR	moda	ate 50 or more stu	d i	low density					outside play areas.
		Center		Subarea	8.5 zone	, dents	or children, then	:	zone other	ĺ				2Structured play areas must be setback from all property lines as fol lows:
				Design	other wis	se			than RSX, then					a. 20 feet if this use can accommodate 50 or more students or chil dren.
				Review,	7,200 sq	la :			25 above					b. 10 feet if this use can accommodate 13 to 49 students or children.
				Chapter 142,	ft.				average build					c. 5 feet for a Mini-School or Mini-Day Care Center.
				KZC,				ł	ing elevation.					3. An on-site passenger loading area must be provided. The City shall
								}	Otherwise, 30		]			determine the appropriate size of the loading area on a case-by-case basis,
		8		If this use is				ľ	above average					depending on the number of attendees and the extent of the abutting right-
		1		adjoining a				1	building eleva					of-way improvements. Carpooling, staggered loading/ unloading time, right-
				low density					tion.					of-way improvements or other means may be required to reduce traffic
				zone, then					See Spec.					impacts on nearby residential uses.
				Process I,					Reg. 7.				ł	4.May include accessory living facilities for staff persons.
		÷		Chapter 145					-				4	5. To reduce impacts on nearby residential uses, hours of operation of the use
				кzc.							-1			may be limited and parking and passenger loading areas relocated.
	1												1	3. These uses are subject to the requirements established by the Depart ment
				Otherwise,			2							of Social and Health Services (WAC Title 388).
				None				1					7	7.For a school use only, structure height may be increased, up to 35 feet, if:
					<u> </u>									a. The school can accommodate 200 or more students; and
														b. The required side and rear yards for the portions of the structure
						i.		1						exceeding the basic maximum structure height are increased by one foot
								1			[			for each additional one foot of structure height; and
								1						c. The increased height is not specifically inconsistent with the appli cable
										ł				neighborhood plan provisions of the Comprehensive Plan.
														d.The increased height will not result in a structure that is incompatible with surrounding uses or improvements.
						1		1						This special regulation is not effective within the disapproval juris diction of
														the Houghton Community Council.
								1			Í		e e	B. For a Mini-School or Mini-Day Care Center use electrical signs shall not be
<b>.</b>				• • • • • • • • • •							•			

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t.	2 600 62	other wise	None 5.0 zone,	Otherwise It. If PR	KZC. 5,000 sq. 15'.	Chapter 142, 7.2 zone, least	Review, ft. If PR equal at	Design 7,200 sq. must	Subarea 8.5 zone, yards	Mini-Day-Carelast Street ft. if PR side	.100 Mini-School on Within the NE8,500 sq. 20' 5' but 2 10'	side	each	20' 20' on 20'	dents or children, then:	modate 13 to 49 stu	If this use can accom	side	each	50' 50' on 50'				
			,							3	- ,	. •		÷		×								
-					<u>,</u>		<u> </u>				m		<u>.</u>		·····			- <i></i>						• <u>-                                    </u>
										<u></u>	σ											9		
										-				· .	•••			••			of Social and Health Services (WAC Title 388).	9. These uses are subject to the requirements established by the Department	residential uses.	permitted and the size of signs may be limited to be compatible with nearby

Revised 12-19-05

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## USE ZONE CHART

	5 USE V Required B USE V Required Review Process													
_		ISE	AT 0	Regulred					·····	MAXIMUMS	È #	<u> </u>	- 19 S.H.	
Section	ľ	13E	EGUL	Review Process	Lot Size	-	IRED YAR Ch. 115		j j	Height of Structure	pe Category (See Ch.	Category (See Ch.	Req'd Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
Š			ž.	Frocess	3128	Front	Side	Rear	35	Succure	<u>0</u> 2	50		
.11	0 A	ssiste	d	Within the	8,500 sq. ft.	20'	5 but 2	10	70%	If adjoining a	D	А	Independent Units: 1.7	1.A facility that provides both independent dwelling units and assisted living
	Lh	iving F	acility	<u>NE 85<sup>th</sup>  </u>	if PR 8.5		side			low density			per unit.	units shall be processed as an assisted living facility.
				Street	zone, 7,200		yards			zone other			Assisted Living Facility:	12.If a nursing home use is combined with an assisted living facility use in
				Subarea	sq. ft. if PR	1	must			than RSX, then			per unit.	order to provide a continuum of care for residents, the required review
	Design		<u>Design</u>	7.2 zone,		equal			25 above				process shall be the least intensive process between the two uses.	
			5,000 sq. ft.		at least			average build				3.For density purposes, two assisted living units shall constitute one		
			if PR 5.0		15.			ing elevation.				dwelling unit. Total dwelling units may not exceed the number of stacked		
	142, KZC, zo		zone, other-	·				Otherwise, 30				dwelling units allowed on the subject property. Through Pro cess IIB,		
				Otherwise	wise 3,600					above average				Chapter 152 KZC, up to 1 1/2 times the number of stacked dwelling units
1				None	sq. ft.					building				allowed on the property may be approved if the follow ing criteria are
										elevation.				met:
		-	Ť											a.Project is of superior design, and
	·													b.Project will not create impacts that are substantially different than
	-													would be created by a permitted multifamily development.
														4. The assisted living facility shall provide usable recreation space of at least
														100 square feet per unit, in the aggregate, for both assisted living units
4			-			1								and independent dwelling units, with a minimum of 50 square feet of
														usable recreation space per unit located outside.
														5. Chapter 115 KZC contains regulations regarding home occupations and
L												other accessory uses, facilities, and activities associated with this use.		

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	SNO			MIN	MUMS			MAXIMUMS			· · · · ·	
Section	USE USE	Required Review Process	Lot Size	REQU	RED YAI	Second Party 1	Lot Count	Height of	pe Category (See Ch.	Category (See Ch.	Req'd Parking Spaces (Seo Ch. 105)	Special Regulations (See also General Regulations)
	Convalescent Center or Nursing Hom	NE 85 <sup>th</sup>	8,500 sq. ft. if PR 8.5 zone, otherwise 7,200 sq. ft.	20	10 on each side	10		If adjoining a low density zone other than RSX, then 25 above average build ing elevation. Otherwise, 30 above average building elevation.		B	1 for each bed.	1.If a nursing home use is combined with an assisted living facility use in order to provide a continuum of care for residents, the required review process shall be the least intensive process between the two uses.
.130	Public Utility	-	None		20 on each sìde	20			A		See KZC 105.25.	
	Government Facility Community Facility				10 on each side	10			C See Spec. Reg. 2.			<ol> <li>Site design must minimize adverse impacts on surrounding residential neighborhoods.</li> <li>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.</li> </ol>
.150	Public Park	Developmer review proce		s will be	determ	ined on	a cas	e by case basis.	See KZ	C Chap	ter 49 for required	

Revised 12-15

## Chapter 48 – LIGHT INDUSTRIAL TECHNOLOGY (LIT) ZONES<sup>1</sup>

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48.05 User Guide.

The charts in KZC 48.15 contain the basic zoning regulations that apply in the LIT zones 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 48.10	Section 48.10 – GENERAL REGULATIONS The following regulations apply to all uses in this zone unless otherwise noted:
Zone	1. Refer to Chapter 1 KZC to determine what other provision of this code may apply to the subject property.
	<ol> <li>If any portion of a structure is adjoining a low density zone, then either:         <ul> <li>The height of that portion of the structure shall not exceed 20 feet above average building elevation, or</li> <li>The horizontal length of any facade of that portion of the structure which is parallel to the boundary of the low density zone shall not exceed 50 feet in width.</li> </ul> </li> <li>See KZC 115.30, Distance Between Structures Regarding Maximum Horizontal Facade Regulation, for further details.</li> <li>(Does not apply to Hazardous Waste Treatment and Storage Facilities uses).</li> </ol>
	<ol> <li>Except if adjoining a low density zone, structure height may be increased above 35 feet in height through a Process IIA, Chapter 150 KZC, if:         <ul> <li>It will not block local or territorial views designated in the Comprehensive Plan;</li> <li>The increased height is not specifically inconsistent with the applicable neighborhood plan provisions of the Comprehensive Plan; and</li> <li>The required yard of any portion of the structure may be increased up to a maximum of one foot for each foot that any portion of the structure exceeds 35 feet above average building elevation. The need for additional setback yards will be determined as part of the review of any request to increase structure height.</li> <li>(Does not apply to Hazardous Waste Treatment and Storage Facilities and Public Parks uses).</li> </ul> </li> <li>If the property is located in the NE 85<sup>th</sup> Street Subarea, the applicant shall install a pedestrian pathway connecting to an east-west pathway designated in the Comprehensive Plan between 124<sup>th</sup> Avenue NE to 120<sup>th</sup> Avenue NE.</li> </ol>

<sup>1</sup>Code reviser's note: The LIT zone was renumbered from Chapter 55 to Chapter 48 to accommodate the additions of the Totem Lake zones, presently in Chapter 55. (Revised 12/04) USE ZONE CHART Section 48.15

LIT					U	SE	z 0	NECH	IART			<b>*</b>
Section 60.22	USE SULATIONS	Required Review Process	Lot Size	REQU	NIMUMS JIRED YARG Dire Ch. 115) Side		Lot Coverag	MAXIMUMS Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Req'd Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.010	Packaging of Prepared Materials Manufacturi ng See Spec. Regs. 1 and 2.	NE 85 <sup>th</sup> Street Subarea,	None	20'	0'	0.		If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 35' above average building elevation with a maximum of two stories, exclusive of parking levels.	A	С	1 per each 1,000 sq. ft. of gross fibor area.	<ol> <li>The following manufacturing uses are permitted:         <ul> <li>Food, drugs, stone, clay, glass, china, ceramics products, electrical equipment, scientific or photographic equipment, fabricated metal products;</li> <li>Fabricated metal products, but not fabrication of major structural steel forms, heavy metal processes, boiler making, or similar activities;</li> <li>Cold mix process only of soap, detergents, cleaning preparations, perfumes, cosmetics, or other tollet preparations;</li> <li>Packaging of prepared materials;</li> <li>Textile, leather, wood, paper and plastic products from prepared material; and</li> <li>Other compatible uses which may involve manufacturing, processing, assembling, fabrication and handling of products, and research and technological processes.</li> </ul> </li> <li>May include as part of this use, accessory retail sales, office or service utilizing not more than 20 percent of the gross floor area. The landscaping and parking requirements for these accessory uses will be the same as for the primary use.</li> </ol>
	A Retail Establishme nt Providing Storage Services									E	See KZC 105.25.	1. May include accessory living facilities for resident security manager.
	Warehouse Storage Service					1				С	1 per each 1,000 sq. ft. of gross floor area.	<ol> <li>May include as part of this use, accessory retail sales, office or service utilizing no more than 20 percent of the gross floor area. The landscaping and parking requirements for these accessory uses will be the same as for the primary use.</li> </ol>

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(Revised 12/04)

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Kirkland Zoning Code 150.2

<ol> <li>Outdoor storage for this use must be buffered as established in Chapter 95 KZC for Landscaping Category A.</li> </ol>	1 per each 1,000 sq. ft. of gross floor area.	. m	ω		80%	ę.	Q	· 20,			Wholesale Establishme nt or Contracting Services in Building Constructio n, Plumbing, Electrical, Landscapin g, or Pest Gontrol		070
	······································			average building elevation. Otherwise, 30 above average building elevation with a maximum of two stories, exclusive of parking levels.					······································	<u>Review.</u> <u>Chapter</u> 142. <u>KZC</u> , Otherwise None	Printing or Publishing		.060
landscaping and parking requirements for these accessory uses will be the same as for the primary use.	gross oor area.		·	zone other than RSX, then 25' above						<u>Street</u> Subarea, Design	~ 것 긆		.050
<ol> <li>May include as part of this use, accessory retail sales, office or service utilizing no more than 20 percent of the gross floor area. The</li> </ol>	1 per each 1,000 sq. ft.	o	>	If adjoining a low density	%06	Q	Q	20,	None	Within the	sale		.040
Special Regulations (See also General Regulations)	Req'd Parking Spaces (See Ch. 105)	Sign Category (See Ch. 100)	Landscape Category (See Ch. 95)	MAXIMUMIS Height of Structure	Lot Coverag	DS Rear	MINIMUMS REQUIRED YARDS (See Ch. 115) rt Side	Front (S	Size	Required Review Process	REGULATIONS	. S	Section 60.22
			HART	т С	Z O N	,m	S N	·				ᄕ	<b>–</b> )

(Revised 12/04)

Kirkland Zoning Code 150.3

USE ZONE CHART Section 48.15

LIT					,	U	SE	Z 0	NE CH	ART			<b>,</b>
Section 60.22	USE	REGULATIONS	Required Review Process	Lot Size	REQ	NIMUMS UIRED YARI ee Ch. 115) Side		Lot Coverag	MAXIMUMS Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Req'd Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
	A Retail Establis nt Provi Banking and Rel Financia Services	shme Iding J lated al s	Within the NE 85 <sup>50</sup> Street Subarea, Design Review, Chapter 142, KZC, Otherwise None	None	20'	0'	0'	80 <b>X</b>	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 35' above average building elevation with a maximum of two stories, exclusive of parking levels	В	Ę	1 per each 300 sq. ft. of gross floor area.	<ol> <li>This use is permitted if accessory to a primary use, and:         <ul> <li>a. It will not exceed 20 percent of the gross floor area of the building;</li> <li>b. The use is integrated into the design of the building; and</li> <li>c. There is no vehicle drive-in or drive-through.</li> </ul> </li> </ol>
.090	High Technol	logy								A	D	If manufacturing then 1 per each 1,000 sq. ft. of gross floor area. If office then 1 per 300 sq. ft. of gross floor area. Otherwise, see KZC 105.25.	<ol> <li>This use may include research and development, testing, assembly, repair or manufacturing or offices that support businesses involved in the pharmaceutical and biotechnology, communications and information technology, electronics and instrumentation, computers and software sectors.</li> <li>May include as part of this use, accessory retail sales or service utilizing not more than 20 percent of the gross floor area. The landscaping and parking requirements for these accessory uses will be the same as for the primary use.</li> <li>Refer to KZC 115.105 for provisions regarding Outside Use, Activity and Storage.</li> </ol>

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(Revised 12/04)

Kirkland Zoning Code 150.4

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Kirkland Zoning Code 150.5

(Revised 12/04)

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.120	.110	. 100	Section 60.22	5
Kenne	Auction House See Spec. Reg. 1.	Office Use	USE	
·	. bec,		REGULATIONS	,
		<u>Within the</u> <u>NE 85<sup>th</sup></u> <u>Street</u> <u>Subarea</u> <u>Design</u> <u>Review.</u> <u>Chapter</u> <u>142, KZC</u> Otherwise None	Required Review Process	
-		None	Size	
20' 0' See Spec. Reg. 1.	20'	20,	Mill REQU (Se	
0' Reg. 1.	Q	a`	MINIMUMS REQUIRED YARDS (See Ch. 115) rt Side	E
Q	Q	0,	'S Rear	m
	80%	70%	Lot Coverag	Z O
<u>, .</u>	· · · · · ·	If adjoining a low density zone other than RSX, then 25' above building elevation. Otherwise, 35' above average building elevation with a maximum of two stories, eaclusive of parking levels.	MAXIMUMS Height of Structure	USEZONECH
	ω	Reg. 1a.	Landscape Category (See Ch. 95)	CHART
	m	រោ	Sign Category (See Ch. 100)	
	1 per each 300 sq. ft. of gross floor area.	If a Medical, Dental, or Veterinary office, then 1 per each 200 sq. ft. of gross floor area. Otherwise, 1 per each 300 sq. ft. of gross floor area.	Req'd Parking Spaces (See Ch. 105)	
<ol> <li>Outside runs and other facilities for the animals must be setback at least 10 feet from each property line and must be surrounded by a fence or wall sufficient to enclose the animals. See KZC 115.105, Outdoor Use, Activity and Storage, for further regulations.</li> <li>Must provide suitable shelter for the animals.</li> <li>Must maintain a clean healthful environment for the animals.</li> </ol>	<ol> <li>Livestock auctions are not permitted.</li> <li>Outdoor storage for this use must be buffered as established in Chapter 95 KZC for Landscaping Category A.</li> </ol>	<ol> <li>The following regulations apply only to veterinary offices:         <ul> <li>If there are outdoor runs or other outdoor facilities for the animals, then use must comply with Landscape Category A.</li> <li>Outside runs and other outside facilities for the animals must be setback at least 10 feet from each property line and must be surrounded by a fence or wall sufficient to enclose the animals. See KZC 115.105, Outdoor Use, Activity and Storage, for further regulations.</li> </ul> </li> </ol>	Special Regulations (See also General Regulations)	

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Kirkland Zoning Code 150.6

(Revised 12/04)

USE ZONE CHART Section 48.15

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# USE ZONE CHART

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Section 60.22	USE	REGULATIONS	Required Review Process	Lot Size		e Ch. 115) Side		Lot Coverag	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Req'd Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.140	I Mini-Da Care See Sp Reg. 1.	ec.	Within the NE 85 <sup>th</sup> Street Subarea. Design Review, Chapter 142, KZC, Otherwise None	None	20'.	ۍ.	°		If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 35' above average building elevation with a maximum of two stories, exclusive of parking	D	В		<ol> <li>This use is permitted if accessory to a primary use, and:         <ul> <li>It will not exceed 20 percent of the gross floor area of the building;</li> <li>The use is integrated into the design of the building.</li> </ul> </li> <li>A six-foot-high fence is required along the property lines adjacent to the outside play areas.</li> <li>Hours of operation may be limited by the City to reduce impacts in nearby residential uses.</li> <li>Structured play areas must be setback from all property lines by 5 feet.</li> <li>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.</li> <li>The location of parking and passenger loading areas shall be designed to reduce impacts on nearby residential uses.</li> <li>May include accessory living facilities for staff persons.</li> <li>These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388).</li> </ol>
.150	Recycli. Center	лg							levels.	A	С		<ol> <li>May deal in metal cans, glass, and paper. Other materials may be recycled if the Planning Director determines that the impacts are no greater than those associated with recycling metal cans, glass, or paper. The individual will have the burden of proof in demonstrating similar impacts.</li> </ol>
.160	Public (	Utility								с	В		<ol> <li>Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the</li> </ol>
,170	Govern t Facility Commu Facility	y Jinity			i i					See Spec. Reg. 1.			use on the nearby uses.

(Revised 12/04)

Kirkland Zoning Code 150.7

USE ZONE CHART Section 48.15

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.190 .180 Section 60.22 Reg. 1. Vehicle or rental See Spec. washing or services, Facilities Hazardous repair, boat sales, and Storage Treatment Waste USE REGULATIONS Subarea Street None Within the Chapter 142, KZC, Design Otherwise Review\_ Required Press Review None Siz G Front Ś å **REQUIRED YARDS** (See Ch. 115) MINIMUMS Side Q USE Rear ó Z O Z M %06 80% Lot Coverag parking levels exclusive of of two stories, average building Regulation 2. 35' above with a maximum building elevation above average elevation. then 25' above other than RSX density zone If adjoining a low See Special of parking levels. stories, exclusive average building maximum of two elevation with a Otherwise, 35' MAXIMUMS Height of Structure CHART Landscape Category Þ (See Ch. 95) Sign Category m o (See Ch. 100) See KZC 105.25. 1 per each 1,000 sq. ft. Req'd floor area, of gross Parking Spaces (See Ch. 105) Access from drive-through facilities must be approved by the Public Ņ Vehicle or boat sales or rental uses are only permitted if the property has direct vehicle access from NE 116th Street or 120th Avenue NE. Ν Must comply with the state siting criteria adopted in accordance with RCW 70.105.210. See KZC 115,105, Outdoor Use, Activity and Storage, for further Structure height may be increased above 35 feet in height through a Outdoor vehicle or boat parking or storage areas must be buffered as è 0 b. The increased height is not specifically inconsistent with the be served. vehicles will not block traffic in the right-of-way while waiting in line to Works Department. Drive-through facilities must be designed so that regulations, Regulations. required for a parking area in Chapter 95.40.6 and 7, Landscaping It will not block local or territorial views designated in the Process IIA, Chapter 150 KZC, if: review of any request to increase structure height. need for additional setback yards will be determined as part of the structure exceeds 35 feet above average building elevation. The up to a maximum of one foot for each foot that any portion of the The required yard of any portion of the structure may be increased The need for an increase in height is directly related to the Plan; and applicable neighborhood plan provisions of the Comprehensive hazardous waste treatment and/or storage activity; and Comprehensive Plan; and (See also General Regulations) Special Regulations e

(Revised 12/04)

Kirkland Zoning Code 150.8

Kirkland Zoning Code 150.9

(Revised 12/04)

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22		DNS				MINIMUMS			MAXIMUMS				
Section 60	USE	REGULATI	Required Review Process	Siza	REQU (Se	REQUIRED YARDS (See Ch. 115) nt Side	Rear	Lot Coverag		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100) Req'd	Req'd Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.200		Fast Food or Restaurant See Spec. Reg. 1.	Within the <u>NE 85*</u> <u>Street</u> <u>Subarea</u>	None	20'	0,	0,	808	If adjoining a low density zone other than RSX, then 25' above 25' above average	œ	Ċ.	1 per each 100 sq. ft. of gross floor area.	<ol> <li>This use is permitted If accessory to a primary use, and:</li> <li>a. It will not exceed 20 percent of the gross floor area of the building;</li> <li>b. The use is integrated into the design of the building; and</li> <li>c. There is no vehicle drive-in or drive-through.</li> </ol>
		•	Review <u>Chapter</u> <u>142. KZC</u> , Otherwise None			` 			elevation. Otherwise, 35' above average building elevation with a maximum of two stories, exclusive of parking levels.				
.210		Public Park	Developmer process.	nt standard	s will be de	termined o	n a cas	e by cas	Development standards will be determined on a case by case basis. See KZC Chapter 49 for required review process.	C Chapter	49 for requi	ed review	

(Revised 12/04)

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.22	ON			MIN	MINIMUMS			MAXIMUMS	>			
n 60				REQU	REQUIRED YARDS		ag		Ch. i)	gory Ch. 0)	ding ces Ch.	Special Regulations
tion			Ē	(Se	(See Ch. 115)		.ot /era	Height of	iteg iee ( 95)	Sigr ateg ice ( 100	Req' arki pac iee ( 105	Special Kegulations) (See also General Regulations)
Sec	RE	Process	Size	Front	Side	Rear		Structure	Ca (S	Ca (S	P: S (S	
.220	Commercia	NE 85 <sup>th</sup>	None	20,	ą	Q	80%	If adjoining a low density	₽	m	See KZC 105.25.	<ol> <li>The use is permitted only if the property is located between NE 107th Street (extended) and NE 116th Street; and between I-405 and 116th</li> </ol>
		Subarea						than RSX			_	2. The use shall be conducted within a wholly-enclosed building.
_	COURSE - COURSE			<b>-</b>	-			then 25'				3. The building housing the use shall have been in existence on June
		Design						above				2004, and shall not be altered, changed, or otherwise modified to
		Chanter						average				accommodate the use if the cost of such alteration, change, or modification exceeds 30 percent of the replacement cost of that
		142, KZC,					<u>.</u>	elevation.				building.
		Otherwise						Othenwise, 35' above				<ol><li>The use must be discontinued when there is an alteration, change, or other work in a consecutive 12-month period to the space in which</li></ol>
		None						average				the use is located, and the cost of the alteration, change or other
								building				work exceeds 30 percent of the replacement cost of that space.
								elevation with				
								amaximum		62		
			:					or two stories, exclusive of				
								parking				
								levels.			7.00070	

USE ZONE CHART Section 48.15

## CHAPTER 53 - RH 1A

53.05 User Guide.

The charts in KZC 53.10 contain the basic zoning regulations that apply in the RH 1A zone. 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 53.08	Section 53.08 GENERAL REGULATIONS
	The following regulations apply to all uses in this zone unless otherwise noted:
	1.Refer to Chapter 1 KZC to determine what other provisions of this code may apply to the subject property.
	2. The ground floor of all structures on the subject property shall be a minimum of 15' in height. This requirement does not apply to: a. the following uses: vehicle service stations, automotive service centers, private lodges or clubs, attached or stacked dwelling units, churches, schools, day-care centers, mini-schools or mini-day care centers, assisted living facilities, convalescent center or nursing homes, public utilities, government facilities or community facilities. b. parking garages.
	c. additions to existing non-conforming development where the Planning Official determines it is not feasible.
	3. At least 50% of the total gross floor area located on the ground floor of all structures on the subject property must contain retail establishments, restaurants, taverns, hotels or motels. These uses shall be oriented to NE 85 <sup>th</sup> Street, a major pedestrian sidewalk, a through block pedestrian pathway or an internal pathway (see also KZC Chapter 92).
	4. Within required front yards, canopies and similar entry features may encroach provided that the total horizontal dimension of such elements may not exceed 25 per percent of the length of the structure.
	<ol> <li>Some development standards or design regulations may be modified as part of the design review process. See Chapters 92 and 142, KZC for requirements.</li> </ol>
	6. The Public Works Official shall approve the number, location and characteristics of driveways on NE 85 <sup>th</sup> Street in accordance with the driveway and sight distance policies contained in the Public Works Pre-approved Plans manual. Taking into consideration the characteristics of this corridor, the Public Works Official may:
	a) require access from side streets; and/or () b) encourage properties to share driveways, circulation and parking areas; and/or
	c) restrict access to right turn in and out, or
	d) prohibit access altogether along NE 85 <sup>th</sup> Street.
	7. Access for drive through facilities must be approved by the Public Works Official. See Chapter 105.96 KZC for requirements.
	8. For lighting requirements associated with development see KZC Chapter 115. 85.2
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RI	11/	A			•	Ú S	SE 2	Z 0	NECHA	RT			
Section 60.22	USE	REGULATIONS	Required	Lot	REQ	NIMUMS UIRED YARI ee Ch. 115)			MAXIMUMS Height of	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	req o Parking Spaces (See Ch.	s Special Regulations
Sect		REG	Process	Size	Front	Side	Rear	Ĕ	Structure	Se Car	Cat (Se (Se	s a s.	(See also General Regulations)
:	Vehicle Service Station			22,500 sq. ft.	20 <sup>,</sup> See Special Regulation 1	15' on each side	15'	1	67' above average building elevation	A	Е	See KZC 105.25.	<ol> <li>Gas pump islands must be setback at least 20 feet from all property lines. Canopies or covers over gas pump islands may not be close than 10 feet to any property line. Outdoor parking and service area may not be closer than 10 feet to any property line.</li> <li>See KZC 95.40.6 and 7, Required Landscaping for further regulations.</li> </ol>
	Automo Service Center See Spe Reg. 1.			None	10'	0*	0'					250 sq. ft. of gross floor area	<ol> <li>Ten percent of the required parking spaces on site must have a minimum dimension of 10 feet wide by 30 feet long for motor home/travel trailer use.</li> <li>Parts and tires must be stored entirely within an enclosed structure.</li> <li>See KZC 95.40.6 and 7, Required Landscaping for further regulations.</li> </ol>
	Restaur Fast Foo Restaur	bo								В		1 1 per each 100 sq. ft. of gross	1.Must provide one outdoor waste receptacle for every 8 parking stall

floor area.

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콘	RH 1A			·	C	USE	2 0	NEC	HAR	-	: ,	· .
				MIN	MINIMUMS			MAXIMUMS	y	y e	c	
tion 22		Required	ž	REQU	REQUIRED YARDS	Š	L ot	Height of	Cat gor	gor (Se	ng Spa es	(See also General Regulations)
Sec 60		Process	Size	Front	Side	Rear						
.040	.040 Any retail	Design	None	10'	Q	Q	80%	67' above	80	m	1 per each.	per each 1. Ancillary assembly and manufacture of goods on the premises of this use are
	establishme	establishment, Review,						average			300 sq ft.	permitted only if:
	other than	Chapter						building			of gross	a. The assembled or manufactured goods are directly related to and are
	those	142, KZC	· ,					eleva tion.			floor area.	dependent upon this use, and are available for purchase and removal from
	specifically		<del></del>				-					the premises,
	listed, limited	ä				-						b. The outward appearance and impacts of this use with andliary assembly or
	or prohibited in	5										manufacturing activities must be no different from other retail uses.
	this zone.											2.A delicatessen, bakery, or other similar use may include, as part of the use,
	selling goods,	15.								000		accessory seating if:
	or providing											a. The seating and associated circulation area does not exceed more than 10
	ser vices											percent of the gross floor area of the use; and
	including											b.tt can be demonstrated to the City that the floor plan is designed to preclude
	banking and	<u>н</u>				-		•				the seating area from being expanded.
<u> </u>	related											3. For a retail establishment involving the sale, lease, repair or service of
<u> </u>	financial											automobiles, trucks, boats, motorcycles, recreation vehicles, heavy equipment,
	services											and similar vehicles, the following shall apply:
								•				a. For the number of required parking stalls see KZC 105.25.
												<ul> <li>b. Parts must be stored entirely within an enclosed structure.</li> </ul>
												c. See KZC 95.40.6 and 7, Required Landscaping for further regulations.

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RH 1A

USE ZONE CHART

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8	<u>ē</u>		g		<u>e</u>	.070 A			Ζ	.060 Hotel or	-												.050 Office Use		ection		_	
activities	or cultural	recrea	itertai	providing	stabils	A retail			Motel	otel o													ffice		USE			
3	<u>a</u>	recreational	entertainmen	ί'ng	establishmen				ł															RI	GULA	TION	15	
											-4									142, KZC	Chapter	Review,	Design	rrocess	Review			
																							None	Size	<u>ិ</u> ទ			
								•															10'	Front	REQUJ (See	MIN		
																			·				Q	Side	REQUIRED YARDS (See Ch. 115)	MINIMUMS		
											-					2010							ó	Rear	ני פּר			
	_			÷																			80%	La • Ca	ot over			
								•		K.	N.			-						eleva tion.	building	average	67' above	Sancture	Height of	MAXIMUMS		
										80		_											ი	C	pe atego See Cl	y.		
										m													0	C:	Sign atego See Cl 100)	ry h.		
•				105.25.	Section	See KZC	Reg. 2.	also Spec.	room, See	1 per each	area.	gross floor	sq. ft. of	per each 300	Otherwise, 1	area.	gross floor	sq. ft. of	per each 200	office, then 1	Veteri nary	Dental or	If a Medical,	P	Req'd 'arkin Space See Cl 105}	g		•
							be determined on a case-by-case basis.	facilities. Additional parking requirement for these ancillary uses shall	2. Excludes parking requirements for ancillary meeting and convention	1. May include ancillary meeting and convention facilities.			. other office uses.	assembly or manufacturing activities must be no different from	b. The outward appearance and impacts of this use with ancillary	and dependent on this use.	a. The ancillary assembled or manufactured goods are subordinate to	use are permitted only if.	per each 200 2. Ancillary assembly and manufacture of goods on the premises of this	permitted.	b.Outside runs and other outside facilities for the animals are not	a.May only treat small animals on the subject property.	1. The following regulations apply to veterinary offices only:		Special Regulations (See also General Regulations)			

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# USE ZONE CHART

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Section	USE	REGULATIONS	Required Review Process	Lot Size	REQUI	MUMS RED YAF Ch. 119 Side		Lot Cover	MAXIMUMS Height of Structure	Lanusca pe Category (See Ch.	Sign Category (See Ch. 100)	Req'd Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.080	Attached Stacked Dwelling	) Unit	Design Review, Chapter 142, KZC	None	10'	0,	0,		35'-67' above average building elevation. See Special Regulation 2	D	A	1.7 per unit.	<ol> <li>Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.</li> <li>Building height may be increased above 35' to a maximum of 67' above average building elevation if the following is provided. At least 10% of the units in new residential developments of 10 units or greater shall be affordable housing units as defined in Chapter 5 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 Clty 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. Additional affordable housing incentives may be applicable to residential development (see Chapter 112 KZC).</li> </ol>

RH 1A

# USE ZONE CHART

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#### Rev

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RI	H 1/	A				U	'S E	z o	NECI	HARI	Г		
Section 60.23	USE	REGULATIONS	Required Review Process	Lot Size	REQU	IIMUMS IRED YAR • Ch. 115 Side		Lot Cover	MAXIMUMS Height of Structure	Larrosca pe Category (See Ch.	Sign Category (See Ch. 100)	Req'd Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
	Mini-Sc	enter, hool Day-	Design Review, Chapter 142, KZC	None	10'	0.	0,		67' above average building elevation	D			<ol> <li>A six-foot-high fence is required only along the property lines adjacent to the outside play areas.</li> <li>Structured play areas must be setback from all property lines as follows a.20 feet if this use can accommodate 50 or more students or children. b.10 feet if this use can accommodate 13 to 49 students or children. c.5 feet for Mini-School or Mini-Day-Care Center.</li> <li>An on-site passenger loading area must be provided. The City shall determine the appropriate size of the loading areas on a case-by-case basis, depending on the number of attendees and the extent of the abutting right-of-way improvements. Carpooling, staggered loading/ unloading time, right-of-way improvements or other means may be required to reduce traffic impacts on nearby residential uses.</li> <li>May include accessory living facilities for staff persons.</li> <li>Hours of operation of the use may be limited and parking and passenger loading areas shall be located to reduce impacts on nearby residential uses.</li> <li>These uses are subject to the requirements established by the Depart ment of Social and Health Services (WAC Titte 388).</li> </ol>

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RH 1A **USE ZONE CHART** REGULATIONS MAXIMUMS MINIMUMS Landscape Category (See Ch. 95) Sign Category (See Ch. 100) Req'd Parking Spaces (See Ch. 105) Required **REQUIRED YARDS** UŞE **Special Regulations** Section 60.222 Lot Covera Review Lot (See Ch. 115) **Height** of (See also General Regulations) Size Process Structure Re Front Side ar .120 Assisted Design None 10' 0' 0' 80% 67' above С в Assisted 1. Chapter 115 KZC contains regulations regarding home occupations and Review, Living average living unit: 1.7 other accessory uses, facilities and activities associated with this use. Facility, Chapter building per unit Convalescent142, KZC eleva tion. Center or Convalescent Nursing Center or Nursing Home Home: 1 per each bed. .130 Public Utility А See KZC Landscape Category A or B may be required depending on the type of use 105.25. on the subject property and the impacts associated with the use on the nearby uses. С .140 Government See Spec. Facility Reg. 1 Community Facility .150 Public Park Development standards will be determined on a case by case basis. See KZC Chapter 49 for required review

## CHAPTER 53- RH 1B

The charts in KZC 53.192 contain the basic zoning regulations that apply in RH 1B. 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 53.10	GENERAL REGULATIONS
	The following regulations apply to all uses in this zone 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 vehicular access must be from NE 90th Street or 120 <sup>th</sup> Avenue NE south of NE 90 <sup>th</sup> Street.
	3. Development with frontage on 120th Avenue NE north of NE 90 <sup>th</sup> Street shall provide for the continuation of a pedestrian path that generally follows the alignment of 120th Avenue NE and connects to NE 90th Street.
	4. For lighting requirements associated with development see KZC Chapter 115. 85.2.
	<ul> <li>5. Prior to any of the following uses occupying a structure on a property adjoining a residential zone, the applicant shall submit a noise study prepared by a qualified acoustical consultant for approval by the Planning Official. <ul> <li>Establishments expected to operate past 9 p.m.</li> <li>Veterinary offices.</li> <li>Any establishment where animals are kept on site.</li> <li>An establishment providing a large truck loading dock for deliveries.</li> </ul> </li> <li>The study shall verify that the noise that will emanate from the site adjoining to any residential zoned property complies with the standards specified in KZC Section 115.95.1 and 2. and WAC 173-60-040 (1) for a Class B source property and a Class A receiving property.</li> </ul> <li>6. Some development standards or design regulations may be modified as part of the design review process. See Chapters 92 and 142, KZC for requirements.</li>

## EXHIBIT H

RH 1B

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# USE ZONE CHART

		SNOL				MI	NIMUMS			MAXIMUMS		× .		
Section	5322 C	ISE   ISE	Re	quired sview ocess	Lot Size		liRED YARD e Ch. 115) Side	S Rear	Lot Cover	Height of Structure	Lanusca pe Category (See Ch.	Sign Category (See Ch. 100)	Req'd Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
	park uses	essory king for re s located RH 1A zo	in Cha	riew, apter	None	10' Otherwise 20' adjoining a residential zone'	10' on each side	10'		35' above average building elevation	В	D	N/A	1. No retail floor area shall be permitted for this use.
030	See Reg Any esta othe thos spec liste or pi this sellij	cifically d, limited rohibited zone, ng goods roviding	t				0'	0'			A	E	1 per each 300 sq. ft. of gross floor area	<ol> <li>The following business park uses are permitted: wholesale trade, wholesate printing or publishing, light assembly, manufacturing of small-scale articles such as electrical equipment, manufacturing of scientific or photographic equipment; packaging of prepared materia manufacturing of textile, leather products, paper products or plastic products from pre-prepared materials.</li> <li>Outdoor storage is prohibited.</li> <li>The discharge of any substance which creates any impact detrimental the environment or adjacent residents is not permitted.</li> <li>This use is only permitted south of NE 90<sup>th</sup> Street if the vehicle trip generation will not exceed the traffic generated by a general office use, provided that the following retail uses are not permitted:         <ul> <li>a retail establishment involving repair or service of automobiles, truck boats, motorcycles, recreation vehicles, heavy equipment, and similar vehicles</li> <li>Ancillary assembly and manufacture of goods on the premises of this use are permitted only if:             <ul> <li>The assembled or manufactured goods are directly related to and dependent upon this use, and are available for purchase and</li> </ul> </li> </ul></li></ol>
	bank	uding king and ted financ tices	iał								þ			removal from the premises. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from oth retail uses.

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		REGULATIONS	Required			NIMUMS			MAXIMUMS	₹4	Č i	99 g ±	
Section 53	USE	EGULA	Review Process	Lot Size	(Se	UIRED YARI		Lot Cover	Height of Structure	Category (See Ch.	Sign Categor (See Ch	Parking Spaces (See Ch.	Special Regulations (See also General Regulations)
┉┯┙	)ffice U		Design	None	Front	Side 0'	Rear <sup>~</sup> 0'		35' above	с			1.Ancillary assembly and manufacture of goods on the premises of this use an
ΨC			Review	atone	Otherwis	v	ľ		average	Ŭ	U	300 sq.	permitted only if:
			Chapter		e 20'				building			ft. of	a.The ancillary assembled or manufactured goods are subordinate to and
			142, KZC		adjoining				elevation			gross	dependent on this use.
					a				•			floor	b.The outward appearance and impacts of this use with ancillary assembly
					residentia							area.	manufacturing activities must be no different from other office uses.
					zone								
50 s	chool,	Day-								D	В		1.A six-foot-high fence is required only along the property lines adjacent to th
- 1	are Ce											KZC	outside play areas.
	lini-Sch											105.25	2.Structured play areas must be setback from all property lines as follows:
	lini-Day	/ Care							·				a.20 feet if this use can accommodate 50 or more students or children. b.10 feet if this use can accommodate 13 to 49 students or children.
													c.5 feet for Mini-School and Mini-Day-Care Centers.
													3.An on-site passenger loading area must be provided. The City shall determ
									-				the appropriate size of the loading areas on a case-by-case basis, depend
									-				on the number of attendees and the extent of the abut ting right-of-way
													improvements. Carpooling, staggered loading/unloading time, right-of-way
													improvements or other means may be required to reduce traffic impacts or
													nearby residential uses.
													4.May include accessory living facilities for staff persons.
													5. Hours of operation of the use may be limited and parking and passenger
													loading areas shall be located to reduce impacts on nearby residential us
												1	<ol> <li>These uses are subject to the requirements established by the Department Social and Health Services (WAC Title 388).</li> </ol>

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RH 1B				C	USEZ	ZONEO	CHART			
VS	,									
			SWAMINEW	AUMS		MAXIMUMS	ц У	<b>y</b> 1.	5 1.	
	Required	Lat		REQUIRED YARDS			pe tegor tegor	iign tegor te Ch 00)	eq'd rking aces e Ch .05)	
	Process	Size	Front		Loi	C Structure	Ċa	Ca (Se	- <b>D</b> -	
.060 Church	Design	None	10'	¢	0' 80%	35' above	0	в	See KZC	1. May include accessory living facilities for staff persons.
	Review,		Otherwise			average			05.25.	<ol><li>No parking is required for day-care or school ancillary to the use.</li></ol>
	Chapter		20			building				
	142, KZC		adjoining			elevation,				
			ພ						5056440	
		(*	residential							
	L		zone							
.070 Assisted Living	<u>0</u>	-							Assisted	1. Chapter 115 KZC contains regulations regarding home occupations and
Facility,									living unit 1	other accessory uses, facilities and activities associated with this use.
Convalescent									per unit	
Center or										
Nursing Home	<u> </u>								Convalescent	
									Center or	
						•			Nursing	
									Home: 1 for	
	!				۰.				each bed	
.080 Public Utility							₽		See KZC	
	<u> </u>								105.25.	
.090 Government									See KZC	
Facility or									105.25.	
Community										
Facility			-			2				
,100 Public Park	5									
		nt standard	is will be det	ermined o	n a case t	Development standards will be determined on a case by case basis. See KZC Chapter 49 for required review	see KZC Chap	oter 49 for rec	quired review	

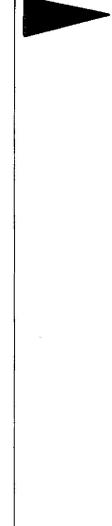
Revised 12-19-05

## CHAPTER 53 - RH 2A, RH 2B, RH 2C

53.05 User Guide. The charts in KZC 53.10 contain the basic zoning regulations that apply in the RH 2A, RH 2B, RH 2C zones 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 53.08 Section 53.08 GENERAL REGULATIONS

The following regulations apply to all uses in this zone unless otherwise noted:



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

2. Uses in RH 2A and RH 2B, vehicular access shall be from NE 85<sup>th</sup> Street or 120<sup>th</sup> Avenue NE. The subject property shall be configured to structurally prevent vehicular access other than for emergency vehicles, from 118<sup>th</sup> Avenue NE. Only office and residential uses in RH 2C may access from 118<sup>th</sup> Avenue NE if vehicle trips do not exceed the trips that would be generated from residential development at 12 units per acre based on the total site area in RH 2C. Any excess of this amount must access from NE 85th Street or 120<sup>th</sup> Avenue NE.

3. At least 50% of the total gross floor area located on the ground floor of all structures in RH 2A shall contain retail establishments, restaurants, taverns, hotels or motels. These uses shall be oriented to NE 85<sup>th</sup> Street, a major pedestrian sidewalk, a through block pedestrian pathway or an internal pathway (see also KZC Chapter 92).

4. The ground floor of all structures in RH 2A shall be a minimum of 15' in height. This requirement does not apply to: a. the following uses: vehicle service stations, automotive service centers, private lodges or clubs, attached or stacked dwelling units, churches, schools, day-care centers, mini-schools or mini-day care centers, assisted living facilities; convalescent center or nursing homes, public utilities, government facilities or community facilities.

b. parking garages.

c. additions to existing non-conforming development where the Planning Official determines it is not feasible.

5. The maximum height of any portion of a building located within 100' of a low density zone is 25' above the existing grade at the adjacent curb line of 120<sup>th</sup> Avenue NE. The 25' building height shall be measured at the midpoint of the portion of the building wall adjoining the low density zone.

6. Loading and service areas shall be placed away from NE 85<sup>th</sup> Street, pedestrian areas and adjacent residential uses.

7. Internally lit signs are not permitted along 120<sup>th</sup> Avenue across the street from a residential zone or oriented toward 118<sup>th</sup> Avenue.

8. Some development standards or design regulations may be modified as part of the design review process. See Chapters 92 and 142, KZC for requirements,

9. The Public Works Official shall approve the number, location and characteristics of driveways on NE 85<sup>th</sup> Street in accordance with the driveway and sight distance policies contained in the Public Works Pre-approved Plans manual. Taking into consideration the characteristics of this corridor, the Public Works Official may:

a) require access from side streets; and/or

b) encourage properties to share driveways, circulation and parking areas; and/or

c) restrict access to right turn in and out, or

d) prohibit access altogether along NE 85th Street.

### EXHIBIT I

Revised 12-19-05 10. Access for drive through facilities must be approved by the Public Works Official. See Chapter 105.96 KZC for requirements. Drive through facilities are not permitted in an RH 2B, or RH 2C zones. 11. Prior to any of the following uses occupying a structure on a property adjoining a residential zone, the applicant shall submit a noise study prepared by a qualified acoustical consultant for approval by the Planning Official. Establishments expected to operate past 9 p.m. ٠ Vehicle service station. Automotive service center. Retail establishment providing entertainment, recreational or cultural activities. • Retail establishment involving the sale, lease, repair or service of automobiles, trucks, boats, motorcycles, recreation vehicles, heavy equipment, or similar vehicles. Car washes. Veterinary offices. Any establishment where animals are kept on site. Drive-through facilities with loudspeaker systems. Establishments involving a large truck loading dock for deliveries. ٠ The study shall verify that the noise that will emanate from the site adjoining to any residential zoned property complies with the standards specified in KZC Section 115,95.1 and 2, and WAC 173-60-040 (1) for a Class B source property and a Class A receiving property. 12. For lighting requirements associated with development see KZC Chapter 115. 85.2.

RH 2 2B,	,					USE	20	) N E	CHAR	t T			
Section 53.22	USE	REGULATIONS	Required Review Process	Lot Size		IUMS ED YARDS :h. 115) Side	Rear	Lot Covera	MAXIMUMS Height of Structure	Category (See Ch. Sfb/	Category (See Ch.	Req <sup>r</sup> d Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
	Vehicle S Station S Spec. Re and 2	ee	Design Review Chapter 142, KZC	22,500 sq. ft.	20' See spec. reg. 2	0' See spec. reg. 2	0' See spec. reg. 2		35' above average building elevation.		E	See KZC 105.25.	<ol> <li>This use is permitted only in RH 2A.</li> <li>Gas pump islands must be setback a minimum of 20 feet from all property lines. Canopies or covers over gas pump islands may not be closer than 10 feet to any property line. Outdoor parking and service areas may not be closer than 10 feet to any property line.</li> <li>See KZC 95.40.6 and 7 Required Landscaping for further regulations.</li> </ol>
	Automotiv Service C See Spec 1.	enter		None	10' Otherwis e 20' adjoining a residentia I zone		0,	RH 28 80% In RH 2C	In RH 2B: 55' above average building elevation In RH 2A: 67' above average building elevation			1 per each 250 sq. ft. o gross floor area. See Spec. Reg. 3.	<ol> <li>This use is permitted only in RH 2A.</li> <li>Ten percent of the required parking spaces on site must have a minimum dimension of 10 feet wide by 30 feet long for motor home/travel trailer use.</li> <li>Parts and tires must be stored entirely within an enclosed structure.</li> <li>See KZC 95.40.6 and 7 Required Landscaping for further regulations.</li> </ol>
	Restaura Tavem or Food Res	Fast	nt		F							1 per each 100 sq. fl. c gross floor area.	of This use is not permitted in RH 2C.
	A retail establishr providing entertainn recreation cultural ad	nent, naí or	s									See KZC Section 105.25.	1. This use is permitted in RH 2B only if developed in conjunction with the RH 2A zone 2. This use is not permitted in RH 2C.

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RH 2A, 2B, 2C				USE	ZONE	0	HART			
			SMAMINIM	SWS		MAXIMUMS				
	Required	⊊ 	REQUIRED YARDS (See Ch. 115)	D YARDS	rag		iscape egory e Ch. 15) Ign	egory e Ch. APL	rking aces e Ch.	Special Regulations
REG		 	Front	Side Rear	E Lot Cove		Cat (Se	Cat (Se	Sp	(See also Genjaral Regulations)
.050 Any retail Design	ign None		20	0, 0,	n RH	- DC JG	Þ	m	1 per	1. This use is permitted in RH 2B only if developed in conjunction with the RH 2A
establishment					2A and	2A and 35' above		ō	300	zone. No retail uses are permitted in RH 2C unless the use is a retall establishment
other than Chapter	pter			,	RH 2B	RH 2B average		<u>o</u>	sq ft. of	providing the sale, lease, service or repair of automobiles, trucks, boats,
those 142,	142, KZC				80%	elevation		2	gross	motorcycles, recreation vehicles, heavy equipment and similar vehicles also located
specifically	-								floor	in the RH 2A and RH 2B zones.
listed, limited					In RH	In RH 28:		0	area.	2. For a retall establishment involving the sale, lease, repair or service of
or prohibited in					20	average				automobiles, trucks, boats, motorcydes, recreation vehicles, heavy equipment,
this zone,					70%	building		0	See	and similar vehicles, the following shall apply:
selling goods.						CIEVATION		<u>.</u>	special	a. For the number of required parking stalls see KZC 105.25
or providing				-•	7	In RH 2A:			regulation	b. Parts must be stored entirely within an enclosed structure.
ser vices			<del></del>			average		-ia		c. See KZC 95.40.6 and 7, Required Landscaping for further regulations.
induding						building				d. The landscape buffer requirements of KZC Chapter 95 shall apply adjacent to
banking and						elevation				118 <sup>th</sup> Avenue NE.
related										
financial										3. Anciliary assembly and manufacture of goods on the premises of this use are
services	•									permitted only if:
										a. The assembled or manufactured goods are directly related to and are
										dependent upon this use, and are available for purchase and removal from the
										premises,
										b. The outward appearance and impacts of this use with ancillary assembly or
				<u>.</u>						manufacturing activities must be no different from other retail uses
										4.A delicatessen, bakery, or other similar use may include, as part of the use.
										accessory seating if:
							•		,	a. The seating and associated circulation area does not exceed more than 10
				<u>,</u>			<u></u>			percent of the gross floor area of the use; and
										b.It can be demonstrated to the City that the floor plan is designed to preclude the
-										habrerya naina from haina avnandar



# USE ZONE CHART

60.22		REGULATIONS	De sudas d					i	MAXIMUMS	ب ح <del>م</del>		22		·
ction	USE	GULA	Required Review	Lat		RED YARD		Covera	Height of	anoscap Category (See Ch.	雪	(See Ch.	Parking Spaces (See Ch.	Special Regulations (See also General Regulations)
Š		RE	Process	Size	Front	Side	Re ar	5.5		5 S	Ċ	<u>, s</u>	4 S S	
.06	Office L		Design Revlew, Chapter 142, KZC		10' Otherwise 20' adjoining a residential zone.	<b>o</b> ,			In RH 2C: 35' above average building elevation In RH 2B: 55' above average building elevation In RH 2A: 67' above average	A			Dental or /eterinary	<ul> <li>a. The ancillary assembled or manufactured goods are subordinate to and dependent on this use.</li> <li>b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.</li> </ul>
.074	) College Univers								average building elevation				300 sq. ft. of gross loor area. See KZC Section 105.25	

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							Home	Nursing	Center or	Convalescent	Facility,	Living	Assisted														Dwellin	Stacked	Attached or		USE		•	 2B, 2C	120	
<b>.</b>						-			9	escent			ä								,						g Unit			RE	GULA'	T10	NS			
												22														142, KZC	Dwelling Unit Chapter	Review,	Design	Process	<b>Required</b>	3				
						,											none .	Otherwise		T,	3,600 sq.	<u>unit is</u>	dwelling	Der	ot area	amount of	minimum		In RH 2C		1					
		<u>-</u>																						zone	residential	adjoining a	20:	Otherwise	10' 0'	Front	(See	REOUIR	SMRMINIM			
,																														Side	(See Ch. 115)	REOUIRED YARDS	SWR	US		
																													0	Rear	<b></b>	DS		n N		
																							2C 70%	In RH		80%	RH 2B	2A and	In RH	Lot Cove	rage			0 N	•	
														3	Dec openie	See Speriat		elevation	average	35'-67' above	In RH 2A:	elevation	building	average	In RH 28:	010 40 0011	building	average	In RH 2C:	Structure	Height of		MAXIMUMS	ECH	3	
													0						·										٥	Cat (See	dscar tegor Ch. 9	y	)	ART		
					0	Horne:	Nursing	¥	Center	scent	Convale		Þ																A	Cat (Se	tegor tegor te Ch	۱.				
per each bed	Home: I	Nursing	Center or	cent	Convales	per unit.	Facility: 1	Living	Assisted	unit.	Convale 1.7 per	ent unit:	Independ															unit.	1.7 per	Pa Spac	eq'd irking es (9	g See	•			
						-			dwelling units allowed on the subject property.	dwelling unit. Total dwelling units may not exceed the number of stacked	2. In RH 2C for density purposes, two assisted living units shall constitute one	accessory uses, facilities, and activities associated with this use.	1. Chapter 115 KZC contains regulations regarding home occupations and other	reshueriluat uevenduniarit (see Griaduer 112 NAC).	concerning and a second and according interim a contract to approach to	ownership units. Additional affordable housing incentives may be applicable to	rental units and at least 30 years from the date of initial owner occupancy for	housing units will remain as affordable housing units for the life of the project for	Records and Elections to stipulate conditions under which required affordable	approved by the City must be recorded with King County Department of	(unit) if the fraction of the whole number is at least 0.66. An agreement in a form	affordable housing units is determined by rounding up to the next whole number	is affordable housing units as defined in Chapter 5 KZC. The number of	a. At least 10% of the units in new residential developments of 10 units or greater	to a maximum of 55' above average building elevation in RH 2B if:	3. Building height may be increased above 35' to a maximum of 67' in RH 2A, and	accessory uses, facilities and activities associated with this use.	2. Chapter 115 KZC contains regulations regarding home occupations and other	1. This use may not be located on the ground floor of a structure in RH 2A.		Special Regulations					

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RH 2A, 2B, 2C

# USE ZONE CHART

N		SN			MIN	MUMS			MAXIMUMS	-			
Section 53.22	USE	REGULATIONS	Required Review	Lot	REQUI	RED YARI Ch. 115)		age	Height of	Landscape Category (See Ch. 95)	Sign Category (See Ch.	Req'd Parking Spaces (See Ch. 105)	Special Regulations
Section		REG	Process	Size	Front	Side	Rear	Lot Coverage	Structure	Cat See	Cat S	Spac Ch.	(See also General Regulations)
	Hotel o Motel		Design Review, Chapter 142, KZC	None	10' Otherwise 20' adjolning a residential zone			In RH 24 and RH 28 80% In RH 20 70%	In RH 28: 55' above average building elevation In RH 2A: 67' above average building elevation	A	E	1,per each room. See also Spec. Reg. 2.	<ol> <li>This use is permitted in RH 2A and RH 2B only.</li> <li>May include ancillary meeting and convention facilities.</li> <li>Excludes parking requirements for ancillary meeting and convention facilities. Additional parking requirement for these ancillary uses shall be determined on a case-by-case basis.</li> </ol>
	Private Lodge ( Club					- -				c	B	1 per each 300 sq. ft. o gross floor area.	1. This use is permitted in RH 2B only if developed in conjunction with RH 2A. This use is not permitted in RH 2C.
120	L				Ĉ. P				In RH 2C; 35' above average building elevation In RH 2B: 55' above average building elevation In RH 2A; 67' above average building elevation	A	В	1 for every four people based on maximum occupancy load of any area of worship. See also Special Reg. 2.	1.May include accessory living facilities for staff persons. 2.No parking is required for day-care or school ancillary to this use.

RH 2A, 2B, 2C

USE ZONE CHART

			:										
60.22		ATIONS	_		MIN	IMUMS			MAXIMUM S	95) 95	You (00	)) ()	
Section 60	USE	REGULA	Required Review Process	Lot		RED YARD Ch. 115)		era	Height of	Landscap Category (See Ch. 9	Sign Category (See Ch. 100)	Req'd Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
Sec		æ	riocess	Size	Front	Side	Re ar	Lot Covera	Structure	ရာသမ္သိ	Sign (Sec	- 30	
	School, Care Cd Mini-Sc or Mini- Care Cd	enter, hool Day-	-	None	10' Otherwise 20' adjoining a residential zone		0'	2A and RH 2B 80% In RH 2C 70%	In RH 2C: 35' above average building elevation In RH 2B: 55' above average building elevation In RH 2A: 67' above average building elevation	D	В		<ol> <li>A six-foot-high fence is required only along the property lines adjacent to the outside play areas.</li> <li>Structured play areas must be setback from all property lines as fol lows:         <ul> <li>a.20 feet if this use can accommodate 50 or more students or children.</li> <li>b.10 feet if this use can accommodate 13 to 49 students or children.</li> <li>c.5 feet for a Mini-School or Mini-Day-Care Center.</li> </ul> </li> <li>An on-site passenger loading area must be provided. The City shall determine the appropriate size of the loading areas on a case-by-case basis, depending on the number of attendees and the extent of the abutting right-of-way improvements. Carpooling, staggered loading/ unloading time, right-of-way improvements or other means may be required to reduce traffic impacts on nearby residential uses.</li> <li>May include accessory living facilities for staff persons,</li> <li>Hours of operation of the use may be limited and parking and passenger loading areas shall be located to reduce Impacts on nearby residential uses.</li> <li>These uses are subject to the requirements established by the Department of</li> </ol>

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Chapter Chapter 142, KZC 20' adjoining a adjoining a residential zone zone zone 2C adjoining a residential in RH 28: 2C 2C building 70% elevation 55' above average average building elevation 10 RH 28: 55' above average average building elevation See Spec.	Section 60.22	Section 60.22 28 28 28 28 28 28 28 28 28 28 28 28 2		r z ≤ a		MINI REQUI	MINIMUMS REQUIRED YARDS (See Ch. 115) 			In     RH     Lot       In     RH     Coverage       In     RH       In	Sign	Category (See Ch.	0     Req'd       0     Parking       N     Spaces (See       Ch. 105)	
Front     Side     Rear     5 d     Source of g     2 C       10'     0'     n     RH     35' above     2 A     adjoining a       20'     2A and average     RH 2B building     average     A     B       20'     80%     In RH 2B:     In RH 2B:     A     B       zone     1n RH 2B     In RH 2B:     S5' above     A     B       2C     building     70%     elevation     In RH 2A:     B'' above       average     building     Elevation     In RH 2A:     C     C       67' above     average     building     C     C       2C     building     Elevation     C     C	EGULAT		Required		f 5	(See	Ch. 115)			Height of	ategory e Ch. 9 Sign	See Ch.	Parking	aces (S :h. 105
None to or or In RH In RH 2C: 20' 20' 20' adjoining a scone zone zone zone 20' 20' 20' 20' 20' 20' 20' 20' 20' 20'	R	R			9140	Front	Side	Rear			C (Se	C (	l So:	Ċ
Chapter 142, KZC 20' adjoining a residential zone zone 20' RH 28 in RH 28 in RH 28: 20 residential in RH 28 20 in RH 28 20 in RH 28 20 20 20 in RH 28 20 20 20 in RH 28 55' above average average building 10% elevation in RH 2A: 67' above average building 50% elevation in RH 2A: 67' above average building See Spec.	Public ()					10'	Q.		모	5' above	⋗		See KZ	C 1.Landscape Category A or B may be required depending on the type of use on the
residential zone 2C 2C 2C 2C 2C 2C 2C 2C 2C 2C 2C 2C 2C				hapter 42, KZC		Otherwise 20' adjoining a		<u>छ र छ</u>	66 2	verage uilding levation			105,25.	
zone In RH 55' above 2C building 70% elevation In RH 2A: 67' above average building elevation						residential	,		5	1 RH 28:				
in RH 2A: 67' above average building elevation						zone		285	<b>–</b>	5' above verage uilding levation				
			3						<u></u>	7' above 7' above verage uilding levation				· · · · · · · · · · · · · · · · · · ·
yin	ទ	Vernin	nent		<b></b>	• • • • •	••••••••••••••••••••••••••••••••••••••	····		·····	<b>n</b>			· · ·
		Facility Commun Facility	7lin					,		<u>π (γ</u>	See Spec. Reg 1			

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review process.

.160 Public Park Development standards will be determined on a case by case basis. See KZC Chapter 49 for required

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# CHAPTER 53 – RH 3

53.05	User Guide. The charts in KZC 53.10 contain the basic zoning regulations that apply in each of the RH 3 zones 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.
	The following regulations apply to all uses in this zone unless otherwise noted:
	1. Refer to Chapter 1 KZC to determine what other provisions of this code may apply to the subject property.
	2. Within required front yards canopies and similar entry features may encroach provided that, the total horizontal dimension of such elements may not exceed 25 percent of the length of the structure.
	3. Individual retail uses in this zone are limited to a maximum gross floor area of 65,000 SF.
	4. At least 50% of the total gross floor area located on the ground floor of all structures on the subject property must contain retail establishments, restaurants, taverns, hotels or motels. These uses shall be oriented to NE 85 <sup>th</sup> Street, a major pedestrian sidewalk, a through block pedestrian pathway or an internal pathway (see also KZC Chapter 92).
	5. The ground floor of all structures on the subject property shall be a minimum of 15' in height. This requirement does not apply to: a. the following uses: vehicle service stations, automotive service centers, private lodges or clubs, attached or stacked dwelling units, churches, schools, day-care centers, mini-schools or mini-day care centers, assisted living facilities, convalescent center or nursing homes, public utilities, government facilities or community facilities. b. parking garages.
	c. additions to existing non-conforming development where the Planning Official determines it is not feasible.
	6. The Public Works Official shall approve the number, location and characteristics of driveways on NE 85 <sup>th</sup> Street in accordance with the driveway and sight distance policies contained in the Public Works Pre-approved Plans manual. Taking into consideration the characteristics of this corridor, the Public Works Official may:
	a) require access from side streets; and/or
	b) encourage properties to share driveways, circulation and parking areas; and/or
	c) restrict access to right turn in and out, or
	d) prohibit access altogether along NE 85 <sup>th</sup> Street.
	7. Some development standards or design regulations may be modified as part of the design review process. See Chapters 92 and 142, KZC for requirements.
	8. Access for drive through facilities must be approved by the Public Works Official. See Chapter 105.96 KZC for requirements.
	9. A pedestrian pathway shall be installed:
	a. along the north portion of the zone to make an east to west pedestrian connection between 124 <sup>th</sup> Avenue NE to 120 <sup>th</sup> Avenue NE as
	designated in the Comprehensive Plan, and b. connecting the north end of the zone to NE 85 <sup>th</sup> Street.
	10. For lighting requirements associated with development see KZC Chapter 115. 85.2
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	EXHIBIT

R	Н З					U	S E	ΖO	NEC	HAF	t T			
Section 60.22	USE	REGUI	Required Review Process	Lot Size	REQU (Se	NIMUMS JIRED YAF e Ch. 115 Side	Rear	Lot Coverage	1	Category (See Ch.	Category (See Ch.	Req'd Parking Spaces (See Ch. 105)		Speciaj Regulations (See also General Regulations)
.010	contai Retail establ selling or pro servic includ bankin other servic Resta Taver Fast F	Ining: Ishments 9 goods, viding es ing ng and financial æs, iurants, ms,	Review, Chapter 142 KZC.		As estat design r					Reg. 3		As establishe d in the CMP	1. 2. 3. 4. 5. 6.	May also include one or more of the other uses allowed in this zone. Development regulations of this section apply to all uses developed within a Conceptual Master Plan (CMP). Development must be part of a Conceptual Master Plan (CMP) for the entire subject property. The proposed CMP shall be reviewed using the Design Review Process provisions of KZC Section 142.35. Subsequent development proposals shall follow DR or ADR as determined by the Design Review Board set forth in the Notice of Approval for the Conceptual Master Plan. The Conceptual Master Plan shall incorporate the design guidelines contained in the Design Guidelines for the Rose Hill Business District pertaining to the RH 3 zone. Location of drive-through facilities that will not compromise the pedestrian orientation of the development. See KZC Section 105.96 for other requirements. Signs for a development approved under this provision must be proposed with a Master Sign Plan application pursuant to KZC 100.80. for all signs within the project. Building height shall be 45' measured above the midpoint of the frontage of the subject property along NE 85 <sup>th</sup> Street, or if the subject property does not front on NE 85 <sup>th</sup> Street, at the midpoint of the property frontage along any other public right of way. If the property abuts more than one public right of way, the applicant may select the right of way from which to measure. Building height may be increased above 45' average building elevation to a maximum 67' above average building elevation if affordable housing is a component of the development. At least 10% of the units in new residential developments of 10 units or greater shall be affordable housing units as defined in Chapter 5 KZC. The number of affordable housing units as defined 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

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		<ol> <li>Parcels smaller than 6 acres may be added to a previously approved Conceptual Master Plan (CMP) if the applicable criteria set forth in the Notice of Approval from the approved CMP are met.</li> </ol>

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on 60.	USE	ULATI	Required	Et .	REQUIF	REQUIRED YARDS (See Ch. 115)	ŏ	age	Height of	scape egory Ch. 95	ign agory e Ch.	king s (Sec 105)	Special Regulations
Section	<u></u>	REG	Process	Size	Front	Side	Rear	Lot Cover	Structure	Cat (See	Cat (Se	Pai Spac	(See also General Regulations)
22	020 Vehicle		Design	Less than	20'	0	0	80% 3	35' above	Þ	m	See KZC 1.	Gas pump islands must be setback at least 20 feet from all property lines.
	Service		Review	6 acres				- <b>N</b> -	average			105.25.	Canopies or covers over gas pump islands may not be closer than 10 feet to
	Station		Chapter						building				any property line. Outdoor parking and service areas may not be doser than 10
	<del></del>		142, KZC						elevation			<u>-</u>	feet to any property line.
3		fivo			5	2	2						The percent of the required parking spaces on site must have a minimum
	Service Center	Center						<del>.</del>				each 250	dimension of 10 feet wide by 30 feet long for motor home/travel trailer use.
	See Spec.	ec.						,-				sq. ft. of 2	2.Parts and tires must be stored entirely within an enclosed structure.
	Reg. 1.											gross 3	3. See KZC 95.40.6 and 7, Required Landscaping for additional regulations.
											-1	floor	
	,									je se		area. See	
. <u> </u>												Spec.	
Γ				÷			•					Reg. 3.	
Q	.040 Restaurant	ant,				•			_			ht per 🔤	1. Fast food restaurants shall provide one outdoor waste receptade for every 8
	Tavem	<b>Favem or Fast</b>										each 100	parking stalls.
	Food				•						_,_	sq. ft. of	
	Restaurant	ant										gross	
												floor	
<b></b>												area.	

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ection 1		Neview	; ž	(See	(See Ch. 115)		ove	Height of	p ate iee	ate ice	ipa	(See also General Regulations)
		LLOCA28	- SYSC	Front	Side F	Rear	C	aunemie	C (	C		
.050	Any retail	Design	Less than	10 <sup>1</sup>	o,	0. 80	80%	35' above	œ	m	1 per	. Ancillary assembly and manufacture of goods on the premises of this use are
	establishment Review,	int Review,	6 acres					average			each 300	permitted only if.
	other than	Chapter			•			building			sq ft. of	a. The assembled or manufactured goods are directly related to and are dependent
	those	142,		_		•		elevation			gross	upon this use, and are available for purchase and removal from the premises.
	specifically	K2C	·							·	floor	b. The outward appearance and impacts of this use with andllary assembly or
	listed, limited	<u>a</u>				-					area.	manufacturing activities must be no different from other retail uses.
	or prohibited in	<u> </u>								-		. A delicatessen, bakery, or other similar use may include, as part of the use,
	this zone,											accessory seating if:
	selling goods.	<u>,</u>										a. The seating and associated circulation area does not exceed more than 10
	or providing											percent of the gross floor area of the use; and
	ser vices											b. It can be demonstrated to the City that the floor plan is designed to preclude the
	Including											seating area from being expanded.
	banking and											. For a retail establishment involving the sale, lease, repair or service of automobiles,
	related											trucks, boats, motorcycles, recreation vehicles, heavy equipment, and similar
	financial		<u> </u>				<b>-</b>					vehicles, the following shall apply:
	services											a. For the number of required parking stalls see KZC 105.25.
		÷										b. Parts must be stored entirely within an enclosed structure.
												c. See KZC 95.40.6 and 7, Required Landscaping for further regulations.
8	.060 Hotel or Motel	Ē									1 per	. May include ancillary meeting and convention facilities.
											each	. Excludes parking requirements for ancillary meeting and convention facilities.
											room.	Additional parking requirement for these and llary uses shall be determined on a
				7	1						See also	case-by-case basis.
											Spec,	·
											Reg. 2.	

찌	RH 3					C	SE	Z 0	N E C H	Þ	RT		
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n 60.2	USE	ULATIO	Required	2	REQUI	REQUIRED YARDS (See Ch. 115)	~	ige		scape igory	lgn sgory h. 100	q'd king is (See 105)	Special Regulations
Section		REG	Process	Size	Front		Rear	Lot Covera	Structure		Si Catu (See C Re	Par Space	(See also Genetal Regulations)
.07	.070 A retall		Design	Less than 10		0, 0,		80%	35' above	8	т	See KZC	
	establi	shmer	establishmen Review,	6 acres					average		-	Section	
	t providing	ding	Chapter						building	0.004040		105.25	
	enterta	linmen	entertainment142, KZC						elevation				
	, recre	recreational											
	or cultural						<u>.</u>						
Co	.080 Office Use	Use								С	D	lf e ll	The following regulations apply to vaterinary offices only:
6		i		<del>-</del>	ì				. 13			Medical,	a. May only treat small animals on the subject property.
												Dental or	b. Outside runs and other outside facilities for the animals are not permitted.
<u> </u>												Veterinary 2	. Ancillary assembly and manufacture of goods on the premises of this use are
<u> </u>												office,	permitted only if:
												then 1 per	a. The ancillary assembled or manufactured goods are subordinate to and
							<u>-</u>			ananini 2010		so ft of	b. The outward appearance and impacts of this use with ancillary assembly or
												gross	manufacturing activities must be no different from other office uses.
			,					<u> </u>				floor area.	
										L		Otherwise	
,												,1 per	
												each 300	
											-18	sq. ft. of	
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0.2		101			MIN	MINIMUMS			MAXIMUMS	1	ſ		
ion 6	USE	ULAT	Required	Ĕ	REQU	REQUIRED YARDS (See Ch. 115)	Ō	rag	Height of	iscap egory e Ch. )[])	egory e Ch.	npi rking aces e Ch.	Special Regulations
Sect		REC	Process	Size	Front	Side	Rear	Lot Cov	Structure	Cat (Se	Cat (Se	Pa Sp	(cumentary eries of the sec)
090	.090 Private		Design	Less than 10'	10 <sup>,</sup>	0, 0,	)' 80%		35' above	ი	B	1 per	
	Lodge or	ę	Review,	6 acres				-	average			each 300	
	Qub		Chapter						guilding			sq. ft. of	
<b></b>			142, KZC						elevation			gross	
												floor	
.100	.100 Church												1. May include accessory living facilities for staff persons.
		·										every	<ol><li>No parking is required for day-care or school ancillary to this use.</li></ol>
									• . «	_		four	
									•			people	
								÷				based on	
												maximum	
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												y load of	-
•												any area	
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												See also	
												Special	
Γ												Reg. 2.	

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RH 3

USE ZONE CHART

27.09 USE	ILATIONS	Required Review	Lot	REQUI	MUMS RED YARI Ch. 115)		age	MAXIMUMS Height of	Landscape Category See Ch. 95)		Req'd Parking Jaces (See	Special Regulations
Section	REGUL	Process	Size	Front	Şide	Rear	Lot Cover	Structure	Lands Categ (See CI	Cate 3	Req'd Parking Spaces (S Ch. 105	(See also General Regulations)
110 School Care C Mini-Sc or Mini- Care C	enter, hool Day	-	Less than 6 acres	10'	0'	0,	80%	35' above average building elevation	D	<b>B</b>	See KZC 105.25.	<ol> <li>A six-foot-high fence is required only along the property lines adjacent to the outside play areas.</li> <li>Structured play areas must be setback from all property lines as follows:         <ul> <li>a.20 feet if this use can accommodate 50 or more students or children.</li> <li>b.10 feet if this use can accommodate 13 to 49 students or children.</li> <li>c.5 feet for a Mini-School or Mini-Day Care Center.</li> </ul> </li> <li>An on-site passenger loading area must be provided. The City shall determine the appropriate size of the loading areas on a case-by-case basis, depending on the number of attendees and the extent of the abutting right-of-way improvements. Carpooling, staggered loading/ unloading time, right-of-way improvements or other means may be required to reduce traffic impacts on nearby residential uses.</li> <li>Hours of operation of the use may be limited and parking and passenger loading areas shall be located to reduce impacts on nearby residential uses.</li> </ol>

RH 3				C	SE	2 O	USE ZONE CHART	HAR	-		
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			MIN	SWNWINI			MAXIMUMS	3			
ion 60 Se iuLATI	Required	ž	REQUIR (See	REQUIRED YARDS (See Ch. 115)	S	erag		iscape egory e Ch. 161	egory Ch.	ncing aces te Ch.	Special Regulations
	Process	Şize	Front		Rear	Lot Cove		Cat (Se	Cat (Se	Sp	(See also General Keguladons)
.120 Stacked	Design	Less than	10'	0	Q	80%	35' above	D	80	1.7 per	1. Chapter 115 KZC contains regulations regarding home occupations and other
Dwelling	Review	6 acres					average		-	unit.	accessory uses, facilities and activities associated with this use.
Units	Chapter					-	building				
	142, KZC						elevation				-
.130 Assisted								≻	A	Independ	
Living										ent unit:	
Facility,								Convale Conval 1.7 unit	Conval	1.7 unit	
Convalescent								scent	escent	scent escent Assisted	
Center or								Center	Center Living	Living	·
Nursing								9	9	Facility: 1	
Home							•	Nursing Nursingper unit	Nursing	per unit	
								Home:	Home:	Home: Convaleso	
							• .	ი	8	ent Center	
										or Nursing	
							• •			Home: 1	
										per each	
										hed	

									w process	required review process.		
	for	apter 49	KZC Cha	Development standards will be determined on a case by case basis. See KZC Chapter 49 for	se by ca	on a cas	Itermined	will be de	t standards	Development	.160 Public Park	50 Pub
			Reg. 1								ιτγ Ι	Fadlity
			Spec.								Community	Con
			See								\$	Facility
			ი								.150 Government	50 Gov
		J		elevation						142, KZC		-
				building						Chapter		
subject property and the impacts associated with the use on the nearby uses.	105.25.			average					6 acres	Review		
1. Landscape Category A or B may be required depending on the type of use on the	See KZC	œ	₽	35' above	80%	ó	o;	10'	Less than		.140 Public Utility Design	duel 01
	Pa S	Ca (S	Ca (S	Structure	Lot Cov	Rear	Side	Front	Size	Process	RE	
Special Regulations (See also General Regulations)	arking paces ce Ch	Sigh tegory ee Ch	tegory ee Ch	Height of	erag	Ş	REQUIRED YARDS (See Ch. 115)	REQU (Se	٤.	Required Review	GULAT	tion 6 USE
		y	¥	MAXIMUMS			MINIMUMS	MIN			101	
											IS	-
		Ĥ	HAR	USE ZONE CHART	<b>Z</b> 0	S	c					RH 3
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### CHAPTER 53 - RH 4

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53.05 User Guide.

The charts in KZC 53.10 contain the basic zoning regulations that apply in RH 4 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 53.08	Section 53.08 GENERAL REGULATIONS
	The following regulations apply to all uses in this zone unless otherwise noted:
	1.Refer to Chapter 1 KZC to determine what other provisions of this code may apply to the subject property.
	2. For lighting requirements associated with development see KZC Chapter 115.85.2
	3. The Public Works Department shall approve the number, location and characteristics of driveways on 124 <sup>th</sup> Avenue NE in accordance with the driveway and sight distance policies contained in the Public Works Pre-approved Plans manual. In addition, due to the characteristics of the NE 85 <sup>th</sup> Street corridor, the Public Works Official may encourage properties to share driveways, circulation and parking areas and restrict access to right turn in and out.
	4. The applicant shall install a pedestrian pathway to connect to an east-west pathway designated in the Comprehensive Plan between 124 <sup>th</sup> Avenue NE to 120 <sup>th</sup> Avenue NE.
	5. Some development standards or design regulations may be modified as part of the design review process. See Chapters 92 and 142, KZC for requirements.

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EXHIBIT K

RH 4

# USE ZONE CHART

		SN				<u>.</u>			<u>-</u>				
Section	USE	REGULATIONS	Required Review Process	Lot Size	REC	UIRED YARD CORED YARD Gee Ch. 115) Side		Lot Cover	MAXIMUMS Height of Structure	Lamuscà pe Category (See Ch.	Sign Category (See Ch. 100)	Req'd Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations) مار
.010	Detache Dwelling Units		None	3,600 sq. ft.		5 but 2 side yards must equal at least 15.	1		30' above average building elevation.	E		2.0 per dwelling unit.	<ol> <li>For this use, only one dwelling unit may be on each lot regardless of lot size.</li> <li>Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.</li> </ol>
.020	Detache Attache Stacked Dweiling Units	d or t	Chapter 142, KZC	3,600 sq. ft. See Special Regula tion 1.						D		1.7 per unit	<ol> <li>Minimum amount of lot area per dwelling unit is 3,600 sq. ft.</li> <li>Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.</li> <li>If the subject property contains four or more units, then it must contain at least 200 sq. ft. per unit of common recreational space usable for many activities. This required common recreational open space must have the following minimum dimensions:         <ul> <li>a.For four to 20 units, the open space must be in one or more pleces each having at least 800 sq. ft. and having a length and width of at least 25 feet.</li> </ul> </li> </ol>
.030	Assisted Living F											Independent unit: 1.7 per unit. Assisted Living unit: 1 per unit.	<ol> <li>For density purposes, two assisted living units shall constitute one dwelling unit. Total dwelling units may not exceed the number of stacked dwelling units allowed on the subject property.</li> <li>The assisted living facility shall provide usable recreation space of at least 100 square feet per unit, in the aggregate, for both assisted living units and independent dwelling units, with a minimum of 50 square fee of usable recreation space per unit located outside.</li> <li>Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use.</li> </ol>
	Convale Center o Nursing Home	or		7,200 sq. ft.		10' on each side				С	В	1 for each bed.	

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RH 4	4					US	m	ZONE		CHART	•		-
.22		ONS			Mir	MINIMUMS			MAXIMUMS				
ion 60	USE	ULATI	Required	Ĕ	REQU	REQUIRED YARDS (See Ch. 115)			Height of	iscape egory e Ch. 95)	iign egory e Ch. 00)	eq'd rking aces e Ch. 05)	Special Regulations
Sect		REC	Process	Size	· Front	Side	₽ R o	Lot Cove	Structure	Cat (Se	Cat (Se	Pa	(HIGH PLAN ALLS ADC)
.050	Office Uses		Design	None	20' 5	5' but 2	10'	70% 3	30' above	c	D	If Medical,	1. The following regulations apply to veterinary offices only:
			Review,		-05 -	side yards		- <u>w</u> -	average			Dental or	a. May only treat small animals on the subject property.
		_	Chapter -			must equal		Ţ	building			Veterinary	b. Outside runs and other outside facilities for the animals are not
			142, KZC		- 65	at least 15.		0	elevation,			office, then	permitted.
												-	2. Ancillary assembly and manufacture of goods on the premises of this
												200 sq. ft. of	use are permitted only if:
												gross tioor	a. The anculary assembled or manufactured goods are subordinate to
		-										otherwise one	b. The outward appearance and impacts of this use with andillary
												per each 300	assembly or manufacturing activities must be no different from other
												sq. ft. of gross	office uses.
								2					
	Containing			tt. Voor at:	,							105.25.	dwelling units.
74	Stacked or	9	_	See Spe				- 2					2. Minimum amount of lot area per dwelling unit is 3,600 square feet.
	Attached			cial Reg									3. Chapter 115 KZC contains regulations regarding home occupations and
	Dwelling			ulation 2.									other accessory uses, facilities and activities associated with this use.
	Units and												4. If the subject property contains four or more units, then it must contain
	Office Uses.	ses.					~						at least 200 square feet per unit of common recreational space usable
	See Special	ם											for many activities. This required common recreational open space
	9												a.For four to 20 units, the open space must be in one or more pieces
					-•7								each having at least 800 square feet and having a length and width
													of at least 25 feet.
													5. Ancillary assembly and manufacture of goods on the premises of this
	•							2					use are permitted only if:
													a. The ancillary assembled or manufactured goods are subordinate to
_													and dependent on this use.
													b. The outward appearance and impacts of this use with ancillary
													assembly or manufacturing activities must be no different from other
						_				_			office uses.

Rev	Revised 12-19-05	-19-05	)						· .	Ĩ			
7	RH 4				•	c	USE	N O Z	m O	HART			
 2													
.22		ON			1 M	MINIMUMS			MAXIMUMS			e	
	USE	ULATI	Required	ī	REQ	REQUIRED YARDS (See Ch. 115)	> 05 	age	Haint of	scape gory h. 95	gn gory a Ch. )0)	q'd king is (Se 105)	Special Regulations
Secti		REG	Process	Size	Front	Side	Rear	Lot Cove	Structure		Cat (Se	Pa Spac	(See alsojseneral Kegulations)
.07	.070 Accessory	ssory	None	None	20'	<b>o</b> ,	o,	70%	See Special	A	See Special	Section 105.25	ection 105.25 1. No retail floor area shall be permitted in this zone.
	parking for	ng for							Regulation	See	Regulati		2. No new vehicular access on 124 <sup>th</sup> Avenue is permitted. Vehicular
	comn	commerciat					·		<b>,</b> **	Special	on 6.		access shall be combined with property in RH 5 A. Existing
	use k	use located								Regulat			driveway may be widened or relocated if consistent with City
	in the	in the RH 5 A	<u> </u>							ion 4.			adopted engineering standards.
	<u></u>								•				3. Vehicular circulation on the subject property must be designed to
									(*				mitigate traffic impacts. The City may require on or off-site traffic
													control devices, roadway improvements, or limit development, if necessary, to further reduce traffic impacts.
												-15	A. Landscape islands shall be provided in the parking lot and lighting
				·					·				designed and oriented to shield surrounding properties from light and
													glare. 5 Channes to the existing site topography shall be minimized
													6. Only internal private traffic directional signs shall be permitted on the
								<u>.</u>					property subject to Section 100.115, KZC.

	RH 4	4					C	m	D Z	USE ZONE CHART	HART			
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	0.3		10			MIN	SWUMENIM		_	MAXIMUMS	1			
	on 6(	USE	ULAT	Required	- -	REQU	REQUIRED YARDS		ra .	Helphr of	scap sgory a Ch. 5)	ign bgory e Ch. 20)	q'd king aces e Ch. 05)	Special Regulations
	Sect		REC	Process	Size	Frant	Side	2	Lot Cove	Structure	Cal (Se	Cat (Se	R Pa Sp (Se 1	(studientijov relation dem pac)
	.080	.080 Funeral		Design	7,200 sq. 20'		20' on	20'	70%	30' above	c	в	1 per each	
		Home or	71	Review,	Ŧ.		each side			average			300 sq. ft.	
·		Mortuary		Chapter				Ļ		building			floor area.	
			<u> </u>	142, KZC					• • • •	elevation.				
												<b></b>		
	090	.090 Church											1 for every	1.No parking is required for day-care or school ancillary to this use.
													four people	
													based on	
													maximum	
													occu pancy	
													load of any	
													area of wor	
													ship. See	
		:							<b>.</b>	[			Spec. Reg. 1.	

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.110	<u>نا د</u>	Section 60.22	71
	Ō		RH 4
Mini-School or Mini-Day- Care	School or Day-Care Center	USE	-
ay <u>oo</u>	·····	REGULATIONS	
	Design Review, 142, KZC	Required Review Process	
3,600 sq. ft.	7,200 sq. 50 ft. 20' 20'	Lot Size	
20' 5 but side yards must	dents qu si	MiN) REQUI	
	50' 5 50' 5 On each side or children, the each side	MINIMUMS REQUIRED YARDS (See Ch. 115) ont Side	S N
ţ,			m
<i>.</i>		Lot Covera	2 O
	30' above average elevation.	MAXIMUMS Height of Structure	N E C
m	U	Landscape Category (See Ch. 95)	HART
	œ	Sign Category (See Ch. 100)	•
·	See KZC 105.25.	Req'd Parking Spaces (See Ch. 105)	•
	<ol> <li>A six-foot-high fence is required only along the property lines adjacent to the outside play areas.</li> <li>Structured play areas must be setback from all property lines as fol lows:         <ul> <li>a.20 feet if this use can accommodate 50 or more students or chil dren,</li> <li>b. 10 feet if this use can accommodate 50 or more students or children.</li> </ul> </li> <li>An on-site passenger loading area must be provided. The Clty shall determine the appropriate size of the loading area on a case-by-case basis, depending on the number of attendees and the extent of the abutting right-of-way improvements. Carpooling, staggered loading/ unloading time, right-of-way improvements or other means may be required to reduce traffic impacts on nearby residential uses.</li> <li>May include accessory tiving facilities for staff persons.</li> <li>To reduce impacts on nearby residential uses, hours of operation of the use may be limited and parking and passenger loading areas relocated.</li> <li>These uses are subject to the requirements established by the Depart ment of Social and Health Services (WAC Title 388).</li> <li>Electrical signs shall not be permitted for mini-school or mini-daycare uses. Size of signs may be fimited to be compatible with nearby residential uses.</li> </ol>	Special Regulations (See also General Regulations)	

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# USE ZONE CHART

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	J.Z	ION			MD	MINIMUMS		1	MAXIMUMS		'		
ion 60			Required Review	Lot	REQU (Se	REQUIRED YARDS (See Ch. 115)		era	Height of	dscap tegory se Ch. 95)	Sign tegory te Ch. 100)	eq'd orking baces be Ch. 105)	Special Regulations
Cant	3601	REG	Process	Size	Front	Side	ar Re	Lot Cov	Structure	Cat (Se	Cat (Se	Pa Sp (Se	(see and relief a logarity)
<u>.</u>	20 Pub	dic Utility	.120 Public Utility Design	None	20	20' on	207	70%	30' above	Þ	8	See KZC 105.25.	
			Review,			each side			average				
			Chapter						building			÷	
	<del></del>		14 <u>2,</u> KZC						elevation				
-	30 Gov	.130 Government				10' on	10'			c		See KZC Section	1. Site design must minimize adverse impacts on surrounding
	Facility	ility				each side				See Spec.		105. 25	residential neighborhoods.
	ŝ	Community			<u> </u>					Reg. 2.			2.Landscape Category A or B may be required depending on the
	Fac	Facility											type of use on the subject property and the impacts associated
[													with the use on the nearby uses.
-	40 Pub	,140 Public Park	Developmen	it standard	s will be de	termined or	n a cas	ie by cas	Development standards will be determined on a case by case basis. See KZC Chapter 49 for required review	KZC Chapte	ar 49 for requ	sired review	
			process										

### CHAPTER 53 RH 5A and RH 5B

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### 53.05 User Guide.

The charts in KZC 53.10 contain the basic zoning regulations that apply in each of the RH zones 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.

<ul> <li>The following regulations apply to all uses in this zone unless otherwise noted:</li> <li>1. Refer to Chapter 1 KZC to determine what other provisions of this code may apply to the subject property.</li> <li>2. If any portion of a structure is adjoining a low density zone, then either: <ul> <li>a. The height of that portion of the structure shall not exceed 15 feet above average building elevation, or</li> <li>b. The horizontal length of any facade of that portion of the structure which is parallel to the boundary of the low density zone shall not exceed 50 feet in width.</li> <li>See KZC 115.30, Distance Between Structures Regarding Maximum Horizontal Facade Regulation, for further details. (Does not apply to Detached Dwelling Unit, and Mini-School or Mini-Day Care Center uses).</li> </ul> </li> <li>3. To the extent possible, viable significant trees and vegetation shall be retained within required landscape buffers separating non-residential uses from residential uses. The applicant shall record a greenbelt easement over the required landscape buffer.</li> <li>4. Individual retail uses. The applicant shall record a greenbelt easement over the required landscape buffers.</li> <li>5. The ground floor of all structures on the subject property shall be a minimum of 15' in height. This requirement does not apply to: <ul> <li>a. the following uses: vehicle service stations, automotive service centers, private lodges or clubs, stacked dwelling units, churches, schools, day-care centers, mini-schools or mini-day care centers, assisted living facilities, convalescent center or nursing homes, public utilities.</li> <li>b. parking garages.</li> <li>c. additions to existing non-conforming development where the Planning Official determines it is not feasible.</li> </ul> </li> <li>8. At least 50% of the total gross floor area located on the ground floor of all structures on the subject property must contain retail establishments, restaurants, taverns, hotels or motels (unless use is not permitted in RH 5B). These</li></ul>	Section 53.08	Section 53.08 GENERAL REGULATIONS
<ol> <li>If any portion of a structure is adjoining a low density zone, then either:         <ul> <li>a. The height of that portion of the structure shall not exceed 15 feet above average building elevation, or</li> <li>b. The horizontal length of any facade of that portion of the structure which is parallel to the boundary of the low density zone shall not exceed 50 feet in width.</li> </ul> </li> <li>See KZC 115.30, Distance Between Structures Regarding Maximum Horizontal Facade Regulation, for further details. (Does not apply to Detached Dwelling Unit, and Mini-School or Mini-Day Care Center uses).</li> <li>To the extent possible, viable significant trees and vegetation shall be retained within required landscape buffers separating non-residential uses from residential uses. The applicant shall record a greenbelt easement over the required landscape buffers.</li> <li>Individual retail uses in this zone are limited to a maximum of 65,000 SF of gross floor area.</li> <li>The ground floor of all structures on the subject property shall be a minimum of 15' in height. This requirement does not apply to:         <ul> <li>a. the following uses: vehicle service stations, automotive service centers, private lodges or clubs, stacked dwelling units, churches, schools, day-care centers, mini-schools or mini-day care centers, assisted living facilities, convalescent center or nursing homes, public utilities, b parking garages.</li> <li>c. additions to existing non-conforming development where the Planning Official determines it is not feasible.</li> </ul> </li> <li>At least 50% of the total gross floor area located on the ground floor of all structures on the subject property must contain retail establishments, restaurants, taverns, hotels or motels (unless use is not permitted in RH 51). These uses shall be oriented to NE 85<sup>th</sup> Street, a major pedestrian sidewalk, a through block pedestrian pathway or an internal pathway (se</li></ol>		The following regulations apply to all uses in this zone unless otherwise noted:
<ul> <li>a. The height of that portion of the structure shall not exceed 15 feet above average building elevation, or</li> <li>b. The horizontal length of any facade of that portion of the structure which is parallel to the boundary of the low density zone shall not exceed 50 feet in width.</li> <li>See KZC 115.30, Distance Between Structures Regarding Maximum Horizontal Facade Regulation, for further details. (Does not apply to Detached Dwelling Unit, and Mini-School or Mini-Day Care Center uses).</li> <li>To the extent possible, viable significant trees and vegetation shall be retained within required landscape buffers separating non-residential uses from residential uses. The applicant shall record a greenbelt easement over the required landscape buffer.</li> <li>Individual retail uses in this zone are limited to a maximum of 65,000 SF of gross floor area.</li> <li>The ground floor of all structures on the subject property shall be a minimum of 15' in height. This requirement does not apply to: <ul> <li>a. the following uses: vehicle service stations, automotive service centers, private lodges or clubs, stacked dwelling units, churches, schools, day-care centers, mini-schools or mini-day care centers, assisted living facilities, convalescent center or nursing homes, public utilities, government facilities or community facilities.</li> <li>b. parking garages.</li> <li>c. additions to existing non-conforming development where the Planning Official determines it is not feasible.</li> </ul> </li> <li>At least 50% of the total gross floor area located on the ground floor of all structures on the subject property must contain retail establishments, restaurants, taverns, hotels or motels (unless use is not permitted in RH 5B). These uses shall be oriented to NE 85<sup>th</sup> Street, a major pedestrian sidewalk, a through block pedestrian pathway or an internal pathway (see also KZC Chapter 92).</li> <li>Within required front yards canopies and similar entry features may encroach, provided that the total horizontal dimensi</li></ul>		1. Refer to Chapter 1 KZC to determine what other provisions of this code may apply to the subject property.
<ol> <li>See KZC 115.30, Distance Between Structures Regarding Maximum Horizontal Facade Regulation, for further details. (Does not apply to Detached Dwelling Unit, and Mini-School or Mini-Day Care Center uses).</li> <li>To the extent possible, viable significant trees and vegetation shall be retained within required landscape buffers separating non-residential uses from residential uses. The applicant shall record a greenbelt easement over the required landscape buffer.</li> <li>Individual retail uses in this zone are limited to a maximum of 65,000 SF of gross floor area.</li> <li>The ground floor of all structures on the subject property shall be a minimum of 15' in height. This requirement does not apply to:         <ul> <li>a. the following uses: vehicle service stations, automotive service centers, private lodges or clubs, stacked dwelling units, churches, schools, day-care centers, mini-schools or mini-day care centers, assisted living facilities, convalescent center or nursing homes, public utilities, government facilities or community facilities.</li> <li>b. parking garages.</li> <li>c. additions to existing non-conforming development where the Planning Official determines it is not feasible.</li> </ul> </li> <li>At least 50% of the total gross floor area located on the ground floor of all structures on the subject property must contain retail establishments, restaurants, taverns, hoteis or motels (unless use is not permitted in RH 5B). These uses shall be oriented to NE 85<sup>th</sup> Street, a major pedestrian sidewalk, a through block pedestrian pathway or an internal pathway (see also KZC Chapter 92).</li> <li>Within required front yards canopies and similar entry features may encroach, provided that the total horizontal dimension of such elements may not exceed 25 per percent of the length of the structure.</li> <li>Some development standards or design regulations may be modified as part of the design review process. See Chapters 9</li></ol>		a. The height of that portion of the structure shall not exceed 15 feet above average building elevation, or b. The horizontal length of any facade of that portion of the structure which is parallel to the boundary of the low density zone shall not exceed
<ul> <li>uses from residential uses. The applicant shall record a greenbelt easement over the required landscape buffer.</li> <li>4. Individual retail uses in this zone are limited to a maximum of 65,000 SF of gross floor area.</li> <li>5. The ground floor of all structures on the subject property shall be a minimum of 15' in height. This requirement does not apply to: <ul> <li>a. the following uses: vehicle service stations, automotive service centers, private lodges or clubs, stacked dwelling units, churches, schools, day-care centers, mini-schools or mini-day care centers, assisted living facilities, convalescent center or nursing homes, public utilities, government facilities or community facilities.</li> <li>b. parking garages.</li> <li>c. additions to existing non-conforming development where the Planning Official determines it is not feasible.</li> </ul> </li> <li>6. At least 50% of the total gross floor area located on the ground floor of all structures on the subject property must contain retail establishments, restaurants, taverns, hotels or motels (unless use is not permitted in RH 5B). These uses shall be oriented to NE 85<sup>th</sup> Street, a major pedestrian sidewalk, a through block pedestrian pathway or an internal pathway (see also KZC Chapter 92).</li> <li>7. Within required front yards canopies and similar entry features may encroach, provided that the total horizontal dimension of such elements may not exceed 25 per percent of the length of the structure.</li> <li>8. Some development standards or design regulations may be modified as part of the design review process. See Chapters 92 and 142, KZC for</li> </ul>		See KZC 115.30, Distance Between Structures Regarding Maximum Horizontal Facade Regulation, for further details. (Does not apply to
<ol> <li>5. The ground floor of all structures on the subject property shall be a minimum of 15' in height. This requirement does not apply to:         <ul> <li>a. the following uses: vehicle service stations, automotive service centers, private lodges or clubs, stacked dwelling units, churches, schools, day-care centers, mini-schools or mini-day care centers, assisted living facilities, convalescent center or nursing homes, public utilities, government facilities or community facilities.</li> <li>b. parking garages.</li> <li>c. additions to existing non-conforming development where the Planning Official determines it is not feasible.</li> </ul> </li> <li>6. At least 50% of the total gross floor area located on the ground floor of all structures on the subject property must contain retail establishments, restaurants, taverns, hotels or motels (unless use is not permitted in RH 5B). These uses shall be oriented to NE 85<sup>th</sup> Street, a major pedestrian sidewalk, a through block pedestrian pathway or an internal pathway (see also KZC Chapter 92).</li> <li>7. Within required front yards canopies and similar entry features may encroach, provided that the total horizontal dimension of such elements may not exceed 25 per percent of the length of the structure.</li> <li>8. Some development standards or design regulations may be modified as part of the design review process. See Chapters 92 and 142, KZC for</li> </ol>		
<ul> <li>a. the following uses: vehicle service stations, automotive service centers, private lodges or clubs, stacked dwelling units, churches, schools, day-care centers, mini-schools or mini-day care centers, assisted living facilities, convalescent center or nursing homes, public utilities, government facilities or community facilities.</li> <li>b. parking garages.</li> <li>c. additions to existing non-conforming development where the Planning Official determines it is not feasible.</li> </ul> 6. At least 50% of the total gross floor area located on the ground floor of all structures on the subject property must contain retail establishments, restaurants, taverns, hotels or motels (unless use is not permitted in RH 5B). These uses shall be oriented to NE 85 <sup>th</sup> Street, a major pedestrian sidewalk, a through block pedestrian pathway or an internal pathway (see also KZC Chapter 92). 7. Within required front yards canopies and similar entry features may encroach, provided that the total horizontal dimension of such elements may not exceed 25 per percent of the length of the structure. 8. Some development standards or design regulations may be modified as part of the design review process. See Chapters 92 and 142, KZC for		4. Individual retail uses in this zone are limited to a maximum of 65,000 SF of gross floor area.
<ul> <li>c. additions to existing non-conforming development where the Planning Official determines it is not feasible.</li> <li>6. At least 50% of the total gross floor area located on the ground floor of all structures on the subject property must contain retail establishments, restaurants, taverns, hotels or motels (unless use is not permitted in RH 5B). These uses shall be oriented to NE 85<sup>th</sup> Street, a major pedestrian sidewalk, a through block pedestrian pathway or an internal pathway (see also KZC Chapter 92).</li> <li>7. Within required front yards canopies and similar entry features may encroach, provided that the total horizontal dimension of such elements may not exceed 25 per percent of the length of the structure.</li> <li>8. Some development standards or design regulations may be modified as part of the design review process. See Chapters 92 and 142, KZC for</li> </ul>		a. the following uses: vehicle service stations, automotive service centers, private lodges or clubs, stacked dwelling units, churches, schools, day-care centers, mini-schools or mini-day care centers, assisted living facilities, convalescent center or nursing homes, public utilities, government facilities or community facilities.
restaurants, taverns, hotels or motels (unless use is not permitted in RH 5B). These uses shall be oriented to NE 85 <sup>th</sup> Street, a major pedestrian sidewalk, a through block pedestrian pathway or an internal pathway (see also KZC Chapter 92). 7. Within required front yards canopies and similar entry features may encroach, provided that the total horizontal dimension of such elements may not exceed 25 per percent of the length of the structure. 8. Some development standards or design regulations may be modified as part of the design review process. See Chapters 92 and 142, KZC for		
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ised 12-19-05	9. For lighting requirements associated with development, see KZC Chapter 115.85. 2
	s. For lighting requirements associated with development, see NZC Chapter 113.00. 2
	<ul> <li>10. Prior to any of the following uses (unless use is not permitted in RH 5B) occupying a structure on a property adjoining a residential zone, the applicant shall submit a noise study prepared by a qualified acoustical consultant for approval by the Planning Official.</li> <li>Establishments expected to operate past 9 p.m.</li> </ul>
	Vehicle service station.
	Automotive service center.
	<ul> <li>Retail establishment providing entertainment, recreational or cultural activities.</li> </ul>
	<ul> <li>Retail establishment involving the sale, lease, repair or service of automobiles, trucks, boats, motorcycles, recreation vehicles, heavy equipment, or similar vehicles.</li> </ul>
	Car washes.
	Veterinary offices.
	<ul> <li>Any establishment where animals are kept on site.</li> </ul>
	<ul> <li>Drive-through facilities with loudspeaker systems.</li> </ul>
	<ul> <li>Establishments involving a large truck loading dock for deliveries.</li> <li>The study shall verify that the noise that will emanate from the site adjoining to any residential zoned property complies with the standards specified in KZC Section 115.95.1 and 2. and WAC 173-60-040 (1) for a Class B source property and a Class A receiving property.</li> </ul>
	11. The Public Works Official shall approve the number, location and characteristics of driveways on NE 85 <sup>th</sup> Street in accordance with t driveway and sight distance policies contained in the Public Works Pre-approved Plans manual. Taking into consideration the characteristics this corridor, the Public Works Official may: a) require access from side streets; and/or
	b) encourage properties to share driveways, circulation and parking areas; and/or
	c) restrict access to right turn in and out, or d) prohibit access altogether along NE 85 <sup>th</sup> Street.
	12. Access for drive through facilities must be approved by the Public Works Official. See Chapter 105.96 KZC for requirements. Drive through facilities are not permitted in the RH 5B zone.
	13. See Chapters 100 and 162 KZC for information about nonconforming signs. KZC Chapter 162.35 describes when nonconforming signs mus be brought into conformance or removed.

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RH 5A RH 5B

USE ZONE CHART

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	2				MIN	MINIMUMS			MAXIMUMS			•	
	1 60.2				REQU (Se	REQUIRED YARDS (See Ch. 115)	51			scape gory h. 95	gn gory 2 Ch. 20}	q'd king is (Sea 105)	Special Regulations
	Section	REGI	Process	Size	Front	Side	Rear	Lot Cover	Structure		Cate (See	Par	(See also General Regulations)
	.010	Vehicle	Design	22,500	20'	15'	5	80%	If adjoining:	Þ	m	See KZC	1. This use is permitted only if the subject property abuts NE 85 <sup>th</sup> Street.
	72-	Service	Review	sq. ft.	See spec, See	See	See		An RS or RSX			25.	2. This use is not permitted in the RH 5B zone.
		Station See			reg. 4	spec.	spec.	- 14	zone then 30'			-7.1	3. May not be more than two vehicle service stations at any intersection.
		Spec. Regs.				reg.4	reg. 4	<u>61</u>	above average			<u> </u>	4. Gas pump islands must be setback a minimum of 20 feet from all property
		1 and 2						<del></del>	building				lines. Canoples or covers over gas pump islands may not be closer than
									elevation.				10 feet to any property line. Outdoor parking and service areas may not be
									Otherwise, 35'	·			closer than 10 feet to any property line.
								- 63	above average				5. See KZC 95.40.6 and 7, Required Landscaping for further regulations.
						·		-15-1	building				
									elevation.				
	.020	Automotive	Design	None	10	0	มี		•••			1 per each	1. This use is not permitted in the RH 5B zone.
		Service			Otherwise			-				250 sq. ft. of	1. This use may only be permitted in RH 58-If the use existed on
		Center	Chapter		20'							gross floor	fadoption date of Ordinance # ) and discontinued when
		See Spec.	142, KZC		adjoining a							area. See	a. Theero is an increase in gross floor area of more than 25 percent to any
_		Reg. 1.			residential							Spec. Reg.	<del>structure on the subject property, or</del>
					auoz		•					ų	b. There is an alteration or change in a consecutive 12 month period to an
			-										alteration, change or other work exceeds 50 permit of the replacement
			_										cost of that improvement or structure, or
-			÷									16	c. The use has ceased for a consecutive 12 month period
_			2										2. This use specifically excludes a retail establishment involving the sale,
_			<u> </u>	. <u></u>									lease, repair or service of automobiles, trucks, boats, motorcycles,
					•								recreation vehicles, heavy equipment, and similar vehicles.
					 								3. No openings (i.e., doors, windows which open, etc.) shall be permitted in
													any facade of a building adjoining any residential zone. Windows are
													permitted if they are triple-paned and unable to be opened.
_												- <u>-</u> -	4. Ten percent of the required parking spaces on site must have a minimum
_													dimension of 10 feet wide by 30 feet long for motor home/travel trailer use.
_			<b></b>									-75-	5. Parts and tires must be stored entirely within an enclosed structure.
-							_			_			6. See KZC 95.40.6 and 7, Required Landscaping for further regulations.

60.2	2		RH	R
			RH 5B	RH 5A
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Required				
<b>REQUIRED YARDS</b>	SWIMINIM		_	_
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# **JSE ZONE CHART**

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USE     Required Required Required     Rec(IIRED VARDS (See Ch. 115)     MAXIMUMS       A retail     Design Processi State     None     10'     0'     15'     80%     If adjoining adjoining a     Height of Structure     Landscape (See Ch. 115)       A retail     Design Processi     None     10'     0'     15'     80%     If adjoining an RS or RSX 20'     A     E     Structure     Landscape (See Ch. 105)       A retail     Design Processi     None     10'     0'     15'     80%     If adjoining an RS or RSX 20'ne then 30'     A     E     See K2C       extertainment, recreational or category cultural activities     142, K2C     above average policing a     building elevation     E     See K2C       activities     Zone     Front     105,25'     Berg'd Parking elevation.     105,22'       activities     Sign Category (See Ch. 105)     100,52'     100,52'       Parking Section     Front     100,51'     100,52'     100,52'       stat Food     If adjoining a     If adjoining a     If adjoining a     If adjoining a       stat Food     If adjoining a     If adjoining a     If adjoining a     If adjoining a       state adjoining a     If adjoining a     If adjoining a     If adjoining a     If adjoining a       If adjoi			-			ò								·•			io I				-
MINIMUNUS         MAXIMUMS           Required Required Chapter         It Star         Front         Side         Rear         MAXIMUMS           0'         10'         Star         Front         Side         Rear         It star         It adjoining 20'         It star         Rear         It adjoining 20'         It star         It adjoining 20'         It star         It adjoining 20'         It star         It adjoining 20'         It star         It adjoining 20'         It star         It star         It adjoining 20'		Re	Re	1	Fay	40Re					10	<u>8</u>	nec.	ent	- D O	est	A 050	Sectio		22	
MINIMUNS         MAXIMUMS           Required Required Required Chapter         Int Review Star         Front         Side Star         Front         Side Result Star         Front         Side Result Star         MAXIMUMS           Or H 200 Chapter         Vone         10'         0'         15'         80%         If adjoining an RS or RSX Zone then 30'         MAXIMUMS           One         15'         80%         If adjoining an RS or RSX Zone then 30'         Landscape Category (See Ch. 95)         Landscape Category (See Ch. 95)           Otherwise Conce         0'         15'         80%         If adjoining an RS or RSX Zone then 30'         Landscape Category (See Ch. 95)           Otherwise Conce         0'         10'         See K2C         See K2C See Ch. 95)         Sign Category (See Ch. 100)           Int Per each 100 st, ft, of gross floor         10'         Spaces (See Ch. 105)         10'		e Sper g 1	staura	st Foo	vern o	staura					ivities	tural	reation	ertain	viding	ablish	retall		SE		
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Minimumes         Maximumes           Start         REQUIRED VAPOS (See Ch. 115)         Rear           20'         Fromt         Side         Rear           20'         Rear         Lot Coverage         Structure           20'         Rear         Lot Coverage         Structure           20'         15'         80%         If adjoining a above average         A           20'         15'         80%         If adjoining a above average         A           20'         Chenvise, 35'         above average         Landscape Category (See Ch. 95)           20'         Chenvise, 35'         Section           20'         Chenvise, 35'         Section           20'         Section         105, 25'           20'         Section         100 sq. 1, o           100 sq. 1, o         gross floor           area.         area.							L							142, KZ0	Chapter	Review	Design	Proces	Requin		·
MINIMULUSS     MAXIMULUSS       REQUIRED VADDS     Reprint       (See Ch. 115)     Store       20°     Rear       20°     Ist       20°     Rear       20°     Ist												2		0			Z		× 8		
Initiation         MAXIMUMS         MAXIMUMS           recourse Ch. 115)         Rear         Ister of the light of					-												. :	Size	ž		
INITED VACUUS     MAXIMUMS       0'     15'     80%     If adjoining       15'     80%     If adjoining     A       20'     15'     80%     If adjoining       20'     15'     80%     If adjoining       20'     15'     80%     If adjoining       20'     20'     20'     20'       20'     20'     20'     20'       20'     20'     20'     20'       20'     20'     20'     20'       20'     20'     20'     20'       20'     20'     20'     20'       20'     20'     20'     20'       20'     20'     20'     20'       20'     20'     20'     20'       20'     20'     20'     20'       20'     20'     20'     20'       20'     20'     20'     20'       20'     20'     20'     20'       20'     20'     20'     20'       20'     20'     20'     20'       20'     20'     20'     20'       20'     20'     20'     20'       20'     20'     20'     20'       20'     <												zone	resider	adjoini	20'	Otherv	10'	Fro	_		
Interference     MAXIMUMS       15'     ear       80%     Lot Coverage       80%     If adjoining an RS or RSX above average       building elevation     A       11     Landscape Category (See Ch. 95)       100)     See K2C See K2C See Ch. 100)       100     See K2C See Ch. 100)       100 sq. ft. of gross floor       area.						<u></u>							ntial	ng a		vise			(See (	MIN	
Interference     MAXIMUMS       15'     ear       80%     Lot Coverage       80%     If adjoining an RS or RSX above average       building elevation     A       11     Landscape Category (See Ch. 95)       100)     See K2C See K2C See Ch. 100)       100     See K2C See Ch. 100)       100 sq. ft. of gross floor       area.									e.							2	Q,	Side	ED YAR	IMUMS	
Coverage Coverage Coverage above average building b																		Rear	S		
e e 35 e Category (See Ch. 95)	· . · · ·												•		۰.	• .	80%	Lot Cover	age		
e e di di constante di constant							ele		abo	0 E		elev	buil	abo	201	en S	lf a			z	
→ Landscape Category (See Ch. 95) M Sign Category (See Ch. 95) M Sign Category (See Ch. 100) 1000 1000 1000 1000 1000 1000 1000							vauon.	guid	ive avera	ierwise, 3		vation	ding	ve avera	le then 30	RS or RS	djoining	Structure	Helght of	IAXIMUMS	
(See Ch. 95) (See Ch. 95) Sign Category (See Ch. 100) Category (See Ch. 105) Category (See Ch. 105)			<u> </u>						Je	οį				af		<u>×</u>	Þ				
Sign Category (See Ch. 100)			- <u>-</u>														m	(See	Ch. 95	<u>)</u>	
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Special Regulations (See alsd,General Regulations) 1. Tavems and fast food restaurants are not permitted uses in a RH 5B f. zone. 2. Fast food restaurants must provide one outdoor waste receptacle fo every 8 parking stalls.				s floor	sq. ft. o	r each									25	ğ	K20	Par Spac Ch.	nung es (Se 105)	•	
Special Regulations (See alsdJGeneral Regulations) rns and fast food restaurants are not permitted uses in a RH 58 food restaurants must provide one outdoor waste receptacle fo y 8 parking statts.			ever	2. Fast	Ä																
sd.General Regulations sd.General Regulations) taurants are not permitted uses in a RH 58 st provide one outdoor waste receptacle fo	· .		y 8 parking statls.	food restaurants mu	·	ns and fast food res												(See al	. <u>s</u>		
ns lattens) t permitted uses in a RH 58 outdoor waste receptacle fo				st provide one		taurants are no												sõjijeneral Kegu	pecial Regulation		
uses in a RH 58				outdoor wa		it permitted												ilations)			
nacie RH 5B				aste recept		t uses in a															
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RH 5A RH 5B

## USE ZONE CHART

52		SNO				INIMUM			MAXIMUMS	~ G		e	
n 60.	USE	REGULATIONS	Required Review	Lot		IRED YA		69	Height of	Landscape Category See Ch. 95	Sign Category (See Ch. 100)	Req'd 'arking ices (Se h. 105)	Special Regulations
Section 60.22		REG	Process	Size	Front	Side	Rear	Lot Covers	Structure	Landscape Category (See Ch. 95)	Cate (Sec (Sec	Req'd Parking Spaces (See Ch. 105)	(See also General Regulations)
sii z g sii z g sii b r	specifica isted in zone, se goods, c providing services ncluding panking	hment, an those ally this elling or g g and financial	Review Chapter 142, KZC	None	10' Otherwise 20' adjoining a residential zone	0'	15'	80%	If adjoining an RS or RSX zone then 30' above average building elevation Otherwise, 35' above average building elevation.				<ol> <li>Ancillary assembly and manufacture of goods on the premises of this use are permitted only if:         <ul> <li>The assembled or manufactured goods are directly related to and are dependent upon this use, and are available for purchase and removal from the premises.</li> <li>The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other retail uses.</li> </ul> </li> <li>A delicatessen, bakery, or other similar use may include, as part of the use, accessory seating if:         <ul> <li>The seating and associated circulation area does not exceed more than 10 percent of the gross floor area of the use; and</li> <li>It can be demonstrated to the City that the floor plan is designed to preclude the seating area from being expanded.</li> </ul> </li> <li>For a retail establishment involving the sale, lease, repair or service of automobiles, trucks, boats, motorcycles, recreation vehicles, heavy equipment, and similar vehicles, the following shall apply:         <ul> <li>This use is not permitted in the RH 5B zone.</li> <li>For the number of required parking stalls see KZC Section 105.25.</li> <li>Parts must be stored entirely within an enclosed structure.</li> <li><u>See KZC 95.40.6 and 7, Required Landscaping for further regulations.</u></li> </ul></li></ol>

		B     Section 60.22     R       Section 60.22     Section 60.22       Section 60.22 <t< th=""></t<>
~		USE Z Required Lot Review Size Front Side Resr Process Size Front Side Resr Review Otherwise 0' 15'
	>. œ m	MINIMUMS     MAXIMUMS       International     MINIMUMS       International     REQUIRED YARDS       International     Result       Size     Front       Size     Side       Residential     O'       15'     80%       20'     0'       20'     15'       an RS or RSX       zone then 30'       above average       building
ich 200	1 57 57	USEZONECHART None 10° 0° 15 80% If adjoining adjoining a building building building building
2. Ancillary assembly and manufacture of goods on the premises of this	<ul> <li>use are permitted only if:</li> <li>a. The ancillary assembled or manufactured goods are subordinate to and dependent on this use.</li> <li>b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.</li> <li>May include ancillary meeting and convention facilities.</li> <li>May include ancillary meeting requirements for ancillary meeting and convention facilities. Additional parking requirement for these ancillary uses shall be determined on a case-by-case basis.</li> <li>Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.</li> </ul>	USEZONECHART None 10' Side Rear None 10' 15' 80% If adjoining adjoining adjoining adjoining adjoining B D If a Medical, residential D'ARDS Structure Category (See Ch. 115) D'Henwise 0' 15' 80% If adjoining B D If a Medical, Duilding D If a Medical, Dental or Veterinary Spaces (See Ch. 105)
	Otherwise, 35'       Otherwise, 1         above average       per each 300         building       elevation,         elevation,       floor area.         A       E       1 per each         Itervation,       A       E         A       E       1 per each         Itervation,       B       1 per each         Itervation,       B       1 per each         Itervation,       See       2.         A       E       1 per each         Itervation,       See       2.         A       I per each       300 sq. ft. of         gross floor       area.       area.         A       1.7 Per unit.       1.	
elevation sq. ft. of gross floor area.	above average per each 300 building elevation. A E 1 per each 1. Froom. See 2. B 1 per each 1. Reg. 2. B 1 per each 300 sq. ft. of gross floor area. A 1.7 Per unit. 1.	
elevation sq. ft. of gross floor area. Otherwise, 35' Otherwise, 1	elevation. A E 1 per each 1. room. See 2. A E 1 per each 1. room. See 2. Reg. 2. A 1.7 Per unit. 1.	
elevation sq. ft. of gross Otherwise, 35' Otherwise, 1 above average per each 300	elevation. A E 1 per each 1. room. See 2. room. See 2. B 1 per each also Spec. Reg. 2. A 1.7 Per unit. 1.	
elevation sq. ft. of gross Othenwise, 35' Othenwise, 1 above average , per each 300 building sq. ft. of gross	A E 1 per each 1. room. See 2. Reg. 2. B 1 per each 300 sq. ft. of gross floor area. A 1.7 Per unit. 1.	
elevation sq. ft. of gross Otherwise, 35' Otherwise, 1 above average , per each 300 building elevation, floor area.	room. See also Spec. Reg. 2. B 1 per each 300 sq. ft. of gross floor area. A 1.7 Per unit. 1.	70 Hotel or Motel
zone       elevation       sq. ft. of gross         Otherwise, 35'       Otherwise, 35'       Otherwise, 1         above average       per each 300       building         building       sq. ft. of gross       floor area.         A       E       1 per each	A 1.7 Per unit. 1.	-
zone elevation sq. ft. of gross Otherwise, 35' Otherwise, 1 above average - per each 300 building elevation, floor area. elevation, floor area. building building floor area. floor area. A E 1 per each 1.	Reg. 2.         B       1 per each         300 sq. ft. of         gross floor         area.         A       1.7 Per unit.         1.	
zone elevation sq. ft. of gross Otherwise, 35' Otherwise, 35' Otherwise, 1 above average · per each 300 building elevation. floor area. elevation. A E 1 per each 1. also Spec. 2.	B 1 per each 300 sq. ft. of gross floor area. A 1.7 Per unit. 1.	
zone       elevation       sq. ft. of gross         Otherwise, 35'       Otherwise, 35'       Otherwise, 1         above average       per each 300       building         building       sq. ft. of gross       elevation.         A       E       1 per each 1         room. See       2.         Reg. 2.       Reg. 2.	300 sq. ft. of gross floor area. LUnits I Units	80 Private Lodge
zone elevation sq. ft. of gross Otherwise, 35' above average . per each 300 building elevation. floor area. elevation. floor area. elevation. floor area. A E 1 per each 1. Reg. 2. B 1 per each	gross floor area. Units Idal	or Club
Zone elevation sq. ft. of gross Otherwise, 35' above average · Der each 300 building elevation. A E 1 per each 1. Com. See 2. B 1 per each 300 sq. ft. of 300 sq. ft. of 1.	area. A 1.7 Per unit. 1.	<u> </u>
zone       elevation       sq. ft. of gross         Othenwise, 35'       Othenwise, 35'       Othenwise, 1         above average       per each 300         building       elevation.       sq. ft. of gross         A       E       1 per each 1         room. See       2.       sq. ft. of gross         B       1 per each 2.       sq. ft. of gross floor         gross floor       gross floor       sq. ft. of sq. ft. of sq. ft. of sq. ft. of gross floor	A 1.7 Per unit. 1.	
zone       elevation       sc, ft. of gross         Otherwise, 35'       Otherwise, 35'       Otherwise, 1         above average       per each 300       building         building       elevation,       ft. of gross         elevation,       A       E       1 per each 1.         A       E       1 per each 1.       sc, ft. of gross         B       1 per each 300       sc, ft. of gross 1.       sc, ft. of gross 1.         B       1 per each 300       sc, ft. of gross 1.       sc, ft. of gross 1.         B       1 per each 300       sc, ft. of gross 1.       sc, ft. of gross 1.         B       1 per each 300       sc, ft. of gross 1.       sc, ft. of gross 1.		90 Stacked
zone       elevation       sq. ft. of gross         Otherwise, 35'       Otherwise, 35'       Otherwise, 1         above average       oper each 300       building         building       elevation.       ft. of gross         A       E       1 per each 100         A       E       1 per each 1.         B       1 per each 300 sq. ft. of gross floor       also Spec.         B       1 per each 300 sq. ft. of gross floor       area.         A       1.7 Per unit. 1.       1.		
zone       elevation       sq. ft. of gross         A       Cherwise, 35'       per each 300         building       elevation.       ftoor area.         A       E       1 per each 1.         A       E       1 per each 1.         B       1 per each 300 sq. ft. of gross       also Spec.         Per each 300 sq. ft. of gross floor area.       also Spec.       Per each 300 sq. ft. of gross floor area.         A       E       1 per each 300 sq. ft. of gross floor area.       area.         A       I per each 300 sq. ft. of gross floor area.       A       I per each 300 sq. ft. of gross floor area.         A       I no floor area.       I no floor area.       I no floor area.       I no floor area.         A       I no floor area.       I no floor area.       I no floor area.       I no floor area.         A       I no floor area.       I no floor area.       I no floor area.       I no floor area.         A       I no floor area.       I no floor area.       I no floor area.       I no floor area.         A       I no floor area.       I no floor area.       I no floor area.       I no floor area.         A       I no floor area.       I no floor area.       I no floor area.       I no floor area.         A		Dwelling Units

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Revised 12-19-05

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Section	USE	REGULATIONS	Required Review Process	Lot Size	REC	UIRED YA See Ch. 11 Side		Cove Cove	MAXIMUMS Height of Structure	pe Categor y (See	Categor y (See	Req <sup>1</sup> d Parking Spaces (See Ch.	Special Regulations (See also General Regulations)
.110	Church		Design Review Chapter 142, KZC	None	10' Otherwise 20' adjoining a residential zone	0'	15'		If adjoining an RS or RSX zone then 30' above average building elevation Otherwise, 35' above average building elevation	A	В	1 for every four people based on maximum occupancy load of any area of worship. See also Special Reg. 2.	<ol> <li>May include accessory living facilities for staff persons.</li> <li>No parking is required for day-care or school ancillary to this use.</li> </ol>
.120		Center, chool or ay-Care			F							Regs 3 and 5	<ol> <li>A six-foot-high fence is required only along the property lines adjacent to the outside play areas.</li> <li>Structured play areas must be setback from all property lines as follows:         <ul> <li>a. 20 feet if this use can accommodate 50 or more students or children.</li> <li>b. 10 feet if this use can accommodate 13 to 49 students or children.</li> <li>c. 5 feet for a Mini-School or Mini-Day-Care Center.</li> </ul> </li> <li>An on-site passenger loading area must be provided. The City shall determine the appropriate size of the loading areas on a case-by-case basis, depending on the number of attendees and the extent of the abutting right-of-way improvements. Carpooling, staggered loading/ unloading time, right-of-way improvements or other means may be required to reduce traffic impacts on nearby residential uses.</li> <li>May include accessory living facilities for staff persons.</li> <li>To reduce impacts on nearby residential uses, hours of operation of the use may be limited and parking and passenger loading 'areas relocated.</li> <li>These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388).</li> </ol>

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2		NS			2	SWDWININ			MAXIMUMS				
60.2	USE	LATIO	Required		REQ	REQUIRED YARDS	S	go		gory	Ch.	ing	Special Regulations
Section		REGU	Process	Size	Front	Side	Rear	Lot Covera	Structure	Lands Cate (See C	Cate (See Rec	Parl Space	(See also Ĝeneral Regulations)
.130	.130 Assisted		Design	None	10'	q.	15	%08	If adjoining	₽	≻	ndepent 1	indepent 1. The development must be designed to limit potential impacts from surrounding
	Living	Living Facility,	Review		Otherwise				an RS or RSX			Unit: 1.7	commercial uses on residents of the subject property.
	Conva		Chapter		20				zone then 30'		Convalper unit		2. Chapter 115 KZC contains regulations regarding home occupations and other
	Center or	ę	142, KZC		adjoining				above average		escent		accessory uses, facilitles and activities associated with this use.
	Nursin	Nursing Home			ຍ 			-	building		Center	Assisted	
					residential				elevation		٩ ٣	Living	
					zone			• •			Nursin unit:	nit	
									Otherwise, 35'		8	1 per unit	
									above average		Home:		
									building		8	Convales	
<u> </u>									elevation			cent	
											-~-	Center or	
	-											Nursing	
										Manager - D		Home: 1	
									•			per each	
	2											Dec.	
		с. 						-			-+ (	105.25,	
.150	.150 Government	nment											
	Facility or	ģ			-								
	Community	unity						•					-
160	160 Public Park		Developmen	t standards	s will be deto	emined or	a case by	case by	Development standards will be determined on a case by case basis. See KZC Chapter 49 for required	Chapter 49	for real	lired	
			review process.	SS.	÷.								
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Revised 12-19-05

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### CHAPTER 53 - RH 5C (Rezone BC (2) to RH 5C ZONE) Draft 12/5/05

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53.05 User Guide.

The charts in KZC 53.10 contain the basic zoning regulations that apply in the RH 5C 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 53.08	Section 53.08 GENERAL REGULATIONS
	The following regulations apply to all uses in this zone unless otherwise noted:
	1. Refer to Chapter 1 KZC to determine what other provisions of this code may apply to the subject property.
	2. If any portion of a structure is adjoining a low density zone, then either:
	a. The height of that portion of the structure shall not exceed 15 feet above average building elevation, or
	b. The horizontal length of any facade of that portion of the structure which is parallel to the boundary of the low density zone shall not exceed 50 feet in width.
	See KZC 115.30, Distance Between Structures Regarding Maximum Horizontal Facade Regulation, for further details. (Does not apply to Detached Dwelling Unit, Mini-School or Mini-Day-Care Center).
	3. Some development standards or design regulations may be modified as part of the design review process. See Chapters 92 and 142, KZC for requirements.
	4. To the extent possible, viable significant trees and vegetation shall be retained within required landscape buffers separating non-residential uses. The applicant shall record a greenbelt easement over the landscape buffer.
	5. For lighting requirements associated with development, see KZC Chapter 115.85.2

### EXHIBIT M

RH 5C	V		USE		ZONE	ECHART	RT	:		
			DIR	ECTION	<b>NS:: FIR</b>	DIRECTIONS:: FIRST, readidown to find use	own.to:fin	d use.		THEN, across for REGULATIONS
TION		MIN	MINIMUMS			MAXIMUMs . S	y		3 jeo j)	••
	Ţ	REQUI	<b>REQUIRED YARDS</b>	S	3	6	scap sgor Ch. 9	e Ch	q'd king s (S 105	Special Regulations
EGU	ž	(See	(See Ch. 115)			<b>Height</b> of	ate		Part	(See also General Regulations)
		Front	Side	Rear	Lot Cov	Structure	C		F Spa C	
.010 Accessory None	None	20'	15.	10 <sup>,</sup>	80%	If adjoining a See	See	m	See Section	See Section 1. No new above grade structures are permitted
parking for						low density Special	Special	See	105.25	2. If landscape buffer 95.25.1.b is chosen the required fence shall be
commercial						zone other	zone other regulation 2 Special	Special		allowed to meander through the buffer or otherwise be placed so as
use located in						than RSX,	2	Reg. 5		to minimize impacts on adjoining property. The landscape buffer
RH 5A fronting						then 25'				shall be contained in an easement pursuant to Section 95.45, and
on NE 85th						above				the easement language should prohibit relocation, alteration, or
Street					· •	average				relinquishment of the easement without a majority affirming vote of
			·			building				the City Council. Prior to issuance of construction permits, the
						elevation.				applicant shall submit to the Planning Official for approval, a plan
						Otherwise,				indicating compliance with the following standards:
	<u> </u>					35' above				a. Trees within the north and east buffers shall be 10-12 feet in height
						average				at the time of planting; and
						building				b. The planting strip between the parking area and 124 <sup>th</sup> Avenue NE
						elevation.				shall be at least 10' wide; and
										c. The east property line landscape buffer shall include raised
						See Special				topography, either in the form of fill or a berm at least 3' in height,
	<u> </u>					Regulation				but taller if feasible, if the raised topography:
										1. Is approved in writing by Seattle City Light; and
	•									2. Does not worsen existing drainage conditions; and
						54234234353				3. Does not, in and of itself, result in the loss of on-site significant
										trees; and
										d. Landscape islands shall be provided in the parking lot interior and
										designed and oriented to help shield surrounding properties from
										light and glare; and
					•					e. The large conifer tree adjacent to the north property line shall be
	_				Ļ					retained; and

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<ol> <li>Along 124<sup>th</sup> Avenue NE, no new driveways are permitted. Widening or relocation of the existing driveway located on subject property in RH 5A may occur if such widening or relocation is consistent with City- adopted engineering standards; and</li> <li>Changes to the existing site topography shall be minimized; and</li> <li>Prior to issuance of construction permits, the applicant shall submit to the Public Works Official for approval, a plan demonstrating through appropriate civil engineering drawings and data that the project will comply with City adopted standards odor storm water runoff control and treatment. Storm water control should at a minimum, accomplish the following:         <ul> <li>Collect all new storm water runoff from newly-introduced Impervious surfaces in on-site catch basins;</li> <li>Detain collected storm water runoff increates;</li> <li>Treat collected storm water runoff through approved filtration devise;</li> <li>Crare to issuance of construction permits, the applicant shall submit a noise study stamped by an independent acoustical consultant verifying that the noise expected to emanate from the site adjoining to any residential zoned property complies with the standards specified in KZC Section 115.95.1 and 2. and WAC 1173-60-040 (1) for a Class B source property and a Class A receiving property.</li> <li>Prior to occupancy of a commercial use adjoining a for approval by the Planning Official pursuant to the requirements in KZC Section 115.85, except that lights shall be turned off no later than 10:00 pm Monday throw futures where such lighting would effectively reduce off-site light intrusion.</li> <li>Prats must be storage entirely within an enclosed structure.</li> <li>Only internal private tarfic clinectional signs shall be permitted on the property aubject to Section 100.115, KZC.</li> </ul> </li> </ol>

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RH	RH 5C					USE	E Z C	N	ZONECHAR	Ĩ.			
		۹S				DI	RECTION	IS: FII	DIRECTIONS: FIRST, read down to find use.	m to f	find use	. THEN, acros	THEN, across for REGULATIONS
		101				MINIMUMS			MAXIMUM\$S	y	y		
ction .22	USE	GULAT	Required Review	Lot	RE	REQUIRED YARDS (See Ch. 115)	) S	: ver	Height of	pe tegor ee Ch	ee Ch Sign tegor ce Ch 100)_	leq'd arking paces ce Ch 105)	Special Regulations
		RE	Process	Size	Front	Side	Rezr	Lo Ca	Structure	C: (S	Ca (S	S (S	•
.020	Detached		None	7,200 sq.	20'	5' each side	10'	50%	30' above	m	Þ	2.0 per dwelling	1. Minimum tot size per dweiling unit 7,200 square feet.
	Dwelling Unit	Unit		7					average building elevation.			unit.	2. Floor Area Ratio (F.A.R.) allowed for the subject property is 50 percent of lot size. See KZC 115.42, Floor Area Ratio
								ŝ					(F.A.R.) Calculation for Detached Dwelling Units in Low Density Residential Zones, for additional information.
								. •					3. Chapter 115 KZC contains regulations regarding home
		• • • • • • • •						c					occupations and other accessory uses, facilities and activities
													associated with this use.
.030	Church	70	See Spec.	7,200 SF	20	20' on each	20'	70%	30° above	ი	00	1 for every 4	1. Minimum lot size per dwelling unit is 7,200 square feet.
			Reg. 3			side			average building			people based on	<ol><li>The property must be served by a collector or arterial street.</li></ol>
1									elevation.			maximum	3. The required review process is as follows:
												occupancy toad	a. It the subject property, including all contiguous property owned
											~~~~	or any area or worshin. See	by the applicant and need by others for tuture use by the applicant, is less than five acres the required review process is Process IIA.
					1							Spec. Reg. 4.	Chapter 150 KZC
													b.If the subject property, including all contiguous property owned by
			·										the applicant and held by others for future use by the applicant, is
													five or more acres, a Master Plan, approved through Process IIB,
						a							Chapter 152 KZC, is required. The Master Plan must show building
												r	placement, building dimensions, roadways, utility locations, land
													uses within the Master Plan area, parking location, buffering, and
													landscaping.
													4. No parking is required for day-care or school ancillary to the
[													use.

RH 5C		•			0 N	ECHAR	Ĩ		
3.	ons			DIRECTIO	VS: FI	DIRECTIONS: FIRST, read down to	n to find use.		THEN; across for REGULATIONS
Section 5	REGULAT	Required Review Process	Lot Size	REQUIRED YARDS (See Ch. 115) Front Side Rear	Lot Cover		pe Category <u>(See Ch.</u> Sign Category (See Ch. <u>100)</u>	Req'd Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
040 School Dav-	Dav-	See Spec.	7.200 sa		70%	30' above	8	See KZC 105.25.	See KZC 105.25.1 May locate on the subject property only if.
_	enter	Reg. 8.	<b>4</b> 5,			average building	Spec.		a. It will not be materially detrimental to the character of the
-				50' 50' 50'		elevation	Reg. 6.		neighborhood in which it is located.
				each s					b. Site and building design minimizes adverse impacts on
				If this use can accommodate 13					surrounding residential neighborhoods.
				to 49 students or children					c. The property is served by a collector or arterial street.
				then:					2.A six-foot-high fence along the side and rear property lines is
				on each side					required only along the property lines adjacent to the outside play
÷									areas.
								÷	3.Structured play areas must be setback from all property lines as
									follows:
									a.20 feet if this use can accommodate 50 or more students or
					• .				children.
						-			b.10 feet if this use can accommodate 13 to 49 students or children.
									4.An on-site passenger loading area must be provided. The City shall
									determine the appropriate size of the loading area on a case-by-
									case basis, depending on the number of attendees and the extent
									of the abutting right-of-way improvements. Car pooling, staggered
									loading/unloading time, right-of-way improvements or other means
					•				may be required to reduce traffic impacts on nearby residential
									uses.
									5. Hours of operation of the use may be limited and parking and
					•				passenger loading areas shall be located to reduce impacts on
									nearby residential uses.
									6.Electrical signs shall not be permitted.
									7.May include accessory living facilities for staff persons.
									8. The required review process for a School or Day Care Center Is as
									follows:
							-		a. If the subject property, including all contiguous property owned by
								, <b></b>	the applicant and held by others for future use by the applicant, is

d. The increased height will not result in a structure that is c. The increased height is not specifically inconsistent with the b. The required side and rear yards for the portions of the structure a. The school can accommodate 200 or more students; and 10.For a School use, structure height may be increased, up to 35 feet, 9. These uses are subject to the requirements established by the b. If the subject property, including all contiguous property owned by exceeding the basic maximum structure height are increased by one within the Master Plan area, parking location, buffering, and placement, building dimensions, roadways, utility locations, land uses Chapter 152 KZC, is required. The Master Plan must show building or more acres, a Master Plan, approved through Process IIB, the applicant and held by others for future use by the applicant, is five incompatible with surround ing uses or improvements. Chapter 150 KZC applicable neighbor hood plan provisions of the Comprehensive Plan foot for each additional one foot of structure height; and landscaping. less than five acres, the required review process is Process IIA, 5 Department of Social and Health Services (WAC Title 388).

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RH 5C			V	USE	ZONE	IE CHART	RT			•
lons	84 1. 85 0.		I	DIRECT	ONS: FI	DIRECTIONS: FIRST, read down to find use	wn to fi	nd use.		THEN, across for REGULATIONS
	Required	۶ ۶	REQUIRE	REQUIRED YARDS		Height of	pe tegor te Ch tign	tegor ee Ch .00)	eq'd rking aces e Ch .05)	Special Regulations
50.	Process	Т		-	Lot Cov	Structure	Cat	Cat (Se	Pa Sp (Se	(Succession states of a sec)
Mini-Schoot or		7 200 SF	20' 5' but 2	but 2 10'	%	30' above	m		See KZC 105.25.	KZC 105.25.1 May locate on the subject property if:
Mini-Day-Care	5				9	average building	See			It will not be materially detrimental to the character of the
Center			yards	<i></i>		elevation.	S S	Spec.		neighborhood in which it is located.
			must		••		Z Z	Reg. 6.	· _	Site design must minimize adverse impacts on surrounding
			equal						-	residential neighbor hoods.
			at least	ast			10.	10		2.A six-foot-high fence is required along the property lines
			15		•••••					adjacent to the outside play areas.
1.21										3. Structured play areas must be setback from all property lines by
								5		five feet.
				10						4. An on-site passenger toading area may be required depending
			20							on the number of attendees and the extent of the abutting right-
									-	of-way improvements.
										5. Hours of operation of the use may be limited and parking and
										passenger loading areas shall be located to reduce impacts on
							6 - 1620			nearby residential uses.
										6.Electrical signs shall not be permitted. Size of signs may be
				33	8					limited to be compatible with nearby residential uses.
								-		7.May include accessory living facilities for staff persons.
				20						8. These uses are subject to the requirements established by the
										Department of Social and Health Services (WAC Title 388).
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53.		REGULATIONS				D)  MINIMUMS	RECTIO	NS: FI	RST, read dov MAXIMUMsS				ss for REGULATIONS
Section 53.	USE	BULA	Required Review	Lot		EQUIRED YAR (See Ch. 115		, i	Height of	pe Category (Son Ch	Sign Category (See Ch.	Req'd Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
Ş		<b>H</b>	Process	Size	Front	Side	Rear	ŜĔ	Structure	S.S.	S S	۳ ۳ ۵ ۵ ۳ ۳ ۲	
	Public L		See Special Regula tion 2.	None		20' on each side	20'		30' above average building elevation	A	В	See KZC Section 105.25	<ol> <li>Site design must minimize adverse impacts on surrounding residential neighbor hoods.</li> <li>The required review process is as follows:</li> <li>If the subject property, including all contiguous property owned by the applicant and held by others for future use by the applicant, is less than five acres, the required review process is Process IIA, Chapter 150 KZC;</li> <li>If the subject property, including all contiguous property owned by the applicant and held by others for future use by the applicant, is five or more acres, a Master Plan, approved through Process IIB, Chapter 152 KZC, is required. The Master Plan must show building placement, building dimensions, roadways, utility loca tions, fand uses within the Master Plan area, parking location, buffering, and land scaping.</li> </ol>
.070	Governr	nent				10' on each	10'	1		С			
	Facility Commu	nitv				side			1	See Spec.			
	Facility								i	Reg. 3.			

.080 Public Park Development standards will be determined on a case by case basis. See KZC Chapter 49 for required review process.

### CHAPTER 53 - RH 7

53.05 User Guide.

The charts in KZC 53.10 contain the basic zoning regulations that apply in the RH 7 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 53.08	Section 53.08 GENERAL REGULATIONS
	The following regulations apply to all uses in this zone unless otherwise noted:
	1. Refer to Chapter 1 KZC to determine what other provisions of this code may apply to the subject property.
	2. Individual retail uses in this zone are limited to a maximum of 65,000 SF of gross floor area.
	<ol> <li>The ground floor of all structures on the subject property shall be a minimum of 15' in height. This requirement does not apply to:         <ul> <li>a. the following uses: vehicle service stations, automotive service centers, private lodges or clubs, attached or stacked dwelling units, churches, schools, day-care centers, mini-schools or mini-day care centers, assisted living facilities, convalescent center or nursing homes, public utilities, government facilities or community facilities.</li> <li>b. parking garages.</li> </ul> </li> </ol>
	c. additions to existing non-conforming development where the Planning Official determines it is not feasible.
	4. At least 50% of the total gross floor area located on the ground floor of all structures on the subject property shall contain retail establishments, restaurants, taverns, hotels or motels. These uses shall be oriented to NE 85 <sup>th</sup> Street, a major pedestrian sidewalk, a through block pedestrian pathway or an internal pathway (see also KZC Chapter 92).
	5. Within required front yards canopies and similar entry features may encroach, provided that the total horizontal dimension of such elements may not exceed 25 percent of the length of the structure.
	<ol> <li>Some development standards or design regulations may be modified as part of the design review process. See Chapters 92 and 142, KZC for requirements.</li> </ol>
	7. Drive through facilities are not permitted in this zone.
	<ol> <li>The Public Works Official shall approve the number, location and characteristics of driveways on NE 85<sup>th</sup> Street in accordance with the driveway and sight distance standards contained in the Public Works Pre-approved Plans Manual. Taking into consideration the characteristics of the corridor, the Public Works Official may:         <ul> <li>a. require access from side streets; and/or</li> <li>b. encourage properties to share driveways, circulation and parking areas; and/or</li> <li>c. restrict access to right turn in and out, or</li> <li>d. prohibit access altogether along NE 85<sup>th</sup> Street.</li> </ul> </li> </ol>

-	9. For lighting requirements associated with development see KZC Chapter 115. 85.2
·	10. Prior to any of the following uses occupying a structure on a property adjoining a residential zone, the applicant shall submit a noise study prepared by a qualified acoustical consultant for approval by the Planning Official.
	<ul> <li>Establishments expected to operate past 9 p.m.</li> </ul>
	Vehicle service station.
	Automotive service center.
	Car washes.
	<ul> <li>Retail establishment providing entertainment, recreational or cultural activities.</li> </ul>
	<ul> <li>Retail establishment involving the sale, lease, repair or service of automobiles, trucks, boats, motorcycles, recreation vehicles, heavy equipment, or similar vehicles.</li> </ul>
	Veterinary offices.
	<ul> <li>Drive-through facilities with loudspeaker systems.</li> </ul>
	<ul> <li>Establishments involving a large truck loading dock for deliveries.</li> </ul>
	The study shall verify that the expected noise to be emanating from the site adjoining to any residential zoned property complies with the standards
	specified in KZC Section 115.95.1 and 2. and WAC 173-60-040 (1) for a Class B source property and a Class A receiving property.
	11, See Chapters 100 and 162 KZC for information about nonconforming signs. KZC 162.35 describes when nonconforming signs must be brought into conformance or removed.

# USE ZONE CHART

60.22	114	REGULATIONS	Reguired				IMUMS RED YA		1	MAXIMUMS	ape .tr	È.	- 2 5 5 -	
Section 60.22	0:	REGUL	Review Process	Lot Size	Fi	<u>(Sec</u>	Ch. 11 lide		r j	Height of Structure	Landscape Category (See Ch. 95)	Sign Catego (See C	Req'd Parking Spaces (See Ch.	Special Regulations (See also General Regulations)
	Та	estaurants, averns or Fas pod Restaura		w,	None	10' Otherwis 20' adjoining residenti zone	а	-	)' 80%	30' above average building elevation	A	E	1 per each 100 sq. ft. of gross floor area <u>.</u>	1. Fast food restaurants must provide one outdoor waste receptacle for every 8 parking stalls.
·	est oth spi lim pro zoi go sei	hy retail stablishment, her than thos pecifically listen nited, or ohibited in th one, selling pods or providen r vices include	ed, Is ting										300 sq ft. of gross floor area.	<ol> <li>The following uses are not permitted in this zone:</li> <li>a. vehicle service stations</li> <li>b. automotive service centers</li> <li>c. uses with drive in facilities or drive through facilities</li> <li>d. retail establishments providing storage services unless accessory to another permitted use.</li> <li>e. a retail establishment involving the sale, lease, service or repair of automobiles, trucks, boats, motorcycles, recreation vehicles, heavy equipment, and similar vehicles.</li> </ol>
	rel sei Se	inking and lated financia ervices. ee Spec. Reg id 2.			;									<ul> <li>2.Ancillary assembly and manufacture of goods on the premises of this use are permitted only if:</li> <li>a. The assembled or manufactured goods are directly related to and an dependent upon this use, and are available for purchase and removal from the premises.</li> <li>b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from othe retail uses.</li> <li>3.A delicatessen, bakery, or other similar use may include, as part of the use, accessory seating if:</li> <li>a. The seating and associated circulation area does not exceed more than 10 percent of the gross floor area of the use; and</li> <li>b. It can be demonstrated to the City that the floor plan is designed to</li> </ul>

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# USE ZONE CHART

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Section 60.22	USE	REGULATIONS	Required Review Process	Lot Size			MINIMU EQUIRED (See Ch. Side	YARDS	ar	Lot Covera	MAXIMUMS Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch.	Req'd Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
		<u> </u>					0.00					-		<u> </u>	۱ ، ،
.030	Office	Use	Desig Revie Chap KZC		None	20 <sup>.</sup> adjo	0 erwise ining a fential		0,		30' above average building elevation	A	D	If a Medical, Dental or Veteri nary office, then 1 per each 200 sq. ft. of gross floor area. Otherwise, 1 per each 300 sq. ft. of gross floor	<ol> <li>The following regulations apply to veterinary offices only:         <ul> <li>a.May only treat small animals on the subject property.</li> <li>b.Outside runs and other outside facilities for the animals are not per mitted.</li> </ul> </li> <li>Ancillary assembly and manufacture of goods on the premises of this use are permitted only if:         <ul> <li>a.The ancillary assembled or manufactured goods are subordinate to and dependent on this use.</li> <li>b.The outward appearance and impacts of this use with ancillary</li> </ul> </li> </ol>
.040	Hotel	or Motel											E	area. 1 per each room. See also Spec. Reg. 2.	<ol> <li>May include ancillary meeting and convention facilities.</li> <li>Excludes parking requirements for ancillary meeting and convention facilities. Additional parking requirement for these ancillary uses shall be determined on a case-by-case basis.</li> </ol>
	provid entert recrea	lishment												See Section 105.25	· · ·
	Club	e Lodge	or _										В	1 per each 300 sq. ft. of gross floor area.	
	Attach Stack Units	ned or ed Dwelli	ng										A	1.7 per unit.	<ol> <li>Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.</li> </ol>

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## USE ZONE CHART

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77		IONS			MINIMUMS		MAXIMUMS	0				
Section 6	USE	REGULAT	Required Review Process	Lot Size	REQUIRED YARD (See Ch. 115) Front Side	Lot Covera	Height of	Landscap Category (See Ch. 95)	Sa o č	Req'd Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	

.080	Development containing Stacked	Design	More than	10'	0.	0'	80%	45' above	A	E	See KZC	1. Development may also include other uses allowed in this zone.
	Dwelling Units and	Review,	3 acres	Otherwise				average			Section 105.25	2. The following uses are not permitted in this zone:
		Chapter 142.		20'				building				a. vehicle service stations
	One or more of the following uses:	kzc		adjoining a				elevation				b. automotive service centers
	J		ł	residential								c. uses with drive in facilities or drive through facilities
	Retail uses including Banking			zone								d. retail establishments providing storage services unless accessory to
	And Other			ļ	, ,							another permitted use.
	Financial Services,	}				6						e. retail establishment involving the sale, service or repair of automobiles,
	Restaurants.											trucks, boats, motorcycles, recreation vehicles, heavy equipment and
	Taverns, or Fast Food Restaurants See Special					Ĭ			x			<ul> <li>similar vehicles.</li> <li>The entire zone must be physically integrated both in site, building design, pedestrian access internally and to the street and provide other pedestrian amenities.</li> </ul>
	Regulations 1 and											4. At least 10% of the units in new residential developments of 10 units or
	Negulations I and											greater shall be affordable housing units as defined in Chapter 5 KZC.
	2		1									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
						1						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
			<u>۶</u>									applicable to residential development (see Chapter 112 KZC).
.090	Church	Design	None	10'	0'	0'	80%	30' above	A	8	1 for every four	1.May include accessory living facilities for staff persons.
		Review,		Otherwise		[		average			people based	2.No parking is required for day-care or school ancillary to this use.
		Chapter 142,		20'				building			on maximum	
		кzс	•	adjoining a		1		elevation			occupancy load	
				residential		1				3	of any area of	
				zone							worship. See	
											also Special	
			ł								Reg. 2.	

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						See		Home	Cent	Con	Facility,																270	Day							USE					RH 7		
						See Spec. Reg. 1.	, i ,	ō	Center or Nursing	Convalescent	ШУ,		stad   lvin															Day-Care			Center Mini-	School, Day-Care	-	REG	ULA		NS		•		1	
	1000 000					eg. 1.	<u> </u>		rsing	-		5																KZC				Care Design		Process	Review							Ľ,
	<b>-</b>																												11	2		None		Size	<u>5</u>		}					
															•								_							<u> </u>			From									
																												6	0410100	thanutes	95 <sup>th</sup> Street	10' on NE			(See Ch. 115)	minimum umb				C		
																																Q	Kear		115)	VADD0				S		
	00000							,		•																						Q								N O Z		
,																									. <u>.</u>							80%	L I	ot	era	-				M		
																												nonevala	Semina S	building.	averane	30' above		Structure	Height of	SWDWINAW				CHART		
				<u>.</u>	<u>.</u>																											σ		Cat	dsca legoi le Cl	ry i				フィ	I	ì
	<u> </u>	z	8	Home: C	ي ت	Nursin Unit		م م	escent A	Conval	_ <u>_</u>	2									- <u>-</u>											o a		S Cat	95) ilgn legol ee Cl	ny	-					
	1 per each bed	Nursing Home:	Center or	Convalescent				Facility: 1 per	escent Assisted Living		unit:1.7 per unit		1																			See KZC		R Pa Sp (Se	00) eq'd rkinj iace: e Ci	g s	-		•			
			•	-							other accessory uses, facilities, and activities associated with this use		1 Chapter 115 KZC contains regulations regarding home occupations	ment of Social and Health Services (WAC Title 388).	6. These uses are subject to the requirements established by the Depart	use may be limited and parking and passenger loading areas relocated.	5. To reduce impacts on nearby residential uses, hours of operation of the	<ol><li>May include accessory living facilities for staff persons.</li></ol>	required to reduce trainc impacts on nearby residential uses.	windowing wind, nghiror way improvidential wood on our interior into the	inhadina time right-of-way improvements or other means may be	abutting right-of-way improvements. Carpooling, staggered loading/	basis, depending on the number of attendees and the extent of the	determine the appropriate size of the loading areas on a case-by-case	<ol><li>An on-site passenger loading area must be provided. The City shall</li></ol>	c. 5 feet for Mini-School or Mini-Day-Care Centers.	b. 10 reet if mis use can accommodate 13 to 49 students of children.		a on fact if this was assessmentate ED as many students or shild m	2 Structured play areas must be sethack from all onnerty lines as ful lows:	the outside play areas	1. A six-foot-high fence is required only along the property lines adjacent to		(suonemãav resouan oste aac)	5) Special Regulations							

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RH 7			·	U (	SE Z (	Z	USE ZONE CHART	RT			
				MINIMUMS			MAXIMUMS				
FiH	T					1		y	<b>y</b> 1.	3	
	Required	ž		(See Ch. 115)	5) (RDS		Height of	dscap legor le Ch 95) ilgn	egor e Ch 00)	eq'd rking aces e Ch 05)	Special Regulations
REC		Size	Front	Side	Rear	Lot Cov	Structure	Cat (Se	Cat (Se	R Pa Sj (Se	(see and verified vefinition)
-		-		_				_	-		
,120 Public Utility	Design	None	ne 10'	0	Ō.	80%	30' above	₽	ω	See KZC	
	Review,		ō	Otherwise			average			105.25.	
	Chapter			20'			building		<del>,</del>		
	142	;	,	adjoinin			elevation				
				ga							
				residenti							
	1			al zone							
.130 Government	•									2	
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review process.

### CHAPTER 53 – RH 8

53.05 User Guide.

The charts in KZC 53.10 contain the basic zoning regulations that apply in each of the RH zones 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 53.08	
	<ol> <li>If any portion of a structure is adjoining a low density zone, then either:         <ul> <li>a. The height of that portion of the structure shall not exceed 15 feet above average building elevation, or</li> <li>b. The horizontal length of any façade of that portion of the structure which is parallel to the boundary of the low density zone shall not exceed 50 feet in width. See KZC 115.30, Distance Between Structures Regarding Maximum Horizontal Façade Regulation, for further details.</li> </ul> </li> </ol>
	<ol> <li>If the lot area of the subject property is equal to or greater than 18,000 square feet, maximum building height is 35' above average building elevation.</li> </ol>
	<ol> <li>The ground floor of all structures on the subject property shall be a minimum of 15' in height. This requirement does not apply to:         <ul> <li>a. the following uses: vehicle service stations, automotive service centers, private lodges or clubs, stacked dwelling units, churches, schools, day-care centers, mini-schools or mini-day care centers, assisted living facilities, convalescent center or nursing homes, public utilities, government facilities or community facilities.</li> <li>b. parking garages.</li> </ul> </li> </ol>
	c. additions to existing non-conforming development where the Planning Official determines it is not feasible.
	4. Within required front yards canopies and similar entry features may encroach, provided that the total horizontal dimension of such elements ma not exceed 25 percent of the length of the structure.
	5. Some development standards or design regulations may be modified as part of the design review process. See Chapters 92 and 142, KZC for requirements.
•	<ul> <li>6. The Public Works Official shall approve the number, location and characteristics of driveways on NE 85<sup>th</sup> Street in accordance with the drivewa and sight distance policies contained in the Public Works Pre-approved Plans manual. Taking into consideration the characteristics of this corrido the Public Works Official may: <ul> <li>a) require access from side streets; and/or</li> <li>b) encourage properties to share driveways, circulation and parking areas; and/or</li> <li>c) restrict access to right turn in and out, or</li> <li>d) prohibit access altogether along NE 85<sup>th</sup> Street.</li> </ul> </li> </ul>
	7. Drive through facilities are not permitted in this zone.
	8. See Chapters 100 and 162 KZC for information about nonconforming signs. KZC 162.35 describes when nonconforming signs must be brough into conformance or removed.

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	9. For lighting requirements associated with development see KZC Chapter 115.85. 2
	10. Prior to any of the following uses occupying a structure on a property adjoining a residential zone, the applicant shall submit a noise study
· . · ·	prepared by a qualified acoustical consultant for approval by the Planning Official.
. •	<ul> <li>Establishments expected to operate past 9 p.m.</li> </ul>
. ·	Retail establishment providing entertainment, recreational or cultural activities.
	Veterinary offices.
	Any establishment where animals are kept on site.
· ,	<ul> <li>Establishments involving a large truck loading dock for deliveries.</li> </ul>
	The study shall verify that noise expected to emanate from the site adjoining to any residential zoned property complies with the standards
	specified in KZC Section 115.95.1 and 2. and WAC 173-60-040 (1) for a Class B source property and a Class A receiving property.
	11. A City entryway feature shall be provided on the parcel located at the northwest corner of the intersection of NE 85 <sup>th</sup> St and 132 <sup>nd</sup> Avenue, or adjacent parcel under common ownership with such parcel. Entryway feature shall include such elements as: a sign, art, landscaping and lighting. See KZC Chapter 92, Design Regulations.

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<u>a                                    </u>	7	6	-13		030		 020										010	se	ectlo	on 60	0.2	2		
cultural activities	recreational or	entertainment,	providing	establishment	.030 A retall		.020Restaurant										.010 Office Uses			USE				×
	inal or	Iment	U	Iment	:		ant										Ses		REG	ULAT	по	NS.		
		<u> </u>								<u> </u>					142, KZC	Chapter	Design A		Process	Required				
 	<b>-</b> -						 							0			None		Size	ž				
						**						zone	residential	adjoining a	20	Otherwise	10	191	[	(See	REOII	INIM		
		· <b>-</b> ··· _						2	<u></u>					<u> </u>			ç	-		(See Ch. 115)	RECHISSEN VARDS	SWITMINI		
							 										J,		0	15)	APDS			
																	/0%	L					, r	7
						*				н.	and 2	Regulations 1	See General		elevation	building	average		Structure	Height g	And Annothing	MAXIMUMS	r	
		_															₽		Cat ice (	lscaj egor Ch. 9	Y			
							m										c		Cat	egor e Ch				70 
				105.25	See KZC Section		1 per each 100 sq. ft. of					gross floor area.	each 300 sq. ft. of		of gross floor area.	one per each 200 sq. ft.	It Medical, Dental, or Veterinary office, then		Pa: pac	eq'd rking es (S 105	iee			•
					1. Gross floor area for each individual use may not exceed 4,000 sq. ft.		<ol> <li>May not be located above the ground floor of a structure.</li> <li>th. of 2. Gross floor area for each individual use may not exceed 4,000 sq. ft.</li> </ol>		office uses.	assembly or manufacturing activities must be no different from other	b. The outward appearance and impacts of this use with ancillary	a. The ancillary assembled or manufactured goods are subordinate to and	of this use are permitted only if:	2. Ancillary assembly and manufacture of goods on the premises	mitted.	b. Outside runs and other outside facilities for the animals are not per	<ol> <li>T. I be following regulations apply to veterinary onces only: a.May only treat small animals on the subject property.</li> </ol>		(See also General Regulations)	Special Regulations				

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Revised 12-19-0

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50.2	USE	EGULATIONS	Required Review			IRED Y. e Ch. 1				ry (S 95)	h. 10	Park (See	Special Regulations
Section 60.22		REGI	Process	Lot Size	Front	Sid	Rear	Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Req'd Parking Spaces (See Ch. 105)	(See also General Regulations)
	specific listed, li prohibiti zone, si goods, i providin service: includin banking	shment an those ally imited, or ed in the elling or or ng s s g or financial	142, KZC	None	10' Otherwise 20' adjoining a residential zone	0'	15	70%	30' above average building elevation See General Regulations 1 and 2	А	D	1 per each 300 q. ft. of gross fi r area.	<ol> <li>The following uses are not permitted in this zone:         <ul> <li>vehicle service stations</li> <li>automotive service centers. Exception for existing uses. This use may only be permitted if the use existed on</li></ul></li></ol>

RH 8			•	U S	m	ZON	E C H /	ART			
	DNS		,	MINIMUMS			MAXIMUMS				
on 60.: CSE	Required	1	REQ	REQUIRED YARDS (See Ch. 115)	Š	ag	Helefitt	scape sgory e Ch. 5),	gory e Ch.	iq'd king is (Sea 105)	Special Regulations
		Size	Front	Side	Rear	Lot Cove	Structure	Cat (Se	Cat	Ri Pai Spac Ch.	(See also General Regulations)
.050 Stacked	Design	None	10.	ę	15'	70%	30' above	₹	⋗	1.7 Per unit.	1. This use may not be located on the ground floor of a structure.
Dwelling	Review		Otherwise				average				2. Chapter 115 KZC contains regulations regarding home occupations
Units.	Chapter 142		20,				building				and other accessory uses, facilities and activities associated with this
See Special	tal KZC		adjoining				elevation				use.
Regulation 1.	<b>1</b> .		ຍ 								
			residential	•1			See General				
			zone				Regulations				
							1 and 2				
.060 Assisted	]									Independent Unit:	1. This use may not be located on the ground floor of a structure.
Living	<u> </u>									1.7 per unit	2. Chapter 115 KZC contains regulations regarding home occupations
Facility,											and other accessory uses, facilities, and activities associated with this
Convalescent	cent									Assisted Living	use.
Center or					<u>-</u>					Facility: 1 per unit	
Nursing											
Home										Convalescent	
See Spec.										Center or Nursing	
Reg. 1.										Home: 1 per each	-
										bed	
						· .					
.070 Church					,					1 for every 4 people	1 for every 4 people 1 No parking is required for day-care or school ancillary to the use.
			^							based on maximum	
			-							occupant load of	
										any area of	
										worship. See Spec.	
										Reg. 1.	

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RH 8

# USE ZONE CHART

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Revised 12-19-C

# .110 Public Park Development standards will be determined on a case by case basis. See KZC Chapter 49 for required review .100Government .090 Public Utility Design RH 8 Section 60.22 Facility Fadilty Community USE REGULATIONS Chapter Review 142, KZC process. Review Process Require d None Siz 두 adjolning a Otherwise residential zone 20 Front ð MINIMUMS REQUIRED YARDS (See Ch. 115) Side Q USE ZONE Rear σį 70% Lot Coverag 30' above and 2 Regulations 1 building See General elevation average MAXIMUMS Height of Structure CHART Landscape Category (See Ch. <u>95)</u> Category (See Ch. ⊳ ₿ See KZC 105.25 Req'd Parking Spaces (See Ch. 105) Special Regulations (See also General Regulations)

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# Revised 12-19-0. PLA 17C PLA 17A 60.194

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The charts in KZC 60.189 contain the basic zoning regulations that apply in Planned Area 17A, including sub-zones. Use these charts by reading down the left hand column entitled Use. Once you locate the use in which you are interested, read across to find the regulations that apply to that use.

Section 60.194	Section 60. GENERAL REGULATIONS
Zone PLA17C	The following regulations apply to all uses in this zone unless otherwise noted:
	1.Refer to Chapter 1 KZC to determine what other provisions of this code may apply to the subject property.
	<ul> <li>2.If any portion of a structure is adjoining a low density zone or low density use in PLA 17, then either: <ul> <li>(a.)The height of that portion of the structure shall not exceed 15 feet above average building elevation, or</li> <li>(b.)The horizontal length of any facade of that portion of the structure which is parallel to the boundary of the low density zone shall not exceed 50 feet in width.</li> <li>See KZC 115.30, Distance Between Structures Regarding Maximum Horizontal Facade Regulation, for further details.</li> </ul> </li> <li>3. A solid screening wall or fence shall be required between any portion of a parking area which is closer than 40 feet to a low density use or a low density zone. Such wall or fence shall be in addition to the landscape materials required by Chapter 95 KZC.</li> <li>(Does not apply to Detached Dwelling Unit and Attached or Stacked Dwelling Unit uses).</li> </ul> <li>4. All vehicular access must be from NE 90th Street (does not apply to Detached Dwelling Unit, Attached or Stacked Dwelling Units and Office uses).</li> <li>5. Some development standards or design regulations may be modified as part of the design review process. See Chapters 92 and 142, KZC for requirements.</li> <li>6. Site design should provide for the continuation of a bicycle or pedestrian path which generally follows the alignment of 120th Avenue and connects to NE 90th Street.</li>

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PLA 17A

USE ZONE CHART

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n 60. USE	Required		REQU	REQUIRED YARDS					gory Ch. D)	ing	Special Regulations
	Process		100	1966 CU. 119/		1 iver	Structure		Si ate See 10	Parl Spa Sec	(See also General Regulations)
			From	vide	Kear	C		1			
.010 Detached	d None	5,000	20'	Ωį	10 <sup>°</sup> 7	70% 3	30 above	m	Þ	2.0 per	1. For this use, only one dwelling unit may be on each lot regardless of the
Dwelling	;	sq. ft.		each		ti ti	average			dwelling	size of the lot.
Unit				side.		ъ ъ	building			unit.	2.On corner lots, only one front yard must be a minimum of 20 feet. All other
				See		æ	elevation.				front yards shall be regulated as a side yard (minimum five-foot yard).
				Specia							The applicant may select which front yard shall meet the 20-foot
	÷			_							requirement.
	-			Regul							3. Chapter 115 KZC contains regulations regarding home occupations and
				ation							other accessory uses, facilities and activities associated with this use.
				2							
.020 Attached	Design	5,000	20'	5', but	10 7	70% 3	30' above	σ	⋗	1.7 per	1.Chapter 115 KZC contains regulations regarding home occupations and
or Stacked		sq. ft.		2 side		<u>م</u>	average	-		unit	other accessory uses, facilities and activities associated with this use.
Dwelling	Chapter			yards		<u>.</u>	building			See	2.If the subject property contains four or more units, then it must contain at
Units	142.	unit		must		e	elevation.			Special	least 200 sq. ft. per unit of common recreational open space usable for
	KZC.			equal					<u>.</u>	Regula	many activities. This required common recreational open space must
				at						tion 4.	have the fol lowing minimum dimensions:
				least							a.For four to 20 units, the open space must be in one or more pieces
				15.					·····,		each having at least 800 sq. ft. and having a length and width of at
											least 25 feet.
					<u>-</u>	_					b.For 21 units or more, the open space must be in one or more pieces
										•••	hav ing a length and width of at least 40 feet.
	. <u></u>										The required common recreational open space may be reduced to 150 sq
								•			ft. per unit if permanent outdoor furniture, pool, cooking facilities,
											playground equipment, and/or a recreation building are provided in the
											common open space. The City shall determine if these outdoor
			<u> </u>								provisions provide compa rable recreational opportunities as would the
					<u> </u>						open space that is reduced, based on the number of residents that they
											would serve at one time. Also, the required minimum dimension for the
										2	open space containing these out door provisions may also be reduced in
	_	<u> </u>									proportion to the reduced open space area. The common recreational
			-						_	_	

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						Adjace prope whict	water the la	shall dents	prese space	
			8			Adjacent to NE 90th Street and existin property must include dense landsca which provide screening for this use.	water contaminants, the lake or wetlands.	also ii as th	preservation of space function.	
						NE 90 Ust ind	aminai wetlar	ndude ey wa	n of e tion.	2
						ith Str dude o	nts, su nds.	shor	nviron	
						eet an Iense g for t	ich as	signat otherv	menta	
						ld exis lands his us	deten	ed loc vise se	ally se s pinh	
						ting in caping	gents,	ation a ervice	nsitive t or m	
						and a	oils, a	and far	areas	
						onal p a feno	and de	cilities berson	s provi	ļ
						arking e or si	bris, f	to sei al veh	ides a	
						4.Adjacent to NE 90th Street and existing institutional parking lots, the property must include dense landscaping and a fence or screen wall which provide screening for this use.	fom e	ides.	super	Ì
						the	water contaminants, such as detergents, oils, and debris, from entering the lake or wetlands.	shall also include a designated location and facilities to serve on-site resi dents as they wash or otherwise service their personal vehicles. These facilities shall be so located improved and famished to prevent surface	preservation of environmentally sensitive areas provides a superior open space function.	
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Revised 12-19-05

# USE ZONE CHART

PLA 17A

.22	IONS			MIM	MINIMUMS			MAXIMUMS			,	Spiscial Regulations
on 60.	GULAT	Required	ž	REQU (See	REQUIRED YARDS (See Ch. 115)	s	ot erag	Height of	e gor iee	igor ice h.	ces Ch.	
Secti	RE	Process	Size	Front	Side	Rear	La Cove	-	P Cate y (S	Cate Cate y (S Cl	Parl Spa (See	
.030 Offic	Office Use	Design	7,200	20'	5', but	ō	80%	30' above	0	0	*	1. Ancillary assembly and manufacture of goods on the premises of this
		Review,	sq. ft.		2 side			average			Medical	use are permitted only if:
		Chapter	per		yards			building			Dental,	a. The ancillary assembled or manufactured goods are subordinate to
		142	unit		must			elevation.			9	and dependent on this use.
					equal						Veterin	b. The outward appearance and impacts of this use with ancillary
					at						ary	assembly or manufacturing activities must be no different from other
				_	least						office,	office uses.
					15,						then	
			_				• •				one per	
											each	
											200 sq.	
			-			_					ft. gross	
											floor	
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Revised 12-19-0.

USE ZONE CHART

**PLA 17A** 

.050 .040 Section 60.22 USE Nursing Church Home cent Center or Convales REGULATIONS Chapter Review, Design 142, KZC Required Review Process sq. ft. 7,200 Size Lat 20, Front REQUIRED YARDS (See Ch. 115) MINIMUMS 20 eac ŝ ĉ side Side side F • Þ eac 9 Rear 20 ð \$0% Lot Coverag building average MAXIMUM S elevation. 30' above Height of Structure 0 Landscape Category (See Ch. 95) Sign Category (See Ch. 100) Φ Regulati area of each 1 for 91 **1**. Spe cial See worship. апу load of noy occupa imum on max based every 4 1 for Req'd Parking Spaces (See Ch. 105) peo ple 1 No parking is required for day-care or school ancillary to the use. Special Regulations (See also General Regulations)

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LA 17A			4		ZON	E C H				
	Required	_	REQUIR	REQUIRED YARDS	ng		scap bry (§ . 95)			Special Regulations
			Front	Side Rear	Lot Cover	Structure	Categ	Sign ( (See (	Req'd Spac Ch	(eneronitatu in lailat, ésik aac.)
.060 School, De	Design 7,	7,200	20' 5'.	10	80%	30' above	0	œ	See	1.A six-foot-high fence along the side and rear property lines is required only along
Day-Care Re	•	sq. ft.	<u> </u>	but		average			KZC	the property lines adjacent to the outside play areas.
Center, Ct	Chapter		N			building			105.25	2.Structured play areas must be setback from all property lines as follows:
Mini- 14	142, KZC		s	side		elevation.			•	a.20 feet if this use can accommodate 50 or more students or children.
school or			×	yard		See Spec.				b.10 feet if this use can accommodate 13 to 49 students or children.
Mini-			S			·Reg. 7				c.5 feet for Mini-School or Mini-Day Care Centers.
Daycare			7	mus						3.An on-site passenger loading area must be provided. The City shall deter mine the
			+							appropriate size of the loading areas on a case-by-case basis, depending on the
			0	equ						number of attendees and the extent of the abutting right- of-way improvements.
			2	atat						Carpooling, staggered loading/unloading time, right- of-way improvements or other
				leas						means may be required to reduce traffic impacts on any nearby residential uses
				t 15.	<u> </u>					4. May include accessory living facilities for staff persons.
					<u></u>					5. Hours of operation of the use may be limited and parking and passenger loading
									U	areas shall be located to reduced impacts on nearby residential uses
										6. These uses are subject to the requirements established by the Department of
			<u> </u>			<u></u>				Social and Health Services (WAC Title 388).
			<u> </u>							7.For school use, structure height may be increased, up to 35 feet, if:
			-							a. The school can accommodate 200 or more students; and
										b. The required side and rear yards for the portions of the structure exceed ing the
										basic maximum structure height are increased by one foot for each additional
	•		•							one foot of structure height; and
		·								c. The increased height is not specifically inconsistent with the applicable
										neighborhood plan provisions of the Comprehensive Plan
										d. The increased height will not result in a structure that is incompatible with

Revised 12-19-05

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U'SE ZONE CHART

PLA 17A

2.Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the Special Regulations (See also General Regulations) 1.Outdoor uses are not permitted. nearby uses. CP. 102) Spaces (See KZC 105.25 See Development standards will be determined on a case by case basis. See KZC Chapter 49 for required Req'd Parking (See Ch. 100) Sign Category 60 (\$6 '43 Spec. Reg. 2. edeospuel eategory (See S ∢ See MAXIMUM Height of Structure 30' above building elevation average S Coverag 80% 101 Rear **.** 0 20, REQUIRED YARDS (See Ch. 115) MINIMUMS each Side each side side <u>ک</u> នៃទ Front 20. Lot Size None review process. Required Review Process 142, KZC Chapter Review, Design **SNOITAJUDER** Commun Governm Facility Facility Public Park Public Utility USE ent ity Ъ 060' .080 070. Section 60.22

# hapter 72 – ADULT ACTIVITIES OVERLAY ZONE-Revised Draft 8-23-05

### 20 Designation – Criteria

The City may approve the designation of an area as an Adult Entertainment Overlay Zone only if it finds that:

- 1. The applicable criteria of Chapter 130 KZC are met; and
- The underlying zone for such area is in a BC, CBD, or within a planned area <u>In commercial zones</u> where either <u>retail commercial</u> or theatre uses are specifically permitted uses with no review process required, <u>except for Design Review</u> (see column 3 of applicable use zone charts); and
- 3. The proposed designation will not conflict with the policies of the Comprehensive Plan to such a degree as to be contrary to the public interest, health, safety or welfare, nor be injurious to nearby properties.

# AMENDMENTS TO KZC CHAPTER 92 DESIGN REGULATIONS-

# **Rose Hill Business District**

# 2.05 Introduction

- 1. General
- 2. Applicability
- 3. D.R. D.R. Procedures
- 4. Landscaping
- 5. Dedication
- 6. Design Districts in RHBD

# 92.10 Pedestrian-Oriented Elements

- 1. Installation of Sidewalks
- 2. <u>Through Block Pathways</u> Required Major Pedestrian Pathways
- 3. On site Pathways
- Pedestrian-Oriented-Elements Provisions Supersede
- 4. Through Site Connections-in-TL-2
- 4. 6. Pedestrian Weather Protection
- 7.-Access to Buildings
- 5.8. Building Frontage
- 6.9. Access to Buildings
- 7.- Building Location and Orientation
- <u>8.</u>40. Pedestrian-Oriented Space and Plazas
- 9.44. Blank Wall Treatment
- 10.42. Treatment of Building Facades
- 1143. Screening of Certain Areas

# 92.15 Entry Features in the JBD and RHBD 630.15

# 92.20 Public Improvements and Site Features

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

# 92.25 Vehicular Access and Parking Areas Location and Design

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

# 92.30 Architectural and Human Scale

- 1. Techniques To Moderate Bulk and Mass in the CBD
- 2. Techniques To Moderate Bulk and Mass in the RHBD
- <u>3</u>2. Achieving Human Scale
- <u>4</u>3. Techniques To Achieve Architectural Scale<u>in</u> <u>RHBD</u>

# 92.35 Building Material, Color and Detail

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

# 92.40 Office Buildings

1. Design standards for the RHBD's Regional Center

### 92.05 Introduction

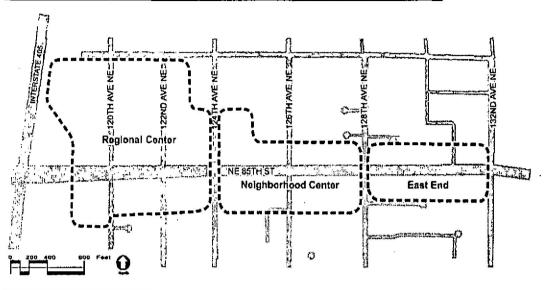
- <u>General</u> This chapter establishes the design regulations that apply to development in the Central Business District (CBD), the Juanita Business District (JBD), <u>Rose Hill Business District (RHBD)</u>, and North Rose Hill Business District (NRHBD) and in Totem Center. Special provisions that apply to only the CBD, the JBD, <u>RHBD</u>, NRHBD or Totem Center are noted in the margins and text of the chapter.
- <u>Applicability</u> The provisions of this chapter apply to all new development. The provisions of Chapters <u>142</u> and 162 KZC regarding D.R. (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. <u>D.R. Procedures</u> The City will use Chapter <u>142</u> KZC to apply the regulations of this chapter to development activities that require D.R. approval.
- 4. <u>Landscaping</u> 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 <u>95.40.5.b.3</u> (<u>12)(c)</u>-to require additional or more mature landscaping.

### RHBD

- e. Rose bushes shall be included along with other plant materials into the on- site landscaping.
- 5. <u>Dedication</u> 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.

 RHBD
 6.
 Design Districts in Rose Hill Business District-Various places in this chapter refer to the three design districts in the Rose Hill Business District: Regional Center, Neighborhood Center and East End.

 Figure 1 below describes where these are located. For a more detailed description of each area see the Design Guidelines for the Rose Hill Business District adopted by reference in the KMC Chapter 3.30.



Design Districts within the Rose Hill Business District, Figure 92.05.A

### 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
  - a. Pedestrian Oriented Street- 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, C and D).
- RHBD b. Property fronting NE 85<sup>th</sup> Street- The applicant shall install a 6.5 foot wide landscape strip planted with street trees located adjacent to the curb and a 7 foot wide sidewalk along the property frontage. Where the public right of way lacks adequate width to meet the previous standard, a 10' wide sidewalk with tree grates may be permitted or an easement established over private property. 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.
  - <u>c. Required Major Pedestrian PathwaysSidewalks</u>— If the subject property abuts a street designated to contain a major pedestrian pathway-sidewalk on Figures 92.10.A, 92.10.B, 92.10.<u>C</u>B.1, or 92.10.<u>DB.2</u>, the applicant shall install that pathway on and/or adjacent to the subject property consistent with the following standards:

<u>1.a.</u> The major pedestrian pathways-sidewalk must be installed in the approximate location shown on Figures <u>92.10.A. 92.10.B and 92.10.C. and 92.10.D</u>, and make the connections shown on the figures.

<u>2b</u>—The major pedestrian <u>sidewalk pathways</u> 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.D. 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.

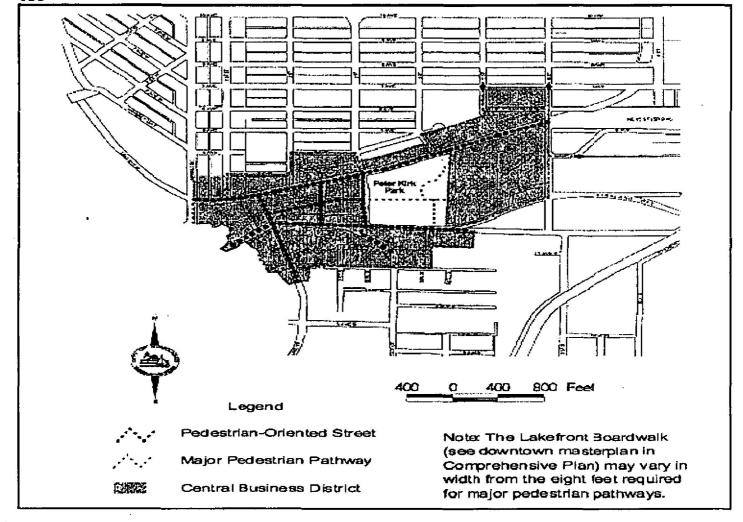
<u>3</u>c.-The major pedestrian <u>sidewalk</u> pathways must have adequate lighting with increased illumination around building entrances and transit stops.

4d-If parcels are developed in aggregate, then alternative solutions may be proposed.

-d. <u>Pedestrian-Oriented Elements Provisions Supersede</u> – If the provisions of subsections (<u>1.a</u>4) and (<u>1.c</u>2) of this section both apply to improvements within and/or adjacent to a street, the provisions of subsection (<u>1.a</u>4) of this section, and not subsection (<u>1.c</u>2) of this section, must be followed.

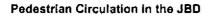
e. All other streets shall meet the standards specified in KZC. Chapter 110.

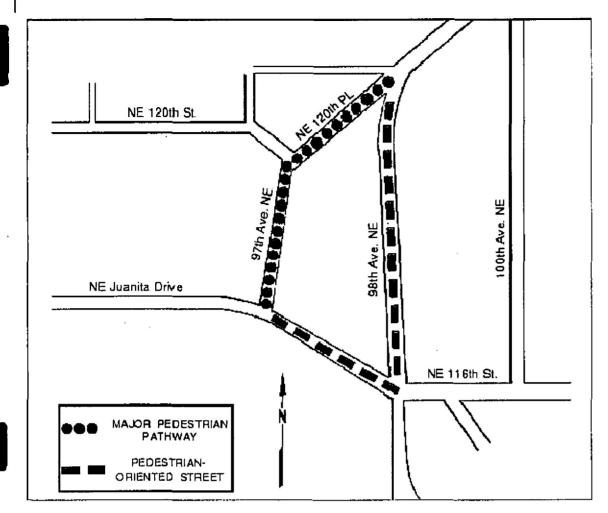
Pedestrian Circulation in the CBD



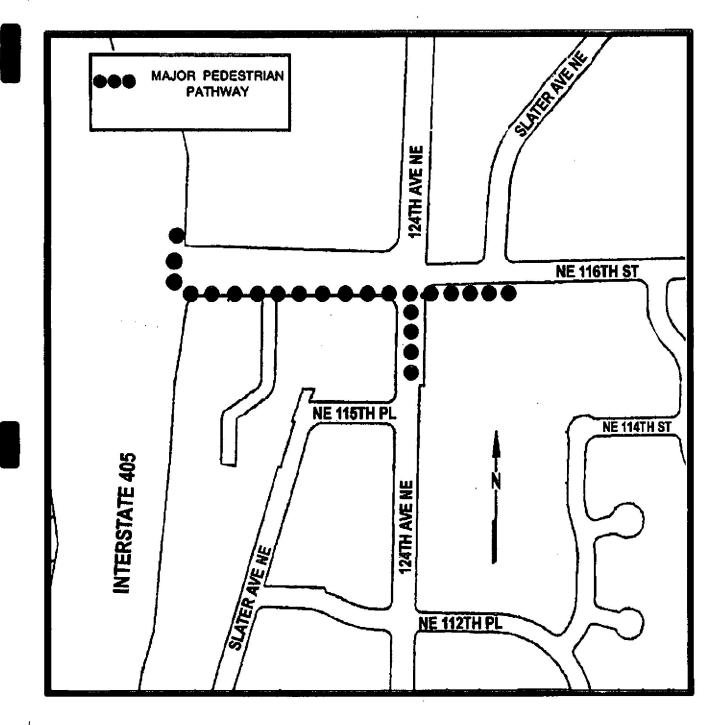
**FIGURE 92.10.A** 

**EXHIBIT R** 

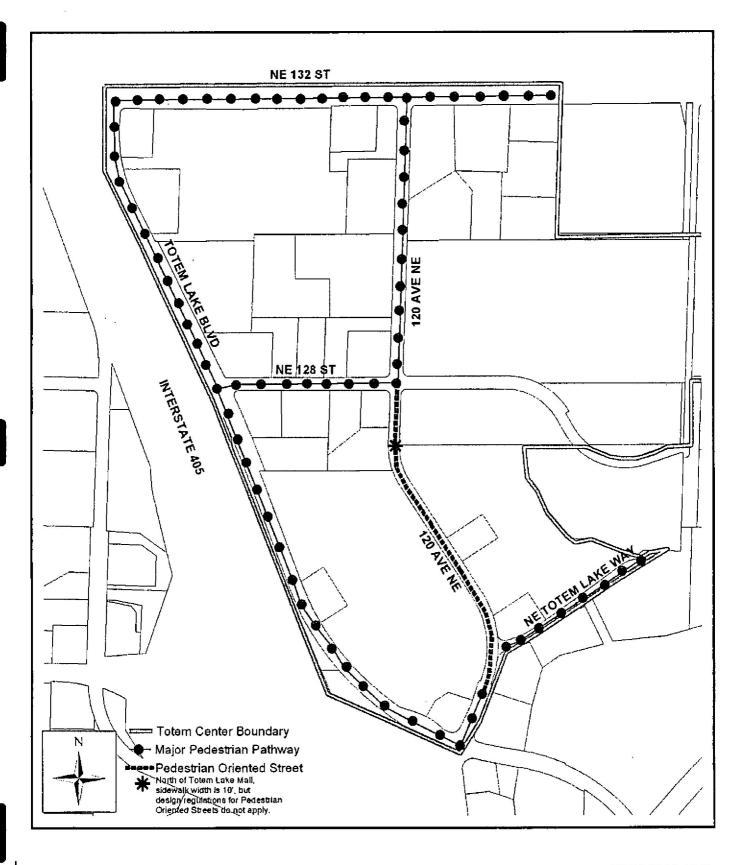




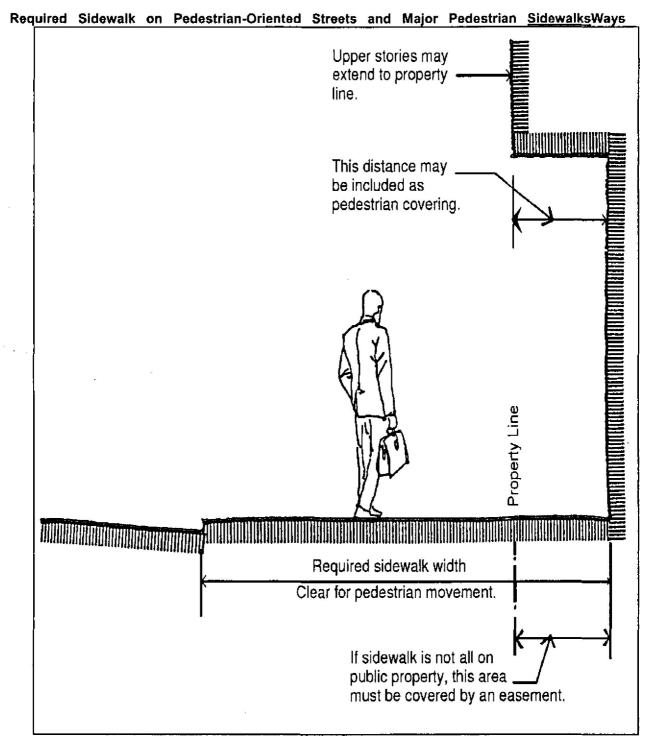
**FIGURE 92.10.B** 



**FIGURE 92.10.C** 



**FIGURE 92.10.D** 

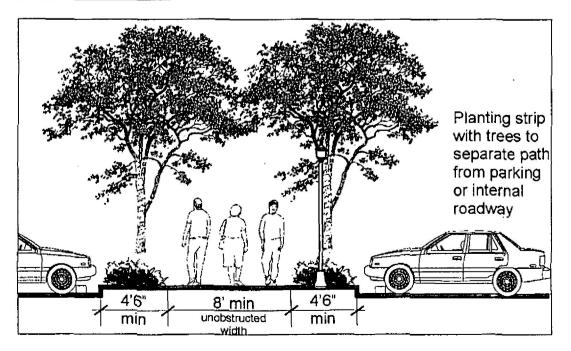


**FIGURE 92.10.E** 

2. Through-Block Pathways – Through-block pathways refer to interior on-site pedestrian walkways that are not located within a public right-of-way (but may be located on public property (i.e. in CBD)). The alignment of these pathways, where required, shall take into account pedestrian connections shown in the Comprehensive Plan, proposed and existing buildings and, to the extent possible, extend along building fronts or property lines to enhance the pedestrian environment and connections to adjacent property.

- a. Through-block pathways must be constructed to the following standards unless otherwise noted herein (see Figure 92.10.F):
  - 1. <u>Through-block pathways must feature a minimum unobstructed pavement width of 8 feet and be paved with concrete or unit pavers.</u>
  - Trees shall be placed at an average of 30 feet on-center between the pathway and any parking or vehicular access area. Exceptions:
    - a. ) Pedestrian-scaled light fixtures, at 12 feet in height and placed no more than 30 feet on-center, may be used in place of some of the required trees.
    - b.) To increase business visibility and accessibility, the City may allow modifications in the required tree coverage adjacent to major building entries; however, no less than 1 tree per 60 lineal feet of the required walkway shall be provided.
    - c.) The required trees must be placed in planting strips at least 4.5 feet in width or within tree grates.
  - 3. <u>The through-block pathways must have adequate lighting with increased illumination around building entrances and transit stops.</u> Pedestrian-scaled lighting fixtures, at 12 feet in height, are encouraged along the pathway.
  - 4. <u>Barriers which will limit pedestrian access between the subject property and adjacent properties</u> are not permitted.
  - 5. If parcels are developed in aggregate, then alternative solutions may be proposed.

### Through-Block Pathway



JBD \_\_\_\_b. <u>Through-Block Sidewalks—Pathways in the JBD</u> – The applicant shall install a through-block sidewalkthrough-block pathway extending from the north end to the south end of JBD 1 of the Juanita Business District. Two through-block pathwaysidewalks, 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 <u>pathways</u> sidewalks will take into account proposed and existing buildings and, to the extent possible, will extend along building fronts or property lines.

- <u>1.</u>—The applicant must install sidewalks-pathways that run generally north/south (or diagonally northeast/southwest) and east/west on the subject property. The pathways sidewalks shall be located to provide a direct continuation of the existing or future through-block 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. Through-block pathway is not required if a suitable pathway sidewalk exists on adjacent properties.
- 2. -Through-block sidewalks-pathways 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.
- <u>3.</u> c. The *through-block sidewalks\_pathways* must have adequate lighting with increased illumination around building entrances and transit stops.
- 4. d. If parcels are developed in aggregate, then alternative solutions may be proposed
- 5. e. Barriers which will limit pedestrian access between the subject property and adjacent properties are not permitted.
- TC c.4. Through-Site-Connections Block Pathways in TL 2 The applicant shall install at least one <u>through-block pathway</u>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 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.

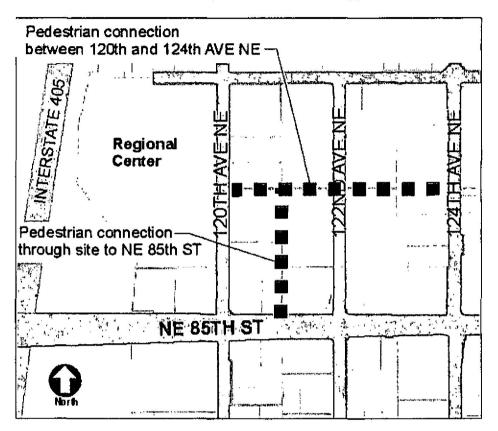
<u>1.a.</u> <u>Through-block pathways in TL 2</u> Pedestrian-connections shallshould be developed according to the following standards:

- 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.
- RHBD
   d. Through Block Pathways in RHBD - The applicant shall install a through block pathway per the standards in 92.10.2.a to link streets and/or activities in the following zones and locations described in the Transportation and NE 85<sup>th</sup> Street Subarea Chapters of the Comprehensive Plan:
  - On parcels located north of NE 85<sup>th</sup> Street in the RM 3.6. LIT and RH 3 zones the applicant shall install a through block pathway in an east/west direction between 120<sup>th</sup> Avenue and 124<sup>th</sup> Avenues.

EXHIBIT R

- 2. On parcels located in the RH 3 zone- The applicant shall install a pedestrian pathway connecting the north portion of RH 3 zone to NE 85<sup>th</sup> Street on the south.
- 3. Additional through block pathways not shown in the Comprehensive Plan may be required by the City on parcels larger than 2 acres.

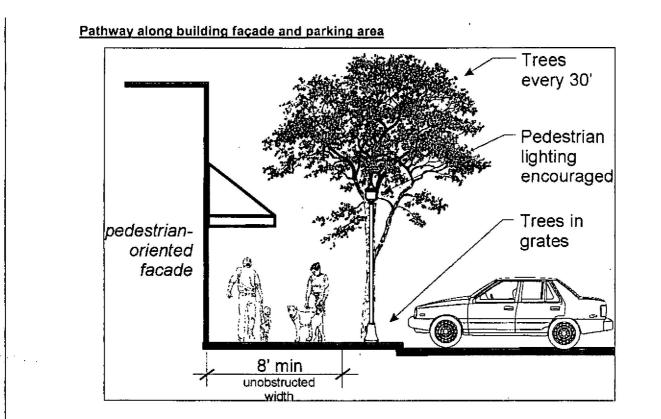
# Approximate location for through-block pathways in the RHBD



# FIGURE 92.10.G

### 3. Other internal on-site pathways.

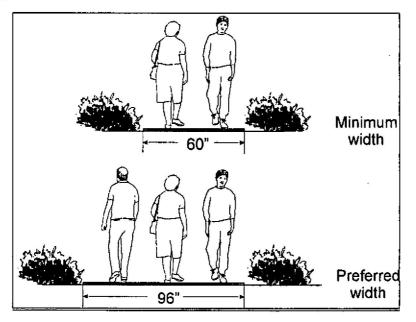
- RHBD a. Internal pathways along building facades Non-residential uses that do not front directly onto a public sidewalk must provide a pathway along their primary building façade (a primary building façade means the façade containing the building's primary entry) in accordance with the Through-Block Sidewalk Pathway standards noted above in Section 92.10.2a. (See Figure 92.10.GH). As part of D.R. the City may provide exceptions in the following circumstances:
  - 1. New non-residential developments with less than 2,000 square feet of gross floor area that feature a landscaped front yard area and parking off to the side or rear are only required to have direct pedestrian access from the sidewalk.
  - 2. For uses that require vehicle service bays or where the requirement conflicts with other City goals, policies or regulations.



### FIGURE 92.10.H

RHBD <u>b.</u> For all other internal on-site pedestrian pathways, the applicant must successfully demonstrate to the City that the proposed walkway is of sufficient width, materials, and design to accommodate the anticipated number of users. At a minimum, pathways shall feature 5 feet of unobstructed width.

# Internal pedestrian pathways



### FIGURE 92.10.1

CBD, JBD,

TC, RHBD:

- <u>47</u>. <u>Pedestrian Weather Protection</u> The applicant shall provide overhead weather protection, consistent with the following standards:
  - **CBD** a. In the CBD, along at least 80 percent of the frontage of the subject property on each *pedestrian*oriented street;
  - RHBD b. In the RHBD, buildings must feature weather protection at least 4 ½ feet wide along at least 75 percent of the pedestrian oriented façade.
  - JBD c. In the JBD, along 100 percent of the front of the building:

d. The overhead weather protection may be composed of awnings, marquees, canopies or building overhangs;

e. 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.

f. The lowest element of the overhead weather protection must be at least eight feet above the ground immediately below it;

g. 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 <u>92.35(65)</u>, Awnings.

JBD <u>5.8</u>. <u>Building Frontage</u> – In the JBD, all buildings must front on a right-of-way or through-block sidewalk through-block pathway.

### 6.9. Access to Buildings

- **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 and RHBD** b. In the JBD and RHBD, all buildings must have convenient access from the street sidewalk or the *through-block sidewalk-pathway* to the main building entrance.
- NRHBD c. In the NRHBD, all buildings on property abutting major pedestrian pathways-sidewalks must have direct access from the sidewalk of the major pedestrian sidewalk pathway-to the main building entrance.
- TC d. In Totem Center, all buildings on property abutting a major pedestrian pathway-sidewalk or a pedestrian-oriented street must have convenient access from the sidewalk or the major pedestrian pathway-sidewalk or pedestrian-oriented street to the main building entrance.

# RHBD 7. Building Location and Orientation

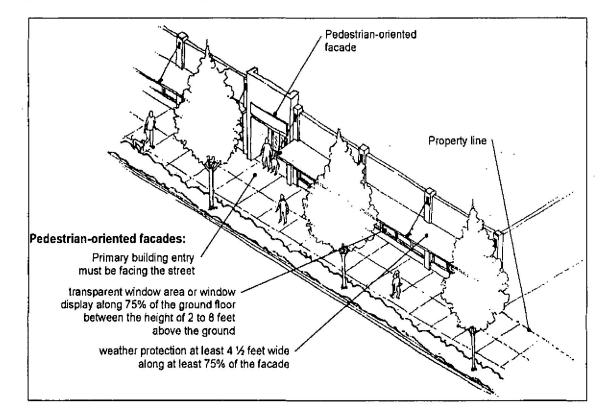
### a. To meet the definition of pedestrian.-oriented facade, the facade must include:

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

2. Transparent windows and/or doors must occupy at least 75<u>percent</u>% of the façade area between 2 and 7 feet above the sidewalk

<u>3. Weather protection feature(s) at least 4-1/2 feet wide over at least 75 percent of the façade. This could include awnings, canopies, marguees, or other permitted treatments that provide functional weather protection</u>

### Pedestrian-Oriented Facade



### FIGURE 92.10.J

b. Buildings may be located adjacent to the sidewalk of any street (except west of 124<sup>th</sup> Avenue NE) if they contain a pedestrian-oriented façade. As part of the D.R. process required vard setbacks or other development standards may be modified (see KZC Chapter 142).

c. Buildings not featuring pedestrian-oriented facades must provide a building setback of at least 10' from any public street. Except areas used for pedestrian or vehicular access the building setback area shall be landscaped with a combination of trees, shrubs, and groundcover per the requirements of section 92.25.C.

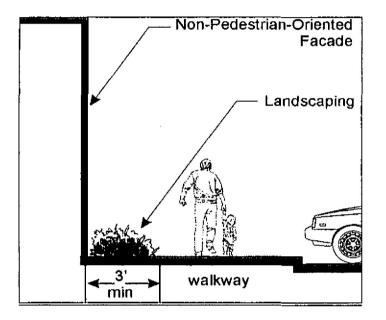
d. Multi-story buildings on sites adjacent to a low density zone shall be configured and designed to minimize privacy impacts on adjacent low density uses. For example, a development may meet this requirement by orienting upper floors towards the street and/or towards interior courtyards.

e. Buildings may be located adjacent to an interior pedestrian pathway as long as they contain a pedestrian-oriented façade. For all other building facades (non-pedestrian-oriented façade), at least 3 feet of landscaping shall be required between any vehicular access area or walkway and any building facade not meeting pedestrian-oriented façade requirements as noted above.

Exceptions:

- 1) Alleys and other areas generally not visible to the public, as determined by the City .;
- Other design options may be considered provided through the D.R. process provided they meet the intent of the guidelines.

Interior pedestrian pathway shall be separated from non-pedestrian-oriented facades by landscaping



### FIGURE 92.10.K

**<u>f. Regional Center and Neighborhood Center:</u>** Vehicle sales uses are encouraged to locate their showrooms towards NE 85<sup>th</sup> Street with parking to the side or rear.

**g. Neighborhood Center:** At least 50 percent of the NE 85<sup>th</sup> Street property frontage must contain pedestrian-oriented facades located directly on the sidewalk. Vehicle sales uses are exempt as long as their showroom faces the street and is sited within 10 feet of the sidewalk.

# h. East End – NE 85<sup>th</sup> Street frontage options and preferences:

- 1) Preferred Option: Buildings may be located adjacent to the sidewalk on NE 85<sup>th</sup> Street if they contain a pedestrian-oriented facade;
- 2) Second Option: Locate and orient building towards the sidewalk on NE 85<sup>th</sup> Street. In this option, the development features a 10-foot minimum landscaped front yard, a clear pathway between the sidewalk and the building, and a building entry and windows facing the street.

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

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

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

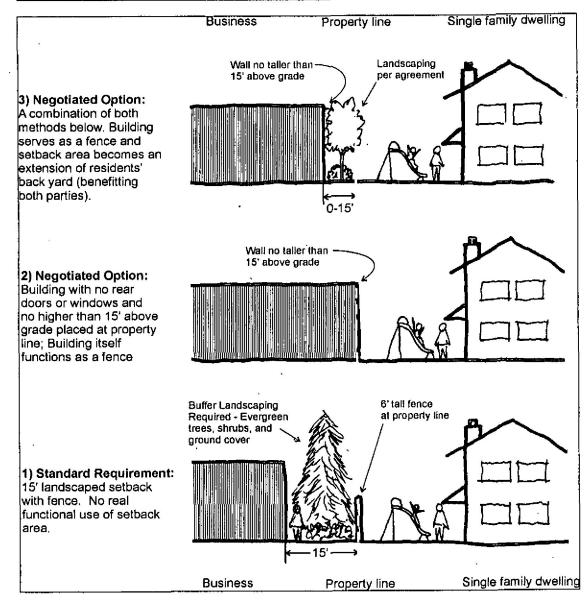
c) Provide a walkway along the building façade meeting through block pathway standards as described in Section 92.10.2.a.

i. East End -- Rear yard building placement: Pursuant to KZC Chapter 95, in most cases, commercial uses shall install a required landscaped buffer adjacent to single family properties. By requesting a modification to these provisions the property owners may negotiate an agreement to reduce the landscape buffer/setback in a way that can benefit both parties.

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

- 1) Meet the required landscape buffer pursuant to KZC Chapter 95.
- 2) Provide a blank wall no taller than 15' in height with no openings placed at the rear property line (building itself serves as a wall, uses are inside the building, shielded from adjacent residential uses). To qualify for this method, the treatment must be agreed to by the adjoining property owners per the modifications section of KZC Chapter 95.
- (3) Provide a combination of both methods above. For example, provide a blank wall no taller than 15' in height between 0 and 15 feet from the property line and landscape the applicable area between the building and the property line. In addition, an unfenced design option would effectively enlarge the adjacent homeowners' rear yard (a mutually beneficial arrangement). To gualify for these methods, the treatment must be agreed to by the adjoining property owners per the modifications section of KZC Chapter 95.

### Rear yard building placement options in the RHBD



### FIGURE 92.10.L.

### TC, CBD 8. <u>Pedestrian-Oriented Space and Plazas</u> NRHBD, RHBD

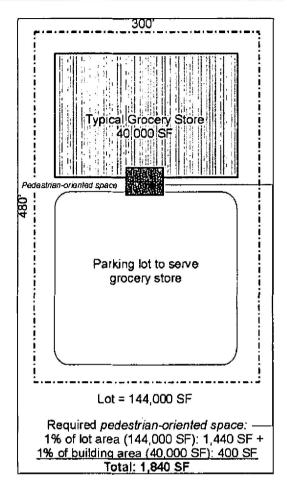
- **CBD, TC** a. In the CBD or in Totem Center, if the subject property abuts a *pedestrian-oriented street* or public park, the space, if any, between the sidewalk and the building must be developed consistent with the following criteria:
  - 1) Enhance visual and pedestrian access, including handicapped 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.
  - Contain two linear feet of seating area or one individual seat per 65 square feet of area between the sidewalk and the building.

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**EXHIBIT R** 

	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.
	<ol> <li>An alternative solution for the pedestrian-oriented space may be established through a Conceptual Master Plan in TL 2.</li> </ol>
NRHBD	b. In the NRHBD, if the subject property abuts a <i>major pedestrian <u>sidewalk pathway</u></i> 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:
	<ol> <li>Enhance visual and pedestrian access, including handicapped access, onto the subject property from the sidewalk.</li> </ol>
	2) Contain paved walking surface of either concrete or approved unit pavers.
	3) Contain on-site or building-mounted lighting which provides adequate illumination
	<ol> <li>Contain two linear feet of seating area or one individual seat per 65 square feet of area between the sidewalk and the building.</li> </ol>
	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 (6) above.
RHBD	c. <u>Pedestrian-Oriented Space</u> . All non-residential uses in the RHBD must provide pedostrian- oriented space in conjunction with new development according to the formula below. For the purposes of this section, required pathways shall not count as pedestrian-oriented space. However, as part of D.R. the City may allow those portions of pathways widened beyond minimum requirements to count towards the required pedestrian-oriented space as long as such space meets the definition of pedestrian-oriented space.
	1. 1 percent of the applicable lot area + 1 percent of the non-residential building gross floor area.

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



### **FIGURE 92.10.M**

2. To qualify as a pedestrian-oriented space, an area must have:

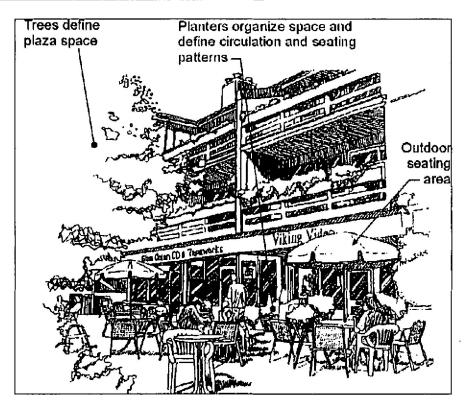
- a) <u>Pedestrian access to the abutting structures from the street, private drive, or a</u> <u>nonvehicular courtyard.</u>
- b) Paved walking surfaces of either concrete or approved unit paving.
- c) Pedestrian-scaled lighting (no more than 15' in height) at a level averaging at least 2-foot candles throughout the space. Lighting may be ground or building-mounted lighting.
- d) <u>Contain two linear feet of seating area or one individual seat per 65 square feet of area between the sidewalk and the building.</u>
- e) <u>Spaces must be positioned in areas with significant pedestrian traffic to provide</u> interest and security – such as adjacent to a building entry.
- f) Landscaping covering at least 20 percent of the space (some of this may include potted plants). Such landscaping components must add seasonal interest to the space.

3. The following features are encouraged in a pedestrian-oriented space and may be required by the City:

a) <u>Pedestrian amenities such as a water feature, drinking fountain, tables, and/or</u> <u>distinctive paving or artwork.</u>

- b) Provide "pedestrian-oriented building facades" on some or all buildings facing the space.
- c) <u>Consideration of the sun angle and the wind pattern in the design of the open space.</u>
- d) <u>Transitional zones along building edges to allow for outdoor eating areas and a planted buffer.</u>
- e) Movable seating-.
- 4. The following features are prohibited within pedestrian-oriented space:
  - a) Asphalt or gravel pavement.
  - b) Adjacent unscreened parking lots.
  - c) Adjacent chain link fences-
  - d) Adjacent "blank walls."
  - e) Adjacent dumpsters or service areas.
  - f) Outdoor storage or retail sales that do not contribute to the pedestrian environment.

### An example of a pedestrian-oriented space

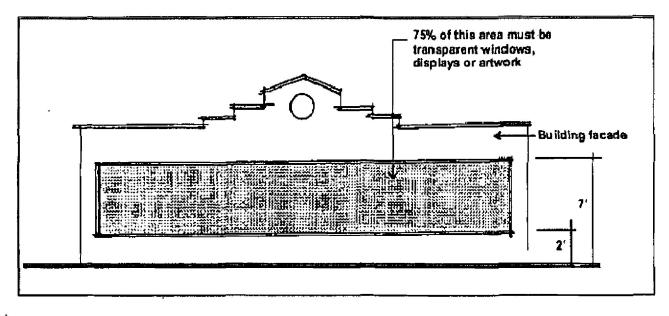


### **FIGURE 92.10.N**

### 912. 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 sidewalkthrough-block pathway, must be screened or treated in at least one of the ways listed in subsection (<u>912.de</u>) (<u>c</u>) of this section if it meets the criteria for a blank wall under subsection (<u>9.c10c)(cb</u>) of this section.
- RHBD
   b. Each wall or portion of a wall that is visible from any right-of-way, internal access road, pedestrianoriented space, or through-block pathway must be screened or treated in at least one of the ways listed in subsection (9.d.10)(d) of this section if it meets the criteria for a blank wall under subsection (9.c10)(e) of this section. Internal roadways used primarily for service access and not visible from a street, pedestrian-oriented space or through-block pathway are exempt from this requirement.
  - <u>c</u>b. A blank wall is any wall or portion of a wall that meets either of the following criteria (see Figure 92.<u>10.0.10.D</u>):
    - 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**



### FIGURE 92.10.0.D

de. 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.
- e. d. The provisions of this subsection (9.10) may be modified or eliminated as part of the D.R. decision if they conflict with the Uniform Building Code.
- CBD 103. <u>Treatment of Building Facades</u> 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 92.120.M.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 92.120.M.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 (120)(c)(1) or (2) of this section, depending on the location, dimensions, and size of the area.
  - 114. Screening of Certain Areas All loading areas, service areas, and outdoor storage areas of more than 100 square feet; areas containing waste storage and disposal facilities or containers; and similar areas must be:
    - Located on the subject property so that they are not visible from any street, through-block sidewalk<u>through-block pathway</u>, 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.

### 92.15 Entry Features in the JBD, RHBD, NRHBD

JBD, <u>RHBD, NRHBD</u> In the JBD, -RHBD, and NRHBD, if the subject property includes an area designated for an entry feature in the Comprehensive Plan or KMC 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 D.R. 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 for each area of the city subject to D.R., 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, and NE 85<sup>th</sup> Street Subarea 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 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 Vehicular Access and Parking Areas 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.

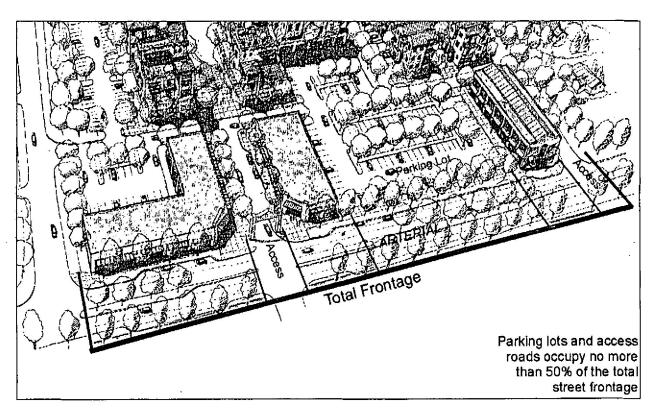
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EXHIBIT R

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

### RHBD Regional Center

c. For parcels over 2 acres in size within the RHBD Regional Center, parking lots and other vehicular access areas may not occupy more than 50 percent of the NE 85<sup>th</sup> Street property frontage. Alternative configurations will be considered through the D.R. process provided the project meets the intent of the KMC Design Guidelines for the Rose Hill Business District.



# FIGURE 92.25.A

- Parking Lot Entrances and Driveways As part of <u>D.R.</u> 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. <u>Parking lot entrances and driveways must be shared between properties whenever possible</u> especially along <u>NE 85<sup>th</sup> Street</u>.
- 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 rightof-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.<u>B</u>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. <u>At minimum, pathways must be provided for every</u> three parking aisles or at a distance of not more than 150 foot intervals, whichever is less.

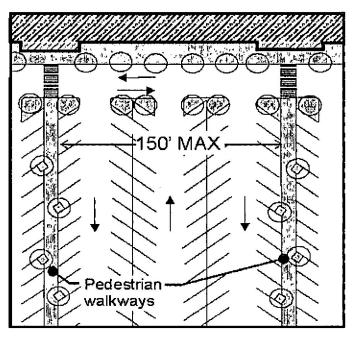
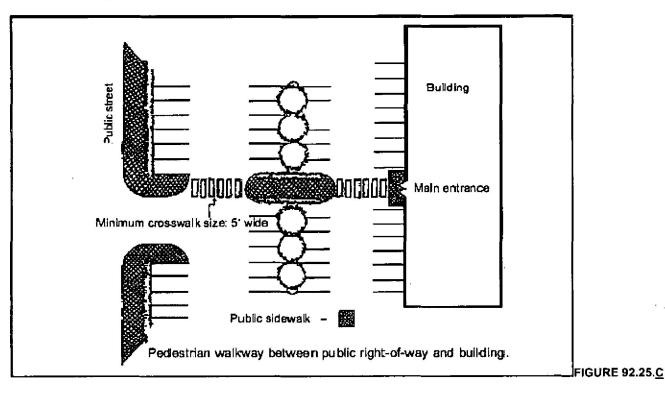


FIGURE 92.25.B

Pathways must be provided through parking lots.

- d. In addition to the walkways required under subsections (3)(a), (b), and (3)(cb) of this section, the applicant must provide a-sidewalk, plaza or platform with an area of at least 175 square feet of <u>pedestrian-oriented space</u> at the main building entrance, or central location, or adjacent to a <u>parking area</u>. 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** 



- 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<u>through-block pathway</u> or public park. The provisions do not apply to parking lots that are not visible from a street, through-block sidewalk<u>through-block pathway</u> 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.<u>C</u>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. <u>Perimeter Parking Lot Landscaping</u> Each side of a parking lot that abuts a street, through-block sidewalk<u>through-block sidewalkthrough-block pathway</u> or public park must be screened from that street, through-block sidewalk<u>through-block pathway</u> 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.<u>E</u>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 <u>92.35(1)(g)(1)</u>, in building material, color and detail, or of wood if the design and materials match the building on the subject property.

**RHBD** <u>3) The hedge or wall per KZC 92.25(5)(a)(1) and (2) above is not an option for uses that display vehicles for sale, or uses in the Regional Center fronting on NE 85<sup>th</sup> Street.</u>

- JBD <u>43</u>) 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 <u>92.05</u>(4), <u>ILandscaping</u>. The trellis or grillwork may be constructed of masonry, steel, cast iron and/or wood.
- JBD <u>5</u>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 <u>92.05(4)</u>, Landscaping, at least five feet wide <u>and planted as specified below</u>. In the RHBD Regional Center, a 10' perimeter landscape <u>strip along NE 85<sup>th</sup> Street is required and planted as follows</u> (see Figure <u>92.25</u>.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 (5)(b) of this section to use existing vegetation for perimeter parking lot landscaping.

## Internal Parking Lot Landscaping

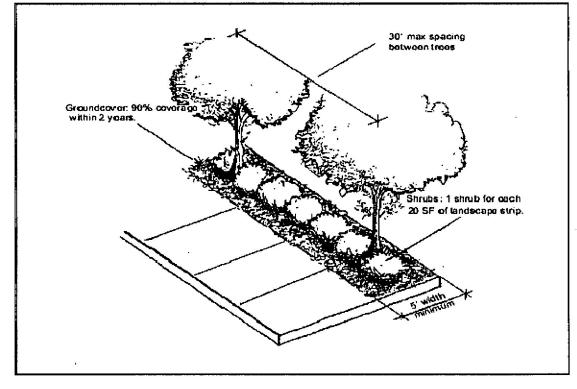
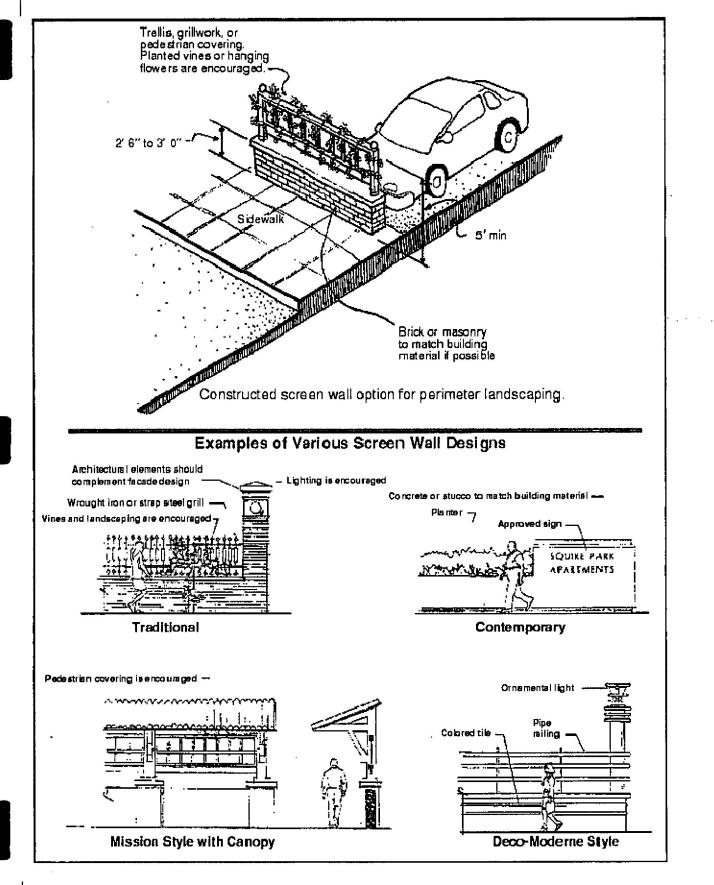


FIGURE 92.25.DB EXHIBIT R

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## Examples of various screen wall designs

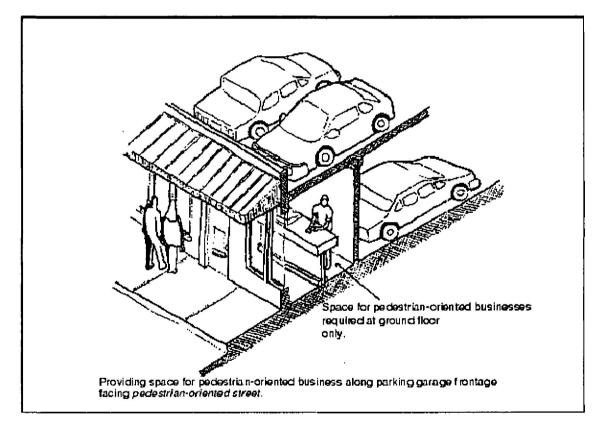


## FIGURE 92.25.EC

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- 6. Perimeter Parking Lot Landscaping Adjacent Properties -
  - <u>a.</u> 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:
    - <u>1)a.</u> By installing a solid, continuous fence or wall at least five feet in height constructed of wood and/or masonry.
    - 2)b. By installing a compact evergreen hedge designed to reach at least five feet in height.
    - <u>3)</u>e. 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:
    - 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.<u>F</u>€); or

#### **Providing Space for Pedestrian-Oriented Business**



#### FIGURE 92.25.FE

- 2) Provide and maintain a *pedestrian-oriented space\_*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(104)(a), (b), or (c), Treatment of Building Facades.

## 4) A combination of methods described above.

## RHBD b. Structures containing parking on the ground floor in the RHBD:

- Parking structures on designated pedestrian-oriented streets shall provide space for groundfloor commercial uses along street frontages at a minimum of 75 percent% of the frontage width. The entire façade facing a pedestrian-oriented street must feature a pedestrian-oriented façade.
- 2) Parking structures adjacent to non-pedestrian-oriented streets may be located adjacent to a sidewalk where they provide space for ground-floor commercial uses along street frontages at a minimum of 75 percent% of the frontage width and include a pedestrian-oriented façade along the applicable frontage. Otherwise, parking garages shall be setback at least 10 feet from the sidewalk and feature substantial landscaping between the sidewalk and the structure. This includes a combination of evergreen and deciduous trees (1 per 20 lineal feet), shrubs (1 per 20 square feet), and ground cover (sufficient to cover 90 percent of the area within 3 years). Other treatments will be considered in the D.R. process.
- Parking garage entries shall be designed and sited to complement, not subordinate, the pedestrian entry. If possible, locate the parking entry away from the primary street, to either the side or rear of the building.
- 4) The design of structured parking at finished grade under a building shall minimize the apparent width of garage entries.
- 5) Parking within the building shall be enclosed or screened through any combination of walls, decorative grilles, or trellis work with landscaping.
- 6) Parking garages shall be designed to be complementary with adjacent buildings. Use similar forms, materials, and/or details to enhance garages.
- 7) Parking structure service and storage functions shall be located away from the street edge and generally not be visible from the street or sidewalks.
- c. There must be architectural screening or other treatment of openings above the ground level for the facades of parking garages along *pedestrian-oriented streets*, *through-block <u>pathways sidewalks</u> and <u>major pedestrian sidewalks</u>.*
- d. 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 <u>(unless otherwise stated in each district subject to D.R.)</u>.
- 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.<u>H</u>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

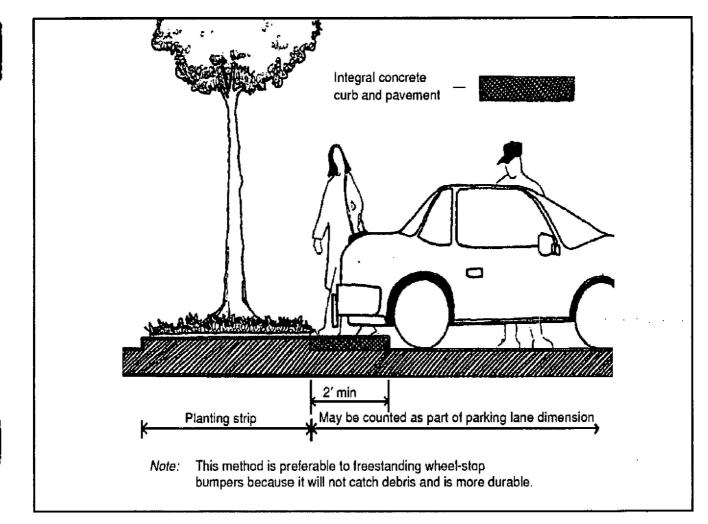


FIGURE 92.25.HF

## 92.30 Architectural and Human Scale

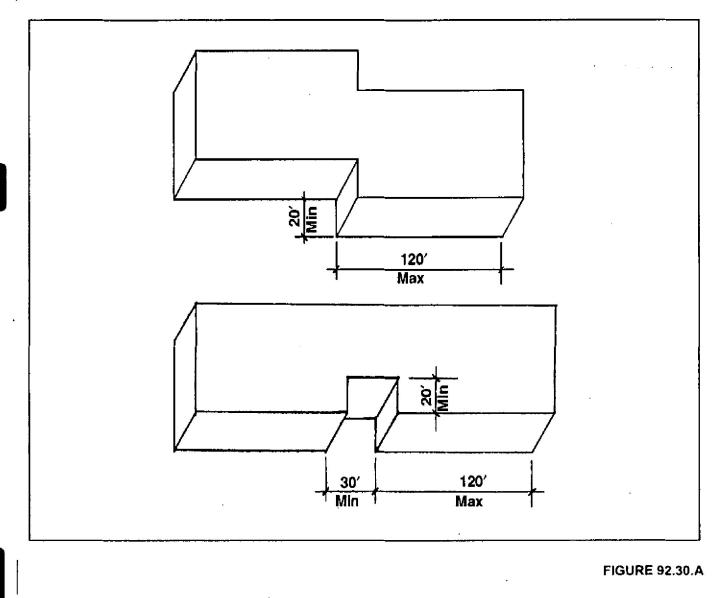
## CBD 1. Techniques To Moderate Bulk and Mass in the CBD

- a. <u>General</u> 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:
  - 1) The alternative is generally consistent with the downtown plan provisions of the Comprehensive Plan and the design guidelines.
  - 2) The alternative clearly provides superior moderation of the architectural bulk and mass than would result from strict application of the required techniques.
- b. <u>Vertical Definition</u> The applicant shall comply with the following requirements to moderate the horizontal scale of buildings:
  - 1) <u>All Zones</u> 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.

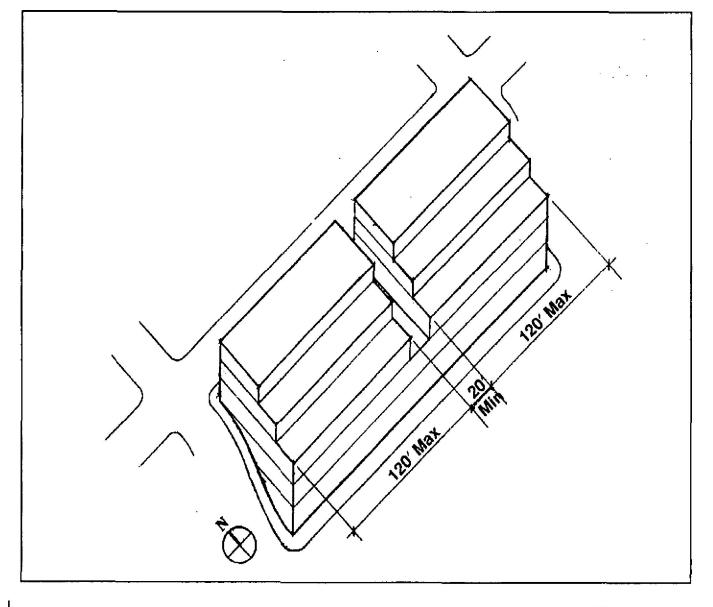
- 2) <u>CBD 4, CBD 6, CBD 8</u> Along First Street, Second Street South, First Avenue South, and Fifth Street, the maximum length of a facade is 120 feet. Any facade that exceeds 120 feet along the right-of-way shall comply with the following requirements (see Figure 92.30.A):
  - a) Shall be divided 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



- 3) <u>CBD 6, CBD 8</u>: 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.

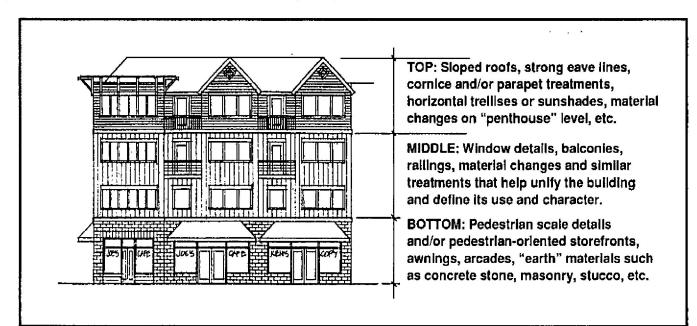
## Vertical Definition: CBD 6 and 8



**FIGURE 92.30.B** 

- c. <u>Horizontal Definition</u> 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) <u>Top:</u> Sloped roofs, strong eave lines, cornice treatments, horizontal trellises, or sunshades, etc.
  - 2) <u>Middle:</u> Windows, balconies, material changes, railings, and similar treatments that unify the building design.
  - 3) <u>Bottom:</u> 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** 

## RHBD 2. Techniques To Moderate Bulk and Mass in the RHBD

- a. Along all streets, through-block pathways, and public open spaces, the maximum length of a facade is 120 feet. Any facade that exceeds 120 feet along the right-of-way shall comply with the following requirements (see Figure 92.30.A):
  - 1) Shall be divided by a 30-foot-wide modulation of the exterior wall so the maximum length of the facade is 120 feet without this modulation.
  - 2) The modulation shall be 20 feet in depth and shall start at finished grade and extend through all floors.
  - 3) Decks and roof overhangs may encroach up to three feet (per side) into the modulation.

- 3. Achieving Human Scale
  - a. <u>General</u>

CBD

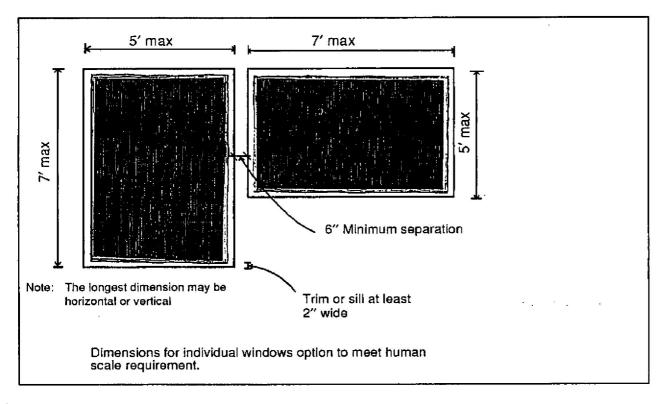
1) <u>CBD</u>: Except as provided in subsection  $(\underline{3}2)(a)(3)$  of this section, the applicant shall use at least two of the elements or techniques listed in subsection  $(\underline{3}2)(b)$  of this section in the design and construction of each facade of a building facing a street or public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

JBD, NRHBD,

TC, RHBD

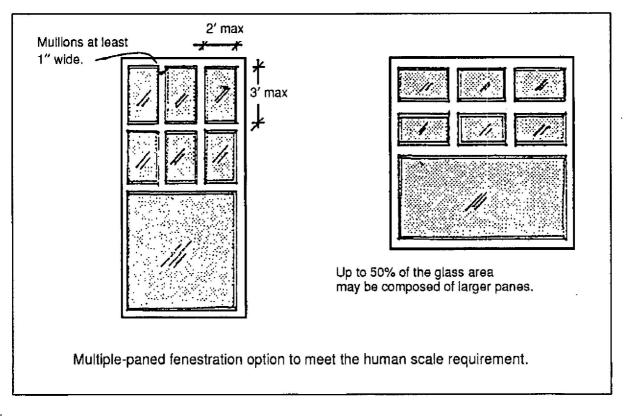
- 2) JBD and NRHBD and Totem Center, and RHBD: Except as provided in subsection (32)(a)(3) of this section, the applicant shall use at least one of the elements or techniques listed in subsection (32)(b) of this section in the design and construction of each facade of a one-story building facing a street or through-block-sidewalkthrough-block pathway, and at least two of the elements or techniques for a two-story building facing a street or through-block sidewalkthrough-block pathway.
  - 3) The applicant shall use at least three of the elements or techniques listed in subsection (<u>3</u>2)(b) of this section in the design and construction of any facade of a building facing a street, through-block sidewalk<u>through-block pathway</u> 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. <u>Techniques To Achieve Human Scale</u> The techniques to be used in the design and construction of building facades under subsection (<u>3</u>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.
  - 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 <u>92-10(9) and is in front of each facade</u>.
  - 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**



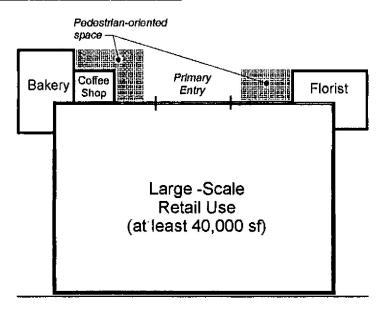
**FIGURE 92.30.D** 

## **Multiple-Paned Fenestration Option**



- 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. <u>To meet this</u> requirement, the ridge width of a continuous roofline shall not extend more than 100 feet without modulation. This includes a gabled or other sloped roofline segment at least 20 feet in width.
- 7) If the main entrance of the building is on the facade of the building facing a street, throughblock-sidewalk<u>through-block pathway</u>, 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 <u>92.10(67)</u> 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.
- 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<u>through-block pathway</u>, or a public park.
- 9) Composing smaller building elements near the entry of a large building (see Figure 92.30.F).
- RHBD
   c.
   Non-residential uses in the RHBD with over 40,000 square feet of floor area shall incorporate the following human scale features on the façade featuring -the primary building entry:
  - 1) Provide pedestrian-oriented space near the building entry. The minimum size of the area shall be no less than 1% of the floor area of the use. This must include a covered area at least 15 feet long by 15 feet wide and is available for outdoor display or outdoor vendors; and
  - 2) Compose smaller building elements near the entry (see Figure X).
  - 3) As an alternative, the applicant may propose other mechanisms for providing human scale to such buildings, consistent with the design guidelines.

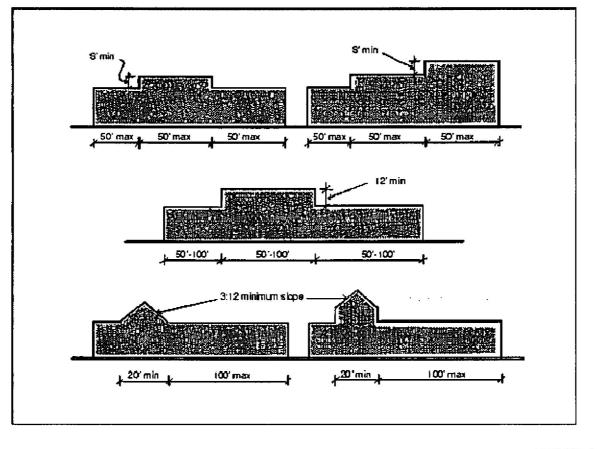
Composing smaller building elements near the entry



## FIGURE 92.30.F

- <u>43</u>. <u>Techniques To Achieve Architectural Scale</u> 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 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.<u>G</u>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.G**

- 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, <u>dormered</u> or <u>saw tooth</u>, must have a significant change in slope or significant change in roof line at least every 100 feet.

RHBD 5. Techniques To Achieve Architectural Scale in the RHBD.

- a. <u>All buildings shall include at least three of the following modulation techniques at the articulation intervals described in 92.30.5.b. along all facades containing the primary building entries (alley facades are exempt):</u>
  - 1) Repeating distinctive window patterns at intervals less than the articulation interval;
  - 2) Horizontal building modulation- Minimum depth of modulation is 2 feet and minimum width for each modulation is 4 feet if tied to a change in color or building material and roofline modulation as defined below. Otherwise, minimum depth of modulation is 10 feet (except balconies) and minimum width for each modulation is 15 feet;
  - 3) Providing a separate covered entry or separate weather protection feature for each articulation interval.

- 4) Change of roofline- To qualify for this measure, the maximum length of any continuous roofline shall not be less than the articulation interval and comply with the treatments below (see Figure 92.30.H):
  - a) For segments less than 50 feet in horizontal width, the height of visible roofline must change at least 4 feet if tied to horizontal building modulation and at least 8 feet in other cases.
  - b) For segments more than 50 feet in horizontal width, the height of visible roofline must change at least 6 feet if tied to horizontal building modulation and at least 12 feet in other cases.
  - c) The length of sloped or gabled roof line segments must be at least 20 feet. The minimum slope of the roof segment is 3 feet vertical to 12 feet horizontal.
- 5) <u>Change in building material or siding style coordinated with horizontal building modulation and or change in building color where appropriate;</u>
- 6) Providing lighting fixtures, trellis, tree, or other landscape feature within each interval;
- 7) Alternative methods that achieve the desired architectural scale as approved by the City.
- b. Modulation and/or articulation shall be provided at the following intervals:

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

2) No more than 70 feet for non-residential buildings in the Regional Center;

3) No more than 50 feet for non-residential buildings in the Neighborhood Center;

4) No more than 30 feet for non-residential buildings in the East End;

**Building articulation and modulation techniques** 

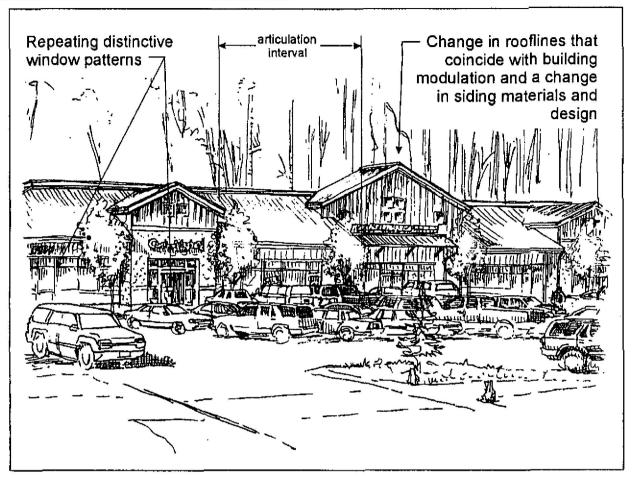


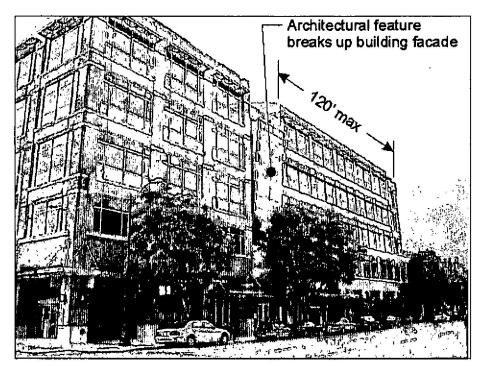
FIGURE 92.30.H

c. Techniques to Achieve Architectural Scale For Office Buildings in the RHBD:

1. Office building design standards for the RHBD's Regional Center. These standards are intended to supplement other building design standards in the Regional Center. Where there is a conflict between standards, these standards shall apply as they are specific to office buildings.

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

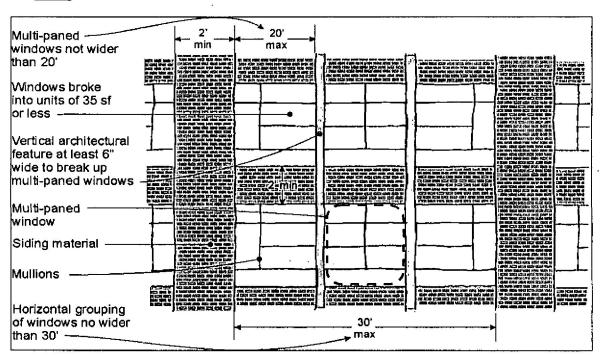
# This building uses an angled window wall over the primary building entry to break up the width of the facade



## FIGURE 92.30.1

- b. <u>Buildings must employ design techniques to divide windows into units that give the building an identifiable</u> scale. <u>Specifically:</u>
  - 1) Windows must be broken into units of 35 square feet or less with each window unit separated by a visible mullion or other element.
  - Multi-paned windows separated by mullions shall not exceed 20 feet in width and shall not exceed the height of individual floors.
  - 3) Horizontal groupings of windows shall not exceed 30 feet in width. At least one vertical architectural feature at least 6 inches wide shall be used within the grouping to break up individual multi-paned windows. Architectural features at least 2 feet in width shall separate such horizontal groupings of windows. (See Figure 92.30.J).
  - 4) Siding material at least 2 feet in height shall separate windows on each floor.
  - 5) Building facades shall employ techniques to recess or project windows at least 2 inches from the facade.

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

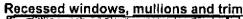


## FIGURE 92.30.J.

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

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

b. Mirrored glass and other highly reflective materials are prohibited.





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



FIG<u>URE 92.30.1</u>

FIGURE 92.30.K Amendments to KZC Chapter 92 for the Rose Hill Business District- 1-03-06 Page 44 of 51

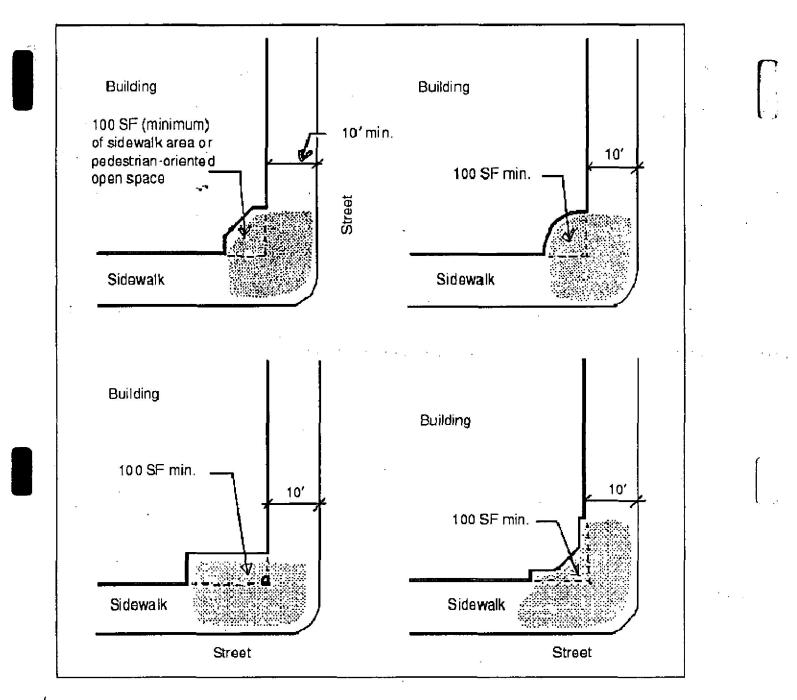
#### 92.35 Building Material, Color and Detail

- <u>Required Elements</u> The applicant shall incorporate at least three of the following elements on each facade of a building that faces a street, through-block sidewalk<u>through-block pathway, pedestrianoriented space</u> 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.
  - be. 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.
  - cd. 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.
  - de. Trellises or arbors having an area of at least 100 square feet and planted, consistent with the requirements of KZC <u>92.05</u>(4), to achieve at least 30 percent coverage of the trellis or arbor with plant material within three years.
  - ef. 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.
    - 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.
  - fg. 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.
    - 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.

- 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.
- gh. 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.
- <u>h</u>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.
- 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 and other highly reflective materials.
  - b. Corrugated fiberglass.
  - c. Chain link fencing, except for temporary purposes, such as during construction.
- 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.
- <u>Concrete Block</u> 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. <u>Awnings</u>
  - 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.
- <u>Covering of Existing Facades</u> 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 provisions of this subsection (6). As part of D.R. for remodels, the City may require the removal of coverings.
- 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. <u>Building Corners in the CBD</u> 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 <u>92.10(1)</u> (see Figure <u>92.35.A</u>).
  - b. Provide an entranceway to a store, building atrium or lobby, exterior courtyard or pedestrianoriented 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.
  - 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 92.30.A

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**Options for Corner Entry Elements** 

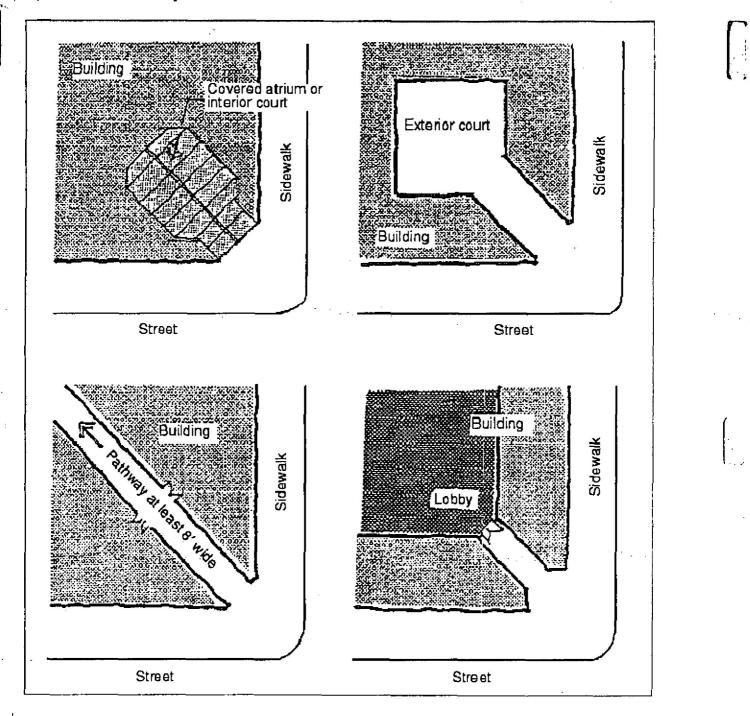
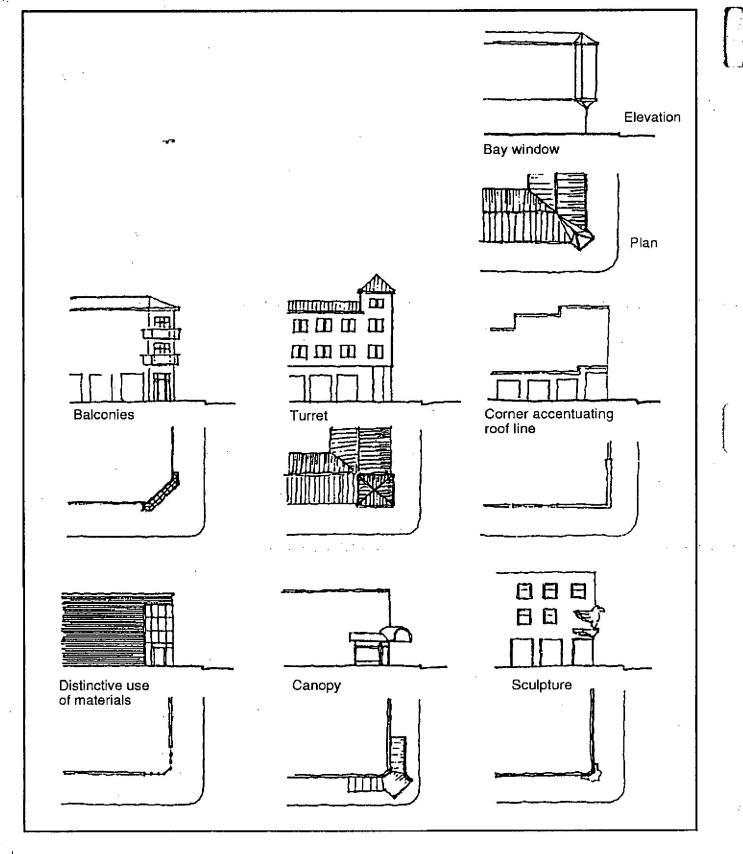


FIGURE 92.35.B

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Architectural Elements for Corners



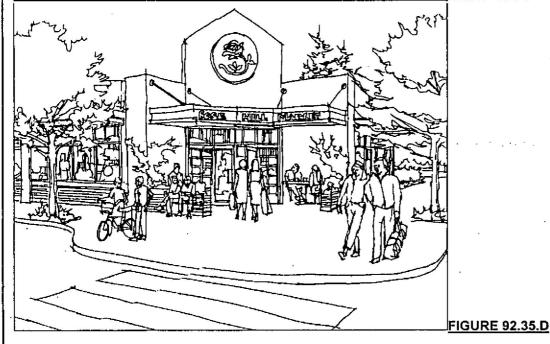
## **FIGURE 92.35.C**

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## 9. Street Corners In RHBD-

- a. For development at street corner sites, the applicant must incorporate one or more of the following site treatments:
  - Locate and orient the building towards the street corner (within 10 feet of corner property line). To qualify for this option, the building must have direct pedestrian access from the street corner. Exception: Properties in the Regional Center must provide a 10' minimum setback between NE 85<sup>th</sup> Street and any building.
  - 2. Provide an architectural feature that adds identity or demarcation of the area. Such an architectural element may have a sign incorporated into it (as long as such sign does not identify an individual business or businesses) (see Figure 92.35.D).
  - 3. <u>Provide a "pedestrian-oriented space" at the corner leading directly to a building entry or entries.</u>
  - 4. Install substantial landscaping (at least 30x30 or 900 square feet of ground surface area with trees, shrubs, and or ground cover).
- b. On properties located at the 124<sup>th</sup>, 126<sup>th</sup>, and 128<sup>th</sup> Avenue NE intersections, buildings must be located at the street corner and provide pedestrian-oriented facades along both streets. Exceptions:
  - 1. Setbacks will be allowed only where the space between the sidewalk and the building meets the definition of a pedestrian-oriented space. An example is shown in Figure 92.35.D.
  - 2. Vehicle sales and properties on the west side of the 124<sup>th</sup> Avenue NE are exempt from this standard because of transmission line easement limitations.

Building located directly on a street corner with direct pedestrian access and pedestrian-oriented facades in the RHBD.



## 95.10 Minimum Landscaping Requirements

The applicant shall comply with the provisions specified in the following chart. Certain requirements apply to all uses. Other requirements, which pertain to buffering, may apply to the subject property, depending on what permitted use exists on the adjoining property or, if no permitted use exists, depending on the zone that the adjoining property is in.

LANDSCAPING CATEGORY		*Public park or low density residential use or if no permitted use exists on the adjoining property then a low density zone.	Medium or high density residential use or if no permitted use exists on the adjoining property then a medium density or high density zone.	Institutional or office use or if no permitted use exists on the adjoining property then an institutional or office zone.	A commercial use or an industrial use or if no permitted use exists on the adjoining property then a commercial or industrial zone.
Α		KZC <u>95,15, 95.20</u> and <u>95.25(</u> 1)	Must comply with KZC <u>95.15, 95.20</u> and <u>95.25(</u> 1) (Buffering Standard 1)	Must comply with KZC <u>95.15, 95.20</u> and <u>95.25</u> (3) (Buffering Standard 3)	Must comply with KZC <u>95.15</u> and <u>95.20</u>
D		Must comply with KZC <u>95.15, 95.20</u> and <u>95.25(</u> 2) (Buffering Standard 2)	Must comply with KZC <u>95.15, 95.20</u> and <u>95.25</u> (2) (Buffering Standard 2)	Must comply with KZC <u>95.15</u> and <u>95.20</u>	Must comply with KZC <u>95.15</u> and <u>95.20</u>
С			Must comply with KZC <u>95.15, 95.20</u> and <u>95.25</u> (3) (Buffering Standard 3)	Must comply with KZC <u>95.15</u> and <u>95.20</u>	Must comply with KZC <u>95.15</u> and <u>95.20</u>
D		Must comply with KZC <u>95.15, 95.20</u> and <u>95.25(</u> 3) (Buffering Standard 3)	Must comply with KZC <u>95.15</u> and <u>95.20</u>	Must comply with KZC <u>95.15</u> and <u>95.20</u>	Must comply with KZC <u>95.15</u> and <u>95.20</u>
E		Must compty with KZC 95.15			
Footnotes;		*If the adjoining property is zoned Central Business District, Juanita Business District, North Rose Hill Business District, Rose Hill Business District, Rose Hill Business District or is located in Totem Center, KZC <u>95.25</u> does not apply.			

# AMENDMENTS TO KZC Chapter 105 – PARKING AND PARKING REAS, VEHICLE AND PEDESTRIAN ACCESS, AND RELATED IMPROVEMENTS

## 5.15 Exceptions in the CBD, JBD, NRHBD, and RHBD

If the subject property is within the Central Business District Zone, the Juanita Business District Zone, the North Rose Hill Business District Zone, <u>or the Rose Hill Business District zone</u>, the requirements contained within Chapters 50, 52, <u>53</u>, 54 and 92 KZC supersede any conflicting provisions of this chapter. The provisions of this chapter that do not conflict with Chapters 50, 52, <u>53</u>, 54 and 92 KZC apply to properties in their respective CBD, JBD, NRHBD and <u>RHBD</u> Zones.

# 105.96 Parking Area Design - Drive Through Facilities and Circulation in the NE 85th Street Subarea-

General- The applicant may propose drive- through facilities incorporated into parking areas associated with such uses as fast food, banks, pharmacies or other similar uses (unless prohibited in a zone), provided the access, location, and specific design of the facilities meet the following standards and approval by both the Public Works and Planning Officials.

- 1. <u>The applicant shall submit a site plan to the Public Works Department including the requirements of</u> Section 105.17, and showing compliance with the standards of Section 105.96.1. a. through c below:
  - a) The Public Works Official determines that vehicle queue will not:
    - 1) impede pedestrian or vehicular movement within the right of way;
    - 2) impede vehicle or pedestrian visibility as vehicles enter the sidewalk area;
    - 3) block parking aisles nor impede on-site vehicular and pedestrian circulation;
    - access will not be located within the left turn land at a signalized intersection;
  - b) <u>Driveway access to the drive- through facility is not directly off NE 85<sup>th</sup> Street unless the Public Works</u> <u>Official determines that sufficient driveway throat length is provided to accommodate the queues</u>;
  - c) The Public Works Official determines that parking circulation patterns avoid crossings of queuing areas.

# Chapter 110 - REQUIRED PUBLIC IMPROVEMENTS Revised Draft 12-13-05

## 0.15 Special Regulations Applicable in Certain Areas

The following is a series of special situations with applicable regulations:

- If the City Council has approved a special public improvements master plan that includes a particular rightof-way, that master plan will govern the improvements to be provided by developments that abut that rightof-way.
- If subsection (1) of this section does not apply and if the subject property is zoned Central Business District, Totem Lake Business District, er-Juanita Business District, or Rose Hill Business District, the Public Works Director will establish the extent and nature of required improvements in the right-of-way on a case-by-case basis.
- 3. If subsections (1) or (2) of this section do not apply, the applicant must provide the improvements as established in the remainder of this chapter.

#### KZC Section 115.85 Lighting Regulations: Revised 12-19-05

- General requirements All interior and exterior lighting in any zone must comply with this section.
  - a. Efficient Light Sources-Energy efficient light sources shall be used in any development and use of land.
  - b. State Code The requirements of the Washington State Energy Code with respect to the selection and regulation of light sources shall be complied with.
  - c. Glare from Subject Property Prohibited The applicant shall select, place and direct light sources so that glare roduced by any light source, to the maximum extent possible, does not extend to adjacent properties or to the right of way.
- Exterior Lighting Requirements for the Rose Hill Business District
  - a. General In addition to the requirements of Section 115.85,1 above, the following regulations contained in this section apply to all exterior lighting to be installed or modified in RH zones within the Rose Hill Business District. The intent of this section is to discourage excessive lighting and to protect low density residential zones from adverse impacts that can be associated with light trespass from non-residential and medium to high density residential development.
  - b. <u>Standards The following standards shall apply to all exterior lighting on buildings, all open air parking areas and equipment storage yards:</u>
    - All exterior building mounted and ground mounted light fixtures for open air parking areas, including rooftop parking area light fixtures shall be directed downward and use "fully shielded cut off" fixtures as defined by the Illuminating Engineering Society of North America (IESNA), or other appropriate measure to conceal the light source from adjoining uses. Manufacturer specification sheets for the lighting fixtures including photometric data shall be included with lighting plans, and
    - 2) <u>All exterior lighting shall be turned off after business hours or 10:00 pm, whichever is earlier, leaving necessary lighting for site security. Outdoor lighting used for security purposes or to illuminate walkways, roadways, equipment yards, parking lots and building entrances may remain on after 10:00 p.m. provided the following are met:</u>
    - 3) Light fixtures are mounted to a maximum of 12' high, and
    - 4) <u>Site illumination does not exceed a uniformity ratio maximum of 15: 1, vertical illumination of .25 fc and horizontal luminance of .5 fc.</u>
    - 5) The maximum mounting height of ground mounted light fixtures in open air parking areas and equipment storage yards shall be 20'. Rooftop parking structures may have light fixtures up to 15' in height. Height of light fixtures shall be measured from the finished floor or the finished oracle of the parking surface, to the bottom of the light bulb fixture.
    - 6) The maximum uniformity ratio of the illumination on the site shall average 20:1.
    - 7) All development proposed within 100' of a low density residential zone shall submit a lighting plan and photometric site plan for approval by the Planning Official. The plan shall meet the requirements of this section and indicate at 20 foot intervals that all site and building mounted lighting fixtures will produce a maximum initial luminance value of 0.6 horizontal and vertical foot-candles (as measured at 3 feet above grade) at the site boundary, and drop to 0.1 foot candles onto the abutting residential zoned property as measured within 15 feet from the residential zoned property line.
  - c. Compliance. Exterior lighting in the Rose Hill Business District must be brought into compliance with the requirements of KZC Section 115.85 in any of the following situations:
    - 1) Immediate abatement- All exterior lighting shall comply immediately with the business-hour provisions of KZC Section

2)1) Replacement- The shielding requirements of KZC Section 115.85.2.b.1. shall be complied with when any nonconforming light fixture is replaced or moved.

 Full Compliance- All other requirements of KZC Section 115.85.2 shall be complied with when there is an increase in gross floor area of more than 25 percent to any structure on the subject property.

## MENDMENTS TO KZC Chapter 142 – DESIGN REVIEW-Draft Revised 12-13-05

ections: <u>142.05</u> User Guide <u>142.15</u> Development Activities Requiring D.R. Approval <u>142.17</u> Design Review Process <u>142.20</u> Timing <u>142.25</u> Administrative Design Review (A.D.R.) <u>142.35</u> Design Board Review (D.B.R.) <u>142.40</u> Appeals of Design Review Board Decisions <u>142.50</u> Modifications <u>142.55</u> Lapse of Approval <u>142.60</u> Bonds

## 142.05 User Guide

Various places in this code indicate that certain developments, activities, or uses are required to be reviewed through design review or D.R. Design review may either be administrative design review (A.D.R.) or design board review (D.B.R.). This chapter describes these design review processes.

#### 142.15 Development Activities Requiring D.R. Approval

- All development activities subject to KZC <u>92.35(2)</u> and (5) need not be reviewed through D.R., but shall comply with this chapter.
- 2. The following development activities are subject to D.R. unless subsection (3) of this section applies:

a. The development of an undeveloped site.

- b. The addition of new floor area to an existing building.
- c. A change to the exterior appearance of over 25 percent of a facade visible from a street or park.
- 3. The following activities are not subject to D.R.:

a. Any activity which does not require a building permit; or

- b. Any activity on the exterior of a building of which the total cost or fair market value, whichever is higher, does not exceed \$10,000; or
- c. Interior work which does not alter the exterior of the structure; or
- d. Normal building maintenance including the repair or maintenance of structural members.
- 4. See also KZC <u>162.35</u>, Certain Nonconformances Specifically Regulated, for additional information regarding the application of design regulations to existing development and remodels. The City encourages voluntary compliance with the design regulations, the Comprehensive Plan, and design guidelines even for projects which do not require D.R. approval according to the terms of this subsection.

#### 2.17 Design Review Process

1. The following development activities shall be reviewed administratively pursuant to KZC 142.25:

a. All new one-story buildings containing less than 10,000 square feet of gross floor area.

- b. The following additions to existing buildings:
  - 1) To one-story buildings where the existing and new floor area total less than 10,000 square feet of gross floor area; or
  - 2) To buildings greater than one-story or 10,000 square feet of gross floor area where the gross floor area is expanded by less than 10 percent.
- c. Renovations to existing facades, unless the building is identified by the City as a historic structure.
- d. Development activities in RH 8, PR, RM, and PLA 17A zones located within the NE 85<sup>th</sup> Street Subarea.
- 2. All other development activities shall be reviewed by the Design Review Board pursuant to KZC 142.35.

## 142.20 Timing

For any development activity that requires D.R. approval, the applicant must comply with the provisions of this chapter before a building permit can be approved; provided, that an applicant may submit a building permit application at any time during the design review process. An applicant may request early design review, but such review shall not be considered a development permit or to in any way authorize a use or development activity.

An application for D.R. approval may be considered withdrawn for all purposes if the applicant has not submitted information requested by the City within 60 calendar days after the request and the applicant does not demonstrate reasonable progress toward submitting the requested information.

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

- <u>Pre-Design Conference</u> Before applying for A.D.R. approval, the applicant shall schedule and attend an A.D.R. pre-design meeting with the Planning Official. The meeting will be scheduled by the Planning Official upon written request by the applicant. The purpose of this meeting is to provide an opportunity for an applicant to discuss the project concept with the Planning Official and:
  - a. For the Planning Official to designate which design regulations apply to the proposed development based primarily on the location and nature of the proposed development;
  - b. To discuss how the design guidelines and other applicable provisions of this code and Comprehensive Plan affect or pertain to the proposed development;
  - c. For the Planning Official to determine what models, drawings, perspectives, 3-D CAD model, or other application materials the applicant will need to submit with the A.D.R. application.

This pre-design meeting may be combined with a pre-submittal meeting, if applicable.

- <u>Application</u> Following the pre-design meeting, the applicant shall submit an A.D.R. application on a form provided by the Planning Department. The application shall include all documents and exhibits listed on the application form, as well as all application materials required as a result of the pre-design meeting.
- Decision The Planning Official shall review the A.D.R. application for compliance with the design regulations of this code, using the design-guidelines and Comprehensive Plan to interpret how the regulations apply to the subject property.
  - The Planning Official shall review the A.D.R. application for compliance with the design regulations contained in Chapter 92 KZC. In addition, the following guidelines and policies shall be used to interpret how the regulations apply to the subject property:

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

b. Design Guidelines for the Rose Hill Business District (RHBD) as adopted in Chapter 3.30.040 KMC.

- c. The neighborhood plans contained in the Comprehensive Plan for areas where Design Review is required such as, the Downtown Plan, Juanita Business District Plan, the Totem Lake Neighborhood Plan, the North Rose Hill Neighborhood Plan for the North Rose Hill Business District, and the NE 85<sup>th</sup> Street Subarea Plan for the Rose Hill Business District (RHBD).
- <u>d. For review of attached or stacked dwelling units within the NE 85<sup>th</sup> Street Subarea, Appendix C, Design</u> <u>Principles for Residential Development contained in the Comprehensive Plan.</u>

After reviewing the A.D.R. application and other application materials, the Planning Official may grant, deny or conditionally approve subject to modifications the A.D.R. approval for the proposed development. No development permit for the subject property requiring A.D.R. approval will be issued until the proposed development is granted A.D.R. approval or conditional approval. The terms of A.D.R. approval or conditional approval will become a condition of approval on each subsequent development permit and no subsequent development permit will be issued unless it is consistent with the A.D.R. approval or conditional approval. The Planning Official shall send written notice of the A.D.R. decision to the applicant. If the A.D.R. is denied, the decision shall specify the reasons for denial.

## 4. Requests for Reconsideration

a. Only the applicant may request reconsideration of the A.D.R. decision.

- b. Only the City and the applicant may participate in the request for reconsideration.
- c. The applicant may request the Planning Director to reconsider any aspect of the Planning Official's A.D.R. decision by delivering a written request for reconsideration to the Planning Department within seven calendar days following the postmarked date of distribution of the Planning Official's written decision. The applicant shall specify in the request what aspect of the decision he/she wishes to have reconsidered and the reason for the request.
- d. Within seven calendar days after receiving a request for reconsideration, the Planning Director shall notify the applicant whether or not the Planning Director will reconsider the decision. The Planning Director may reconsider the decision only if he/she concludes that there is substantial merit in the request.
- e. If the Planning Director reconsiders the decision, the Planning Director shall send written notice of the final A.D.R. decision to the applicant. The decision shall specify the reasons for modifications, if applicable.

#### 5. Design Departure and Minor Variations

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

- 1. In the CBD: setback requirements, and
- 2. In the Totem Center: from-setback, floor plate maximums and building separation requirements. in Totem-Center.
- 3. In the RHBD: setback, landscape buffer and horizontal facade requirements.

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

- b. <u>Process</u> If a design departure or minor variation is requested, the D.R. decision, including the design departure or minor variation, will be reviewed and decided upon using the D.B.R. process.
- c. <u>Application Information</u> The applicant shall submit a complete application on the form provided by the Planning Department, along with all information listed on that form, including a written response to the criteria in subsection (5)(d) of this section.

- d. <u>Criteria</u> The DRB may grant a design departure or minor variation only if it finds that all of the following requirements are met:
  - 1) The request results in superior design and fulfills the policy basis for the applicable design regulations and design guidelines;
  - 2) The departure will not have any substantial detrimental effect on nearby properties and the City or the neighborhood.

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

- 1. <u>Public Meetings</u> All meetings of the Design Review Board shall be public meetings and open to the public.
- 2. Authority The Design Review Board shall review projects for consistency with the following:
  - a. Design guidelines for pedestrian-oriented business districts, as adopted in Chapter 3.30 KMC.
  - b. Design Guidelines for the Rose Hill Business District (RHBD) as adopted in Chapter 3.30 KMC.
  - <u>c</u>b. The design regulations contained in Chapter <u>92</u> KZC, except as provided for in subsection (2)(<u>d</u>e) of this section. To the extent that the standards of the design guidelines or design regulations address the same issue but are not entirely consistent or contain different levels of specificity, the Design Review Board shall determine which standard results in superior design.
  - de. The design regulations contained in Chapter <u>92</u> KZC do not apply to development in TL 2 where development is proposed within a Conceptual Master Plan.
  - ed. The applicable neighborhood plans contained in the Comprehensive Plan for areas where Design Review is required.
  - f. The Design Principles for Residential Development contained in Appendix C of the Comprehensive Plan for review of attached and stacked dwelling units located within the NE 85<sup>th</sup> Street Subarea.
  - The downtown-plan, Juanita-Business District-Plan, the Totem Lake-Neighborhood-Plan and goals-and policies contained in the North Rose Hill-Neighborhood-Plan for the North Rose-Hill-Business-District contained-in the Comprehensive Plan.

The Design Review Board is authorized to approve minor variations in <u>development standards within the</u> following areas provided the variation complies with the criteria of KZC 142.25(5)(d).

- a. In the CBD: minimum required yards
- b. In the Totem Center: minimum required yards, from setback, floor plate maximums and building separation requirements
- c. In the RHBD: minimum required yards, from setback, landscape buffer and horizontal facade requirements
- <u>d.</u> minimum-required yards, and from setback, floor-plate-maximums and building separation requirements in Totem Center; provided, that the variation complies with the criteria of KZC <u>142:25(5)(d)</u>.
- 3. <u>Pre-Design Conference</u> Before applying for D.B.R. approval, the applicant shall attend a pre-design conference with the Planning Official. The conference will be scheduled by the Planning Official upon written request by the applicant. The purpose of this conference is for the Planning Official to discuss how, the design regulations, design guidelines, and other applicable provisions of this code and the Comprehensive Plan relate to the proposed development and to assist the applicant in preparing for the conceptual design conference.

- 4. <u>Conceptual Design Conference</u> Before applying for design review approval, the applicant shall attend a conceptual design conference with the Design Review Board. The conference will be scheduled by the Planning Official to occur within 30 days of written request by the applicant. The purpose of this conference is to provide an opportunity for the applicant to discuss the project concept with the Design Review Board and:
  - a. To discuss how the design regulations, design guidelines and other applicable provisions of the Comprehensive Plan affect or pertain to the proposed development;
  - b. For the Design Review Board to designate which design regulations, design guidelines and other applicable provisions of the Comprehensive Plan apply to the proposed development based primarily on the location and nature of the proposed development; and
  - c. For the Design Review Board to determine what models, drawings, perspectives, 3-D CAD model, or other application materials the applicant will need to submit with the design review application.
- 5. <u>Application</u> Following the conceptual design conference, the applicant shall submit the design review application on a form provided by the Planning Department. The application shall include all documents and exhibits listed on the application, as well as all application materials required as a result of the conceptual design conference.

## 6. Public Notice

- a. <u>Contents</u> On receipt of a complete design review application, the Planning Official shall schedule a design response conference with the Design Review Board to occur within 60 calendar days of receiving the complete application. The Planning Official shall provide public notice of the design response conference. Public notice shall contain the name of the applicant and project, the location of the subject property, a description of the proposed project, time and place of the first design response conference, and a statement of the availability of the application file.
- b. <u>Distribution</u> The Planning Official shall distribute this notice at least 14 calendar days before the first design response conference as follows:
  - 1) By mailing the notice or a summary thereof to owners of all property within 300 feet of any boundary of the subject property.
  - 2) Publish once in the official newspaper of the City.
  - Post conspicuously on the subject property on a public notice sign. The Department of Planning and Community Development is authorized to develop standards and procedures for public notice signs.
- 7. Design Response Conference The design response stage allows the Design Review Board to review the design plans and provide direction to the applicant on issues to be resolved for final approval. The applicant shall present a summary of the project to the Design Review Board. The Planning Official shall present a review of the project for consistency with the requirements specified in subsection (2) of this section. Public comment relevant to the application of the design-guidelines, design regulations, downtown plan, Juanita-Business-District Plan, the Totem Lake Neighborhood Plan or goale and policies in the North Rose Hill Plan for the North Rose Hill Business-District may shall be taken. Persons commenting must provide their full name and mailing address. The Design Review Board may reasonably limit the extent of comments to facilitate the orderly and timely conduct of the conference.

The Design Review Board shall decide whether the application complies with the requirements specified in subsection (2) of this section. The Design Review Board shall make its decision by motion that adopts approved project drawings in addition to changes or conditions required by the Design Review Board. If the Design Review Board finds that the application does not meet those requirements, it shall specify what requirements have not been met and options for meeting those requirements. The Design Review Board may continue the conference if necessary to gather additional information necessary for its decision on the design review application. If the conference is continued to a specific date, no further public notice is required; otherwise notice shall be mailed to all parties participating in the design response conference.

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

Conceptual Master Plan Conference for RHBD – The Design Review Board shall consider a Conceptual Master Plan (CMP) in the RH 3 zone within the NE 85<sup>th</sup> Street Subarea. The CMP shall incorporate the design considerations for the RH 3 zone set forth in the Design Guidelines for the Rose Hill Business District.

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

<u>Additional Approval Provision for TL 2</u> – The Notice of Approval for a Conceptual Master Plan (CMP) shall set thresholds for subsequent DBR or ADR review of projects following approval of a CMP in TL 2. The Notice of Approval shall also include a phasing plan for all improvements shown or described in the CMP.

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

## 142.40 Appeals of Design Review Board Decisions

- 1. Jurisdiction Appeals of the decision of the Design Review Board will be heard as follows:
  - a. If a related development permit requires an open record public hearing, then the appeal shall be heard at that hearing and decided upon by the hearing body or officer or officer hearing the related development permit.
  - b. If there are no other open record hearings required for related development permits, then the decision of the Design Review Board shall be heard at an open record hearing by the City Council.

Only those issues under the authority of the Design Review Board as established by KZC <u>142.35(2)</u> are subject to appeal.

- 2. <u>Who May Appeal</u> The decision of the Design Review Board may be appealed by the applicant or any other individual or entity who submitted written or oral comments to the Design Review Board.
- 3. <u>Time To Appeal/How To Appeal</u> The appeal, in the form of a letter of appeal, must be delivered to the Planning Department within 14 calendar days following the postmarked date of the distribution of the Design Review Board decision. It must contain a clear reference to the matter being appealed and a statement of the specific elements of the Design Review Board decision disputed by the person filing the appeal.
- 4. Fees The person filing the appeal shall include with the letter of appeal the fee as established by ordinance.

<sup>5.</sup> Notice

- a. <u>Content</u> The Planning Official shall prepare a notice of the appeal containing the following:
  - 1) The file number and a brief written description of the matter being appealed.
  - 2) A statement of the scope of the appeal including a summary of the specific matters disputed in the letter of appeal.
  - 3) The time and place of the public hearing on the appeal.
  - 4) A statement of who may participate in the appeal.
  - 5) A statement of how to participate in the appeal.
- b. <u>Distribution</u> At least 14 calendar days before the hearing on the appeal, the Planning Official shall send a copy or a summary of this notice to the applicant, appellant(s), and Design Review Board. The notice of appeal may be combined with the hearing notice for the related development permit, if applicable.
- Participation in the Appeal Only the person(s) who filed the appeal, the applicant, and the chair (or designee) of the Design Review Board may participate in the appeal. These persons may participate in the appeal in either or both of the following ways:
  - a. By submitting written comments or testimony to the hearing body or officer prior to commencement of the hearing.
  - b. By appearing in person, or through a representative, at the hearing and submitting oral testimony directly to the hearing body or officer. The hearing body or officer may reasonably limit the extent of oral testimony to facilitate the orderly and timely conduct of the hearing.
- Scope of the Appeal The scope of the appeal is limited to the specific elements of the Design Review Board decision disputed in the letter of appeal and the hearing body or officer may only consider comments, testimony, and arguments on these specific elements.
- 8. Staff Report on the Appeal
  - a. <u>Content</u> The Planning Official shall prepare a staff report containing the following:
    - 1) The written decision of the Design Review Board.
    - 2) All written comments received by the Design Review Board.
    - 3) The letter of appeal.
    - 4) All written comments on the appeal received by the Planning Department from the appellant or applicant and within the scope of the appeal.
    - 5) An analysis of the specific element(s) of the Design Review Board's decision disputed in the letter of appeal.

The Planning Official may present the staff report orally to the hearing body or officer.

- b. <u>Distribution</u> At least seven calendar days before the hearing, the Planning Official shall distribute copies of the staff report to the hearing body or officer, the appellant, and the applicant.
- 9. <u>Electronic Sound Recordings</u> The hearing body or officer shall make a complete electronic sound recording of each hearing.
- 10. <u>Continuation of the Hearing</u> The hearing body or officer may continue the hearing if, for any reason, it is unable to hear all of the testimony on the appeal or if it determines that it needs more information within the scope of the appeal. If, during the hearing, the hearing body or officer announces the time and place of the continued hearing on the matter, no further notice of that hearing need be given.

#### 11. Decision on the Appeal

- a. <u>Criteria</u> Unless substantial relevant information is presented which was not considered by the Design Review Board, the decision of the Design Review Board shall be accorded substantial weight. The decision may be reversed or modified if, after considering all of the evidence in light of the design regulations, design guidelines, and Comprehensive Plan, the hearing body or officer determines that a mistake has been made. Specific allowances established by the applicable use zone charts may not be appealed unless the Design Review Board has approved exceptions to those allowances.
- b. <u>General</u> The hearing body or officer shall consider all information and material within the scope of the appeal submitted by the appellant. The hearing body or officer shall adopt findings and conclusions and either:
  - 1) Affirm the decision being appealed; or
  - 2) Reverse the decision being appealed; or
  - 3) Modify the decision being appealed.
- c. <u>Issuance of Written Decision</u> Within eight calendar days after the public hearing, the hearing body or officer shall issue a written decision on the appeal. Within four business days after it is issued, the hearing body or officer shall distribute the decision by mail to the appellant and the applicant.
- d. <u>Effect</u> If the appeal hearing is combined with an open record hearing for a related development permit, the decision on the appeal shall become part of the decision on the related development permit. The final decision of the City on the appeal of the Design Review Board decision shall occur at the same stage as the final decision of the City on the related development permit. Any appeal or challenge of the action of the hearing body or officer on the appeal of the Design Review Board decision Review Board decision shall be limited to the scope of the initial appeal.

## 142.50 Modifications

- 1. The Planning Official may approve a modification to the D.R. approval for the proposed development if:
  - a. The need for the modification was not known and could not reasonably have been known before the D.R. approval was granted;
  - . b. The modification is minor and will not, in any substantial way, change the proposed development or violate any requirement imposed by the Design Review Board. The Planning Official may consult with the Design Review Board in his/her decision; and
  - c. The development that will result from the modification will be consistent with the design regulations, design guidelines, and Comprehensive Plan.
- 2. Any modification, other than as specified in subsection (1) of this section, must be reviewed and decided upon as a new D.R. approval under this chapter.

## 142.55 Lapse of Approval

- <u>General</u> Unless otherwise specified in the decision granting D.R. approval, the applicant must begin construction or submit to the City a complete building permit application for development of the subject property consistent with the D.R. approval within one year after the final decision granting the D.R. approval or that decision becomes void. The applicant must substantially complete construction consistent with the D.R. approval and complete all conditions listed in the D.R. approval decision within three years after the final decision on the D.R. approval or the decision becomes void. "Final decision" means the final decision of the Planning Official or Design Review Board.
- 2. Extensions

- a. <u>Application</u> The applicant may apply for a one-time extension, of up to one year, of the time limits under subsection (1) of this section. The application for the extension must be submitted by letter prior to the expiration of the applicable time limit under subsection (1) of this section. The letter of application must be submitted to the Planning Department and, along with any other supplemental documentation, must demonstrate that the applicant is making substantial progress toward developing the subject property consistent with the D.R. approval and that circumstances beyond his/her control prevent compliance with the applicable time limit under subsection (1) of this section.
- b. Fee The applicant shall include with the letter of request the fee as established by ordinance.
- c. Review Process An application for a time extension will be reviewed by the Planning Official.
- 3. Appeals
  - a. <u>Who Can Appeal</u> Any person who is aggrieved by a time extension or denial of a time extension under this section may appeal that determination.
  - b. <u>How To Appeal</u> The applicant must file a letter of appeal within 14 days of the approval or denial of the time extension indicating how the determination affects his/her property and presenting any relevant arguments or information on the correctness of the determination. The applicant shall include the appeal fee as established by ordinance.
  - c. <u>Applicable Procedures</u> All appeals of decisions under this section will be reviewed and decided upon using Process IIA, described in Chapter <u>150</u> KZC.

#### 142.60 Bonds

The Planning Official may require a bond under Chapter <u>175</u> KZC to ensure compliance with any aspect of a D.R. approval.

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# Chapter 162 – NONCONFORMANCE

## 162.35 Certain Nonconformances Specifically Regulated

- 8. CBD, JBD, NRHBD, RHBD and Totem Center Design Regulations
  - a. The provisions of this subsection (8) regulate under what circumstances nonconformance with the CBD, JBD, NRHBD, <u>RHBD</u> and Totem Center design regulations of Chapter <u>92</u> KZC must be corrected. Compliance with CBD, JBD, NRHBD, <u>RHBD</u> and Totem Center design regulations is only required when D.R. is required pursuant to Chapter <u>142</u> 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.

