

## ORDINANCE NO. 4097

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, PLANNING, AND LAND USE AND AMENDING ORDINANCE 3719 AS AMENDED, THE KIRKLAND ZONING ORDINANCE AMENDING PORTIONS OF CHAPTERS 5, 92, 95, 105, 110, 115, 142, 162, 180, USE ZONE CHARTS IN CHAPTERS 20, 48, 52, 53, 55, AND APPROVING A SUMMARY ORDINANCE FOR PUBLICATION, FILE NO. ZON07-00002.

WHEREAS, the City Council has received a recommendation from the Kirkland Planning Commission and the Houghton Community Council 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 and as reviewed by the Houghton Community Council dated May 22, 2007 and bearing Kirkland Department of Planning and Community Development File No. ZON07-00002; and

WHEREAS, prior to making said recommendation, the Kirkland Planning Commission, following notice thereof as required by RCW 35A.63.070, on May 10, 2007 held a public hearing and was continued to May 24, 2007, on the amendment proposals and considered the comments received at said hearing; and

WHEREAS, prior to making said recommendation, the Houghton Community Council, following notice thereof as required by RCW 35A.63.070, on March 26, 2007, held a courtesy 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 and Houghton Community Council; and.

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

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

As set forth in Attachment A attached to this ordinance and incorporated by reference.

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

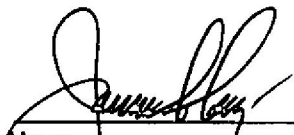
Section 3. To the extent the subject matter of this ordinance, pursuant to Ordinance 2001, is subject to the disapproval jurisdiction of the Houghton Community Council, this ordinance shall become effective within the Houghton Community Municipal Corporation only upon approval of the Houghton Community Council or the failure of said Community Council to disapprove this ordinance within 60 days of the date of the passage of this ordinance.

Section 4. Except as provided in Section 3, this ordinance shall be in full force and effect five days from and after its passage by the Kirkland City Council and publication, pursuant to Kirkland Municipal Code 1.08.017, in the summary form attached to the original of this ordinance and by this reference approved by the City Council, as required by law.

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

PASSED by majority vote of the Kirkland City Council in open meeting this 5th day of June, 2007.

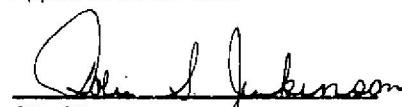
SIGNED IN AUTHENTICATION thereof this 5th day of June, 2007.

  
\_\_\_\_\_  
Mayor

Attest:

  
\_\_\_\_\_  
City Clerk

Approved as to Form:

  
\_\_\_\_\_  
City Attorney



PUBLICATION SUMMARY  
OF ORDINANCE NO. 4097

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, PLANNING, AND LAND USE AND AMENDING ORDINANCE 3719 AS AMENDED, THE KIRKLAND ZONING ORDINANCE AMENDING PORTIONS OF CHAPTERS 5, 92, 95, 105, 110, 115, 142, 162, 180, USE ZONE CHARTS IN CHAPTERS 20, 48, 52, 53, 55, (FILE NO.ZON07-00002)

SECTION 1. Amends the following specific portions of the Kirkland Zoning Code Ordinance 3719, as amended as described in Attachment A to Ordinance 4097 and summarized below:

1. Adds new definitions to Chapter 5 Definitions related to design districts.
2. Amends text in Chapter 92 Design Regulations to reorganize and delete text to move to the other following chapters.
3. Amends text in Chapter 95 Tree Management and Required Landscaping related to parking lot landscaping.
4. Amends text in Chapter 105 Parking Areas, Vehicle and Pedestrian Access and Related Improvements related to pedestrian access improvements, bicycle parking, parking area design and drive through facilities.
5. Amends text in Chapter 110 Required Public Improvements to add sidewalk and other public improvement standards in design districts.
6. Amends text in Chapter 142 Design Review to delete and add new criteria for when Design Board Review and Administrative Design Review is required and changes to the administrative design review process.
7. Amends text in Chapter 162 Nonconformance to refer to Chapter 142 for when nonconformance's to Chapter 92 must be brought into conformance.
8. Amends Chapter 180 Plates to delete Plate 34, 35 and 36 and add new Plates 34A to 34K.
9. Amends Chapter 55 Totem Lake Zones to amend Sections 55.07 and 55.09 in TL1A, 55.13 and 55.15 in TL1B, 55.19 in TL2, 55.31 in TL4A,B,C, 55.37 in TL5, 55.43 in TL6A,6B, 55.73 in TL10B.
10. Amends Chapter 52 JBD 1 zone to amend Sections 52.10 and 52.12.
11. Amends Chapter 53 in RH3 zone to amend Section 53.32.
12. Amends Chapter 20 in RM zones to amend Section 20.08.
13. Amends Chapter 48 in LIT zones to amend Section 48.10.

SECTION 2. Provides a severability clause for the ordinance.

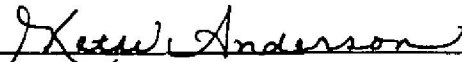
SECTION 3. Provides that the effective date of the ordinance is affected by the disapproval jurisdiction of the Houghton Community Council.

SECTION 4. Establishes certification by City Clerk and notification of King County Department of Assessments.

SECTION 5. 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.

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 5th day of June, 2007.

I certify that the foregoing is a summary of Ordinance No. 4097 approved by the Kirkland City Council for summary publication.

  
\_\_\_\_\_  
City Clerk

**New Chapter 5 Definitions**

- Section 5.10.202 Design Districts – Use zones subject to the Design Review process described in Chapter 142 KZC.
- Section 5.10.647 Pedestrian Oriented Street – A street that is designed to encourage pedestrian movement and pedestrian orientation in relationship to buildings in Design Districts. Plate 34 of Chapter 180, designates the locations of pedestrian oriented streets.
- Section 5.10.649 Pedestrian Pathway – A public or private pedestrian way. Pedestrian pathways are designated in Plate 34 of Chapter 180, Chapter 105 or elsewhere in the Zoning Code, the Nonmotorized Transportation Plan, Design Guidelines, or the Comprehensive Plan.
- Section 5.10.495 Major Pedestrian Sidewalk – A public sidewalk in a Design District that is designated in Plate 34 of Chapter 180.
- Section 5.10.924 Through Block Pathway – A public or private pedestrian way located in a Design District. Through block paths are designated in Plate 34 of Chapter 180, Chapter 105 or elsewhere in the Zoning Code, the Nonmotorized Transportation Plan, Design Guidelines or the Comprehensive Plan.

## Chapter 92 – DESIGN REGULATIONS

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## Kirkland Zoning Code

Chapter 92- Revised 5/11/07

## 992.35 Building Material, Color and Detail.....

## 630.3550

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

92.05 INTRODUCTION

1. General – This chapter establishes the design regulations that apply to development in Design Districts including the Central Business District (CBD), Juanita Business District (JBD), Rose Hill Business District (RHBD), Totem Lake Neighborhood (TLN), North Rose Hill Business District (NRHBD) and in Totem Center (TC).

Special provisions that apply to a particular Design District only the CBD, the JBD, the TLN, RHBD, NRHBD or Totem Center are noted in the margins and text section headings of the chapter.

2. Applicability – The provisions of this chapter apply to all new development. The provisions of Chapters 142 and 162 KZC regarding Design Review and nonconformance establish which of the regulations of this chapter apply to developed sites. Where provisions of this chapter conflict with provisions in any other section of the code, this chapter prevails. For more information on each design district refer to the Design Guidelines applicable to that Design District adopted by reference in Chapter 3.30 of the KMC.
3. Design Review Procedures – The City will use Chapter 142 KZC to apply the regulations of this chapter to development activities that require Design Review approval.
4. Relationship to Other Regulations – Refer to the following chapters of the Zoning Code for additional requirements related to new development on or adjacent to the subject property.

~~ALL~~ — 4a. — Landscaping – Chapter 95 describes Various places in this chapter require that landscaping be installed and maintained. The following provisions apply to the installation and maintenance of all landscaping requirements on the subject property, 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 Design Review approval. The City may also require or permit modification to the required plant size as part of Design Review approval. Where appropriate, the City will apply the provisions of KZC 95.40(5)(b)(3) to require additional or more mature landscaping.~~

**RHBD** — e. ~~Varieties of rose shrubs or ground cover, along with other plant materials, shall be included in the on-site landscaping.~~

- b. Installation of Sidewalks, Public Pedestrian Pathways and Public Improvements – Chapter 110 KZC describes the regulations for the installation of public sidewalks, major pedestrian sidewalks, pedestrian oriented sidewalks, or other public improvements on or adjacent to the subject property in zones subject to Design Review. Plate 34 in Chapter 180 provides the location and designation of the sidewalk, pedestrian walkways, pathways or other required public improvements within each Design District.
- c. Pedestrian Access to Buildings, Installation of Pedestrian Pathways, Pedestrian Weather Protection– Chapter 105 KZC describes the requirements for pedestrian access to buildings and between properties, through parking areas and requirements for pedestrian weather protection. See also Plate 34 in Chapter 180.

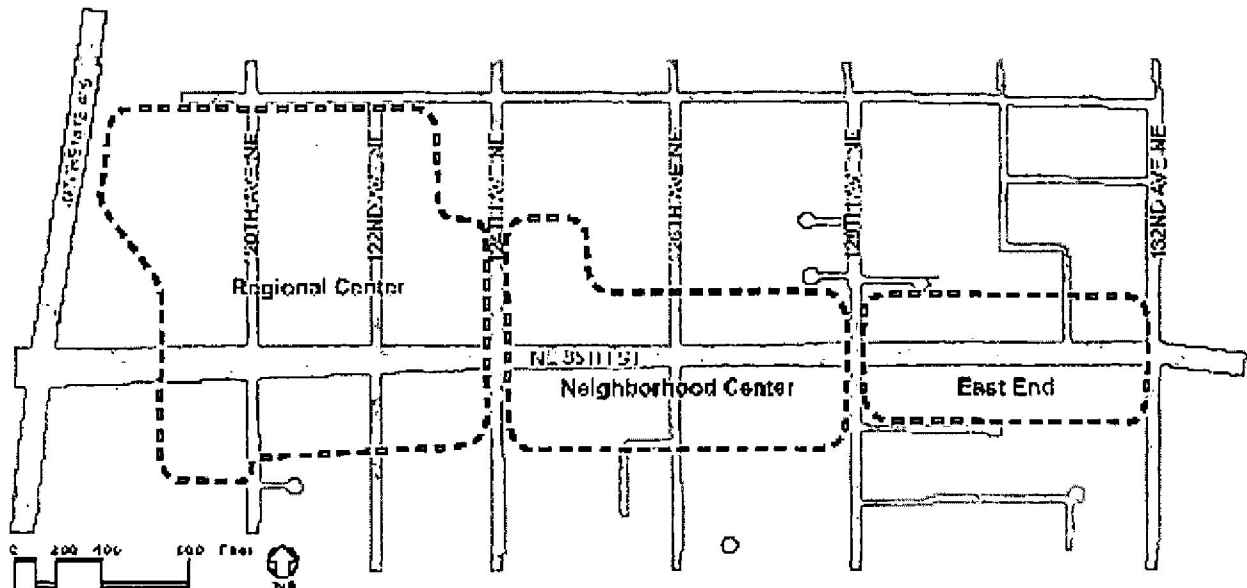
d. Parking Area Location and Design, Pedestrian and Vehicular Access – Chapter 105 KZC describes the requirements for parking lot design, number of driveways, or pedestrian and vehicular access through parking areas.

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

**ALL** 55. Dedication – The City may require the applicant to dedicate development rights, air space, or an easement to the City to ensure compliance with any of the requirements of this chapter.

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

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

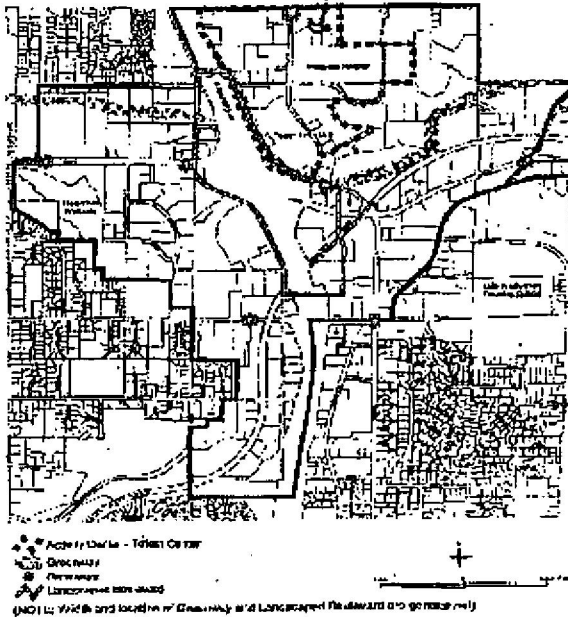


**FIGURE 92.05.A**

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

### Totem Center within the Totem Lake Neighborhood

#### Totem Center



Totem Lake - Urban Design

**FIGURE 92.05.B**



**92.10 SITE DESIGN, BUILDING PLACEMENT AND PEDESTRIAN ORIENTED FACADES**

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

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

4. Installation of Sidewalks—

~~ALL — 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 master plan), 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, D and E.)~~

~~RHBD — b. — Property Fronting NE 85th Street — The applicant shall install a 6.5-foot-wide landscape strip planted with street trees located adjacent to the curb and a seven-foot-wide sidewalk along the property frontage. Where the public right-of-way lacks adequate width to meet the previous standard, a 10-foot-wide sidewalk with 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.~~

~~ALL — c. — Major Pedestrian Sidewalks — If the subject property abuts a street designated to contain a major pedestrian sidewalk on Figure 92-10.A, 92-10.B, 92-10.C, 92-10.D, or 92-10.E, the applicant shall install that sidewalk on and/or adjacent to the subject property consistent with the following standards:~~

- ~~1) — The major pedestrian sidewalk must be installed in the approximate location shown on Figures 92-10.A, 92-10.B, 92-10.C, 92-10.D and 92-10.E, and make the connections shown on the figures.~~
- ~~2) — The major pedestrian sidewalk must be paved with concrete or unit pavers and have a minimum width of at least eight feet, unless otherwise noted in Figure 92-10.A. If the required improvements cannot be accommodated within the existing right-of-way, the difference may be made up with a public easement over private property. Buildings may cantilever over such easement areas, flush with the property line.~~
- ~~3) — The major pedestrian sidewalk must have adequate lighting with increased illumination around building entrances and transit stops.~~
- ~~4) — If parcels are developed in aggregate, then alternative solutions may be proposed.~~

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

~~ALL — e. — All other streets shall meet the standards specified in Chapter 110-KZC.~~

~~Pedestrian Circulation in the CBD~~

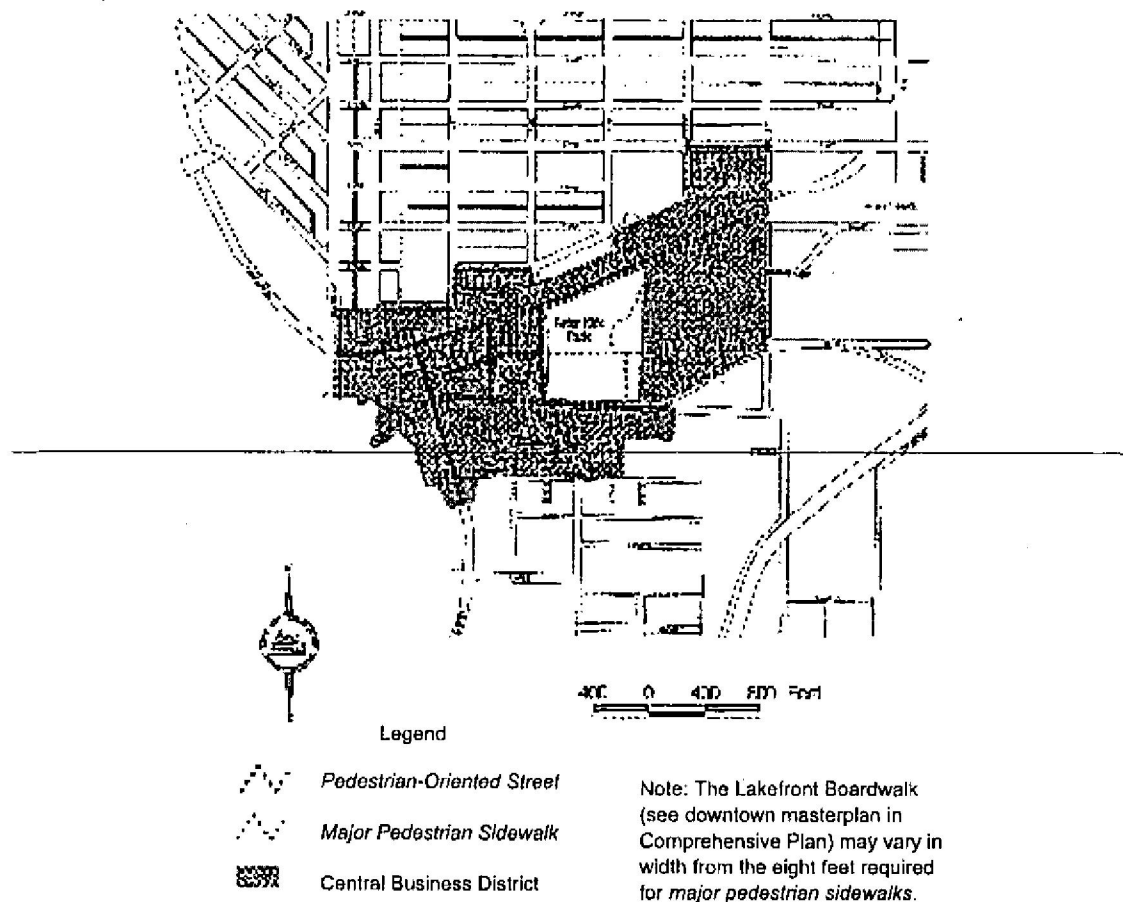


FIGURE 92-10.A

Pedestrian Circulation in the JBD

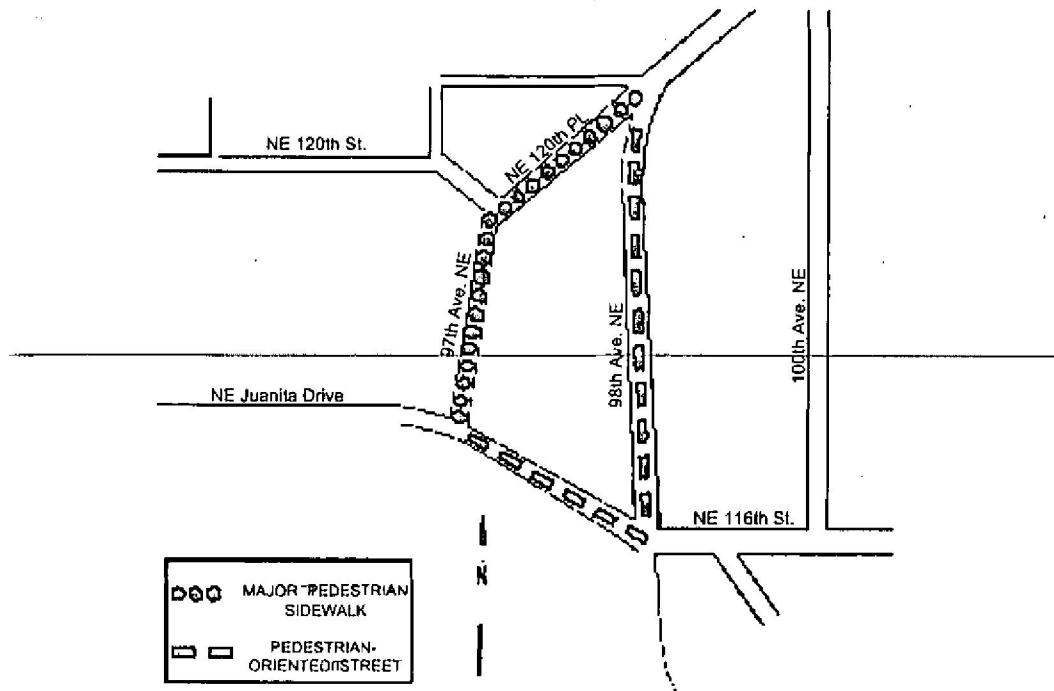


FIGURE 92-10.B

Pedestrian Circulation in the NRHBD

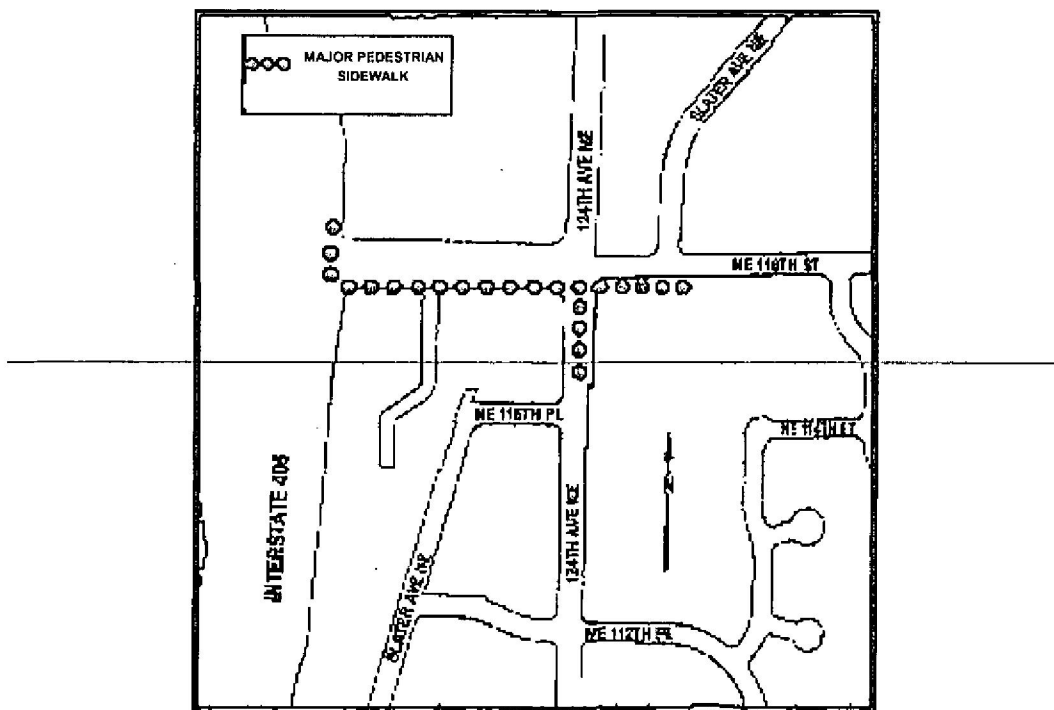


FIGURE 92-10.C

Pedestrian Circulation in Totem Lake

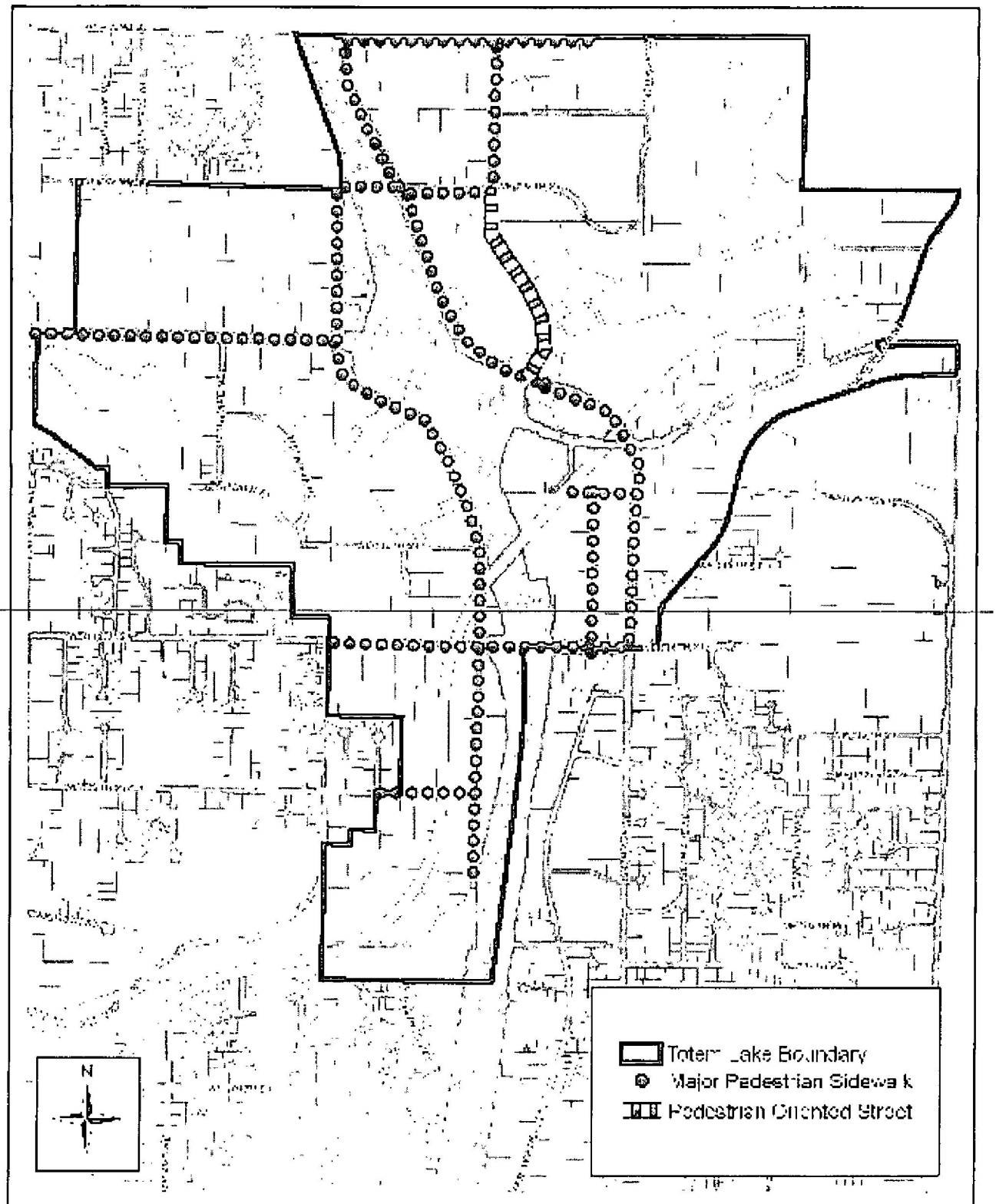


FIGURE 92-10.D

2 Required Sidewalk on Pedestrian-Oriented Streets and Major Pedestrian Sidewalks

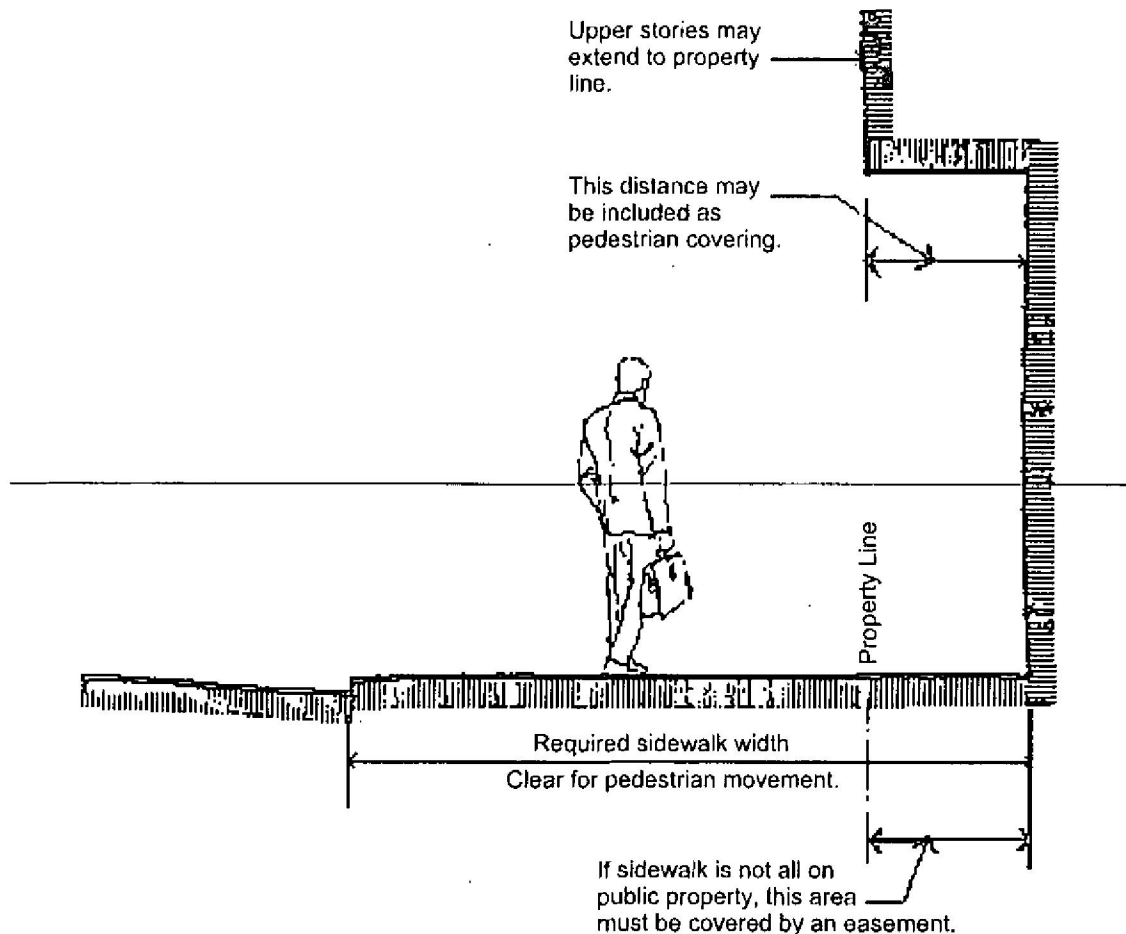


FIGURE 92.10-E

**ALL 2. Through-Block Pathways**

a. 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. Through-block pathways must be constructed to the following standards unless otherwise noted herein:

- 1) A minimum unobstructed pavement width of eight feet, paved with concrete or unit pavers.
- 2) Trees 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 one 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.

ALL 3) — Adequate lighting with increased illumination around building entrances and transit stops. Pedestrian-scaled lighting fixtures, at 12 feet in height, are encouraged along the pathway.

ALL 4) — Barriers which will limit pedestrian access between the subject property and adjacent properties are not permitted.

ALL 5) — If applicable parcels are developed in aggregate, then alternative solutions may be proposed.

#### Through-Block Pathway

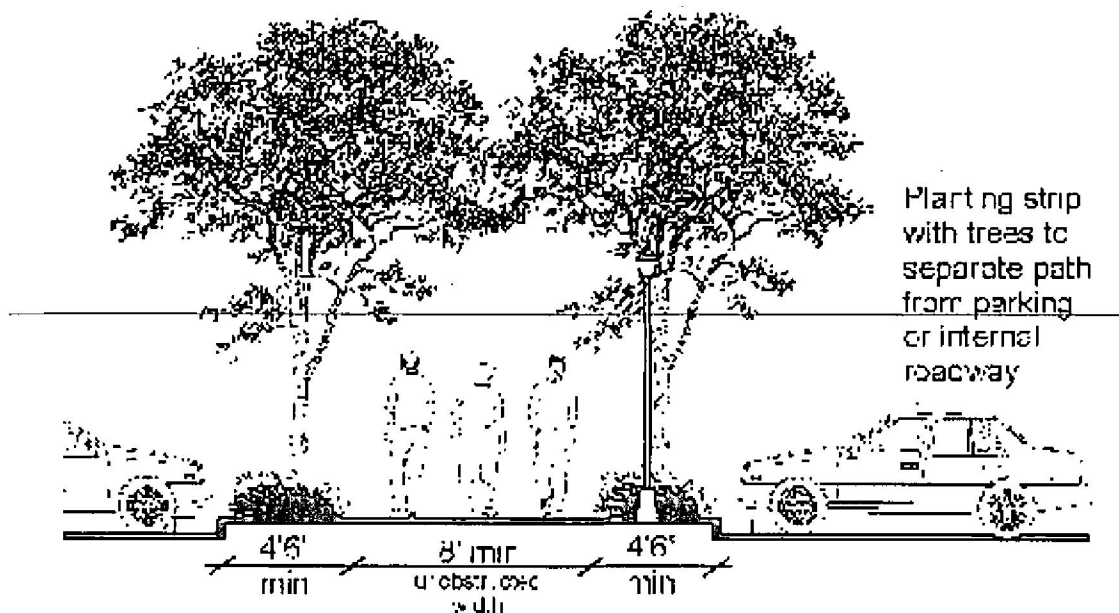


FIGURE 92-10-F

JBD b. — Through-Block Pathways in the JBD — The applicant shall install a through-block pathway extending from the north end to the south end of JBD 1 of the Juanita Business District. Two through-block pathways, 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 (see Figure 92-10-B).

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

- 1) The applicant must install pathways that run generally north/south (or diagonally northeast/southwest) and east/west on the subject property. The pathways shall be located to provide a direct continuation of the existing or future through-block pathway on adjacent properties. When possible, the pathways shall be located to create view corridors and reinforce connections to Lake Washington. During the Design Review process, the City may determine that a through-block pathway is not required if a suitable through-block pathway exists on adjacent properties.
- 2) Through-block 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 Design Review.
- 3) The through-block pathways must have adequate lighting with increased illumination around building entrances and transit stops.
- 4) If parcels are developed in aggregate, then alternative solutions may be proposed.

5) ~~Barriers which will limit pedestrian access between the subject property and adjacent properties are not permitted.~~

~~TC c. — Through-Block Pathways in TL-2 — The applicant shall install at least one through-block pathway 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.~~

4) ~~Through-block pathways in TL-2 shall 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.~~

~~TLN d. — Through-Block Pathways in the TLN — The applicant shall install a through-block pathway or pathways to link streets and/or activities in the following zones and locations described in the Transportation and Totem Lake Neighborhood Plan chapters of the Comprehensive Plan:~~

1) ~~On parcels located in TL-5: In addition to the new roads to be developed through the district (123rd Avenue NE and NE 120th Street, designated as major pedestrian sidewalks in Figure 92.10.G), a network of east-west pathways at intervals no greater than 350 feet that link uses to 124th Avenue NE shall be installed. Through-block pathways may be integrated with internal access roads and/or provided within separate pedestrian-only corridors.~~

2) ~~On parcels located in TL-6B (Figure 92.10.H): Include at least one mid-block east-west pathway connecting uses to 116th Avenue NE and a network of north-south pathways at intervals no greater than 350 feet that link uses to NE 124th Street. Through-block pathways may be integrated with internal access roads and/or provided within separate pedestrian-only corridors.~~

3) ~~Additional through-block pathways not shown in the Comprehensive Plan may be required by the City on parcels larger than two acres in order to enhance pedestrian access on large sites.~~

~~Vehicle Access and Pedestrian Through-Block Pathway Concept for TL-5~~





## Internal Access Roads and Through-Block Pathways Concept for TL-6B

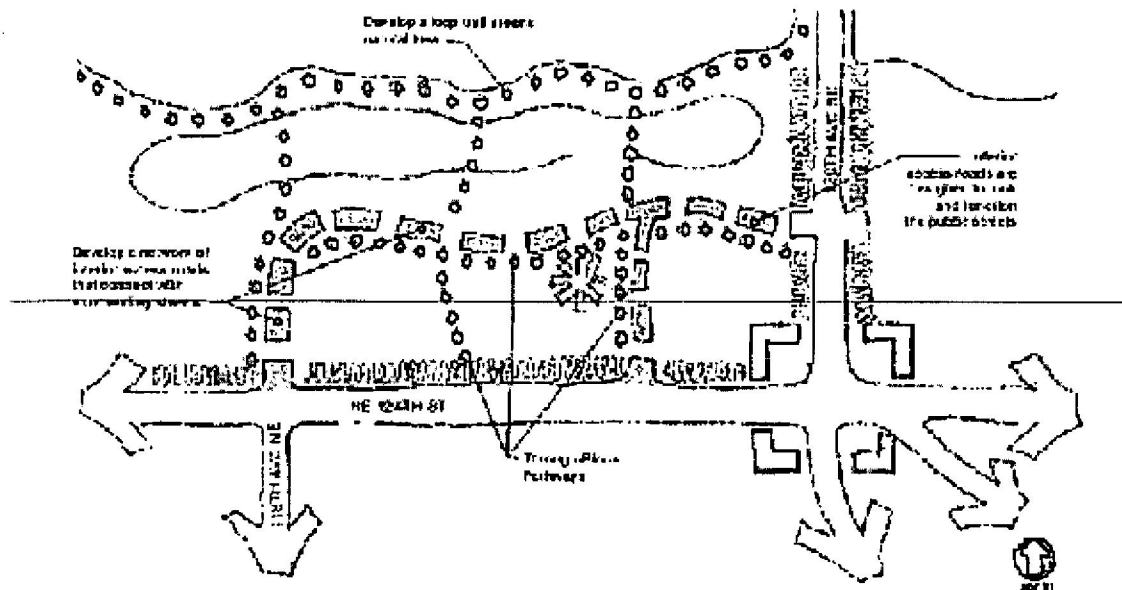


FIGURE 92-10:H

- RHBD** — e. Through-Block Pathways in RHBD — The applicant shall install a *through-block pathway* per the standards in subsection (2)(a) of this section to link streets and/or activities in the following zones and locations described in the Transportation and NE 85th Street Subarea chapters of the Comprehensive Plan:
- 1) On parcels located north of NE 85th 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 120th Avenue and 124th Avenue.
  - 2) On parcels located in the RH 3 zone, the applicant shall install a pedestrian pathway connecting the north portion of the RH 3 zone to NE 85th 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 two acres.

## Approximate Location for Through-Block Pathways in the RHBD

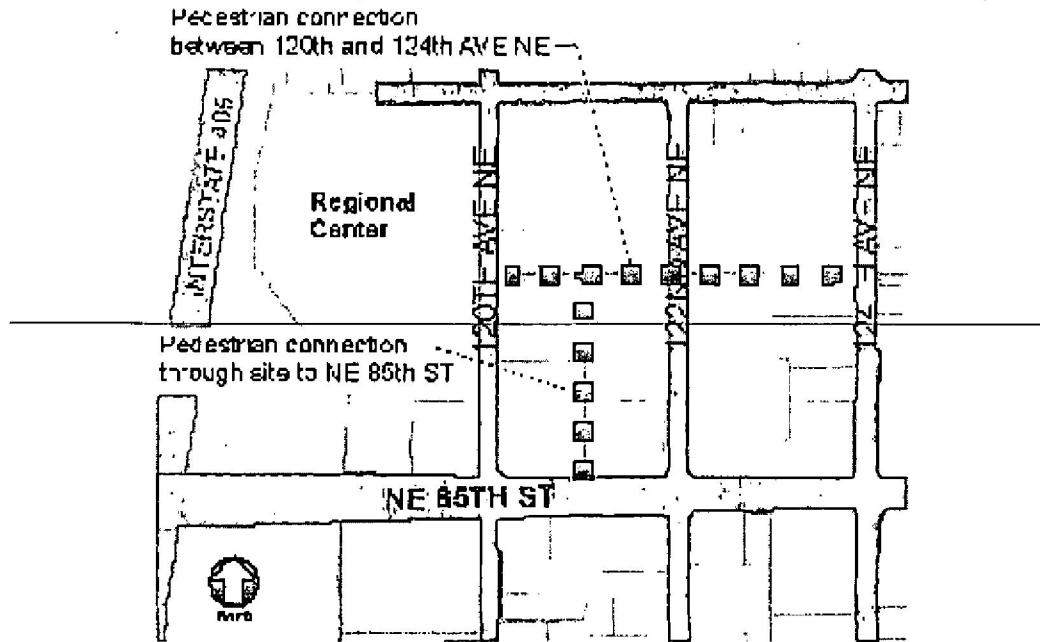


FIGURE 92.10.1

2. Pedestrian Oriented Facades Defined For RHBD and TLN - To meet the definition of a pedestrian-oriented facade (see Figure 92.10.AK):

- a. The building's primary entrance must be located on this façade and facing the street. For purposes of this chapter, "primary entrance" shall be defined as the primary or principle pedestrian entrance of all buildings along that street. The primary entrance is the entrance designed for access by pedestrians from the sidewalk. This is the principal architectural entrance even though customers or residents may use a secondary entrance associated with a garage, parking area, driveway or other vehicular use area more frequently.
- b. Transparent windows and/or doors must occupy at least 75 percent of the facade area between two and seven feet above the sidewalk.
- c. Weather protection feature(s) at least five feet wide must be provided over at least 75 percent of the facade. This could include awnings, canopies, marquees, or other permitted treatments that provide functional weather protection.

3. Building Placement In RHBD and TLN

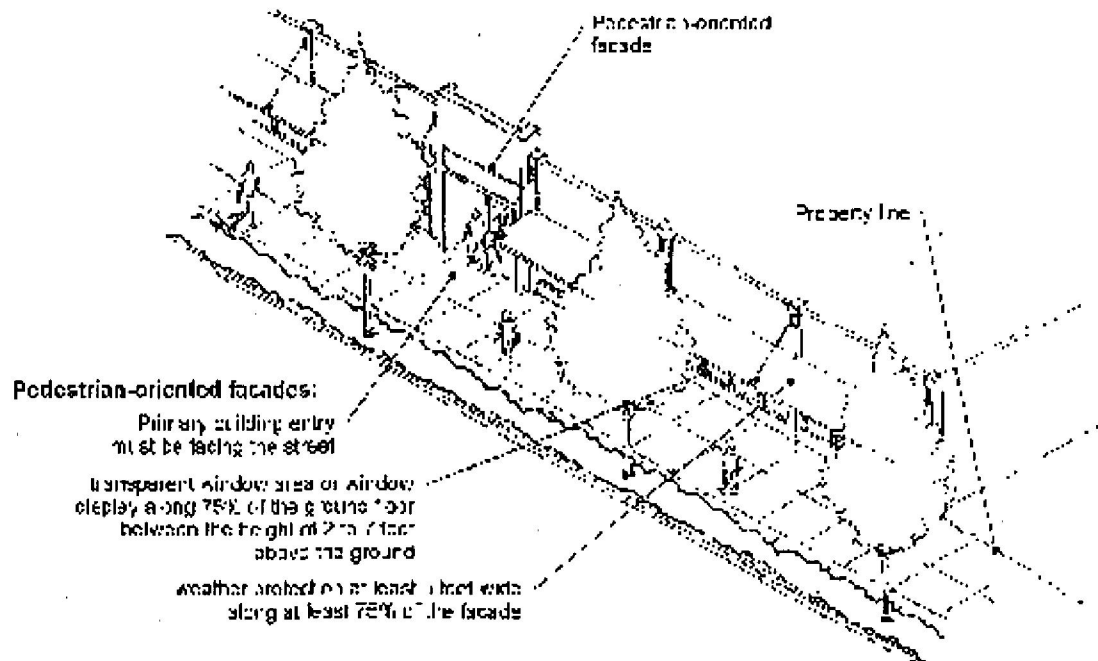
- a. Building Location Featuring Pedestrian-Oriented Facades in RHBD and TLN Zones: Buildings may be located adjacent to the sidewalk of any street (except west of 124th Avenue NE), if they contain a pedestrian-oriented facade along that street frontage pursuant to the standards in subsection 92.10.2 above. As part of the Design Review process, required yards setbacks or other development standards may be modified along the street frontage. Buildings not featuring a pedestrian oriented facade along a street, must provide a building setback of at least 10 feet from any public street (except areas used for pedestrian or vehicular access) landscaped with a combination of trees, shrubs, and groundcover per the requirements of supplemental landscape standards of KZC, Chapter 95.40.5.b.

d. As part of the Design Review process required, yard setbacks or other development standards may be modified (see Chapter 142-KZC).

### 3. Other Internal On-Site Pathways

RHBD, TLNa. Buildings may be located adjacent to the sidewalk of any street (except west of 124th Avenue NE) if they contain a *pedestrian-oriented facade*. As part of the Design Review process, required yard setbacks or other development standards may be modified along the street frontage.

#### Pedestrian-Oriented Facade



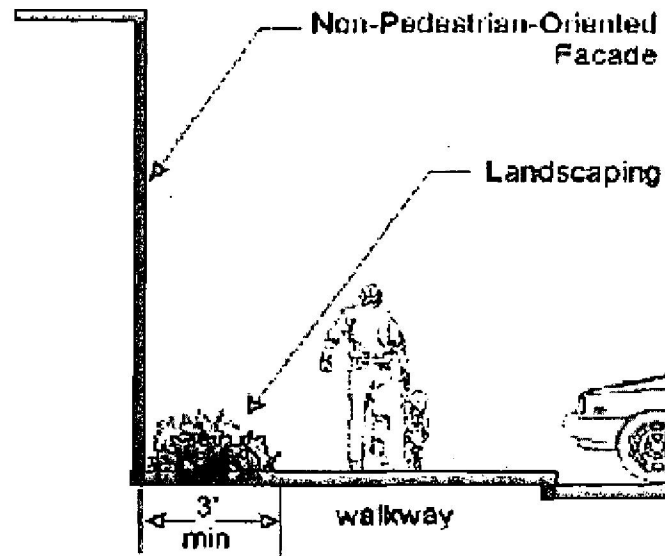
**FIGURE 92.10.A**

b.d. For All Other Building Facades in RHBD and TLN zones (*non-pedestrian-oriented facade*): Building facades not featuring a *pedestrian oriented facade* described in section 92.10.2 must provide at least three feet of landscaping shall be required between any vehicular access area or walkway and the building and any building facade not meeting *pedestrian-oriented facade* requirements as noted above. (See Figure 92.10.LB.)

#### Exceptions:

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

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



**FIGURE 92.10.B**

~~For options b and c above the City will review plant choice and specific plant location as part of the Design Review approval. The City may also require or permit modification to the required plant size as part of Design Review approval. Where appropriate, the City will apply the provisions of KZC 95.40(5)(b)(3) to require additional or more mature landscaping.~~

~~RHBD, TLN — b. Internal Pathways Not Along Building Facades — 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 five feet of unobstructed width.~~

~~CBD, — 4. Pedestrian Weather Protection — The applicant shall provide overhead weather protection, JBD, TC, — consistent with the following standards: RHBD, TLN~~

~~CBD — a. In the CBD, along at least 80 percent of the frontage of the subject property on each pedestrian-oriented street;~~

~~RHBD, TLN — b. In the RHBD and the TLN, buildings must feature weather protection at least five feet wide along at least 75 percent of the pedestrian-oriented facade;~~

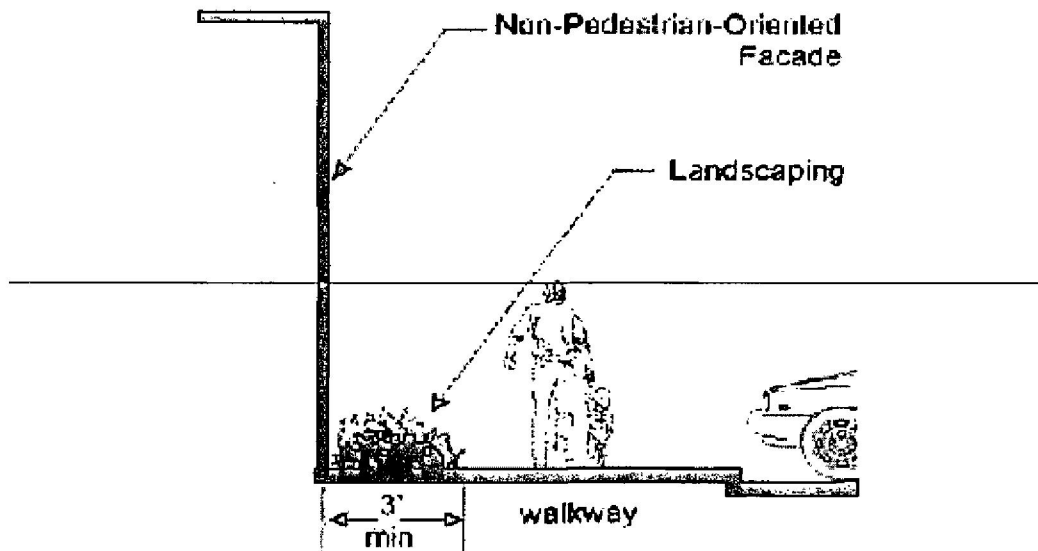
~~TLN, RHBD — c. Weather protection is required over the primary exterior entrance to all buildings, including residential units. Weather protection features must cover the width of the entry at a depth of at least three feet from the building entry. This may include covered porches, overhangs, awnings, marquees, recessed entries or other similar features;~~

~~JBD — d. In the JBD, along 100 percent of the front of the building;~~

~~ALL — e. The overhead weather protection may be composed of awnings, marquees, canopies or building overhangs;~~

- ALL ——— f. — 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.;
- ALL ——— g. — The lowest element of the overhead weather protection must be at least eight feet above the ground immediately below it;
- ALL ——— h. — The City will specifically review and approve the color, material and configuration of all overhead weather protection as part of the Design Review decision. See KZC 92.35(5), Awnings.
- JBD ——— 5. — Building Frontage — In the JBD, all buildings must front on a right-of-way or through-block pathway.
6. — Pedestrian 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, RHBD — b. — In the JBD, RHBD and TLN, all buildings must have convenient access from the street
- TLN ——— sidewalk or the through-block pathway to the main building entrance.
- NRHBD — c. — In the NRHBD, all buildings on property abutting major pedestrian sidewalks must have direct access from the sidewalk to the main building entrance.
- TC ——— d. — In Totem Center, all buildings on property abutting a major pedestrian sidewalk or a pedestrian-oriented street must have convenient access from the sidewalk or the major pedestrian sidewalk or pedestrian-oriented street to the main building entrance.
- 3) ——— Weather protection feature(s) at least five feet wide over at least 75 percent of the facade. This could include awnings, canopies, marquees, or other permitted treatments that provide functional weather protection.

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



**FIGURE 92-10.L**

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

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

e. g.—RHBD East End – NE 85th Street Building Frontage Options and Preferences:

- 1) Preferred Option: Buildings may be located adjacent to the sidewalk on NE 85th Street if they contain a *pedestrian-oriented facade* (see Figure 92.10.AK);
- 2) Second Option: Locate and orient building towards the sidewalk on NE 85th Street. In this option, the development features a 10-foot minimum landscaped front yard, a clear pathway between the sidewalk and the building, and a building entry and windows facing the street.
- 3) Least Preferred Option: Locate the building at the rear of the property with parking between NE 85th Street and the building as long as the following standards are applied:
  - a) Provide a perimeter parking landscape buffer strip between the sidewalk and parking area per Chapter 95 KZC.
  - b) Provide clear pedestrian access from the sidewalk to the building entry.
  - c) Provide a walkway along the building facade meeting through-block pathway standards as described in Section 105.19, KZC.
  - ~~e) Provide a walkway along the building facade meeting through-block pathway standards as described in subsection (2)(a) of this section.~~

g. RHBD-i. RHBD East End – Rear Yard Building Placement: Pursuant to KZC 95.40, 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 Figure 92.10.CM and options below):

- 1) Meet the required landscape buffer pursuant to KZC 95.40.
- 2) Provide a blank wall no taller than 15 feet in height with no openings placed at the rear property line (building itself serves as a wall, uses are inside the building, shielded from adjacent residential uses). To qualify for this method, the treatment must be agreed to by the adjoining property owners per the modifications section of Chapter 95 KZC.
- 3) Provide a combination of both methods above. For example, provide a blank wall no taller than 15 feet in height between zero and 15 feet from the property line and landscape the applicable area between the building and the property line. In addition, an unfenced design option would effectively enlarge the adjacent homeowners' rear yard (a mutually beneficial arrangement). To qualify for these methods, the treatment must be agreed to by the adjoining property owners per the landscape buffer modifications section of Chapter 95 KZC.

## Rear Yard Building Placement Options in the RHBD

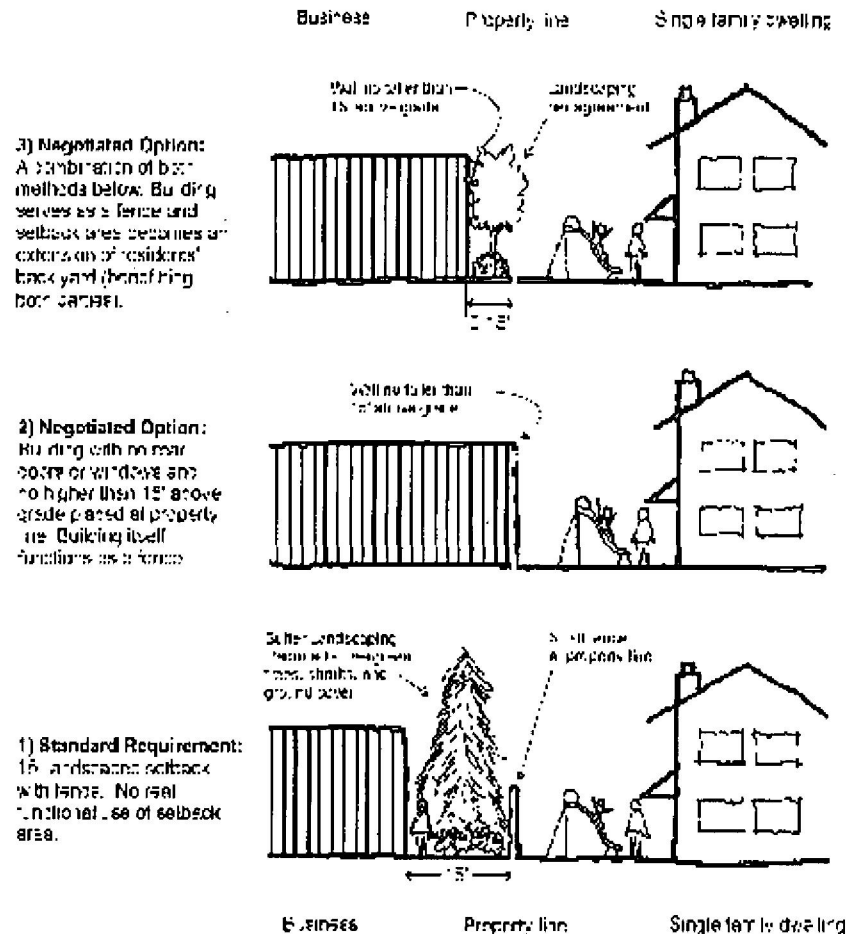


FIGURE 92.10.CM

## Internal Pathways Along Building Facades in RHBD

1. Nonresidential uses that do not front directly onto a public sidewalk must provide a pathway along their primary building facade (a "primary building facade" means the facade contains the building's primary entry) in accordance with the through-block pathway standards noted in Section 105.xx above in subsection (2)(a) of this section (see Figure 92-10.J). As part of Design Review the City may provide exceptions in the following circumstances:

- a) New nonresidential 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.
- b) For uses that require vehicle service bays or where the requirement conflicts with other City goals, policies or regulations.

2. Internal Pathways Not Along Building Facades in RHBD — 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 five feet of unobstructed width.

4. Multi-story buildings on sites adjacent to a low density zone in RHBD and TLN shall be configured and designed to minimize privacy impacts on adjacent low density uses. For example, a development may meet this requirement by orienting upper floors towards the street and/or towards interior courtyards.
5. Multifamily buildings located in TLN adjacent to NE 120th Street must be oriented toward this street. To meet this requirement, common and/or individual unit entries must face the street. The building must include windows that face the street. Parking areas between the building and the street are prohibited. Alternative configurations may be considered in the Design Review process.
6. Building Location at Street Corners in the RHBD and TLN Zones
  - a. General Standards- For development at street corner sites, the applicant must incorporate one or more of the following site treatments:
    - 1) Locate and orient the building towards the street corner (within 10 feet of corner property line). To qualify for this option, the building must have direct pedestrian access from the street corner. Exception: Properties in the RHBD Regional Center must provide a 10-foot minimum setback between NE 85th Street and any building.
    - 2) Provide an architectural feature that adds identity or demarcation of the area. Such an architectural element may have a sign incorporated into it (as long as such sign does not identify an individual business or businesses) (see Figure 92.10.D).
    - 3) Provide a "pedestrian-oriented space" at the corner leading directly to a building entry or entries (see Section 92.15. and Figure 92.10.D).
    - 4) Install substantial landscaping (at least 30-foot by 30-foot or 900 square feet of ground surface area with trees, shrubs, and/or ground cover).
  - b. RHBD Properties located at the 124th, 126th, and 128th 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 92.10.D.
    - 2) Vehicle sales and properties on the west side of the 124th Avenue NE are exempt from this standard because of transmission line easement limitations.

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



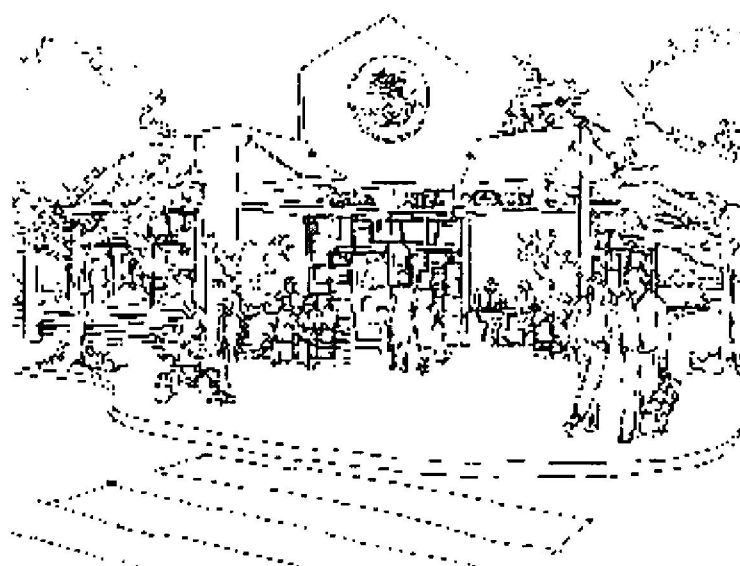


FIGURE 92.10.D

7. Building Location at Street Corners In CBD

- a. Building Corners in the CBD – If the subject property is adjacent to the intersection of two streets, at least one of which is a *pedestrian-oriented street*, the applicant shall use one or more of the following elements or treatments in the design and construction of the corner of the building facing the intersection of the streets which includes the *pedestrian-oriented street*. As an alternative, the applicant may propose other techniques, elements or treatments in the design of the corner which are consistent with the design guidelines and the provisions of the Comprehensive Plan.

1.1) 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 110.52 pedestrian oriented street 92.10(4)-(see Figure 92.10.D35.A).

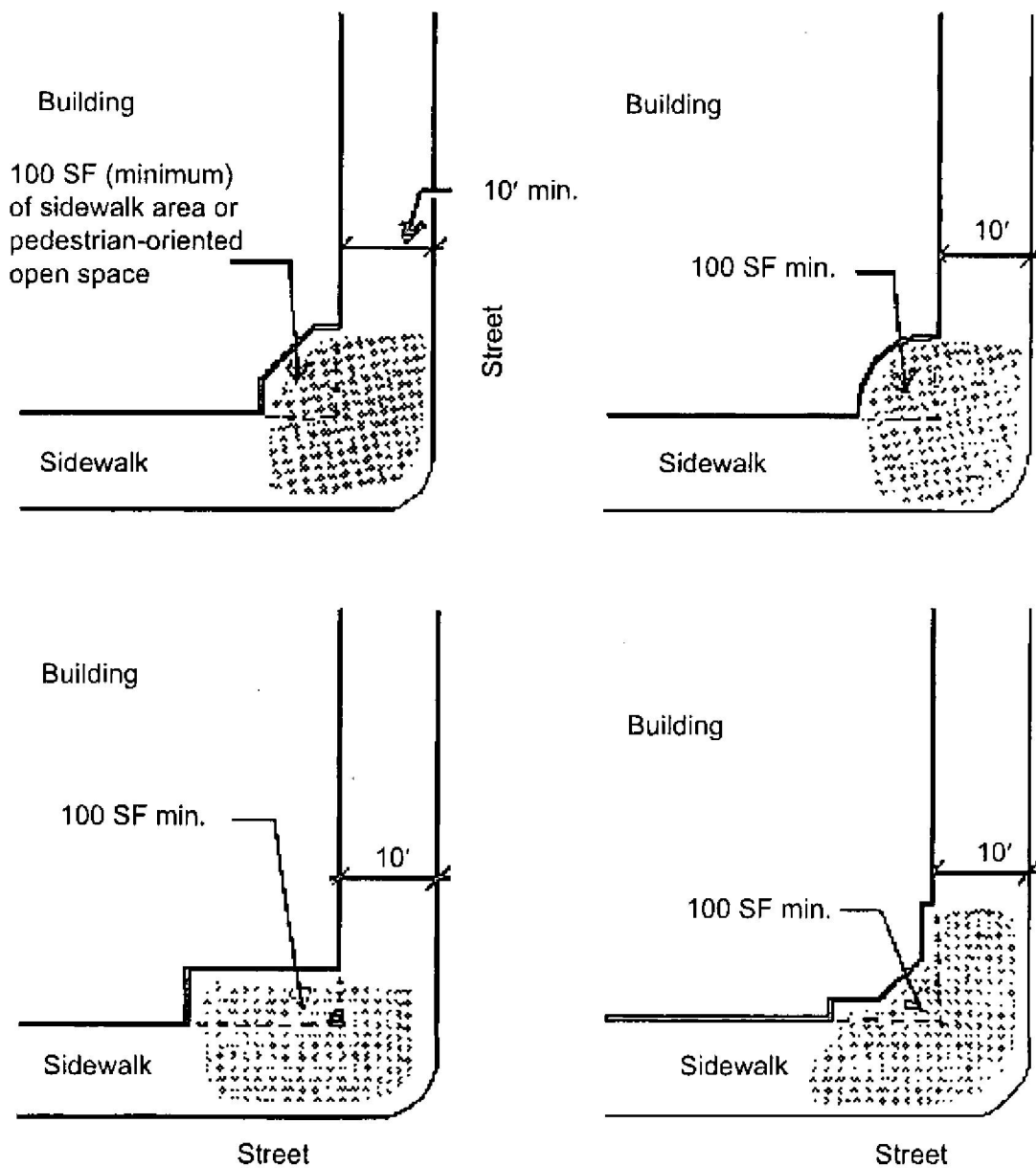
2.2) Provide an entranceway to a store, building atrium or lobby, exterior courtyard or pedestrian-oriented open space (see Figure 92.10.E35-B).

3.3) Provide a pedestrian pathway, at least eight feet in width, that connects to another street, public feature or building (see Figure 92.10.E35-B).

4.4) 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 92.1035.FG):

- a) A bay window or turret.
- b) A roof deck.
- c) Balconies above the ground floor.
- d) A building corner setback notch or curved facade surface.
- e) Sculpture or artwork, either bas-relief or figurative.
- f) Distinctive use of facade materials.

5.5) 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 92.10.D**

Options for Corner Entry Elements

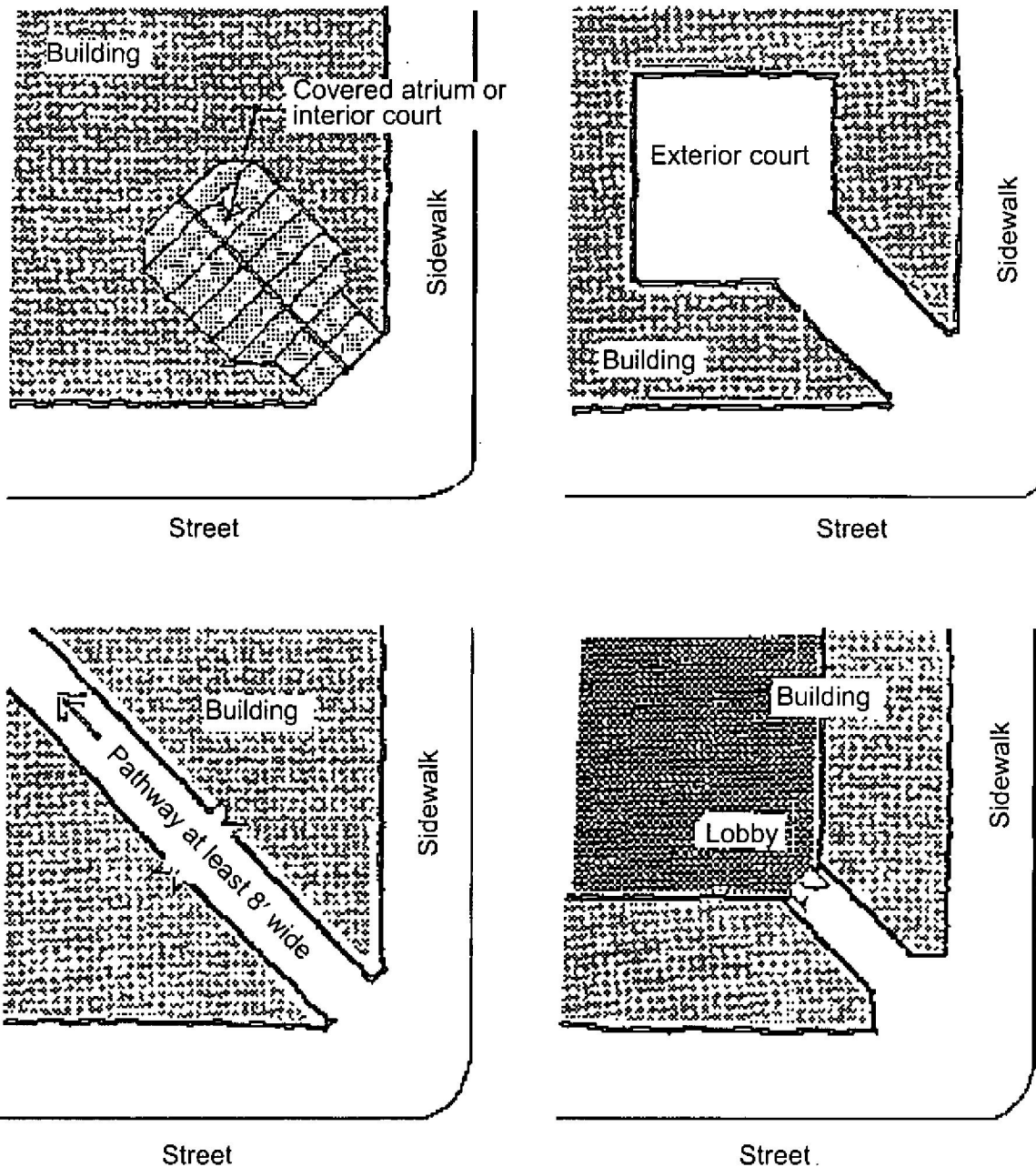
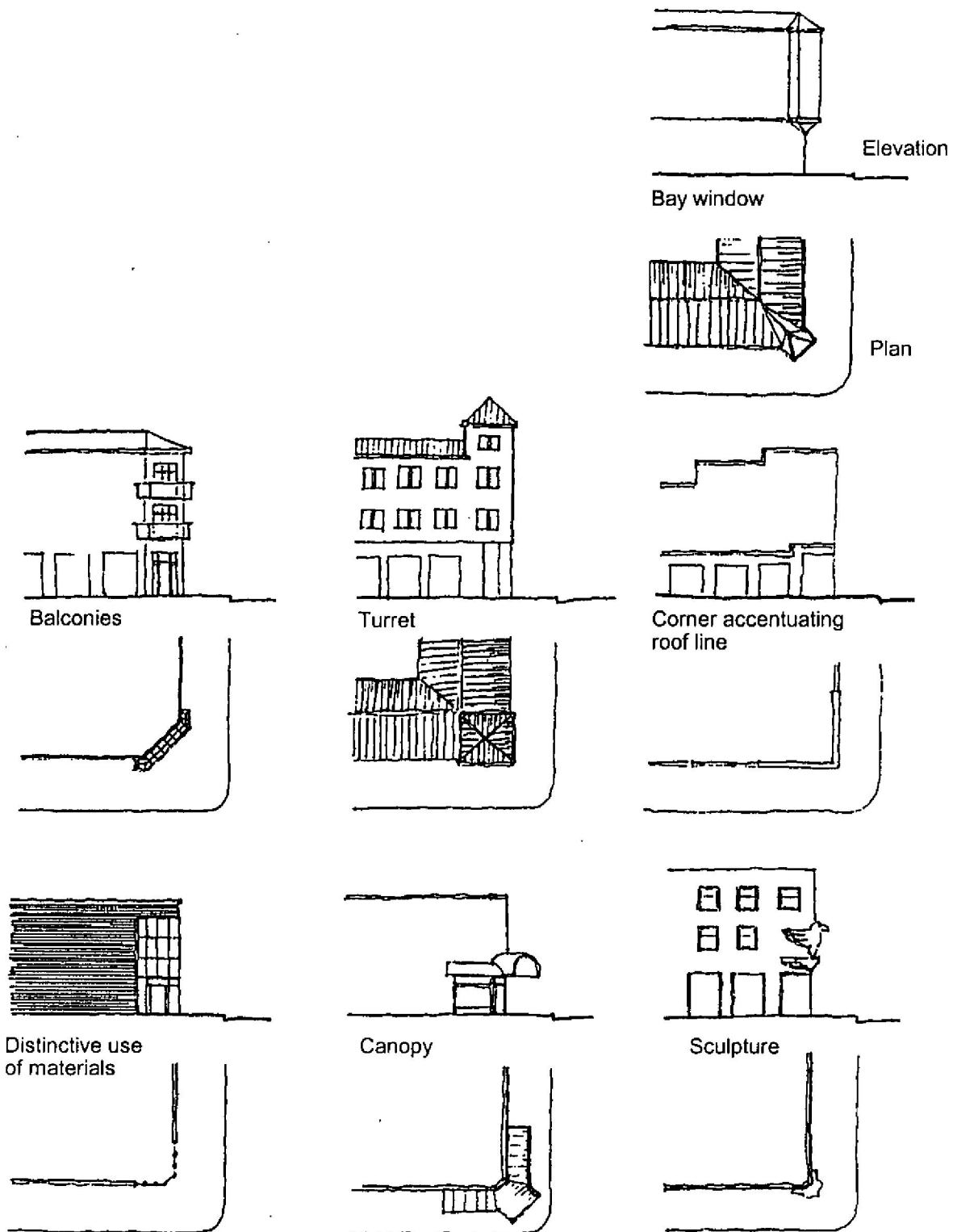


FIGURE 92.10.E35.B

Architectural Elements for Corners



**FIGURE 92.10.F35-G**

~~Internal Pathways Along Building Facades in RHBD and TLN Zones~~—Nonresidential uses that do not front directly onto a public sidewalk must provide a pathway along their *primary building facade* (a “primary building facade” means the facade contains the building’s primary entry) in accordance with the *through-block pathway* standards noted above in subsection (2)(a) of this section (see Figure 92.10.J). As part of Design Review the City may provide exceptions in the following circumstances:

- 1) ~~New nonresidential 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.~~

Pathway Along Building Facade and Parking Area

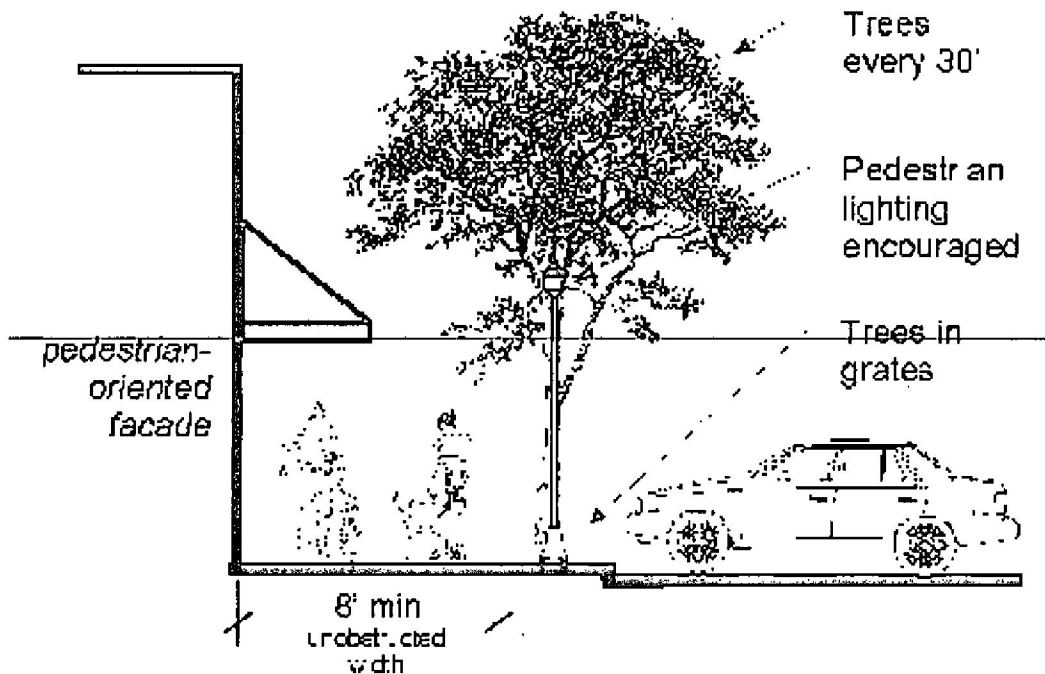


FIGURE 92.10.J

~~11. Internal Pathways Not Along Building Facades in RHBD and TLN Zones~~—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 five feet of unobstructed width.

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

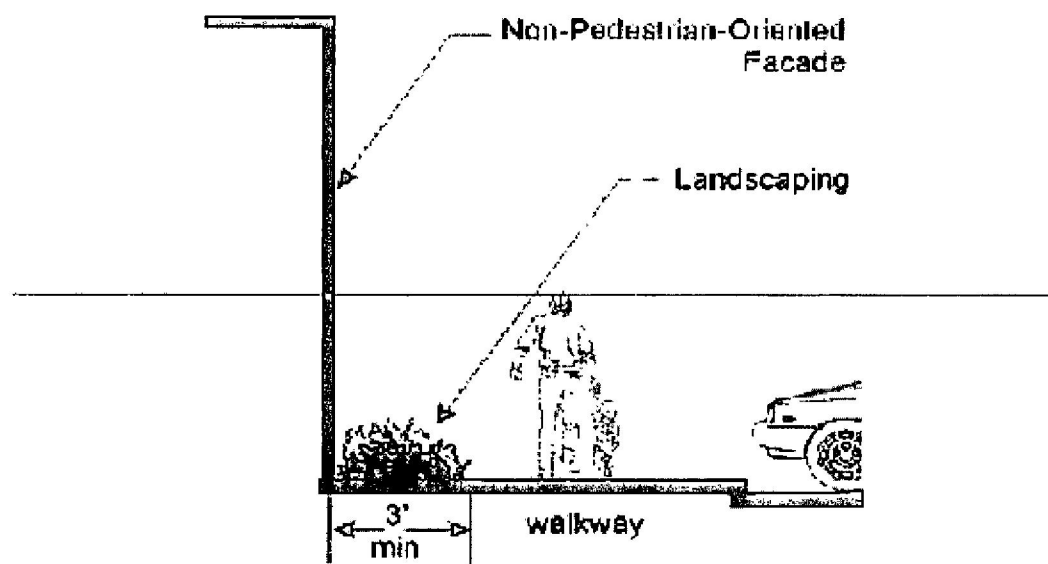


FIGURE 92.10.L

**92.15 PEDESTRIAN ORIENTED IMPROVEMENTS ON OR ADJACENT TO THE SUBJECT PROPERTY**

1. All Zones- Pedestrian Oriented Space and Plazas in Parking areas- The applicant must provide at least 175 square feet of *pedestrian-oriented space* at the main building entrance, in a central location, or adjacent to a parking area. This area must be raised at least six inches above the parking lot surface and must be paved with concrete or unit pavers.

2. Pedestrian-Oriented Space and Plazas In TC, CBD, NRHBD, RHBD and TLN Zones-  
**NRHBD**

**RHBD, TLN****CBD, TC**

- a. —In the CBD or in Tetem-Center- I, if the subject property abuts a *pedestrian-oriented street* (see Plate 34 in Chapter 180) or public park, the space, if any, between the sidewalk and the building must be developed consistent with the following criteria:

- 1) Enhance visual and pedestrian access, including handicapped access, onto the subject property from the sidewalk.
- 2) Contain paved walking surface of either concrete or approved unit pavers.
- 3) Contain on-site or building-mounted lighting which provides adequate illumination.
- 4) Contain two linear feet of seating area or one individual seat per 65 square feet of area between the sidewalk and the building.
- 5) Contain landscaping such as trees, shrubs, trellises, or potted plants.
- 6) It may not include asphalt or gravel pavement or be adjacent to an unscreened parking area, a chain link fence or a blank wall which does not comply with the requirements of subsection 3.(9) of this section, blank wall treatment.
- 7) An alternative solution for the *pedestrian-oriented space* may be established through a Conceptual Master Plan in TL 2.

**NRHBD**

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

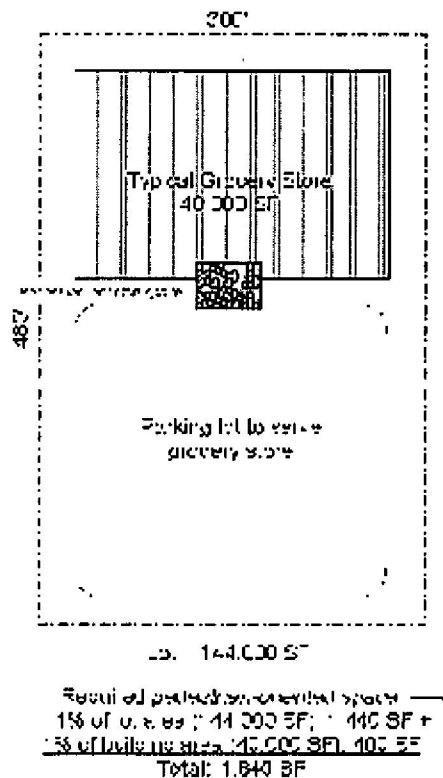
- 1) Enhance visual and pedestrian access, including handicapped access, onto the subject property from the sidewalk.
- 2) Contain paved walking surface of either concrete or approved unit pavers.
- 3) Contain on-site or building-mounted lighting which provides adequate illumination.
- 4) Contain two linear feet of seating area or one individual seat per 65 square feet of area between the sidewalk and the building.
- 5) Contain landscaping, such as trees, shrubs, trellises, or potted plants.
- 6) In the alternative, the *pedestrian-oriented space* can be integrated with a pedestrian connection linking Slater Avenue NE and NE 116th Street, anywhere on the subject property, consistent with criteria (1) through (5) above.



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

- 1) Size: One percent of the applicable lot area plus one percent of the nonresidential building gross floor area. (See Figure 92.15.A0-N.)
  - a) The City may exempt uses that are likely to generate very little customer/pedestrian activity and have few or no employees. These may include warehouse, storage, industrial, and other similar uses.

**Pedestrian-Oriented Space Requirement for Large Nonresidential Buildings Served by Surface Parking**



**FIGURE -92.15.A10-N**

- 2) Design: To qualify as a *pedestrian-oriented space*, an area must have all of the following (see Figure 92-10.92.15.BQ):
- a) Pedestrian access to the abutting structures from the street, private drive, or a nonvehicular courtyard.
  - b) Paved walking surfaces of either concrete or approved unit paving.
  - c) Pedestrian-scaled lighting (no more than 15 feet in height) at a level averaging at least two foot-candles throughout the space. Lighting may be ground- or building-mounted lighting.
  - d) Contain two linear feet of seating area or one individual seat per 65 square feet of area between the sidewalk and the building.
  - e) Spaces must be positioned in areas with significant pedestrian traffic to provide 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) Pedestrian amenities such as a water feature, a drinking fountain, tables, and/or distinctive paving or artwork.
  - b) Provide *pedestrian-oriented facades* on some or all buildings facing the space.
  - c) Consideration of the sun angle and the wind pattern in the design of the open space.
  - d) Transitional zones along building edges to allow for outdoor eating areas and a planted buffer.
  - 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

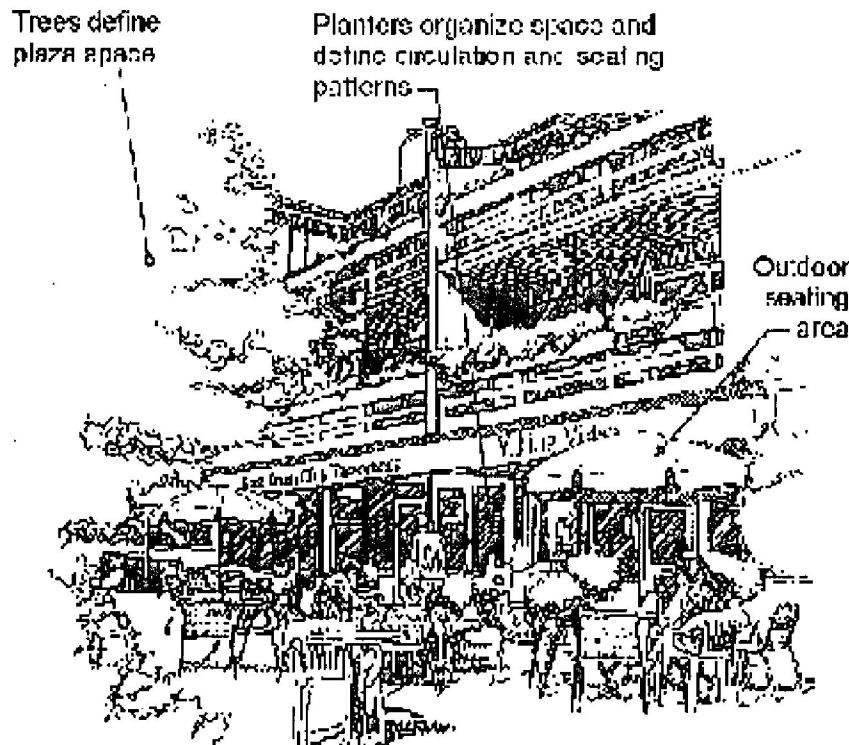


FIGURE 92.15.B0-0

3.9- Blank Wall Treatment

ALL

- a. Blank Wall Defined - All Zones - A blank wall is any wall or portion of a wall that meets either of the following criteria (see Figure 92.15.C):

- 1) A wall or portion of a wall with a surface area of at least 400 square feet having both a length and a width of at least 10 feet without a window, door, building modulation at least one foot in depth or other architectural feature.
- 2) Any wall or portion of a wall between four feet and 13 feet above ground level with a horizontal dimension longer than 15 feet without a window, door, building modulation at least one foot in depth or other architectural feature.

- b. Blank Wall Treatments All Zones - 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 pathway must be screened or treated in at least one of the ways listed in subsection (9)(d) of this section if it meets the criteria for a blank wall under subsection (9)(c) of this section.

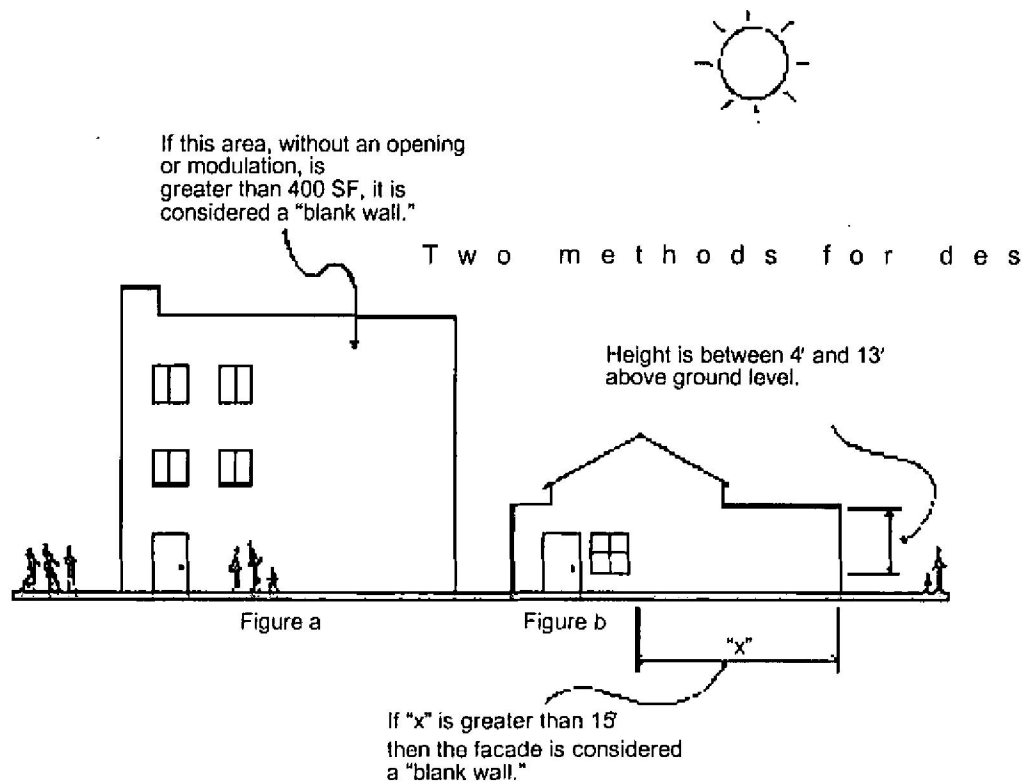
RHBD, TLN

- b. Each blank wall or portion of a wall that is visible from any right-of-way, internal access road, pedestrian-oriented space, or through-block pathway must be screened or treated in at least one of the ways listed in subsection 3(9)(c,d) of this section if it meets the criteria for a blank wall under subsection 3(9)(a,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.

ALL

- c. A blank wall is any wall or portion of a wall that meets either of the following criteria (see Figure 92.10.P):

- 1) —A wall or portion of a wall with a surface area of at least 400 square feet having both a length and a width of at least 10 feet without a window, door, building modulation at least one foot in depth or other architectural feature.
- 2) —Any wall or portion of a wall between four feet and 13 feet above ground level with a horizontal dimension longer than 15 feet without a window, door, building modulation at least one foot in depth or other architectural feature.

**Designating Blank Walls****FIGURE 92.15.C0.P**

**ALL** cd. Blank Wall Treatment Standards In All Zones - 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 Design Review process.

d. All Zones - Modifications- The provisions of this subsection 3. may be modified or eliminated as part of the Design Review decision if they conflict with the International Building Code.

## Pedestrian-Friendly Building Facade Requirements

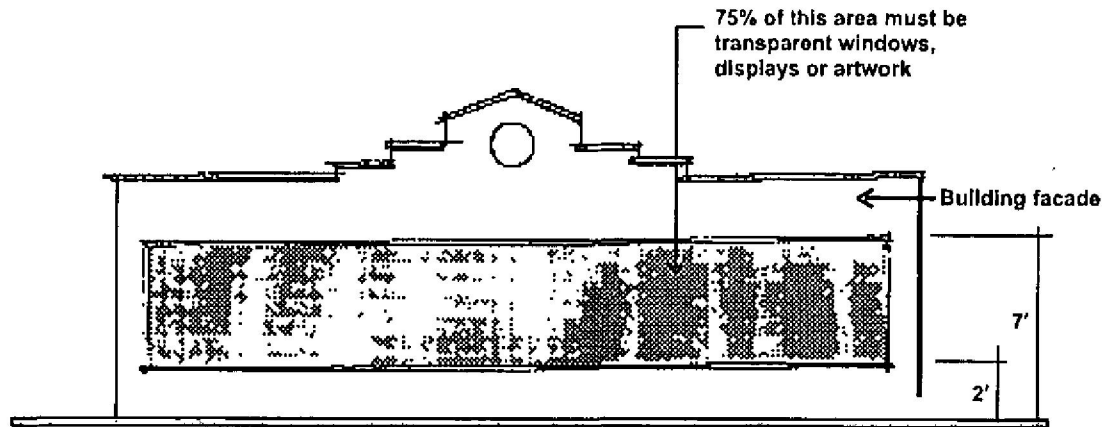


FIGURE 92.15.D0-Q

## CBD

e.40. Treatment of Building Facades In CBD – 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:

- 1) 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 92.159D-Q).
- 2) 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 92.159D-Q).
- 3) 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 3.c.1) or 2)(9)(d)(1)-or (2) of this section, depending on the location, dimensions, and size of the area.

ALL11. 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:

- a.—Located on the subject property so that they are not visible from any street, through-block pathway, 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 Design Review decision.
- b.—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 Design Review decision.

92.15 Entry Features in the JBD, RHBD, NRHBD and TLN

JBD—In the JBD, RHBD, NRHBD and TLN, if the subject property includes an area designated for an

RHBD—entry feature in the Comprehensive Plan or design guidelines, the applicant shall provide the City

NRHBD—~~with a publicly-maintained easement or dedication of property for this purpose. The size of the entry~~

TLN—~~feature area will be at least 100 square feet. The applicant shall propose and install landscaping for the area that will be reviewed by the City and decided upon as part of the Design Review for the proposed development.~~

92.20—~~Public Improvements and Site Features~~

ALL1—Vehicular Circulation

TLN: TL-5 a.—~~Development must provide a grid of internal access roads (see Figure 92.10.G):~~

- ~~1) A north-south street (123rd Avenue NE) from NE 116th Street on the south leading to the extension of NE 120th Street and a potential future bridge connecting over the BNSF railroad to 120th Place NE. This is intended to be a dedicated public street that can be implemented in phases as redevelopment occurs on applicable sites.~~
- ~~2) An east-west connection with the planned NE 120th Street extension. This is intended to link the proposed 123rd Avenue NE extension above with 124th Avenue NE. This is intended to be a dedicated public street that can be implemented in conjunction with redevelopment on applicable sites.~~
- ~~3) Two or three other east-west access roads from 124th Avenue NE towards interior lots and areas closer to I-405. A desirable distance between access roads is between 250 and 300 feet. The maximum allowable distance between access roads shall be 350 feet. These may be public or private streets implemented in conjunction with redevelopment on applicable sites. Wider separation (up to 500 feet) may be considered where properties dedicate a minimum 30-foot-wide public pedestrian corridor.~~
- ~~4) Suggested cross-sections for each of these roads would include:~~
  - ~~a) Two travel lanes (one lane each way);~~
  - ~~b) On-street parallel parking;~~
  - ~~c) Wide sidewalks (eight to 12 feet) on each side of the street with street trees placed toward the curb, 30 feet on center. Sidewalk width may be reduced where planting strips (minimum four feet wide) are maintained between the street and sidewalk.~~

TL6B—~~b. Development must provide a grid of internal access roads (see Figure 92.10.H) per the following:~~

- ~~1) A centralized east-west connection that forms the spine for the site. Such a connection would reduce the need for vehicular circulation on NE 124th Street.~~
- ~~2) Two to three north-south connections from NE 124th Street to the east-west connection noted above. A desirable distance between access roads is between 250 and 300 feet. The maximum allowable distance between access roads shall be 350 feet. These may be public or private streets. Wider separation (up to 500 feet) may be considered where properties dedicate a minimum 30-foot-wide public pedestrian corridor.~~
- ~~3) Suggested cross-sections for each of these roads:~~
  - ~~a) Two travel lanes (one lane each way);~~
  - ~~b) On-street parallel parking;~~

~~The above access roads may be private or public.~~

~~The Designated "Circulator" in the Totem Lake Neighborhood~~





~~ALL2. — 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 Design Review, the City shall, as part of the Design Review decision, specifically review and approve the placement, installation, construction and maintenance of these features.~~

~~b. The City shall adopt a masterplan for public spaces for each commercial district. 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, the JBD plan, and NE 85th 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 Design Review approval where compliance with those standards or masterplan is not feasible or where major development warrants special design emphasis.~~

~~ALL3. — On-Site Improvements~~

~~a. Mixed-use centers, residential projects and office buildings shall provide bicycle racks which are conveniently located for bicyclist use and provide secure storage for bicycles.~~

~~b. Water spigots shall be provided on all building facades along sidewalks for cleaning and plant watering.~~

~~92.25 — Parking Area Location and Design~~~~1. — Location of Parking Lots~~

CBD, TC—~~a. In the CBD and in Totem Center:~~

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

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

TLN—~~c. For properties in the following areas, parking lots and other vehicular access areas may not occupy more than 50 percent of the applicable street frontage (see Figure 92.25.A). Conversely, this means that buildings and/or open space must occupy at least 50 percent of the street frontage. Landscaping buffers between the sidewalk and the parking lot will not qualify as "open space."~~

- ~~1) TL-4, only properties fronting on 120th Avenue NE;~~
- ~~2) TL-5;~~
- ~~3) TL-6A, only properties fronting on 124th Avenue NE. Auto-dealers in this zone are exempt from this requirement;~~
- ~~4) TL-6B, only properties fronting on NE 124th Street;~~
- ~~5) TL-10E.~~

~~Alternative configurations may be considered through the Design Review process, provided the project meets the objectives of the KMC Design Guidelines for the Totem Lake Neighborhood.~~

RHBD—~~d. For parcels over two acres in size within the RHBD Regional Center, parking lots and other~~

~~Regional~~—~~vehicular access areas may not occupy more than 50 percent of the NE 85th Street property~~

~~Center~~—~~frontage (see Figure 92.25.A). Alternative configurations will be considered through the Design Review process, provided the project meets the intent of the KMC Design Guidelines for the Rose Hill Business District.~~

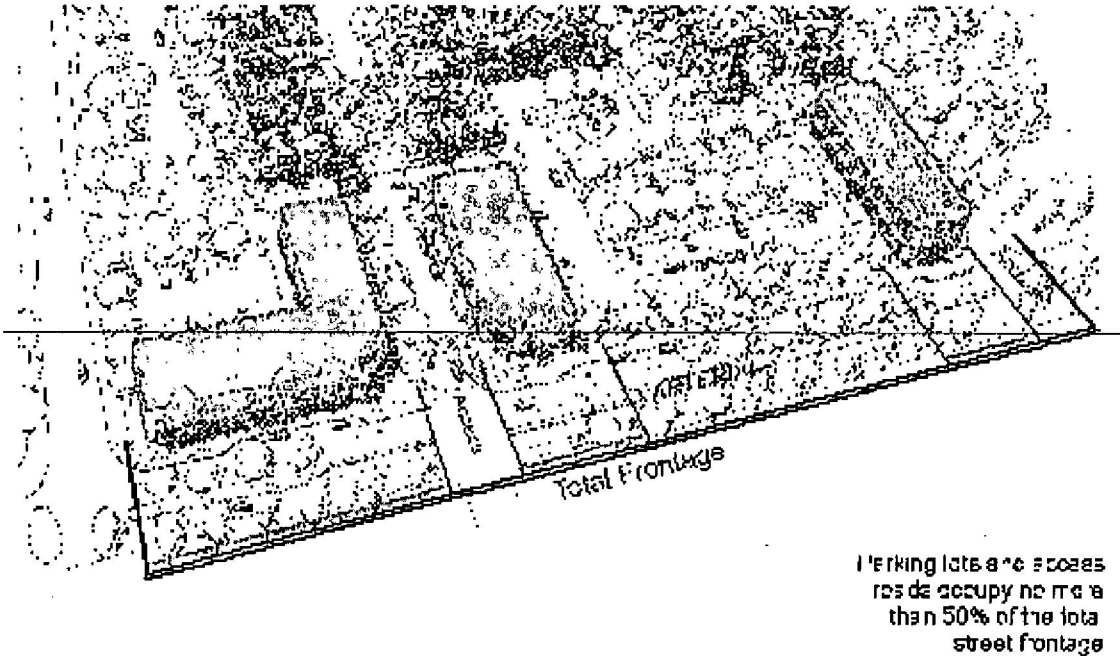


FIGURE 92-25.A

**ALL2. — Parking Lot Entrances and Driveways** — As part of Design Review, the City may impose additional restrictions on the width, number and location of driveways to and from the subject property to improve vehicle circulation or public safety or to enhance pedestrian movement or desirable visual characteristics. Parking lot entrances and driveways must be shared between properties whenever possible, especially along NE 85th Street.

**ALL3. — Parking Lots — Pedestrian and Vehicular Access**

- a. — Any property adjacent to a right-of-way or park must contain a pedestrian walkway from the right-of-way or park to the main entrance of the building, or to a central location if the building has multiple entrances, even if this pathway must cross a parking lot (see Figure 92-25.B).
- b. — As determined through Design Review, 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.

## Pedestrian Walkway

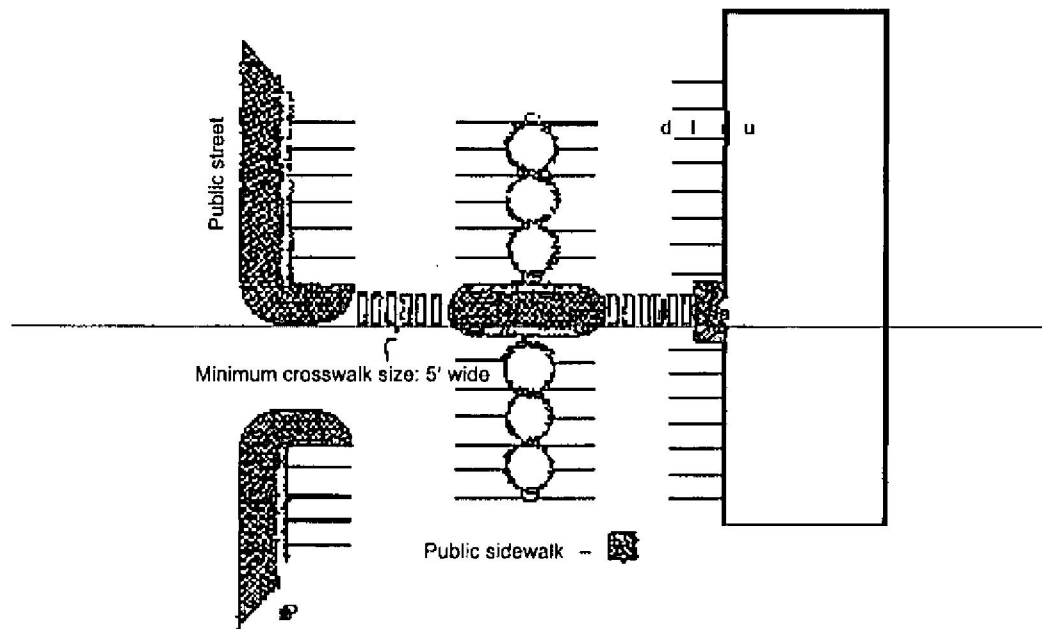


FIGURE 92.25.B

- 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. At minimum, pathways must be provided for every three parking aisles or at a distance of not more than 150-foot intervals, whichever is less.

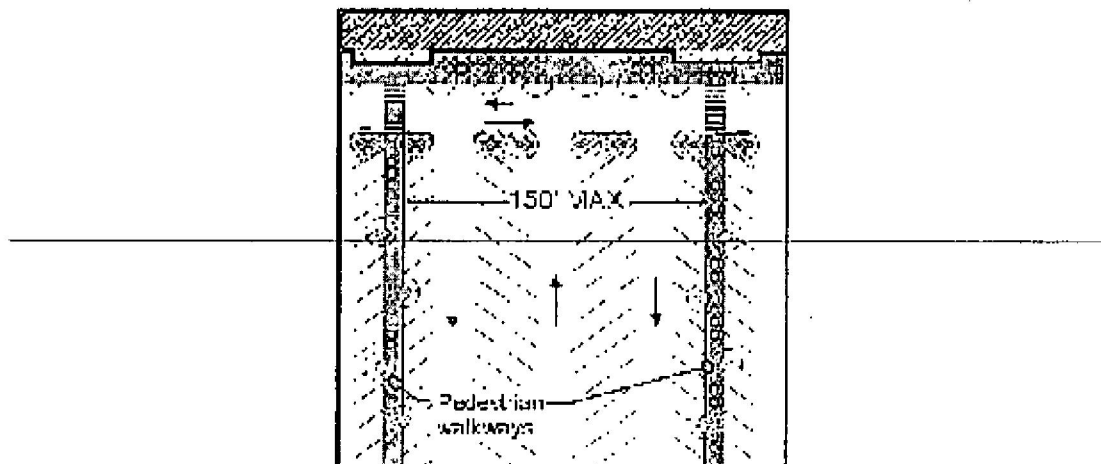


FIGURE 92.25.C

Pathways must be provided through parking lots.

- d.—In addition to the walkways required under subsections (4)(a) and (4)(b) of this section, the applicant must provide at least 175 square feet of pedestrian-oriented space at the main building entrance, central location, or adjacent to a parking area. 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.

ALL 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 pathway or public park~~. The provisions do not apply to parking lots that are not visible from a street, ~~through-block pathway 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.D):

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 Design Review.

b. As part of the Design Review, the City may require or permit a modification to the provisions of subsection (5)(a) of this section to use existing vegetation for internal parking lot landscaping.

#### Internal Parking Lot Landscaping

At least 25 SF of landscaping per stall is required.

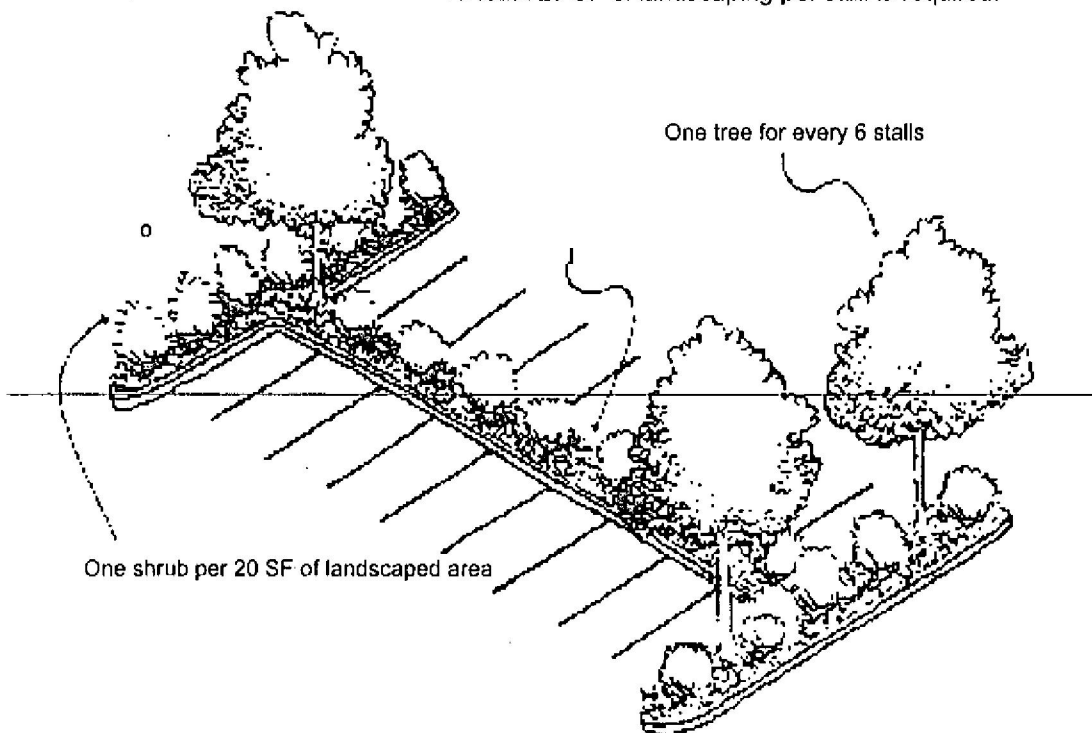


FIGURE 92.25.D

~~ALL5—~~ Perimeter Parking Lot Landscaping—Each side of a parking lot that abuts a street, ~~through-block pathway or public park must be screened from that street, through-block pathway 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 Figures 92.25.F.1 and F.2):

- ~~1)—~~ The hedge or wall must extend at least two feet, six inches, and not more than three feet above the ground directly below it.
- ~~2)—~~ The wall may be constructed of masonry or concrete, if consistent with the provisions of KZC 92.35(1)(g)(1), in building material, color and detail, or of wood if the design and materials match the building on the subject property.

~~RHBD3)—~~ The hedge or wall per subsections (6)(a)(1) and (2) of this section is not an option for uses that display vehicles for sale, or uses in the Regional Center fronting on NE 85th Street.

~~TLN4)—~~ The hedge or wall per subsections (6)(a)(1) and (2) of this section is not an option for uses that include vehicular sales, inventory, service, or repair in the TLN.

~~JBD5)—~~ 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 92.05(4), Landscaping. The trellis or grillwork may be constructed of masonry, steel, cast iron and/or wood.

~~JBD6)—~~ In the JBD, if the wall abuts a *pedestrian-oriented street*, the requirements of this subsection may be fulfilled by providing pedestrian weather protection along at least 80 percent of the frontage of the subject property.

~~b—~~ By providing a landscaped strip, consistent with KZC 92.05(4), Landscaping, at least five feet wide planted as specified below. In the RHBD Regional Center, a 10-foot perimeter landscape strip along NE 85th Street is required and planted as follows (see Figure 92.25.E):

- ~~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 Design Review, the City may require or permit a modification to the provisions of subsection (6)(b) of this section to use existing vegetation for perimeter parking lot landscaping.

Perimeter Parking Lot Landscaping

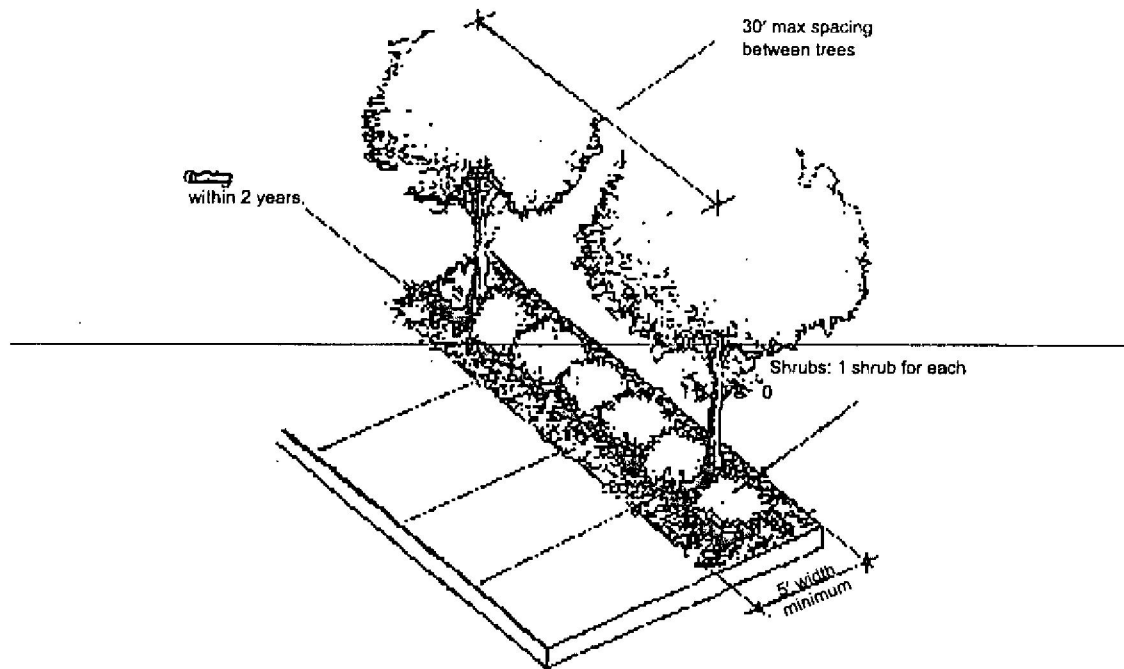


FIGURE-92-25.E

Perimeter Parking—Examples of Various Screen Wall Designs

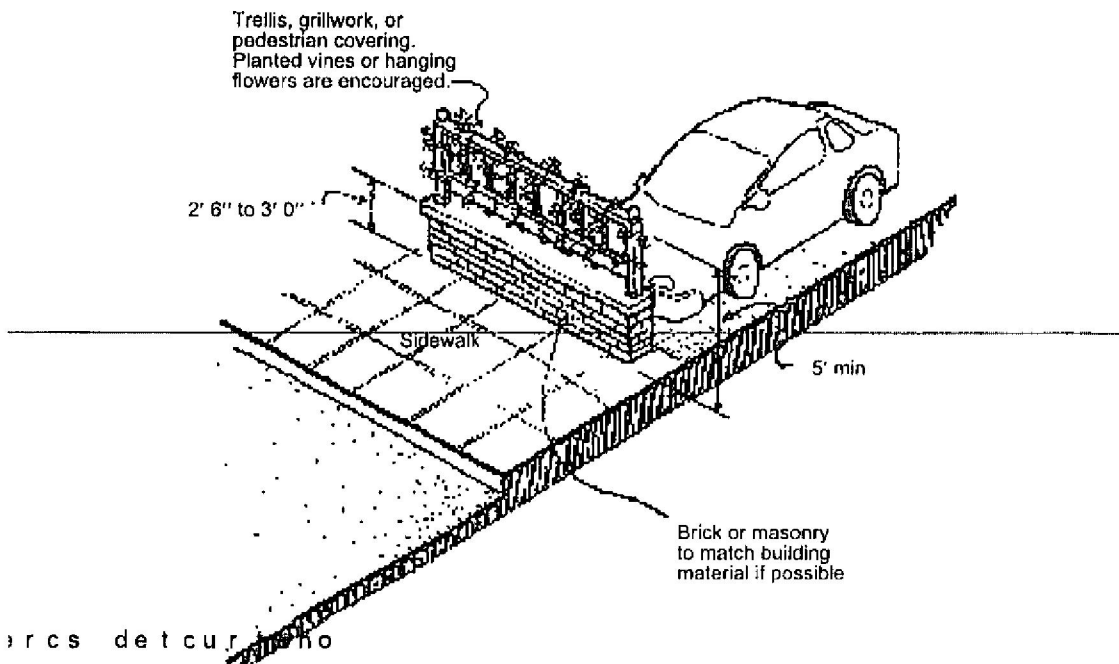


FIGURE-92-25.F-1

## Perimeter Parking—Examples of Various Screen-Wall Designs

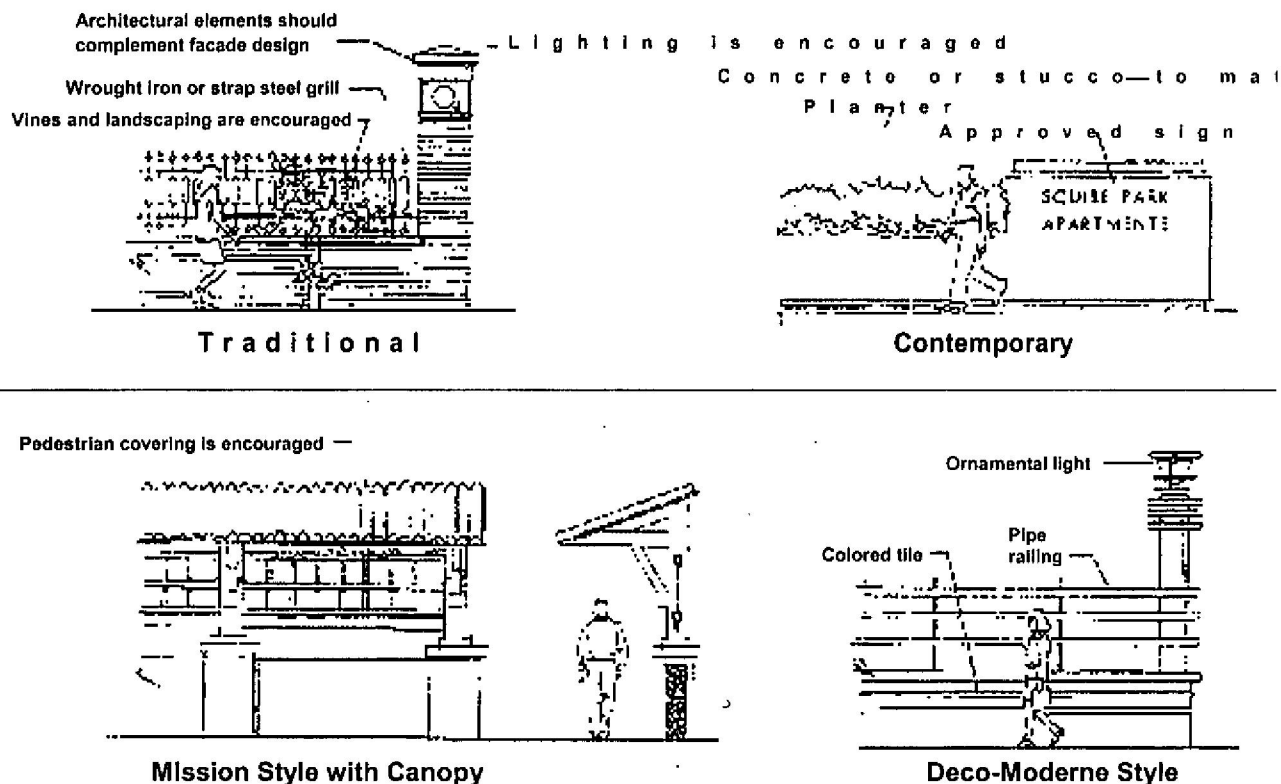


FIGURE 92-25.F-2

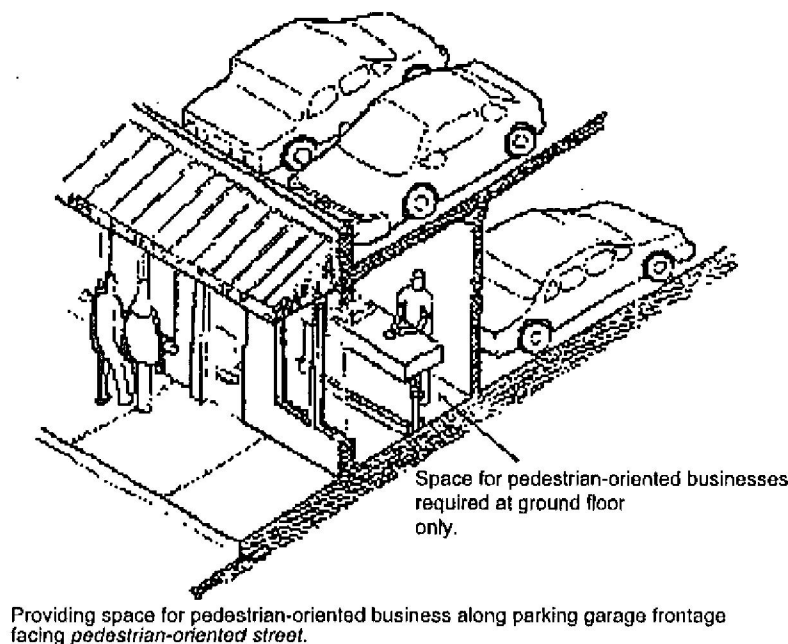
ALL6. — Perimeter Parking Lot Landscaping—Adjacent Properties

- a. 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 (7), shall be screened using a combination of the following methods:
- 1) By installing a solid, continuous fence or wall at least five feet in height constructed of wood and/or masonry.
  - 2) By installing a compact evergreen hedge designed to reach at least five feet in height.
  - 3) As part of Design Review, 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.



ALL74. Parking Garages

- a. All zones - Each facade of a garage or a building containing ground floor parking must either:
- 1) Provide and maintain a ground floor area of the garage or building extending along the entire facade of the garage or building (excluding vehicle access points) which is developed as and made available for pedestrian-oriented businesses (see Figure 92.1525.EG); or

**Providing Space for Pedestrian-Oriented Business****FIGURE 92.15.E25.G**

- 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 92.15.3.e. 1) 2) or 3)0(10)(a), (b), or (c), Treatment of Building Facades; or
- 4) A combination of methods described above.

- b. All zones - 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 pathways and major pedestrian sidewalks*.

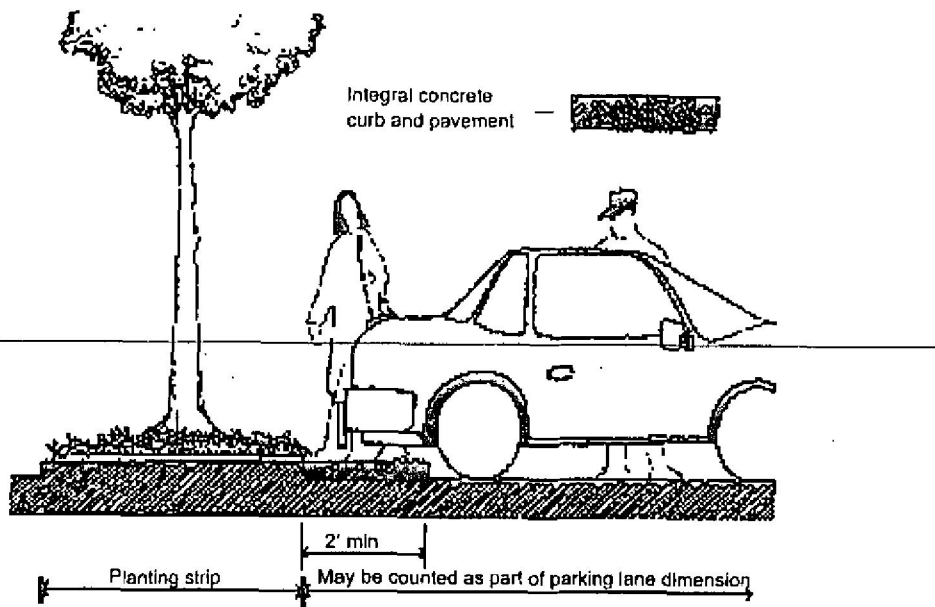
cb. RHBD and TLN Zones - Structures containing parking on the ground floor:

- 1) Parking structures on designated *pedestrian-oriented streets* shall provide space for ground-floor commercial uses along street frontages at a minimum of 75 percent of the frontage width. The entire facade facing a *pedestrian-oriented street* must feature a *pedestrian-oriented facade*.
- RHBD 2) Parking structures adjacent to non-*pedestrian-oriented streets* may be located adjacent to a sidewalk where they provide space for ground-floor commercial uses along street frontages at a minimum of 75 percent of the frontage width and include a *pedestrian-oriented facade* along the applicable frontage.
- TLN, RHBD 3) Parking structures adjacent to non-*pedestrian-oriented streets* and not featuring a *pedestrian-oriented facade* shall be set back at least 10 feet from the sidewalk and feature substantial landscaping between the sidewalk and the structure. This includes a combination of evergreen and deciduous trees (one per 20 lineal feet), shrubs (one per 20 square feet), and ground cover (sufficient to cover 90 percent of the area within three years). Other treatments will be considered in the Design Review process.
- TLN, RHBD 4) Parking garage entries shall be designed and sited to complement, not subordinate, the pedestrian entry. If possible, locate the parking entry away from the primary street, to either the side or rear of the building.
- TLN, RHBD 5) The design of structured parking at finished grade under a building shall minimize the apparent width of garage entries.
- TLN, RHBD 6) Parking within the building shall be enclosed or screened through any combination of walls, decorative grilles, or trellis work with landscaping.
- TLN, RHBD 7) Parking garages shall be designed to be complementary with adjacent buildings. Use similar forms, materials, and/or details to enhance garages.
- TLN, RHBD 8) Parking structure service and storage functions shall be located away from the street edge and generally not be visible from the street or sidewalks.

ALL ~~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 (unless otherwise stated in each district subject to Design Review).~~
- 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.H).~~
- 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**



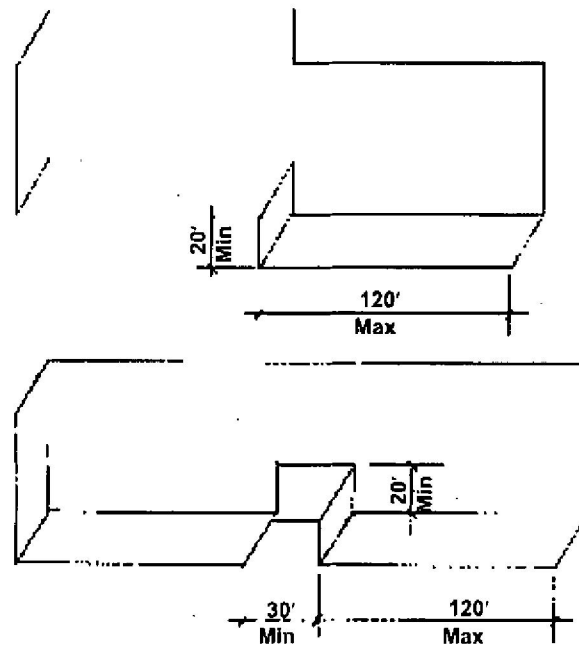
*Note:* This method is preferable to freestanding wheel-stop bumpers because it will not catch debris and is more durable.

FIGURE 92.25.H

**92.30** — **ARCHITECTURAL AND HUMAN SCALE****CBD** 1. Techniques To Moderate Bulk and Mass in the CBD

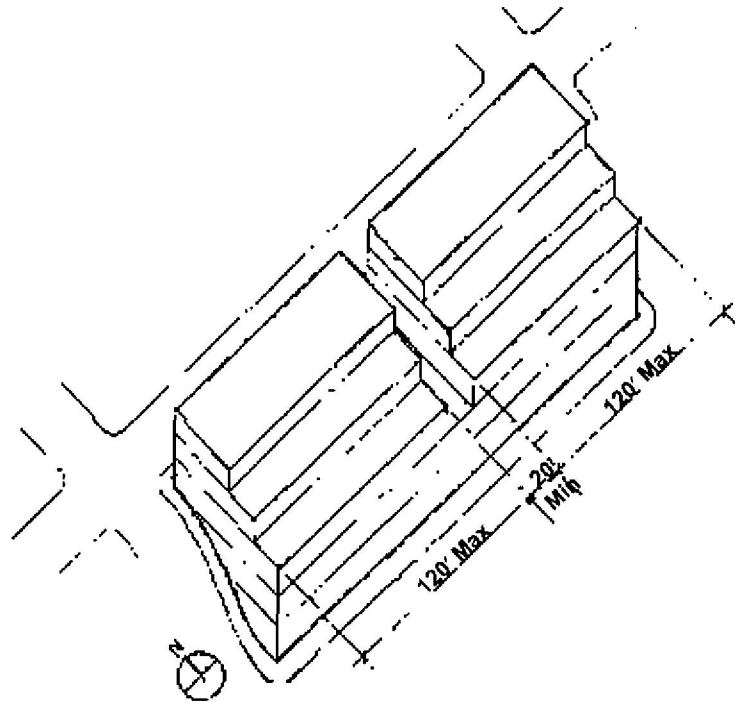
- a. General – This section establishes required techniques to be used in the design and construction of building facades in specific areas of the CBD. The applicant shall comply with the techniques listed below in order to reduce the perceived bulk and mass of large structures by dividing the building mass into smaller-scale components. As an alternative, the City may approve other techniques, elements, or methods if consistent with the following criteria:
  - 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. Vertical Definition – The applicant shall comply with the following requirements to moderate the horizontal scale of buildings:
  - 1) All CBD Zones – The maximum length of any facade facing a street is 70 feet without vertical definition. Vertical definition may be in the form of changes in color and materials, modulations of sufficient width and depth to define the vertical element, or some combination of these techniques. This vertical element should carry through all floors of the building.
  - 2) CBD 4, CBD 6, CBD 8 – Along First Street, Second Street South, First Avenue South, and Fifth Street, the maximum length of a facade is 120 feet. Any facade that exceeds 120 feet along the right-of-way shall comply with the following requirements (see Figure 92.30.A):
    - a) Shall be divided by a 30-foot-wide modulation of the exterior wall so the maximum length of the facade is 120 feet without this modulation.
    - b) The modulation shall be 20 feet in depth and shall start at finished grade and extend through all floors.
    - c) Decks and roof overhangs may encroach up to three feet (per side) into the modulation.

## Vertical Definition: CBD 4, 6, and 8

**FIGURE 92.30.A**

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

## Vertical Definition: CBD 6 and 8

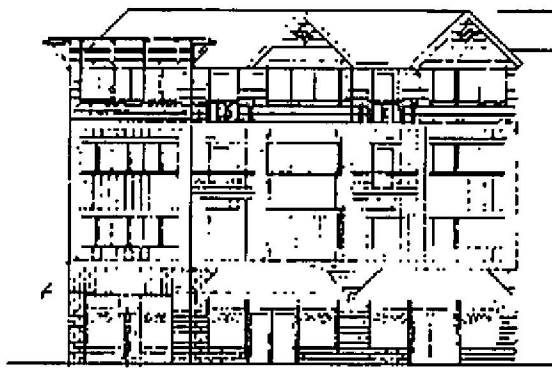
**FIGURE 92.30.B**

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

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

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

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



**TOP:** Sloped roofs, strong eave lines, cornice and/or parapet treatments, horizontal trellises or sunshades, material changes on "penthouse" level, etc.

**MIDDLE:** Window details, balconies, railings, material changes and similar treatments that help unify the building and define its use and character.

**BOTTOM:** Pedestrian scale details and/or pedestrian-oriented storefronts, awnings, arcades, "earth" materials such as concrete stone, masonry, stucco, etc.

FIGURE 92.30.C

RHBD,  
TLN

**32. Techniques To Moderate Bulk and Mass in the RHBD and TLN Zones -**

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

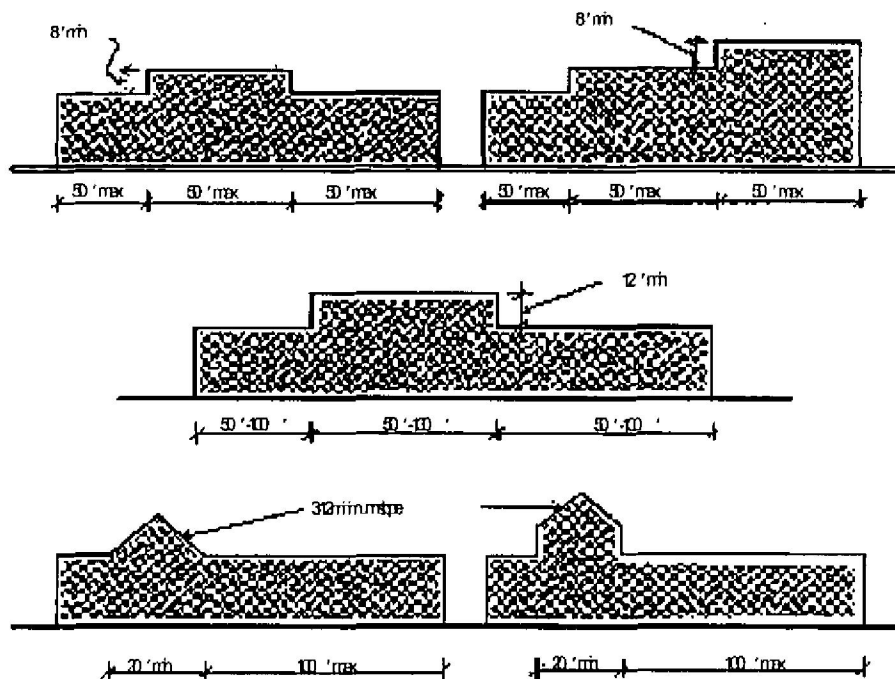
ALL

**44. Techniques To Achieve Architectural Scale in All Zones -** 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. Horizontal Building Modulation - 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. Change in Roofline - 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.DG):
- 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.DG**

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



**RHBD, 5.      Techniques To Achieve Architectural Scale in the RHBD and the TLN Zones****TLN**

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

- 1) Repeating distinctive window patterns at intervals less than the articulation interval;
- 2) Horizontal Building Modulation – Minimum depth of modulation is two feet and minimum width for each modulation is four feet if tied to a change in color or building material and roof line modulation as defined below. Otherwise, minimum depth of modulation is 10 feet (except balconies) and minimum width for each modulation is 15 feet;
- 3) Providing a separate covered entry or separate weather protection feature for each articulation interval;
- 4) Change of Roofline – To qualify for this measure, the maximum length of any continuous roofline shall not be less than the articulation interval and comply with the treatments below (see Figure 92.30.EH):
  - a) For segments less than 50 feet in horizontal width, the height of visible roofline must change at least four feet if tied to horizontal building modulation and at least eight feet in other cases.
  - b) For segments more than 50 feet in horizontal width, the height of visible roofline must change at least six feet if tied to horizontal building modulation and at least 12 feet in other cases.
  - c) The length of sloped or gabled roof line segments must be at least 20 feet. The minimum slope of the roof segment is three feet vertical to 12 feet horizontal;
- 5) Change in building material or siding style coordinated with horizontal building modulation and/or change in building color where appropriate;
- 6) Providing lighting fixtures, trellis, tree, or other landscape feature within each interval;
- 7) Alternative methods that achieve the desired architectural scale as approved by the City.

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

- 1) No more than 30 feet for buildings containing residential uses on all floors above the ground floor;
- 2) No more than 70 feet for nonresidential buildings (within RHBD, this applies to the Regional Center);
- 3) RHBD- No more than 50 feet for nonresidential buildings in the Neighborhood Center;
- 4) RHBD- No more than 30 feet for nonresidential buildings in the East End.

**RHBD****RHBD**



## Building Articulation and Modulation Techniques

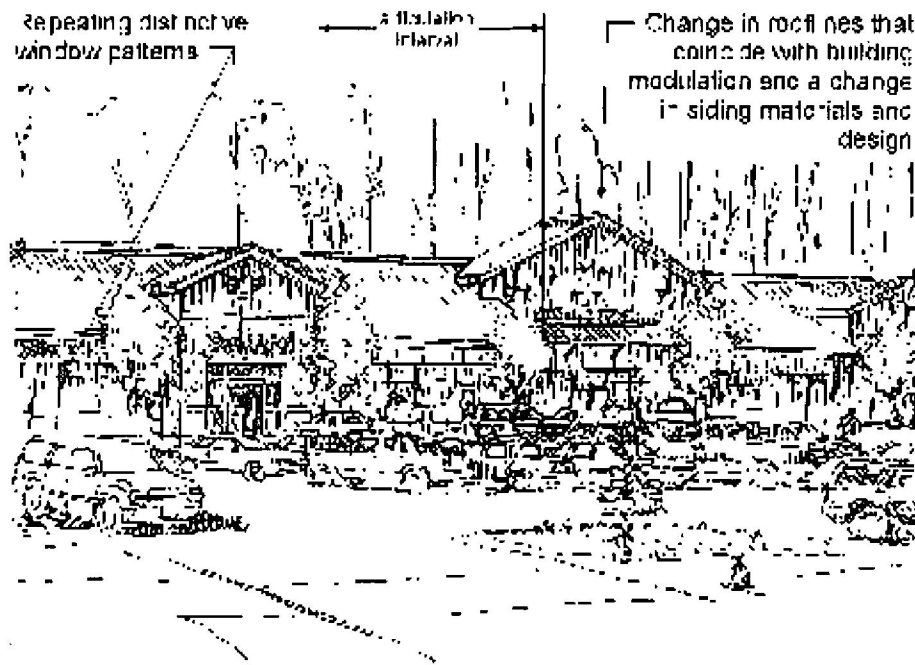


FIGURE 92.30.E

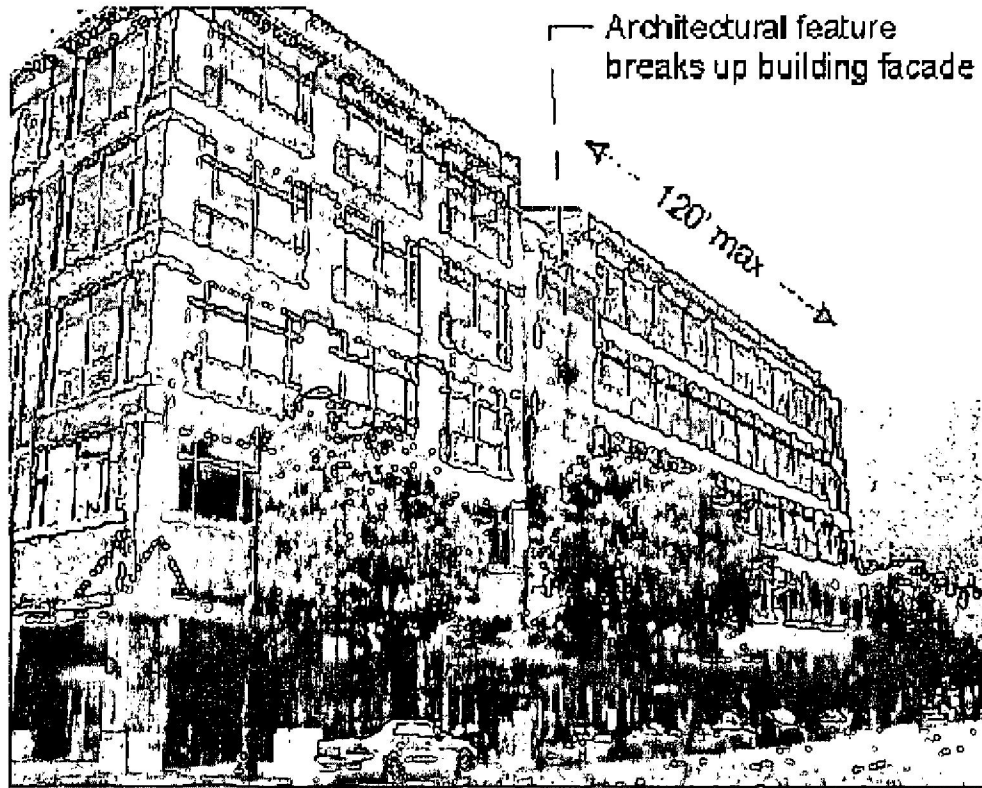
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RHBD, TLN—c. Techniques To Achieve Architectural Scale for Office Buildings in the RHBD and in the TLN; Outside of Totem Center-

- 1) Office Building Design Standards for the TLN and the RHBD's Regional Center – These standards are intended to supplement other building design standards that apply to the Totem Lake Neighborhood and to the Regional Center. Where there is a conflict between standards, these standards shall apply as they are specific to office buildings.
  - a) Buildings must use design techniques to break up long continuous building walls, reduce the architectural scale of the building, and add visual interest. Specifically, any building facade longer than 120 feet in width must employ design techniques to limit the length of individual facades. To meet this requirement, buildings must utilize a combination of horizontal building modulation with a change in building materials or finishes, a clear change in building articulation and/or a change in fenestration technique (see Figure 92.30.E).



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



**FIGURE 92.30.FI**

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

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

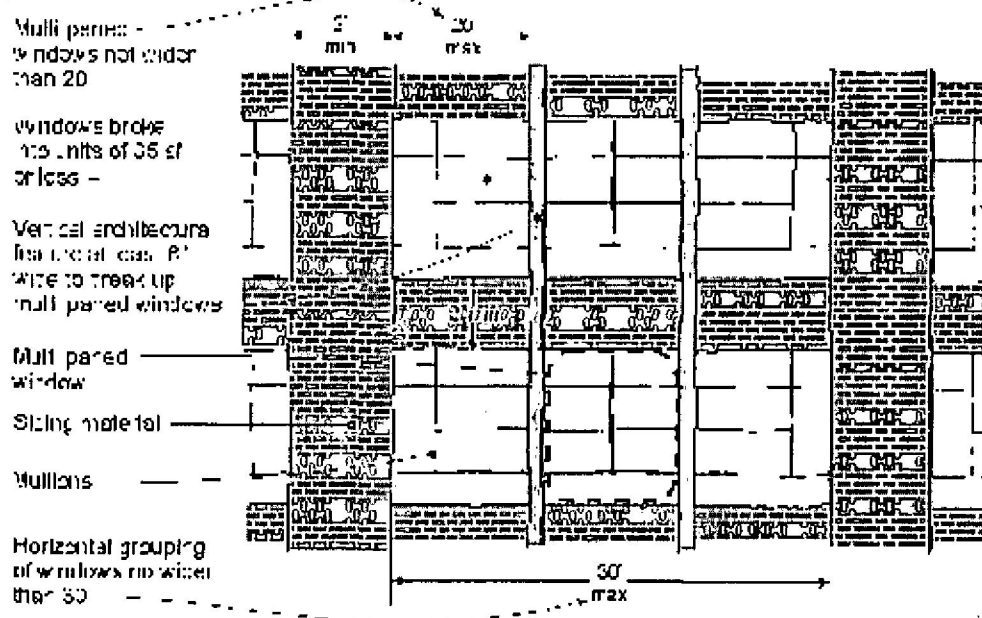


FIGURE 92.30.GJ

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

- e) —Continuous window walls are prohibited, except where used as an accent facade element to break up long continuous building walls and/or emphasize a building entry. Such window walls should be modulated horizontally, by at least two feet, and should not exceed 20 feet in width.
- d) —Mirrored glass and other highly reflective materials are prohibited (see Figure 92.30.LI)

Recessed windows, mullions and tripartite window walls are prohibited unless used as an accent, such as in this building:



FIGURE 92.30.K

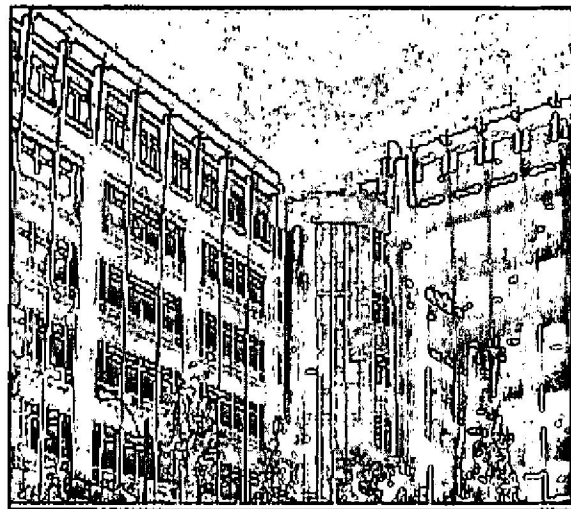


FIGURE 92.31

### 6-3. Achieving Human Scale in All Zones-

#### a. General

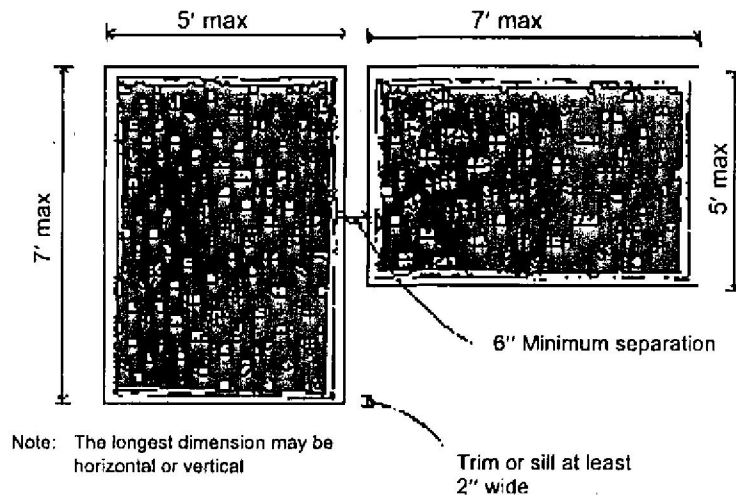
- 1) **CBD** - Except as provided in subsection (6.3)(a)(3) of this section, the applicant shall use at least two of the elements or techniques listed in subsection (6.3)(b) of this section in the design and construction of each facade of a building facing a street or public park.
- 2) **JBD, NRHBD, Totem-Center, RHBD and TLN** - Except as provided in subsection (6.3)(a)(3) of this section, the applicant shall use at least one of the elements or techniques listed in subsection (6.3)(b) of this section in the design and construction of each facade of a one-story building facing a street or *through-block pathway*, and at least two of the elements or techniques for a two-story building facing a street or *through-block pathway* (see Plate 34 in Chapter 180, KZC).
- 3) **ALL Zones** - The applicant shall use at least three of the elements or techniques listed in subsection (6.3)(b) of this section in the design and construction of any facade of a building facing a street, *through-block pathway* or public park, if:
  - a) The facade has a height of three or more stories; or
  - b) The facade is more than 100 feet long.

- b. **Techniques To Achieve Human Scale in All Zones** - The techniques to be used in the design and construction of building facades under subsection (6.3)(a) of this section are listed below. As an alternative, the applicant may propose other techniques, elements or methods which provide human scale to the building and are consistent with the applicable design guidelines and the Comprehensive Plan.

- 1) On each story above the ground floor, provide balconies or decks, at least six 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* in front of each facade. See KZC 92.15.2.c.2)0(8)(c)(2).
- 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.ID):
  - 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.JE).

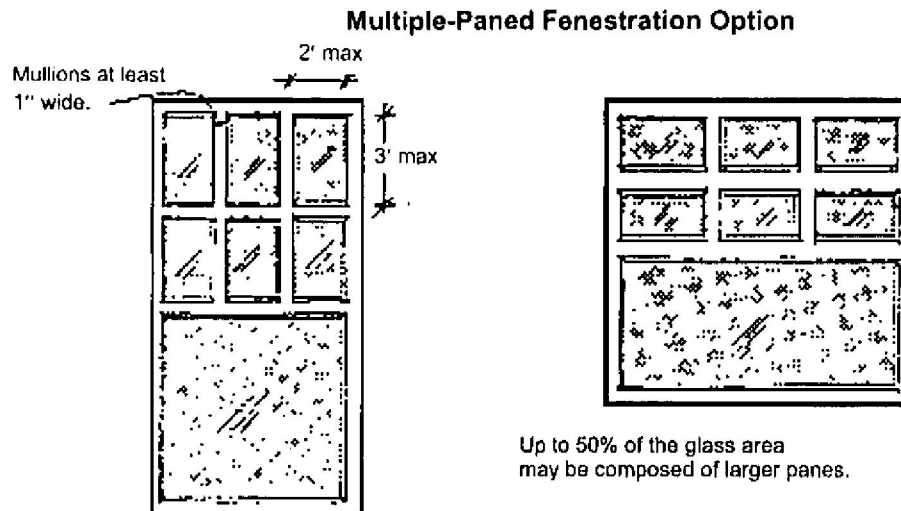
#### Individual Windows Option



Dimensions for individual windows option to meet human scale requirement.

**FIGURE 92.30.ID**





Multiple-paned fenestration option to meet the human scale requirement.

**FIGURE 92.30.JE**

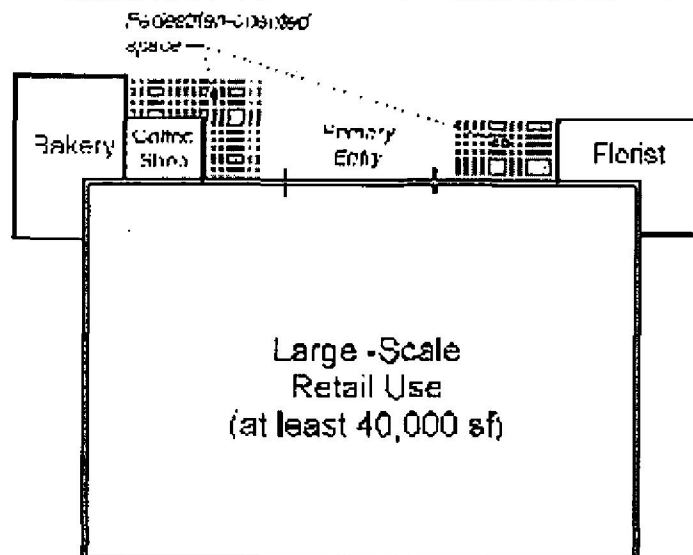
- 6) Provide a hipped or gable roof which covers at least one-half of the building footprint and has a slope equal to or greater than three feet vertical to 12 feet horizontal. To meet this requirement, the ridge width of a continuous roofline shall not extend more than 100 feet without modulation. This includes a gabled or other sloped roofline segment at least 20 feet in width.
- 7) If the main entrance of the building is on the facade of the building facing a street, *through-block pathway*, or public park, provide a covered porch or entry on the subject property at the building's main entrance. Pedestrian weather protection required under KZC 92-10(4) Section 105.18 may not be used to meet this requirement unless the required pedestrian weather protection covers an area at least 15 feet long by 15 feet wide and is available for outdoor display or outdoor vendors or contains pedestrian-oriented improvements or amenities beyond what is otherwise required.
- 8) Provide one or more stories above the ground floor setback at least six feet from the ground floor facade facing the street, *through-block pathway*, or a public park.
- 9) Compose smaller building elements near the entry of a large building (see Figure 92.30.KF).

c. Techniques To Achieve Human Scale In RHBD and TLN-- In addition to the requirements of Section 92.30.6.b Techniques To Achieve Human Scale, nonresidential uses (office, retail, industrial etc) in the RHBD and TLN with over 40,000 square feet of floor area shall incorporate the following human scale features on the facade featuring the primary building entry:

- 1) Provide *pedestrian-oriented space* near the building entry. The minimum size of the area shall be no less than one percent of the floor area of the use (see Figure 92.15.A0-N). This must include a covered area at least 15 feet long by 15 feet wide and is available for outdoor display or outdoor vendors; and
- 2) Compose smaller building elements near the entry (see Figure 92.30.KF).
- 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

\*\*\* Revise graphic to remove retail so that it may apply to all non-residential use:s:



**FIGURE 92.30.KF**

**92.35 BUILDING MATERIAL, COLOR AND DETAIL****ALL**

1. Required Elements In All Zones— The applicant shall incorporate at least three of the following elements on each facade of a building that faces a street, *through-block pathway*, *pedestrian-oriented space* or a public park. As an alternative, the applicant may propose other mechanisms for providing interesting visual detail to buildings, consistent with the design guidelines.
  - a. Decorative roof lines, including ornamental molding, frieze or other roof line devices visible from the ground. Linear features must be at least eight inches wide, measured vertically.
  - b. Decorative molding or framing details around all ground floor doors and windows. The molding or trim may have a traditional, contemporary, geometric or sculptural design.
  - c. Decorative glazing on all ground floor doors and windows, including stained glass, crystal cut glass, etched glass or similar individualized and permanent treatment, but excluding single-colored glass, opaque glass or plastic. On all ground floor windows, this decorative glazing must have a surface area of at least 30 square feet.
  - d. Railings, grill work, landscape guards or other similar elements including materials, design, configuration, embellishment or workmanship that exceeds the normal functional requirements for the element.
  - e. Trellises or arbors having an area of at least 100 square feet and planted, consistent with the requirements of KZC 92-05(4), 95.40.5 to achieve at least 30 percent coverage of the trellis or arbor with plant material within three years.
  - f. Decorative light fixture or fixtures, either one if one-of-a-kind or custom-built or one every 30 feet along the facade of the building if not one-of-a-kind or custom-built, that meet either of the following criteria:
    - 1) Includes a diffuse, visible light source, such as a globe.
    - 2) Contains a shade or mounting that includes some use of material, configuration, shape, embellishment or detail that exceeds the normal functional requirement for the shade or mounting.
  - g. Use of any of the following decorative materials:
    - 1) Any of the following decorative masonry elements:
      - a) Decorative masonry patterns, other than running bond pattern.
      - b) Bricks, tile, stone, cast stone or other masonry units of at least two colors installed in layers or tiers to form a geometric pattern.
      - c) Decorative bands of masonry, such as a soldier course of brick or multicolored ceramic tile band, in conjunction with another exterior surface material.
    - 2) Individualized wood patterns or continuous wood details, such as fancy butt shingles in a geometric pattern, decorative moldings, brackets, eave trim or lattice work.
    - 3) Ceramic tile, stone, glass blocks, camera glass or other similar materials incorporated into other compatible surface materials and used to form or create, or in conjunction with, a

geometric pattern, distinctive shape, unusual surface treatment, special lighting or other decorative or textural element.

4) Other materials with decorative or textural qualities, as demonstrated by architectural drawings and material samples, approved by the City as part of Design Review.

h. Decorative unit paving, including at least 50 square feet of multicolored tile, paver blocks, brick or other paving material in a decorative pattern, installed in a pedestrian-circulation area adjacent to the facade.

i. Artwork in the form of a mosaic mural, bas-relief sculpture, light sculpture, water sculpture, fountain, freestanding sculpture, art in pavement, murals, graphics or other forms, either freestanding in front of the facade or attached to the facade.

**ALL** 2. Prohibited Materials- All Zones – 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.

**ALL** 3. Metal Siding- All Zones— 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.

**ALL** 4. Concrete Block- All Zones – 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.

**ALL** 5. Awnings- All Zones (see Chapter 105 for other pedestrian weather protection requirements) -

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.

ALL-6. Covering of Existing Facades- All Zones – 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 Design Review for remodels, the City may require the removal of coverings.

7. Building Cornerstone or Plaque- All Zones – 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.

~~8. Required On-Site Improvements- All Zones~~

- ~~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.~~
- ab. Water spigots shall be provided on all building facades along sidewalks for cleaning and plant watering.

**Chapter 95 – TREE MANAGEMENT AND REQUIRED LANDSCAPING-****95.40      Required Landscaping**

1. User Guide. Chapters 15 through 60 KZC containing the use zone charts assign a landscaping category to each use in each zone. This category is either "A," "B," "C," "D," or "E." If you do not know what landscaping category applies to the subject property, you should consult the appropriate use zone chart.

Requirements pertaining to each landscaping category are located throughout this chapter, except that Landscaping Category E is not subject to this section.

Landscape Categories A, B, C, D, and E may be subject to additional related requirements in the following other chapters:

- a. Various use zone charts, in Chapters 15 through 60 KZC, establish additional or special buffering requirements for some uses in some zones.
- b. Chapter 85 KZC, Geologically Hazardous Areas, addresses the retention of vegetation on steep slopes.
- c. Chapter 90 KZC, Drainage Basins, addresses vegetation within sensitive areas and sensitive area buffers.
- d. ~~Chapter 92 KZC describes landscaping standards related to site design.~~
- de. Chapter 110 KZC and Chapter 19.36 KMC address vegetation within rights-of-way, except for the I-405, SR-520, and Burlington Northern rights-of-way.
- ef. KZC 115.135, Sight Distance at Intersections, which may limit the placement of landscaping in some areas.
- fg. Chapter 22 KMC addresses trees in subdivisions.

***No changes to subsections 2, 3, and 4***

5. Supplemental Plantings.

- a. General. The applicant shall provide the supplemental landscaping specified in subsection (5)(b) of this section in any area of the subject property that:
  - 1) Is not covered with a building, vehicle circulation area or other improvement; and
  - 2) Is not a critical area, critical area buffer, or in an area to be planted with required landscaping; and
  - 3) Is not committed to and being used for some specific purpose.
- b. Standards. The applicant shall provide the following at a minimum:
  - 1) Living plant material which will cover 80 percent of the area to be landscaped within two years. If the material to be used does not spread over time, the applicant shall re-plant the entire area involved immediately. Any area that will not be covered with living plant material must be covered with nonliving groundcover.
  - 2) One tree for each 1,000 square feet of area to be landscaped. At the time of planting, deciduous trees must be at least two inches in caliper and coniferous trees must be at least five feet in height.
  - 3) If a development requires approval through Process I, IIA, IIB or III as described in Chapters 145, 150, 152 and 155 KZC, respectively, the City may require additional vegetation to be planted along a building facade if:
    - a) The building facade is more than 25 feet high or more than 50 feet long; or
    - b) Additional landscaping is necessary to provide a visual break in the facade.
  - 4) In RHBD varieties of rose shrubs or ground cover along with other plant materials shall be included in the on-site landscaping.
  - 5) If development is subject to Design Review as described in Chapter 142, the City will review plant choice and specific plant location as part of the Design Review approval. The City may also require or permit modification to the required plant size as part of Design Review approval.

**No change to subsection 6.**

## 7. Landscaping and Buffering Standards for Driving and Parking Areas.

a. Landscaping General.

~~1) General. Except as specified in subsection (7)(a)(2) of this section, the applicant shall arrange all surface parking spaces so that there are no more than eight contiguous parking spaces in each row of spaces. An island or peninsula of the same dimensions of the adjacent parking stalls must separate adjacent groups of spaces from one another and each row of spaces from any adjacent driveway that runs perpendicular to the row. This island or peninsula must be surrounded by a six-inch-high vertical curb and must be landscaped with at least one deciduous tree, two inches in caliper as measured using the standards of the American Association of Nurserymen or a coniferous tree five feet in height.~~

~~2) Exception. The requirements of subsection (7)(a)(1) of this section do not apply to any area that:~~

~~a) Is within the CBD Zone; or~~

~~b) Is fully enclosed within or under a building; or~~

~~c) Contains less than 14 parking spaces; or~~

~~d) Is within any zone that requires design regulation compliance.~~

1) The following internal parking lot landscape standards apply to each parking lot or portion thereof containing more than 8 parking stalls.

a) The parking lot must contain 25 square feet of landscaped area per parking stall planted pursuant to b. and c. below:

b) The applicant shall arrange the landscaping required in a) above throughout the parking lot to provide landscape islands or peninsulas to separate groups of parking spaces (generally every 8 stalls) from one another and each row of spaces from any adjacent driveway that runs perpendicular to the row. This island or peninsula must be surrounded by a six-inch-high vertical curb, be of similar dimensions as the adjacent parking stalls and planted pursuant to the standards in c. below:

c) Landscaping shall be installed pursuant to the following standards:

1) At least one deciduous tree, two inches in caliper or a coniferous tree five feet in height.

2) Groundcover shall be selected and planted to achieve 60 percent coverage within two years.

d) Exception. The requirements of this subsection do not apply to any area that is fully enclosed within or under a building.

23) Rooftop Parking Landscaping. For a driving or parking area on the top level of a structure that is not within the CBD zone or within any zone that requires design regulation compliance, one planter that is 30 inches deep and five feet square must be provided for every eight stalls on the top level of the structure. Each



**Kirkland Zoning Code**

planter must contain a small tree or large shrub suited to the size of the container and the specific site conditions, including desiccating winds, and be clustered with other planters near driving ramps or stairways to maximize visual effect.

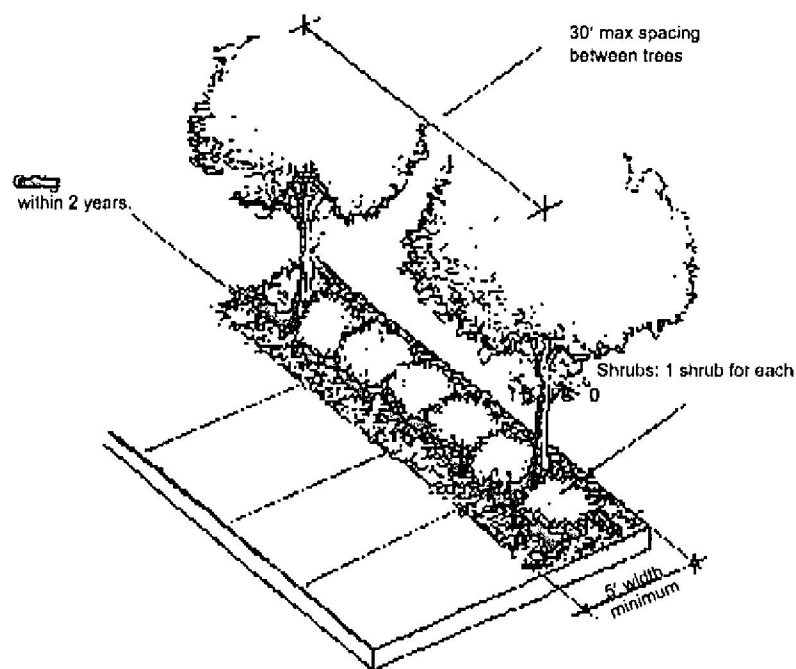
- 3) If development is subject to Design Review as described in Chapter 142, the City will review the parking area design, plant choice and specific plant location as part of the Design Review approval. The City may also require or permit modification to the required landscaping and design of the parking area as part of Design Review approval.

b. Buffering For Driving And Parking Areas.

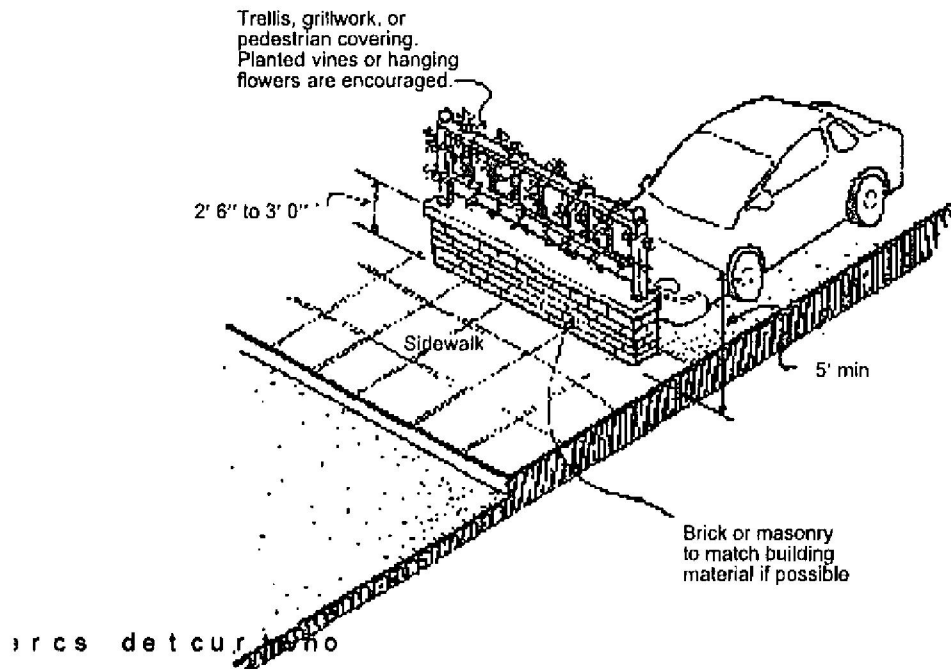
- 1) Perimeter Buffering. General. Except as specified in subsection (7.)(b.)(2.2) of this section, the applicant shall buffer all parking areas and driveways from abutting the rights-of-way and from adjacent property, with a five-foot-wide strip along the perimeter of the parking areas and driveways planted as follows see Figure 95.40.A):
  - a) One row of trees, two inches in caliper and planted 30 feet on center along the entire length of the strip.
  - b) Living groundcover planted to attain coverage of at least 60 percent of the strip area within two years.
- 2) Exception. The requirements of subsection 7.b.1 of this section do not apply to any parking area that:
  - a) ~~Is within the CBD zone; or~~
  - ab) Is fully enclosed within or under a building; or
  - bc) Is on top of a building and is at least one story above finished grade; or
  - cd) Serves detached dwelling units exclusively; ~~or~~
  - d) Is within any zone that requires design regulation compliance. See below for Design District requirements.
- 3) Design Districts- If subject to design review, each side of a parking lot that abuts a street, through block pathway or public park must be screened from that street, through block pathway or public park by using one or a combination the following methods: (see Figures 95.40.A, B, C):
  - a) By providing a landscape strip at least five feet wide planted consistent with subsection b. 1). above, or in combination with the following. In the RHBD Regional Center a 10-foot perimeter landscape strip along NE 85<sup>th</sup> Street is required planted consistent with subsection b. 1).
  - b) The hedge or wall must extend at least two feet, six inches, and not more than three feet above the ground directly below it.
  - c) The wall may be constructed of masonry or concrete, if consistent with the provisions of Section 92.35.1.g, in building material, color and detail, or of wood if the design and materials match the building on the subject property.
  - d) In JBD zones:
    - 1) 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. The trellis or grillwork may be constructed of masonry, steel, cast iron and/or wood.

- 2) 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.
- e) If development is subject to Design Review as described in Chapter 142, the City will review plant choice and specific plant location as part of the Design Review approval. The City may also require or permit modification to the required plant size as part of Design Review approval.
- 43) Overlapping Requirements. If buffering is required under subsection 6.(6) Land Use Buffering Standards of this section and by this subsection, the applicant shall utilize the more stringent buffering requirement.

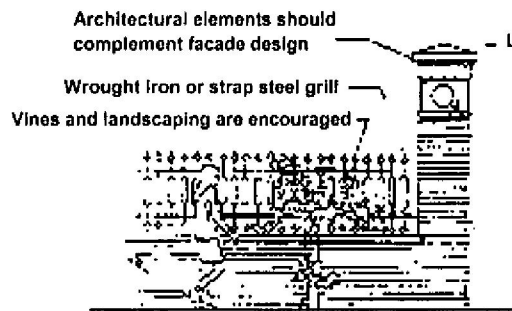
### Perimeter Parking Lot Landscaping



**Figure 95.40.A**

**Perimeter Parking – Examples of Various Screen Wall Designs****Figure 95.40.B**

**Perimeter Parking – Examples of Various Screen Wall Designs**



**Traditional**

Lighting is encouraged

Concrete or stucco to maintain

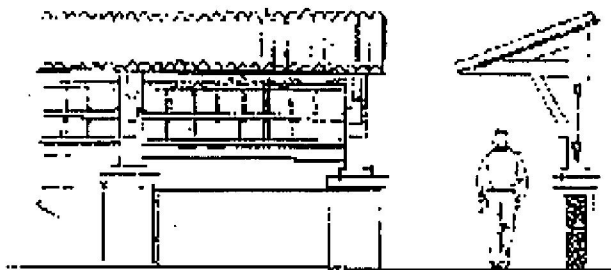
Planter

Approved sign

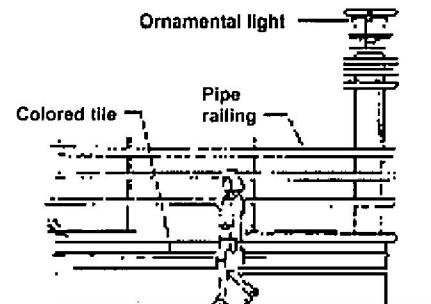


**Contemporary**

Pedestrian covering is encouraged



**Mission Style with Canopy**



**Deco-Moderne Style**

**Figure 95.40.C**

## Chapter 105 – PARKING AND PARKING-AREAS, VEHICLE AND PEDESTRIAN ACCESS, AND RELATED IMPROVEMENTS

### Sections:

- 105.05 User Guide
- 105.10 Vehicular Access Easement or Tract Standards
- 105.12 Maximum Allowable Grade
- 105.15 Exception in Design Districts ~~the CBD, JBD, NRHBD, RHBD and Totem Lake Neighborhood (TLN)~~
- 105.17 Site Plan Review
- 105.18 Pedestrian Access and Walkways, Bicycle, and Transit Facilities
- 105.19 Public Pedestrian Walkways
- 105.20 Number of Spaces – Minimum
- 105.25 Number of Spaces – Not Specified in Use Zones
- 105.30 Number of Spaces – Fractions
- 105.32 Bicycle Parking
- 105.35 Driveway Entrances
- 105.40 Location of Parking Areas – General
- 105.45 Location of Parking Areas – Shared Facilities
- 105.46 Location of Parking Areas- Driveway Entrances
- 105.50 Location of Parking Areas – Adjoining Low Density Zones
- 105.55 Location of Parking Areas – Required Setback Yards
- 105.58 Location of Parking Areas- Specific to Design Districts
- 105.60 Parking Area Design – General
- 105.62 Parking Area Design – Turnaround Space
- 105.65 Parking Area Design – Compact Car Spaces
- 105.70 Parking Area Design – Parking Designed for the Handicapped
- 105.75 Parking Area Design – Landscaping
- 105.77 Parking Area Design – Curbing
- 105.80 Parking Area Design – Buffering
- 105.85 Parking Area Design – Dedication
- 105.90 Parking Area Design – Plant Choice
- 105.95 Parking Area Design – Traffic Control Devices
- 105.96 Parking Area Design – Drive-Through Facilities and Circulation in the NE 85th Street Subarea and the Totem Lake Neighborhood (TLN)
- 105.97 Parking Area Design – Backing onto Street Prohibited
- 105.100 Parking Area Design – Surface Materials
- 105.102 Parking Area Design – Streets Use in Circulation Pattern
- 105.103 Modifications
- 105.104 Planning Director Authority To Adopt Standards
- 105.105 Appeals
- 105.106 Bonds

# 105.15 Exception in Design Districts the CBD, JBD, NRHBD, RHBD and Totem Lake Neighborhood (TLN)

If the subject property is within a Design District, ~~the Central Business District Zone, the Juanita Business District Zone, the North Rose Hill Business District Zone, the Rose Hill Business District Zone, or the Totem Lake Neighborhood (TLN),~~ the requirements contained within those Chapters Chapters 50, 52, 53, 54, 55 and 92 KZC supersede any conflicting provisions of this chapter. The provisions of this chapter that do not conflict with Design District Chapters 50, 52, 53, 54, 55 and 92 KZC apply to properties in their respective zones. CBD, JBD, NRHBD, RHBD and TLN Zones.

# 105.18 Pedestrian Access, Bicycle, and Transit Facilities

1. General- Promoting an interconnected network of pedestrian routes within neighborhoods is an important goal within the city. Providing pedestrian access from buildings to abutting rights of ways, walkways and other uses on the subject property, and connections between properties help meet the objectives of non-motorized transportation policies. Installing pedestrian connections and other pedestrian improvements with new development reduces the reliance on vehicles, traffic congestion and promotes non-motorized travel options and provides health benefits.

The applicant shall comply with the following pedestrian access requirements with new development for all uses (multifamily, office, retail, restaurants and taverns, institutional uses and community facilities, industrial (except detached single family and duplex) pursuant to the each use specified in the following chart standards in Sections 105.18.2 and 105.19:

## a. Pedestrian Access From Buildings to Sidewalks and Transit Facilities:

Provide pedestrian walkways designed to minimize walking distance from the primary entrances to all buildings to the abutting right-of-way, pedestrian walkway and adjacent transit facilities pursuant to the applicable standard in Section 105.18.2.a or b.

## b. Pedestrian Access Between Uses On Subject Property:

Provide pedestrian walkways between the principle-primary entrances to all businesses, uses, and/ or buildings on the subject property pursuant to the applicable standard in Section 105.18.2.a or b.

## c. Pedestrian Access Along Building Facades Not Adjacent To A Sidewalk In RHBD and TLN zones:

In RHBD and TLN zones, for buildings that do not front on a public sidewalk, a pedestrian walkway shall be provided along the entire façade of all building facades containing the primary entrance (See Figure 105.18.A). The walkway shall meet the through block pedestrian pathway standards in Section 105.19.3 (See Figure 105.19.A). Exceptions may be approved as part of Design Review in the following circumstances. Where new development is less than 2,000 square feet of gross floor area, features a landscaped front yard area and parking is located to the side or rear, only direct pedestrian access shall be provided from the abutting sidewalk to the primary entrance to the buildings.

d. Pedestrian Connections Between Properties:

Provide pedestrian walkways connecting to adjacent properties -with multifamily developments of three or more units, office uses, retail uses, restaurants, taverns, institutional uses, industrial uses, or community facilities. Barriers which limit future pedestrian access are not permitted- pursuant to the applicable standards in Section 105.18.2.a or b. Exceptions: Pedestrian connections to industrial uses are not required. The location for the access points at property edges and to adjacent lots shall be coordinated with existing and planned development to provide convenient pedestrian links between developments. Where there are topographic changes in elevation between properties, stairs or ramps shall be provided to make the pedestrian connection.

e. Pedestrian Access Through Parking Areas:

All parking lots which contain more than 25 stalls must include pedestrian walkways through the parking lot to the main building entrance or a central location. The walkways must meet the development standards pursuant to in KZC 105.18(2)(c). (See Figures 105.18.B and C).

f. Pedestrian Access Through Parking Garages:

Provide marked pedestrian routes through parking garages from the parking area to the abutting public right of way and to the pedestrian entrance of the building. Install walkways pursuant to standards in Section 105.18.2.c

g. Overhead Weather Protection:

The applicant shall provide pedestrian overhead weather protection pursuant to standards in Section 105.18.2.d:

- 1) Along any portion of the building which is adjacent to a pedestrian walkway or sidewalk;
- 2) Over the primary exterior entrance to all buildings including residential units.
- 3) Exceptions in Design Districts:

In CBD Zones: Along at least 80% of the frontage of the subject property on each pedestrian oriented street.

In RHBD and TLN Zones:

Along at least 75% of a pedestrian oriented building façade.

In JBD Zones: Along 100% of a building façade abutting a street or through block pathway.

For more information regarding designated pedestrian oriented streets see Plate 34 in Chapter 180, and pedestrian oriented facades in Chapter 92, KZC.



Use on Subject Requirements <sup>1</sup> ↓ Property →	Multifamily (except single duplex structures)	Office	Retail	Restaurants and Taverns	Institutional Uses and Community Facilities	Industrial
Provide pedestrian walkways designed to minimize walking distance from the building entrance to the right-of-way, and adjacent transit facilities pursuant to Section 105.18.	X	X	X	X	X	X
Provide covered bicycle parking within 50 feet of an entrance to the building. XXXXXX Provide pedestrian walkways between the principle entrances to all businesses, uses, and/or buildings on the subject property						
Provide pedestrian walkways connecting to adjacent properties with multifamily developments of three or more units, office uses, retail uses, restaurants, taverns, institutional uses, industrial uses, or community facilities. Barriers which limit future pedestrian access are not permitted.	X <sup>2</sup>	X	X	X	X	X <sup>3</sup>
Locate service bays away from pedestrian areas.		X	X	X	X	X
Provide overhead weather protection 2.d: along any portion of the building which is adjacent to a pedestrian walkway.		X	X	X	X	

<sup>1</sup> See KZC 110.60 for additional walkway requirements.

<sup>2</sup> Not required to connect to adjacent properties with industrial uses.

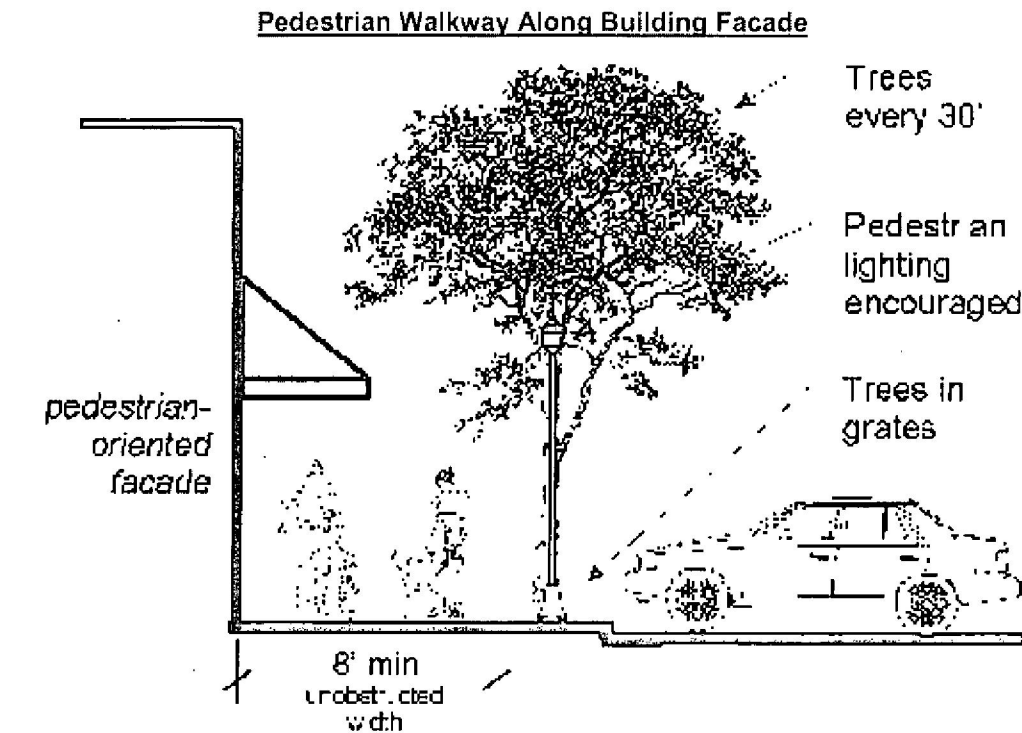
<sup>3</sup> Not required to connect to adjacent properties with industrial or residential uses.

2. Development standards required for pedestrian improvements-a. Pedestrian Walkway Standards- General-The applicant shall install pedestrian walkways pursuant to the following standards:

- 1) Must be at least five feet wide;
- 2) Must be distinguishable from traffic lanes by painted markings, pavement material, texture, or raised in elevation;
- 3) Must have adequate lighting for security and safety. Lights must be nonglare and mounted no more than 20 feet above the ground; and
- 4) Will not be included with other impervious surfaces for lot coverage calculations
- 5) Must be centrally located on the subject property;
- 6) Must be accessible;
- 7) Barriers which limit future pedestrian access between the subject property and adjacent properties are not permitted.

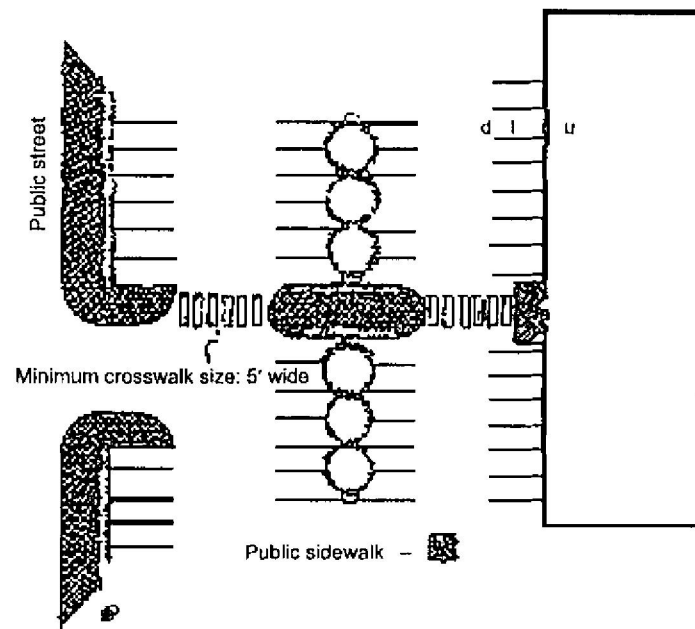
b. Pedestrian Walkway Standards Specific To Design Districts- In addition to the pedestrian access standards of 108.18.1 and 2.a above, the following standards may apply in certain Design Districts. See Chapter 110, KZC for additional sidewalk improvements that may apply.

- 1). In CBD, Major Pedestrian Sidewalks- If the subject property contains or abuts a major pedestrian sidewalk designated in Plate 34, Chapter 180, KZC the applicant shall install that sidewalk on and/or abutting the subject property consistent with the following standards:
  - a) The major pedestrian sidewalk must be installed in the approximate location and make the connections shown in Plate 34.
  - b) The major pedestrian sidewalk must be paved with decorative concrete and have a minimum width of at least eight feet, unless otherwise noted in Plate 34. If the required improvements cannot be accommodated within the existing right-of-way, the difference may be made up with a public easement over private property. Buildings may cantilever over such easement areas, flush with the property line.
  - c) The major pedestrian sidewalk must have adequate lighting with increased illumination around building entrances and transit stops.
  - d) Barriers which will limit pedestrian access between the subject property and adjacent properties are not permitted.

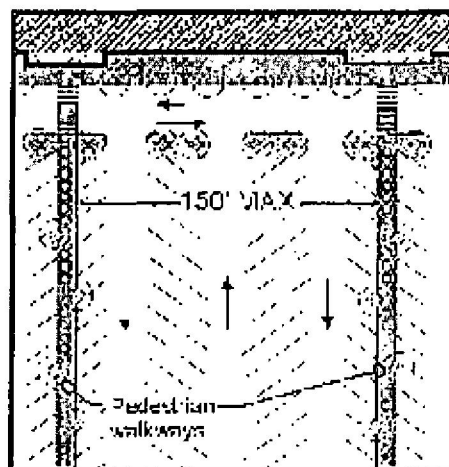
**FIGURE 105.18.A**

c. Pedestrian Walkways Through Parking Areas and Parking Garage Standards- The applicant shall install pedestrian walkways through parking areas and parking garages pursuant to the following standards (see Figure 105.18.B):

- 1) Must be installed pursuant to the standards described in 105.18.2.a above;
- 2) Walkway shall not use vehicle entrance or exit driveways from the parking area to a public right-of-way;
- 3) Must connect from the parking spaces to the pedestrian entrance of the building served by the parking.

Pedestrian Access From Street or Pedestrian Walkway to Building Entrance**FIGURE 105.18.B**

- 4) All parking lots that 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 (see Figure 105.18.C). At a minimum, walkways must be provided for every three driving aisles or at a distance of not more than 150-foot intervals, whichever is less and meet the standards of Section 105.18.2.a.

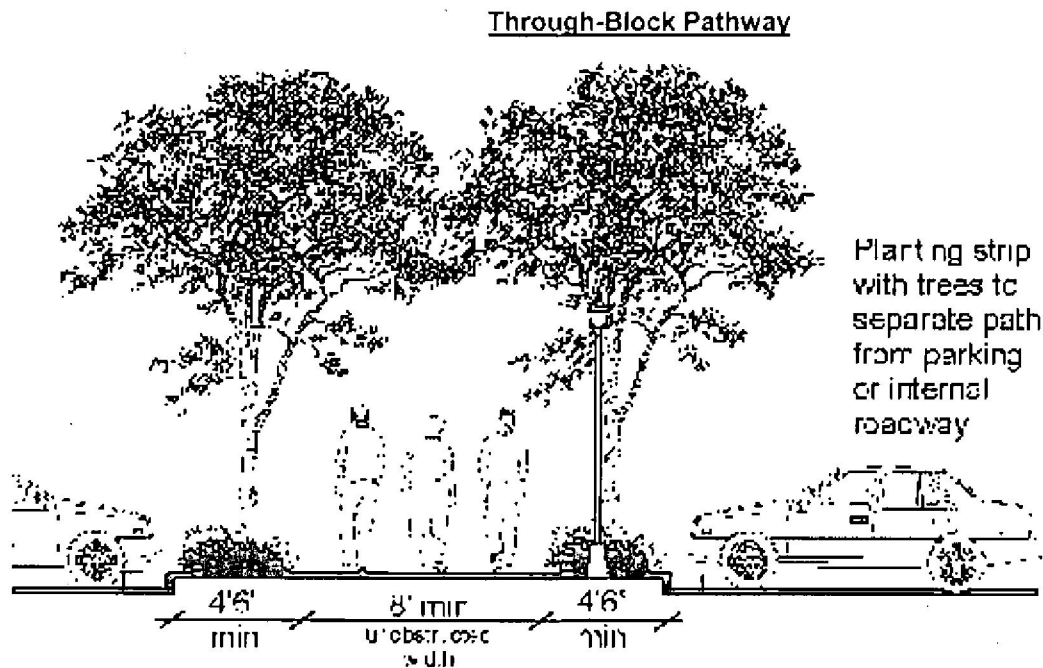
Pathways must be provided through parking areas.**FIGURE 105.18.C**

- d. Overhead weather protection standards- The applicant shall install overhead pedestrian weather protection pursuant to the following standards:
- 1) May be composed of awnings, marquees, canopies, building overhangs, covered porches, recessed entries or other similar features;
  - 2) Must cover at least five feet of the width of the adjacent walkway; and
  - 3) Must be at least eight feet above the ground immediately below it; and
- e. If development is subject to Design Review the City will specifically review and approve the color, material and configuration of all overhead weather protection and the material and configuration of all pedestrian walkways as part of the Design Review decision.

105.19 Public Pedestrian Walkways-

1. Public Pedestrian Walkways Location- In addition to the pedestrian walkways required in section 105.18, the City may require the applicant to install additional public pedestrian walkways on the subject property in any of the following circumstances where the walkway is reasonably necessary as a result of the development activity:
  - a) A pedestrian connection is indicated as appropriate in the Comprehensive Plan or Nonmotorized Transportation Plan; or designated elsewhere in this code; or
  - b) A walkway is reasonably necessary to provide efficient pedestrian access to a designated activity center of the City or transit; or
  - c) Through block pedestrian pathways may be required on properties if blocks are unusually long; or
  - d) Pedestrian access may be required to connect between existing or planned dead-end streets, through streets, or other pedestrian access; and
2. Standards- General- The applicant shall install public pedestrian walkways pursuant to the following standards, except for Design Districts listed in 3 and 4 below (see Figure 105.19.A):
  - a) Pedestrian access shall be provided by means of dedicated rights-of-way, tracts, or easements at the City's option;
  - b) The width of the access right-of-way, tract, or easement, and the walkway material and width, shall be determined per the Public Works Pre-Approved Plans;
  - c) The height of solid (blocking visibility) fences along pedestrian walkway that is not directly adjacent a public or private street right-of-way shall be limited to 42 inches unless otherwise approved by the Planning or Public Works Directors; and
  - d) All new building structures shall be set back a minimum of five feet from any pedestrian access right-of-way, tract, or easement that is not directly adjacent to a public or private street right-of-way.
  - e) The alignment of walkways shall consider the location of proposed and existing buildings (preferably along building fronts or property lines).

3. Through Block Pathway Standards-General- If a *Through block pathway* is designated to be installed on the subject property, the applicant shall install a *Through-block pathway* pursuant to the following standards, except for Design Districts listed in 4. below:
- a) A minimum unobstructed pavement width of eight feet, paved with decorative concrete. A minimum of five feet may be approved for residential uses.
  - b) Trees placed at an average of 30 feet on-center between the pathway and any parking or vehicular access area (see Figure 105.19A). Exceptions:
    - 1. To increase business visibility and accessibility, the City may allow modifications in the required tree coverage adjacent to primary building entries; however, no less than one tree per 60 lineal feet of the required pathway shall be provided.
    - 2. The required trees must be placed in planting strips at least 4.5 feet in width or within tree grates.
  - c) Adequate pedestrian lighting at a maximum of 12 feet in height shall be provided along the pathway.
  - d) Barriers that will limit pedestrian access between the subject property and adjacent properties are not permitted.
  - e) The *Through-block Pathway* may be retained within a dedicated rights of way, tracts, or easements at the City's option. The width of the pathway right of way, tract, or easement will be determined by the Planning Official.
  - f) If subject to Design Review the City will specifically review and approve the material, and configuration of all through block pathways as part of the Design Review decision.
4. Through-block Pathway Standards Unique to Design Districts:
- a) In JBD 1- See Use Zone Chart Section 52.10 for location of Through Block Pathways in JBD 1. Through-block 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. Pathways that are not adjacent to the front of buildings must have a minimum width of eight feet and differentiated with texture or material from adjacent driveway and parking area pavement unless otherwise determined through Design Review.
  - b) In TL 2- See Use Zone Chart Section 55.19 for location of Through Block Pathways in TL 2. The minimum width, curb specifications and paving materials for through block pathways shall be established through the Conceptual Master Plan review. Through block pathways must have adequate lighting, with increased illumination around building entrances and at street crossings.
  - c) In TL 5- See Use Zone Chart Section 55.37 for location of through block pathways in TL 5- Section 105.19.3 for development standards.
  - d) In TL 6B- See Use Zone Chart Section 55.43 for location of Through block pathways in TL 6B. See Section 105.19.3 for development standards.

**FIGURE 105.19.A****105.20 Number of Parking Spaces – Minimum**

The number of parking spaces required for a use is the minimum required. The applicant shall provide at least that number of spaces, consistent with the provisions of this chapter.

The square footage of pedestrian, transit, and/or bicycle facilities, and/or garages or carports, on the subject property shall not be included in the gross floor area calculation used to determine required number of parking stalls. See also KZC 105.103(3)(c).

For residential uses, the City may require guest parking spaces in excess of the required parking spaces, up to a maximum additional 0.5 stall per dwelling unit, if there is inadequate guest parking on the subject property.

**105.25 Number of Parking Spaces – Not Specified in Use Zones**

If this code does not specify a parking space requirement for a particular use in a particular zone, the Planning Official shall establish a parking requirement on a case\_by\_case basis. The Planning Official shall base this determination on the actual parking demand on existing uses similar to the proposed use.

**105.30 Number of Parking Spaces – Fractions**

If the required formula for determining the number of parking spaces results in a fraction, the applicant shall provide the number of spaces equal to the next higher whole number.

**105.32 Bicycle Parking-**

Bicycle parking spaces shall be provided in all new development required to provide six or more motor vehicle parking spaces to encourage the use of bicycles as a form of transportation by providing safe and convenient places to park bicycles. Exception: single family and duplex development are exempt from this section.

Bicycle parking spaces shall be provided at a ratio of one bicycle space for each twelve required motor vehicle parking spaces. The Planning Official may modify the number of bicycle racks according to size of development and anticipated pedestrian and bicycle activity.

Bicycle parking in the form of a bike rack or enclosed storage container shall be conveniently located for the users, generally within 50 feet of an exterior entrance of all uses, and within 50 feet of a retail use entrance. Bicycle racks shall be located in a visible, well lit, sheltered area such as under an eave, awning, or other similar enclosure and located to not impede vehicle parking or pedestrian movement. A bike rack(s) shall be installed with the capacity to accommodate the required number of bicycle spaces. For buildings with multiple uses such as a commercial or mixed use residential-commercial centers, bicycle spaces may be clustered between businesses to serve up to six businesses.

#### 105.35 Driveway Entrances

The City may restrict the width, number and location of driveways along the frontage of the subject property to improve vehicle circulation, public safety, or to enhance pedestrian movement.

#### 105.58 Location of Parking Areas Specific To Design Districts

If the subject property is located in a Design District, the applicant shall locate parking areas on the subject property according to the following requirements:

##### 1. Location of Parking Areas In the CBD, TC (TL1, TL2, TL3) zones-

- a) Parking areas shall not be located between a pedestrian-oriented street and a building unless specified in a Conceptual Master Plan in TL 2. (See Plate 34 in Chapter 180 and Chapter 92 and 110 for additional requirements regarding pedestrian oriented streets).
- b) 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.

##### 2. Location of Parking Areas in the JBD 2 and the NRHBD zones shall not be located between the street and the building unless no other feasible alternative exists on the subject property.

##### 3. Location of Parking Areas In Certain TLN and RHBD zones- Parking areas and vehicular access may not occupy more than 50 percent of the street frontage in the following zones (see Figure 105.58.A).

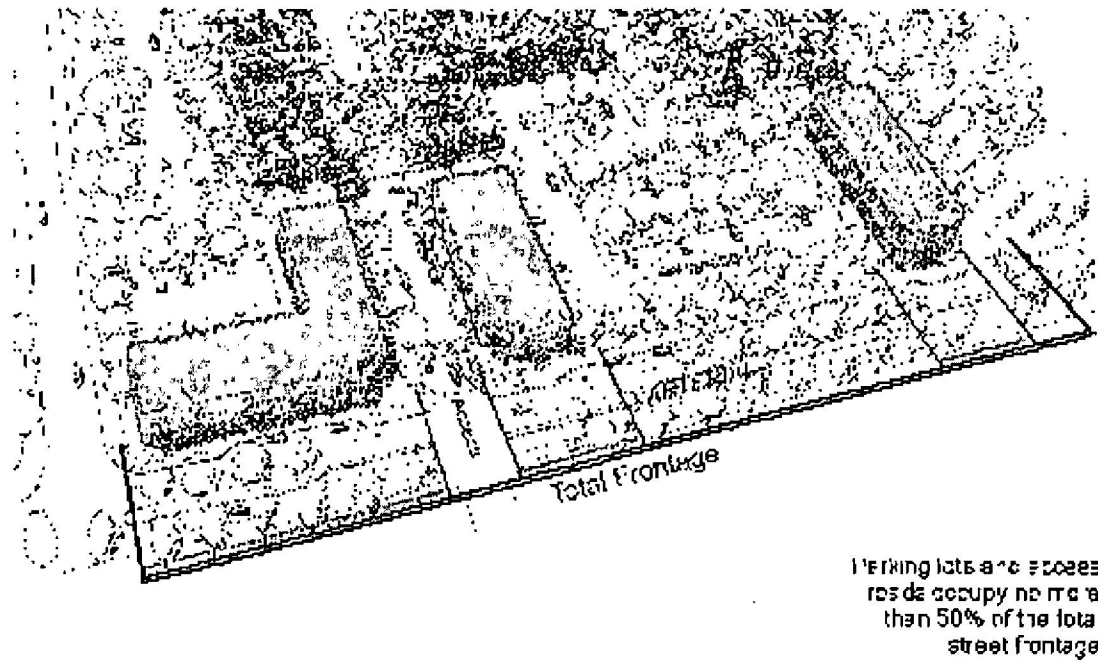
- a) TL 4, only properties fronting on 120th Avenue NE;
- b) TL 5;
- c) TL 6A, only properties fronting on 124th Avenue NE. Auto dealers in this zone are exempt from this requirement;
- d) TL 6B, only properties fronting on NE 124th Street;
- e) TL 10E.

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

- f) In the Regional Center (RH 1A, RH2A, RH3 and RH5A zones west of 124<sup>th</sup> Avenue). For parcels over two acres in size, parking lots and vehicular access areas may not occupy more than 50 percent of the NE 85th Street property frontage (see Figure 105.58.A). Alternative



configurations will be considered through the Design Review process, if provided the project meets the intent of the KMC Design Guidelines for the Rose Hill Business District.

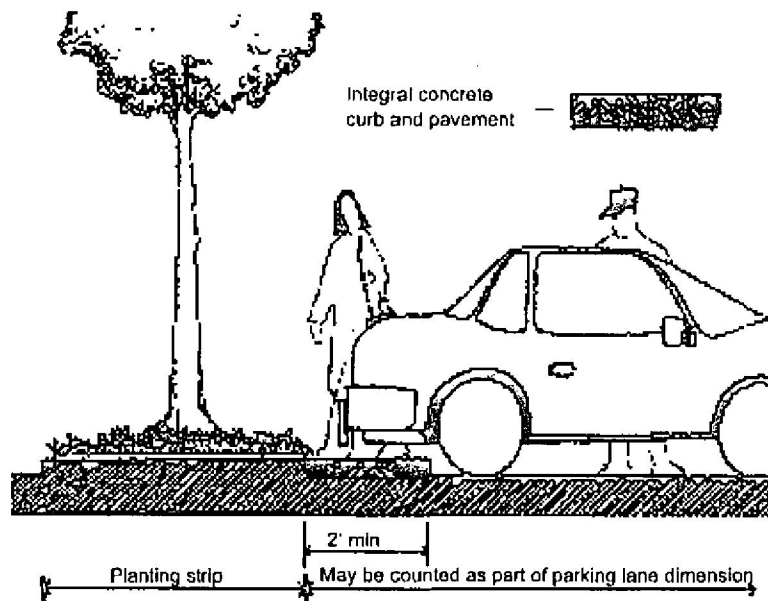


**FIGURE 105.58.A**

#### 105.60

##### Parking Area Design – General

1. The minimum dimensions for parking spaces and parking areas are displayed in plates in Chapter 180 KZC. These plates apply to parking for all uses except detached dwelling units.
2. Driveways which are not driving aisles within a parking area shall be a minimum width of 20 feet.
3. Parking areas must be constructed so that car wheels are kept at least two feet from pedestrian and landscape areas; provided, that parking areas may be constructed in a manner which allows vehicles to overhang a pedestrian or landscape area by up to two feet if the pedestrian or landscape area within the area of vehicle overhang is not required by this or any other code (see Figure 105.60.A).
4. ~~All parking lots which contain more than 25 stalls must include pedestrian walkways through the parking lot to the main building entrance or a central location. The walkways must meet the development standards outlined in KZC 105.18(2)(a).~~
4. 5-Shared parking lot entrances and driveways between properties shall be installed whenever feasible as determined by the Planning Official.
5. 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.

Extended Curb Used To Protect Landscape Strip

Note: This method is preferable to freestanding wheel-stop bumpers because it will not catch debris and is more durable.

FIGURE 105.60.A

105.96

Parking Area Design – Drive-Through Facilities and Circulation in the NE 85th Street Subarea and the Totem Lake Neighborhood (TLN)

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. The applicant shall submit a site plan to the Public Works Department including the requirements of KZC 105.17, and showing compliance with the standards of subsections (1)(a) through (c) of this section:
  - a. The Public Works Official determines that the 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;
    - 4) Access will not be located within the left turn lane at a signalized intersection;
  - b. Driveway access to the drive-through facility is not located directly from off NE 85th Street an arterial unless the Public Works Official determines that sufficient driveway throat length is provided to accommodate the queues. If driveway access is allowed from an arterial, left turn movements may be restricted;

- c. The Public Works Official determines that parking circulation patterns avoid crossings of queuing areas.

105.103 Modifications

1. General – The provisions of this section establish under what circumstances the requirements of this chapter may be modified.
2. Authority To Grant and Duration
  - a. If the proposed development of the subject property requires approval through Design Review, Process I, IIA, IIB, or III, described in Chapters 142, 145, 150, 152 and 155 KZC, respectively, a request for a modification will be considered as part of that process under the provisions of this section. The City must find that the applicant meets the criteria listed below in KZC 105.103(3). If granted under Design Review, Process I, IIA, IIB or III, the modification is binding on the City for all development permits issued for that development under the Building Code within five years of the granting of the modification.
  - b. If subsection (2)(a) of this section does not apply, the Planning Official may grant a modification in writing under the provisions of this section.
3. Modifications – The Planning Official may require or grant a modification to improvement requirements of this chapter if the applicant demonstrates on submitted plans and/or in writing that the following criteria have been met for modifications to the applicable sections:
  - a. For a modification to KZC 105.10 for vehicular access easements or tracts and for KZC 105.60 and 105.97 for parking area design, the requirements may be modified if:
    - 1) The modifications will not affect the ability to provide any property with police, fire, emergency medical, or other essential services; and
    - 2) One of the following requirements is met:
      - a) The modification is necessary because of a preexisting physical condition; or
      - b) The modification will produce a site design superior to that which would result from adherence to the adopted standard.
  - 3) Exception: KZC 105.10(2)(g) relating to screening for access easements or tracts will use the modification criteria for buffering in subsection (3)(g) of this section.

- b. For a modification to KZC 105.18, the requirements for pedestrian access, ~~bicycle, and transit facilities~~ may be modified if:
  - 1) The modification is necessary because of the size, configuration, topography or location of the subject property;
  - 2) The modification will provide for equal or improved pedestrian and bicycle safety and convenience; and
  - 3) The modification will not have any substantial detrimental effect on nearby properties and the City as a whole.
- c. For a modification to KZC 105.20 and 105.45, a decrease in the required number of spaces may be granted if the number of spaces proposed is documented by an adequate and thorough parking demand and utilization study to be sufficient to fully serve the use. The study shall be prepared by a licensed transportation engineer or other qualified professional, and shall analyze the operational characteristics of the proposed use which justify a parking reduction. The scope of the study shall be proposed by the transportation engineer and approved by the City traffic engineer. The study shall provide at least two days of data for morning, afternoon and evening hours, or as otherwise approved or required by the City traffic engineer. Approval of a parking reduction shall be solely at the discretion of the City.

Note: Section 105.103(c) continues on page 657.

A decrease in the minimum required number of spaces may be based in whole or part on the provision of nationally accepted TDM (transportation demand management) measures. Data supporting the effectiveness of the TDM measures shall be provided as part of the parking demand and utilization study and approved by the City traffic engineer.

- d. For a modification to KZC 105.40, the requirements for parking area location may be modified if:
  - 1) The proposed parking area will have no adverse impacts on adjacent properties;
  - 2) It is reasonable to expect that the proposed parking area will be used by the subject use; and
  - 3) A safe pedestrian and/or shuttle connection exists, or will be created, between the subject use and the proposed parking area.
- e. For a modification to the landscape requirements for parking and driving areas, see Chapter 95 KZC.
- f. For a modification to KZC 105.77, the curbing requirement for parking areas and driveways may be modified if:
  - 1) The modification would result in superior landscaping and/or increased retention of significant natural vegetation;
  - 2) The modification will not result in increased hazards for pedestrians or vehicles; and
  - 3) The modification will not result in increased erosion of unpaved areas onto the parking area, driveway, or rights-of-way.

- g. See Chapter 95 KZC for a modification of the buffering requirements for parking and driving areas. For a modification to KZC 105.10(2)(g), the screening requirements for access easements or tracts may be modified if:
  - 1) The existing topography of or adjacent to the subject property decreases or eliminates the need for visual screening; or
  - 2) The modification will be of more benefit to the adjoining property by causing less impairment of view or sunlight; or
  - 3) The modification will provide a visual screen that is comparable or superior to the buffer required by KZC 105.10(2)(g).
- h. For a modification to KZC 105.100, the surface material requirement for parking areas and driveways may be modified if:
  - 1) The surfacing material will not enter into the drainage system, or onto public or other private property; and
  - 2) The material will provide a parking surface which is usable on a year-round basis.

## Chapter 110 – REQUIRED PUBLIC IMPROVEMENTS

## Sections:

- 110.05 User Guide
- 110.10 General
- ~~110.15 Special Regulations Applicable in Certain Areas~~
- 110.20 Right-of-Way Designation Map Adopted
- 110.22 Neighborhood Access Street Designations
- 110.25 Required Public Improvements
- 110.27 Alleys
- 110.30 R-20 Neighborhood Access Streets
- 110.35 R-24 Neighborhood Access Streets
- 110.38 R-28 Neighborhood Access Streets
- 110.40 Collector Streets
- 110.45 Minor Arterial Streets
- 110.50 Principal Arterial Streets
- 110.52 Sidewalks And Other Public Improvements in Design Districts
- 110.60 Additional Requirements
- 110.65 Engineering Standards
- 110.70 Modifications, Deferments and Waivers, and Construction-in-Lieu
- 110.75 Bonds

~~110.15~~~~Special Regulations Applicable in Certain Areas~~

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

- ~~1. If the City Council has approved a public improvements plan that includes a particular right-of-way, that plan will govern the improvements to be provided by developments that abut that right-of-way.~~
- ~~2. If subsection (1) of this section does not apply and if the subject property is zoned Central Business District, Totem Lake (TL), 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 subsection (1) or (2) of this section does not apply, the applicant must provide the improvements as established in the remainder of this chapter.~~

## 110.25

Required Public Improvements

1. General – KZC 110.27 through 110.50 establish different improvements for the different classifications of rights-of-way listed in KZC 110.20 and 110.22. Section 110.52 establishes specific sidewalk and other public improvement standards in Design Districts. Except as specified in subsection (2) paragraphs 2, 3, and 4 of this section, the applicant shall install the specified improvements from the center line of the right-of-way to the applicant's property line. The applicant may increase the dimensions of any required improvement or install additional improvements in the right-of-way with the written consent of the Public Works Director.

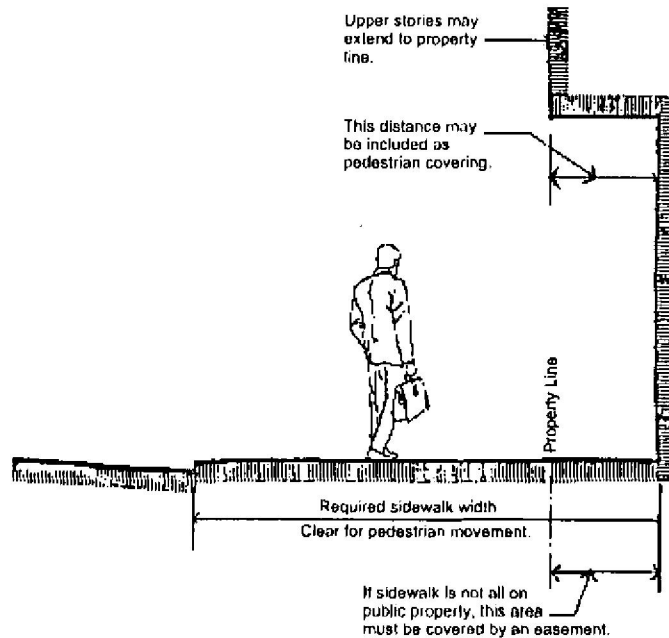
2. Half-Street Improvements – If the one-half of the right-of-way opposite the subject property has not been improved based on the provisions of this chapter, the applicant shall install improvements in the right-of-way as follows:
  - a. Alleys. The applicant shall install the required improvements for the entire width of the alley.
  - b. All Other Rights-of-Way.
    - 1) The applicant shall install the required improvements from his/her property line to and including the curb.
    - 2) The applicant shall grade to finished grade all the required driving and parking lanes in the entire right-of-way and a five-foot-wide shoulder on the side of the right-of-way opposite the subject property.
    - 3) The applicant shall pave outward 20 feet from the curb adjacent to his/her property or as required by the Public Works Director.
3. Required Paved Connection – In all cases except for alleys, if the access point for the subject site is not connected to an existing improved street by an improved hard surface, the applicant shall provide a hard surface improvement, of at least 20 feet in width, to the existing improved street. The applicant may request a modification, deferment or waiver of this requirement through KZC 110.70.
4. Capital Improvement Projects - If the City Council has approved a capital improvements plan for a particular public right of way, that plan will govern the improvements required for right-of-way. To the extent feasible, public projects shall be designed pursuant to the standards established for each Design District contained in the Public Works Pre-approved Plans manual.

#### 110.52 Sidewalks and Other Public Improvements In Design Districts

1. This section contains regulations that require various sidewalks, pedestrian circulation and pedestrian-oriented improvements on or adjacent to properties located in Design Districts subject to Design Review pursuant to Chapter 142 such as, CBD, JBD, TLN, TC, RHBD, and NRHBD zones.

The applicant must comply with the following development standards in accordance with the location and designation of the abutting right of way as a *pedestrian oriented street* or *major pedestrian sidewalk* shown in Plate 34 of Chapter 180, KZC. See also Public Works Pre-approved Plans manual for public improvements for each Design District. If the required sidewalk improvements cannot be accommodated within the existing right-of-way, the difference may be made up with a public easement over private property, provided that a minimum of five feet from the curb shall be retained as public right of way and may not be in an easement. Buildings may cantilever over such easement areas, flush with the property line in accordance with the International Building Code as adopted in KMC, Title 21. (See Figure 110.52.A and Plate 34).

2. Pedestrian-Oriented Street Standards – The applicant shall install a 10 foot wide sidewalk along the entire frontage of the subject property abutting each pedestrian-oriented street. (See Figure 110.52.A).

Required Sidewalk on Pedestrian-Oriented Streets and Major Pedestrian Sidewalks**FIGURE 110.52.A**

3. Major Pedestrian Sidewalk Standards – If the subject property abuts a street designated to contain a major pedestrian sidewalk in Plate 34, Chapter 180, KZC, the applicant shall install that sidewalk on and/or adjacent to the subject property consistent with the following standards:
  - a) Install in the approximate location and make the connections shown in Plate 34;
  - b) A sidewalk width of at least eight feet, unless otherwise noted in Plate 34;
  - c) Have adequate lighting with increased illumination around building entrances and transit stops; and
  - d) If parcels are developed in aggregate, then alternative solutions may be proposed.
4. Streets in the Totem Lake Neighborhood designated as major pedestrian sidewalks in Plate 34.E that are also shown to be within the landscaped boulevard alignment or "Circulator" in Plate 34.D in Chapter 180, KZC may have varied or additional requirements, such as wider sidewalks, widened and meandering planting areas, continuous and clustered tree plantings, special lighting, directional signs, benches, varying pavement textures and public art, as determined by the Director of Public Works.
5. NE 85th Street Sidewalk Standards – If the subject property abuts NE 85<sup>th</sup> Street, the applicant shall install a minimum 6.5-foot-wide landscape strip planted with street trees located adjacent to the curb and a minimum 7 foot-wide sidewalk along the property frontage. Where the public right-of-way lacks adequate width to meet the previous standard, a 10-foot-wide sidewalk with street trees in tree grates may be permitted or in an easement established over private property.



110.60

Additional Requirements

This section contains a series of requirements that apply to improvements required or proposed to be installed.

1. Dedication of Right-of-Way – If a right-of-way abutting the subject property is not wide enough to contain the required improvements, the applicant shall dedicate as right-of-way a strip of land adjacent to the existing right-of-way wide enough to encompass the required half-street improvements. The Public Works Director may require the applicant to make land available, by dedication, for new rights-of-way and utility infrastructure if this is reasonably necessary as a result of the development activity.
2. Walkways – ~~The City may require the applicant to install public pedestrian walkways, other than sidewalks as otherwise required by this chapter, in any of the following circumstances where the walkway is reasonably necessary as a result of the development activity:~~
  - a. ~~A walkway is indicated as appropriate in the Comprehensive Plan or Nonmotorized Transportation Plan; or~~
  - b. ~~A walkway is reasonably necessary to provide efficient pedestrian access to a designated activity center of the City or transit; or~~
  - c. ~~Midblock pedestrian access may be required if blocks are unusually long; or~~
  - d. ~~Pedestrian access may be required to connect between existing or planned dead-end streets, through streets, or other pedestrian access; or~~
  - e. ~~Pedestrian access shall be provided by means of dedicated rights-of-way, tracts, or easements at the City's option; or~~
  - f. ~~The width of the access right-of-way, tract, or easement, and the pathway material and width, shall be determined per the Public Works Pre-Approved Plans;~~
  - g. ~~The height of solid (blocking visibility) fences along pedestrian pathways that is not directly adjacent a public or private street right-of-way shall be limited to 42 inches unless otherwise approved by the Planning or Public Works Directors;~~
  - h. ~~All new building structures shall be set back a minimum of five feet from any pedestrian access right-of-way, tract, or easement that is not directly adjacent to a public or private street right-of-way.~~
23. Fire Hydrants – The applicant shall install fire hydrants where and in the manner specified by the Department of Fire Services.
34. Incompatible Improvements – If improvements required by this chapter will connect with existing improvements in the same right-of-way that do not conform to this chapter, the following regulations apply:
  - a. If the improvements will connect with existing improvements of a greater dimension, the new improvement must be built at the greater dimension unless the Public Works Director determines that the dimensions of the existing improvement will be decreased in the future.

- b. If the improvements will connect with existing improvements of a lesser dimension, the following regulations apply:
    - 1) If the Public Works Director determines that the dimensions of the existing improvements will not be increased in the future, the new improvement must be permanently flared or tapered to match the existing improvements.
    - 2) If the Public Works Director determines that the dimensions of the existing improvements will be increased in the future, the applicant shall install the required improvements in the full length of the right-of-way abutting the subject property with temporary flaring or tapering on the existing improvements.
45. Landscape Strip and Street Trees – Landscape strips are typically found between the curb and the sidewalk and are planted with grass and street trees spaced 30 feet on-center. When improving landscape strips, the following regulations apply:
- a. The applicant shall plant all landscape strips with vegetation approved by the City.
  - b. Trees shall be planted per the details outlined in Public Works Pre-Approved Plans and Policies Notebook.
  - c. The abutting property owner shall be responsible for keeping the sidewalk and landscaping abutting the subject property clean and litter-free, and any vegetation there shall be maintained. The City may require the owner of the subject property to sign a maintenance agreement in a form acceptable to the City Attorney, to run with the subject property. If an agreement is required, the applicant shall record this agreement in the King County Bureau of Elections and Records.
  - d. It is a violation of this code to pave or cover the landscape strip with impervious material or to park motor vehicles on this strip.
  - e. If a landscape strip or street trees in tree grates is not required, street trees planted 30 feet on-center 2.5 feet behind the sidewalk will be required, where feasible.
  - f. All trees planted in the right-of-way must be approved as to species by the Public Works Director. In the vicinity of overhead lines, tree species shall be selected based on City guidelines that will not interfere with those lines in the future. All trees must be two inches in diameter at the time of planting as measured using the standards of the American Association of Nurserymen with a canopy that starts at least six feet above finished grade and does not obstruct any adjoining sidewalks or driving lanes.
56. Mailboxes – The applicant shall, to the maximum extent possible, group mailboxes for units or uses in the development. The mailbox location and type shall be approved by the Kirkland U.S. Post Master.
67. Street Signs and Traffic Control Devices – The applicant shall install all street signs and traffic control devices in the location and manner established by the Department of Public Works.
78. Utility Lines and Appurtenances
- a. The location of sanitary sewer, storm drainage, and water main lines shall be as approved or required by the Public Works Director. All other utility lines, water meters and other utility appurtenances must be undergrounded within the utility strip, unless an alternate location is approved or required by the Public Works Director. Utility

appurtenances must be no higher than finished grade unless this is determined by the Public Works Director to be infeasible.

- b. All overhead service utility lines on the subject property must be undergrounded to the nearest primary source; undergrounding to a secondary service pole will not be allowed unless approved by the Public Works Director. All existing overhead utility lines in the public right-of-way adjacent to the subject site must be undergrounded unless the Public Works Director determines that this is infeasible. If undergrounding is determined to be infeasible, the property owner shall sign an agreement, in a form acceptable to the City Attorney, that waives the property owner's right to protest formation of a Local Improvement District (LID) for conversion of overhead utility lines to underground, in the public right-of-way adjacent to the subject property, consistent with RCW 35.43.182.

89. Engineering Design – The applicant shall do preliminary engineering and provide construction design for the improvements required by this chapter.

940. Other Necessary Improvements – The applicant shall install any other improvements that are necessary for the installation or proper operations or maintenance of the improvements required by this code.

104. Replacement of Damaged or Substandard Existing Street Improvements – For properties that have existing street improvements, the owner shall remove and replace any damaged or substandard improvements in conjunction with the development of the property. Replacement shall include, but not be limited to, cracked curb, gutter, landscape strip, sidewalk, storm drainage infrastructure, barrier free ramps at street intersections, and installation of street trees.

11. Entry Features in Design Districts- In Design Districts, if the Comprehensive Plan or Design Guidelines designate the subject property for an entry feature, then the applicant shall design and install an entry feature area on the subject property. The size of the entry feature area shall be at least 100 square feet, and may include landscaping, art, signage or lighting. The design shall be reviewed by the City and decided upon as part of the Design Review for the proposed development. The applicant shall provide an easement or dedication of property surrounding the entry feature.

**Chapter 115 – MISCELLANEOUS USE DEVELOPMENT AND PERFORMANCE STANDARDS**

## 115.45

Garbage and Recycling Receptacles and Dumpsters – Placement and Screening

1. Placement – ~~All-g~~Garbage and recycling receptacles and dumpsters, including underground facilities, must comply with either of the following:
  - a. Be sSetback a minimum of five feet from side property lines, 10 feet from rear property lines and 10 feet from front property lines, or
  - b. Comply with the setbacks established for the use with which they are associated.
  - c. Be located outside landscape buffers required by Chapter 95 KZC;
  - d. Be located to minimize visibility from any street, pedestrian walkway, or public park; and  
~~In either case, garbage and recycling receptacles and dumpsters may not be located in landscape buffers required by Chapters 95 and 105 KZC.~~
2. Screening – ~~All-g~~Garbage and recycling receptacles and dumpsters must be screened from view from the street and from adjacent properties by a solid screening enclosure.
3. Exemptions – Garbage receptacles for detached dwelling units, duplexes, moorage facilities, parks, and construction sites are exempt from the placement and screening requirements of this section.

115.47 Loading and Service Areas Placement and Screening

Loading and service areas must be located so they are not visible from any street or pedestrian walkway. If that location is not physically possible, loading and service areas must be screened from public view using a compact evergreen hedge, a solid wall or fence, or in a manner approved by the Planning Official.

## 115.90

Calculating Lot Coverage

1. General – The area of all structures and pavement and any other impervious surface on the subject property will be calculated as a percentage of total lot area. If the subject property contains more than one use, the maximum lot coverage requirements for the predominant use will apply to the entire development.
2. Exceptions
  - a. Wood decks may be excluded if constructed with gaps between the boards and if there is pervious surface below the decks.
  - b. An access easement or tract that serves more than one lot that does not abut a right-of-way will not be used in calculating lot coverage for any lot it serves or crosses.

- c. For detached dwelling units in low density zones and having a front yard, 10 feet of the width of a driveway, outside of the required front yard, serving a garage or carport; provided that:
  - 1) The portion of the driveway excepted from lot coverage calculations shall not exceed 10 percent of the lot area; and
  - 2) The portion of the driveway excepted is not located in an access easement.
- d. Grass grid or brick pavers and compact gravel, when installed over a pervious surface, will be calculated as impervious surface at a ratio of 50 percent of the total area covered.
- e. Outdoor swimming pools.
- f. Pedestrian walkways required by KZC 105.18 and 105.60(4).
- g. Pervious areas below eaves, balconies, and other cantilevered portions of buildings.
- h. Landscaped areas at least two feet wide and 40 square feet in area located over subterranean structures if the Planning Official determines, based on site-specific information submitted by the proponent and prepared by a qualified expert, soil and depth conditions in the landscaped area will provide cleansing and percolation similar to that provided by existing site conditions.
- i. Retaining walls not immediately adjacent to other impervious areas.

## Chapter 142 – DESIGN REVIEW

## Sections:

- 142.05 User Guide
- 142.15 Development Activities Requiring D.R. Approval
- ~~142.17 Design Review Process~~
- ~~142.20 Timing~~
- 142.25 Administrative Design Review (A.D.R.)
- 142.35 Design Board Review (D.B.R.)
- 142.40 Appeals of Design Review Board Decisions
- 142.50 Modifications
- 142.55 Lapse of Approval
- 142.60 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

- ~~1. All development activities subject to KZC 92.35(2) 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; or~~
  - ~~e. Any development listed as exempt in the applicable Use Zone Chart.~~
- ~~4. See also KZC 162.35, 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.~~

Development Activities Requiring D.R. Approval

1. Design Board Review (D.B.R.)

a. The following development activities shall be reviewed by the Design Review Board pursuant to KZC 142.35:

1). New buildings greater than one story in height or greater than 10,000 square feet of gross floor area.

2). Additions to existing buildings where:

a) The new gross floor area is greater than 10% of the existing building's gross floor area; and

b) The addition is greater than 2,000 square feet of gross floor area; and

c) Either:

1) The existing building and addition total more than 10,000 square feet of gross floor area; or

2) The addition adds another story.

3). Renovations to existing facades, where the building is identified by the City as an historic structure.

b. Exemptions from D.B.R.: The following development activities shall be reviewed through the Administrative Design Process in KZC 142.25:

1) Any development where administrative design review is indicated in the applicable Use Zone Chart.

2) Any development in the following zones within the NE 85<sup>th</sup> Street Subarea: RH8, PR 3.6, RM, PLA 17A.

2. Administrative Design Review (A.D.R.) All other development activities not requiring D.B.R. review under Section 1 above shall be reviewed through the A.D.R. process pursuant to KZC 142.25.

3. Exemptions from Design Review The following development activities shall be exempt from either A.D.R. or D.B.R. and compliance with the design regulations of Chapter 92, KZC:

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

b. Interior work that does not alter the exterior of the structure; or

c. Normal building maintenance including the repair or maintenance of structural members; or

d. Any development listed as exempt in the applicable Use Zone Chart.

Sections 142.17 and 142.20 deleted.

~~See also KZC-162.35, Certain Nonconformance's Specifically Regulated, for additional information regarding the application of design regulations to existing development and remodels.~~  
~~Design Review Process~~

~~1. Unless otherwise specified in the Use Zone Chart, 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 85th Street Subarea.~~

~~2. Unless otherwise specified in the Use Zone Chart, all other development activities shall be reviewed by the Design Review Board pursuant to KZC-142.35.~~

142.20Timing

~~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.) Process

1. Authority - The Planning Official shall conduct review the A.D.R. in conjunction with a related development permit pursuant to KZC 142.25.

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 KMC 3.30.040.
- b. Design guidelines for the Rose Hill Business District (RHBD) and the Totem Lake Neighborhood (TLN) as adopted in KMC 3.30.040.
- 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 85th Street Subarea Plan for the Rose Hill Business District (RHBD).
- d. For review of attached or stacked dwelling units within the NE 85th Street Subarea, Appendix C, Design Principles for Residential Development contained in the Comprehensive Plan.

2. Application - As part of any application for a development permit requiring A.D.R., the applicant shall show compliance with the design regulations in Chapter 92, KZC by submitting 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 application materials required as a result of a pre-design conference.

- 3.1. Pre-Design Conference - Before applying for A.D.R. approval, the applicant may shall schedule and attend an A.D.R. a 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, 3D-CAD model, or other application materials the applicant will need to submit with the A.D.R. application.

4. A.D.R. Approval - After reviewing the A.D.R. application for compliance with the design regulations contained in Chapter 92, KZC, and prior to issuance of any development permit requiring A.D.R.,

~~a. The Planning Official may grant, deny, or conditionally approve, subject to modifications the A.D.R. application 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 conditions of approval for on each subsequent any related development permit and no subsequent development permit will be issued unless it is consistent with the A.D.R. approval or conditional approval.~~

~~b. Additions Or Modifications To Existing Buildings -~~

~~1) Applications involving additions or modifications to existing buildings shall comply with the design regulations of Chapter 92 to the extent feasible depending on the scope of the project. The Planning Official may waive compliance with a particular design regulation if the applicant demonstrates that it is not feasible given the existing development and scope of the project.~~

~~2) The Planning Official may waive the A.D.R. process for applications involving additions or modifications to existing buildings if the design regulations are not applicable to the proposed development activity.~~

~~Application—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.~~

~~3. Decision—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 KMC 3.30.040.~~

~~b. Design guidelines for the Rose Hill Business District (RHBD) and the Totem Lake Neighborhood (TLN) as adopted in KMC 3.30.040.~~

~~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 85th Street Subarea Plan for the Rose Hill Business District (RHBD).~~

~~d. For review of attached or stacked dwelling units within the NE 85th Street Subarea, Appendix C, Design Principles for Residential Development contained in the Comprehensive Plan.~~

~~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.~~

5. Lapse of Approval- The lapse of approval for the A.D.R. decision shall be tied to the development permit and all conditions of the A.D.R. approval shall be included in the conditions of approval granted for that development permit.

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.~~

65. Design Departure and Minor Variations

- a. General – This section provides a mechanism for obtaining approval to depart from strict adherence to the design regulations or for requesting minor variations from requirements in the following zones:
  - 1) In the CBD: minimum required yards setback requirements; and
  - 2) In the Totem Center: minimum required yards setback, floor plate maximums and building separation requirements; and
  - 3) In the RHBD and the TLN: minimum required yards 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. Process – 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. Application Information – 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 (65)(d) of this section.
- d. Criteria – The Design Review Board 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.) Process

1. Timing of D.B.R. – For any development activity that requires D.B.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.

2. Public Meetings – All meetings of the Design Review Board shall be public meetings and open to the public.
32. 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) and the Totem Lake Neighborhood (TLN) as adopted in Chapter 3.30 KMC.
- c. ~~The design regulations contained in Chapter 92-KZC, except as provided for in subsection (2)(d) 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.~~
- d. ~~The design regulations contained in Chapter 92-KZC do not apply to development in TL 2, where development is proposed within a Conceptual Master Plan.~~
- ce. The applicable neighborhood plans contained in the Comprehensive Plan for areas where Design Review is required.

- df. 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 85th Street Subarea.
43. The Design Review Board is authorized to approve minor variations in development standards within the following areas certain Design Districts described in Section 142.25.(6)(a) provided the variation complies with the criteria of KZC 142.25(65)(bd):
- a. ~~In the CBD: minimum required yards.~~
  - b. ~~In Totem Center: minimum required yards, from setback, floor plate maximums and building separation requirements.~~
  - c. ~~In the RHBD and TLN: minimum required yards, from setback, landscape buffer and horizontal facade requirements.~~
54. Pre-Design Conference – 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. A pre-design conference may be combined with a pre-submittal meeting.
65. Conceptual Design Conference – 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.
76. Application – 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.
87. Public Notice
- a. Contents – 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. Distribution – 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.
- 3) 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.

98. 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 (32) of this section. Public comment relevant to the application may 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 (32) of this section. The Design Review Board shall make its decision by motion that adopts approved project drawings in addition to changes or conditions required by the Design Review Board. If the Design Review Board finds that the application does not meet those requirements, it shall specify what requirements have not been met and options for meeting those requirements. The Design Review Board may continue the conference if necessary to gather additional information necessary for its decision on the design review application. If the conference is continued to a specific date, no further public notice is required; otherwise notice shall be mailed to all parties participating in the design response conference.

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

Conceptual Master Plan Conference for TL 5 – The Design Review Board shall consider a Conceptual Master Plan (CMP) for properties over four acres in size in TL 5. The CMP shall incorporate the design principles set forth in the special regulations for the use in the TL 5 zoning chart.

Conceptual Master Plan Conference for RHBD – The Design Review Board shall consider a Conceptual Master Plan (CMP) in the RH 3 zone within the NE 85th 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.

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

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

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

#### 142.40

##### 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 142.35(2) are subject to appeal.
2. Who May Appeal – 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. Time To Appeal/How To Appeal – 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.
5. Notice
  - a. Content – 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. Distribution – 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.
6. 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.
7. 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. Content – 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. Distribution – 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. Electronic Sound Recordings – The hearing body or officer shall make a complete electronic sound recording of each hearing.
10. Continuation of the Hearing – 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.

## 142.55

Lapse of Approval For Design Review Board Decisions

1. General – Unless otherwise specified in the decision granting D.B.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.B.R. approval within one year after the final decision granting the D.B.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.B.R. approval decision within three years after the final decision on the D.B.R. approval or the decision becomes void. "Final decision" means the final decision of the Planning Official or Design Review Board.
2. Extensions
  - a. Application – 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.B.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. Who Can Appeal – Any person who is aggrieved by a time extension or denial of a time extension under this section may appeal that determination.
  - b. How To Appeal – 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. Applicable Procedures – All appeals of decisions under this section will be reviewed and decided upon using Process IIA, described in Chapter 150 KZC.

## 142.60

Bonds

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

11. Decision on the Appeal

- a. Criteria – 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. General – 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. Issuance of Written Decision – 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. Effect – 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 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.

## Kirkland Zoning Code Amendments

## Chapter 142-Revised 5/25/07

## 142.55

Lapse of Approval For Design Review Board Decisions

1. General – Unless otherwise specified in the decision granting D.B.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.B.R. approval within one year after the final decision granting the D.B.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.B.R. approval decision within three years after the final decision on the D.B.R. approval or the decision becomes void. "Final decision" means the final decision of the Planning Official or Design Review Board.

2. Extensions

a. Application – 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.B.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. Who Can Appeal – Any person who is aggrieved by a time extension or denial of a time extension under this section may appeal that determination.

b. How To Appeal – 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. Applicable Procedures – All appeals of decisions under this section will be reviewed and decided upon using Process IIA, described in Chapter 150 KZC.

## 142.60

Bonds

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

## Chapter 162 – NONCONFORMANCE

## 162.35 Certain Nonconformances Specifically Regulated

8. Nonconformances To Design Regulations In Design Districts CBD, JBD, NRHBD, RHBD, Totem Lake Neighborhood (TLN) and Totem Center Design Regulations

- a. Nonconformances to the design regulations of Chapter 92 are governed by KZC Chapter 142.

~~The provisions of this subsection (8) regulate under what circumstances nonconformance with the CBD, JBD, NRHBD, RHBD, TLN and Totem Center design regulations of Chapter 92 KZC must be corrected. Compliance with CBD, JBD, NRHBD, RHBD, TLN and Totem Center design regulations is only required when D.R. is required pursuant to Chapter 142 KZC. However, the City encourages voluntary compliance with the design regulations even for projects which do not require D.R. approval.~~

- b. ~~If the applicant proposes to modify a building or site (or portions thereof) that does not conform to the design regulations, then the nonconforming elements on or within the building or site (or portions thereof) must be brought into conformance to the greatest extent feasible, as determined by the City, depending on the scope of the project.~~

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

## Chapter 180 – PLATES

### 180.05 User Guide

Plate 1 One-Way Traffic – Standard Size Stall (8.5' x 18.5')

Plate 2 Two-Way Traffic – Standard Size Stall (8.5' x 18.5')

Plate 3 One-Way Traffic – Compact Stall (8' x 16')

Plate 4 Two-Way Traffic – Compact Stall (8' x 16')

Plate 5 *Repealed*

Plate 6 *Repealed*

Plate 7 *Repealed*

Plate 8 *Repealed*

Plate 8A Parking Area Design Using Street for Circulation

Plate 9 Allowable Signage

Plate 10 Intrusions into Required Setback Yards

Plate 11 Outdoor Use Activity and Storage Areas

Plate 12 Pedestal Signs

Plate 13 Monument Signs

Plate 13A Pole Signs

Plate 14 Driveway Configuration for Detached Dwelling Units

Plate 14A Driveway Setbacks on "Panhandle" Lots

Plate 14B Driveway Widths in Required Front and Rear Yards

Plate 15 Measuring 15 Percent Slopes

Plate 16 Determining Stream Buffers

Plate 16A Stream Buffers

Plate 17 Calculating Average Building Elevation

Plate 18 Adjoining Properties

Plate 19 Calculating Average Parcel Depth

Plate 20 Turnaround Space

Plate 21 Dwelling Units "Served" and Not "Served" by a Vehicular Access Easement or Tract

Plate 22 WD II North Property Line Yard and Height of Structure

Plate 23 Calculating Floor Area for Basements (Detached Dwelling Units in Low Density Zones)

Plate 24 Required Front Yard Averaging

Plate 25 Piped Systems within Buffer Setbacks

Plate 26 Wetland Field Data Form

Plate 27A Shoreline View Corridor

Plate 27B Shoreline View Corridor

Plate 27C Shoreline View Corridor

Plate 28 North Property Line – Waterfront District (WD) Zones

Plate 29 Driveway Easement

Plate 30 Rooftop Appurtenances – Screening with Roof Forms – Examples

Plate 31 Rooftop Appurtenances – Allowable Height and Coverage

Plate 32 Affordable Housing Incentives – Multifamily

Plate 33 View Corridor Height Restriction TL 3A

Plate 34 119<sup>th</sup> Avenue NE and NE 130<sup>th</sup> Place Improvements

Plate 34 A. TL 1A and TL 1B, 119<sup>th</sup> Avenue NE and NE 130<sup>th</sup> Place Street Improvements

B. TL 5 123<sup>rd</sup> Avenue NE and NE 120<sup>th</sup> Street Improvements

C. TL 10B 118<sup>th</sup> Avenue NE Street Improvements

D. Totem Lake Neighborhood Designated Circulator

E. Totem Lake Neighborhood Pedestrian Circulation

F. TL 5 Vehicular and Pedestrian Through Block Pathways Concept

G. TL 6B Internal Access Roads and Through Block Pathways Concept

H. CBD Pedestrian Circulation

I. JBD Pedestrian Circulation

J. NRHBD Pedestrian Circulation

K. RHBD Through Block Pathways Concept

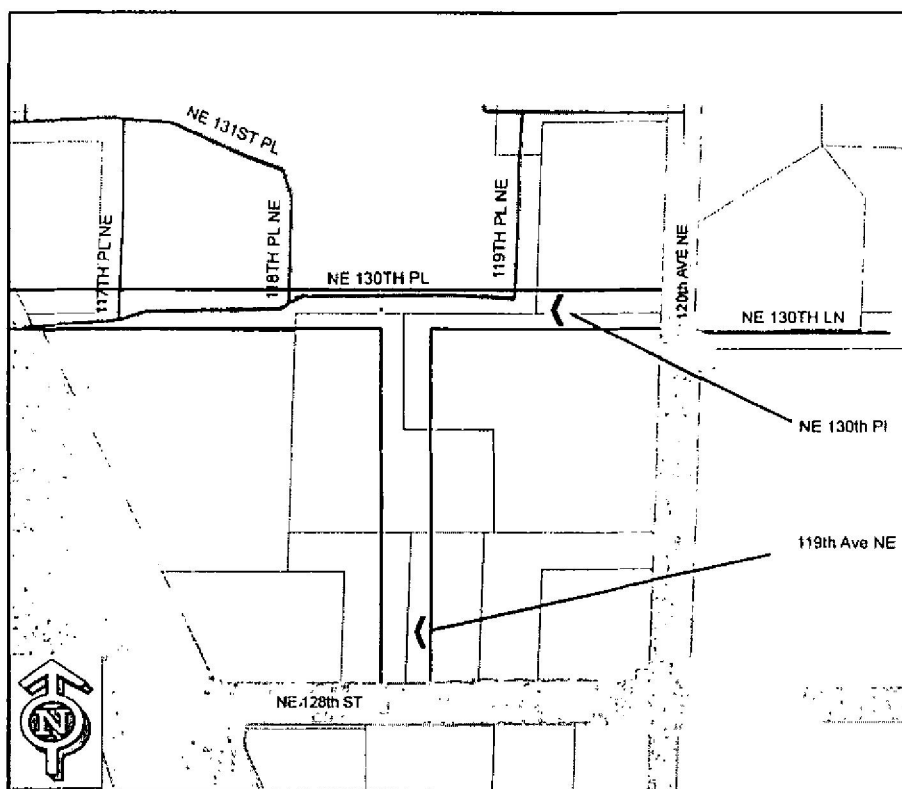
Plate 35 123<sup>rd</sup> Avenue NE and NE 120<sup>th</sup> Street Improvements

Plate 36 118<sup>th</sup> Avenue NE Improvements

Plate 37 Stand-Alone Housing Areas

## Plate 34A

### 119th Avenue NE and NE 130th Place Street Improvements in TL1A and TL1B Zones



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

**119th Avenue NE:**

40 - 51 feet of public right-of-way

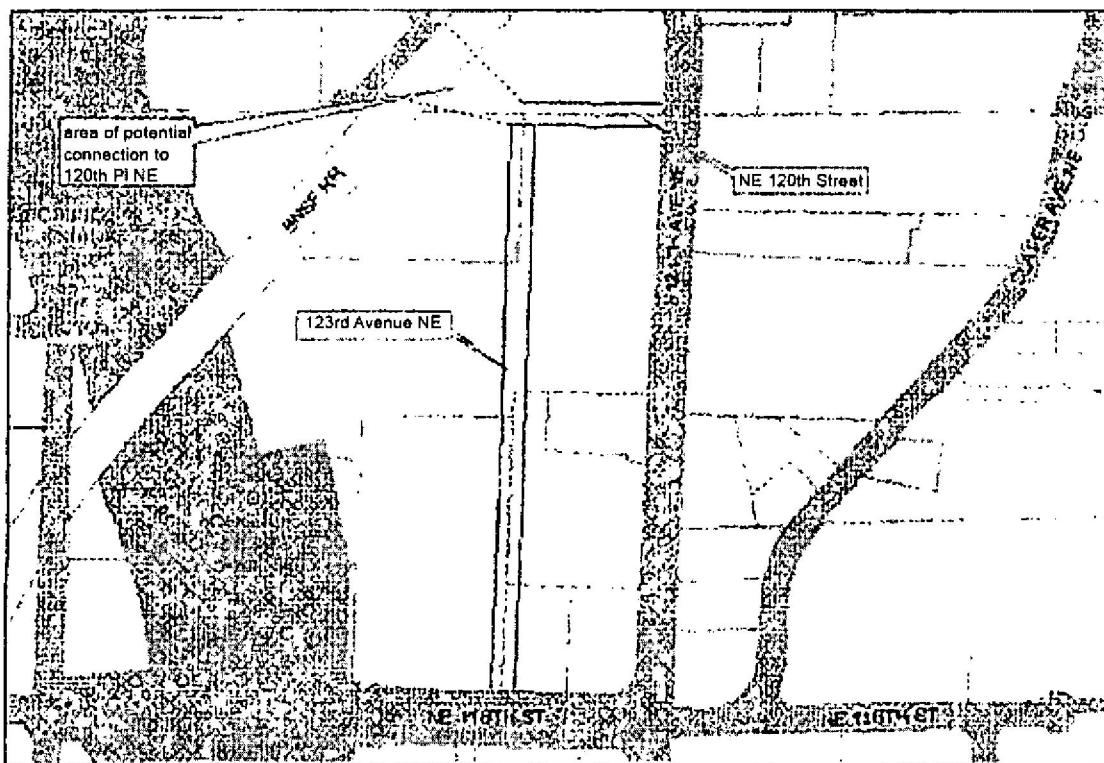
Specific improvements to be determined by the Public Works Director

**NE 130th Place:**

51 feet of public right-of-way

Specific improvements to be determined by the Public Works Director

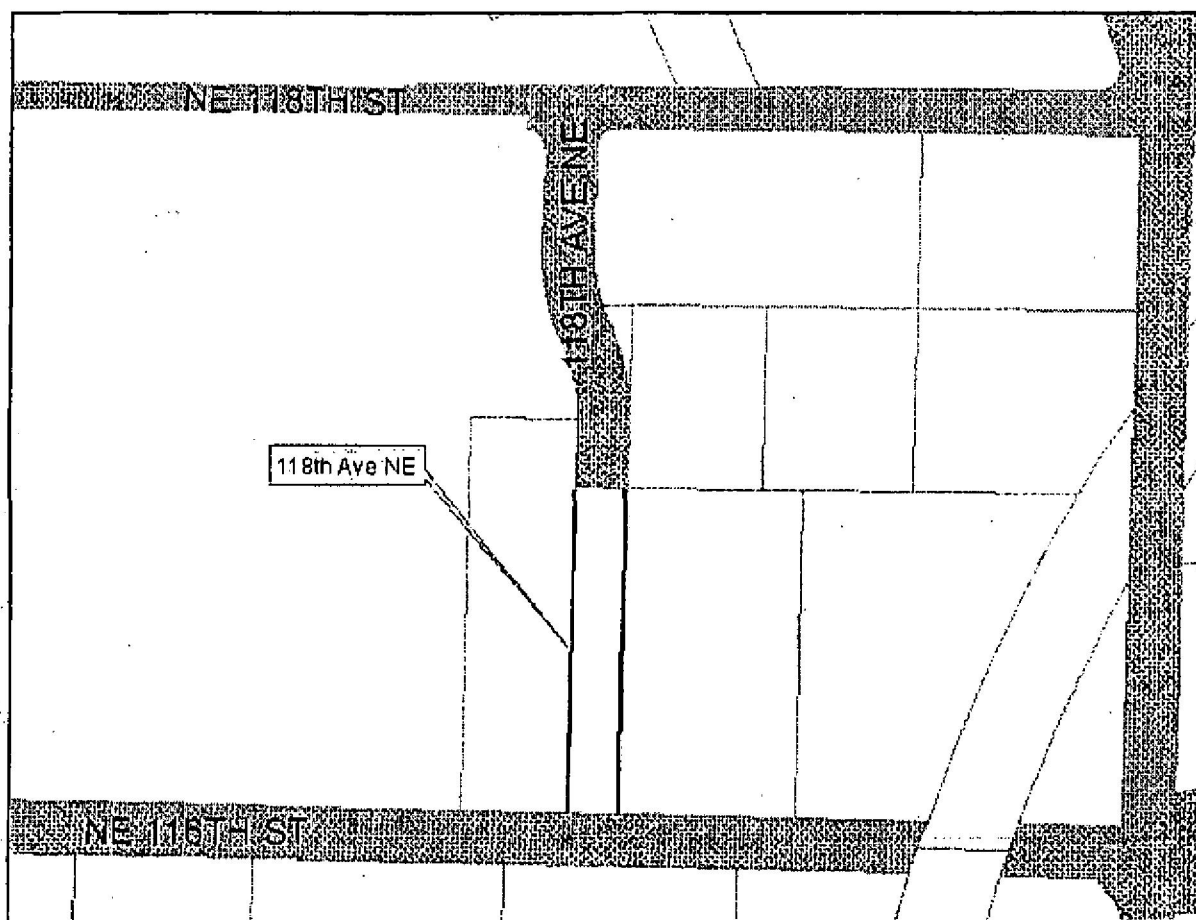
**Note:** The precise right-of-way alignment may vary, and shall be determined by the Public Works Director

Plate 34B**123rd Avenue NE Improvements and NE 120th Street Improvements in TL 5 Zone****Required street improvements for 123rd Avenue NE and NE 120th Street**

60 feet of public right-of-way. Right-of-way width may be modified by the Public Works Director.

Specific improvements to be determined by the Public Works Director

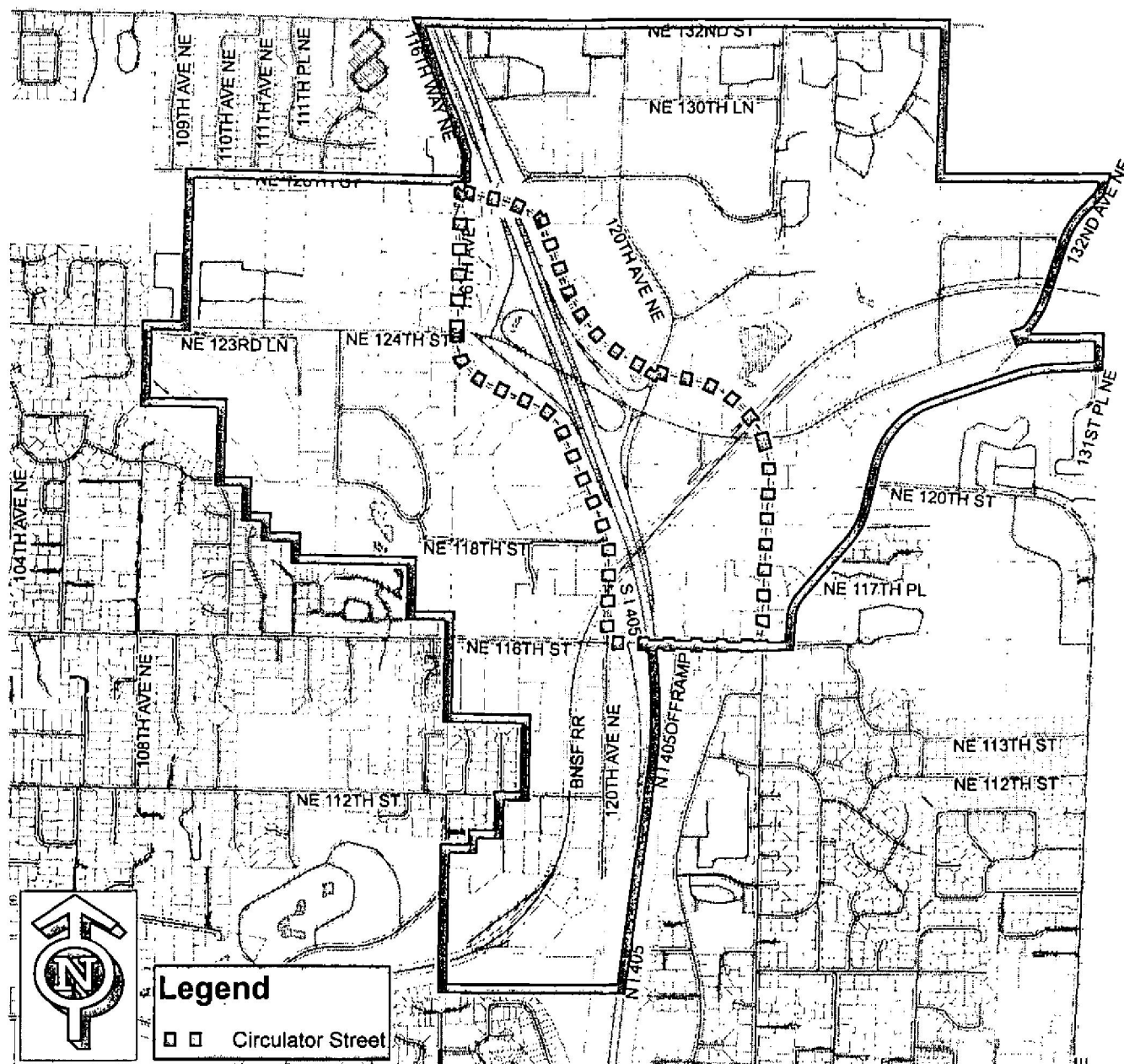


Plate 34C**118th Avenue NE Street Improvements in TL 10B Zone****Required street improvements for 118th Avenue NE**

60 feet of public right-of-way.

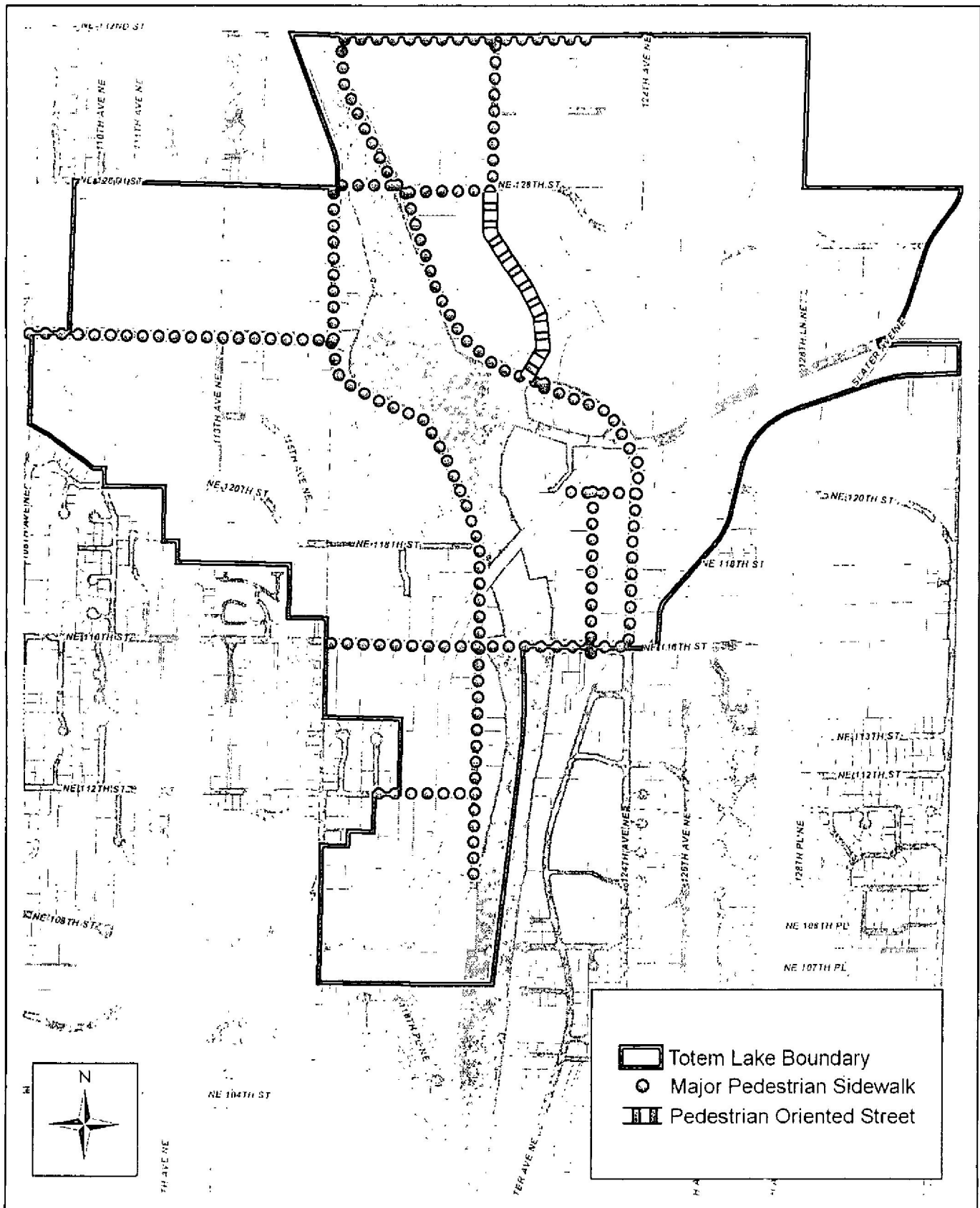
A slope easement may be required, west of the 118th Avenue NE right-of-way, as determined by the Public Works Director

Specific improvements to be determined by the Public Works Director

**Plate 34D****The Designated "Circulator" in the Totem Lake Neighborhood**

# Plate 34E

## Pedestrian Circulation in Totem Lake



**Plate 34F**

## Vehicular Access and Pedestrian Pathway Concept for TL5

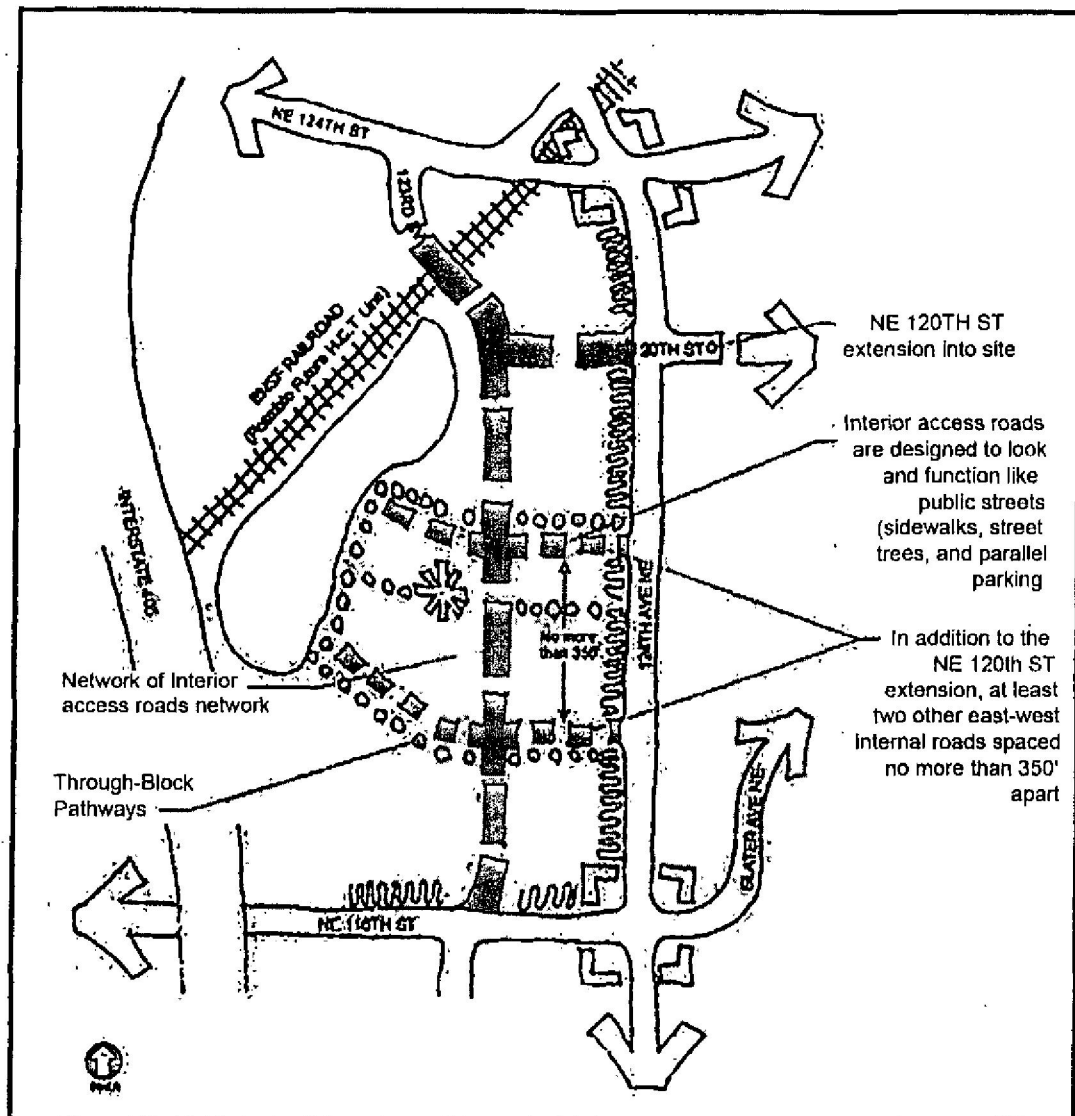


Plate 34G

**Internal Access Roads and Through Block Pathway Concept for TL 6B**

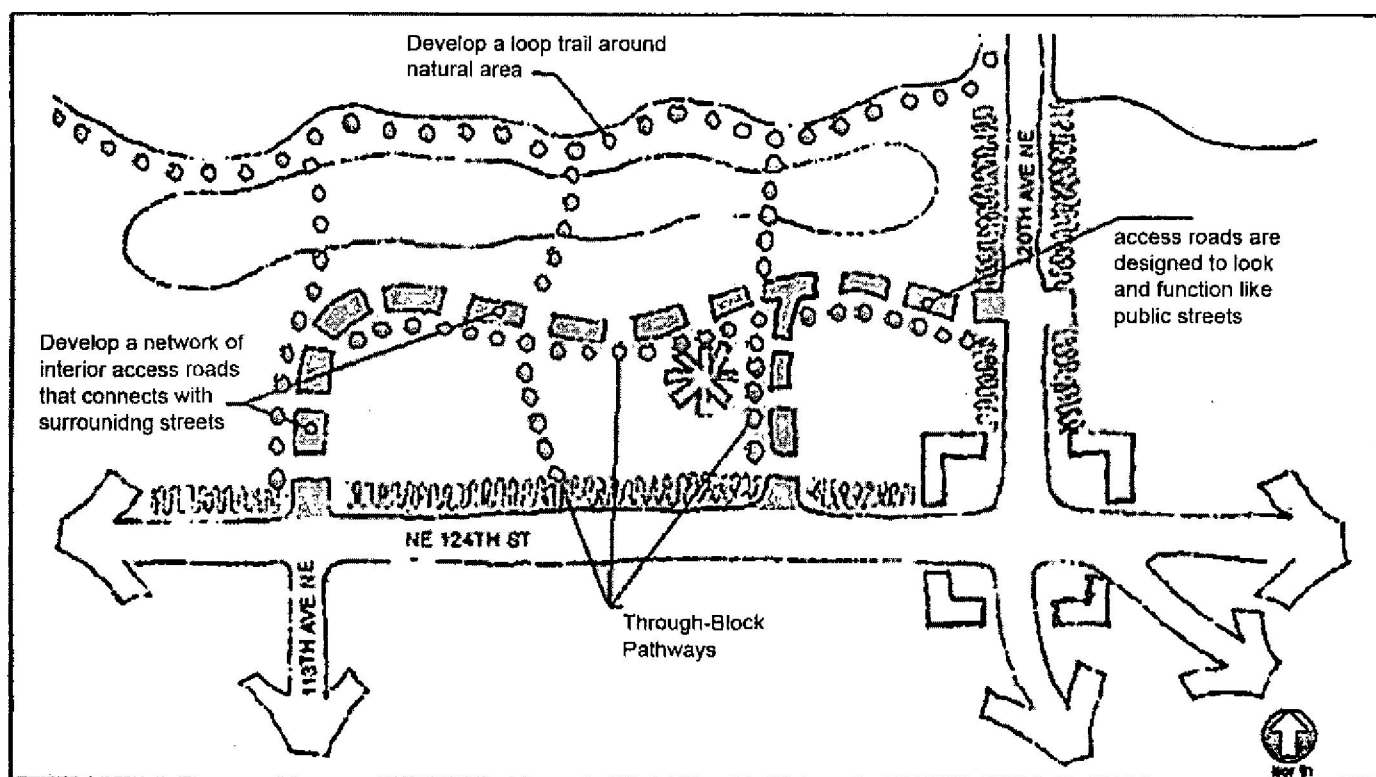


Plate 34H

**Pedestrian Circulation in the CBD**

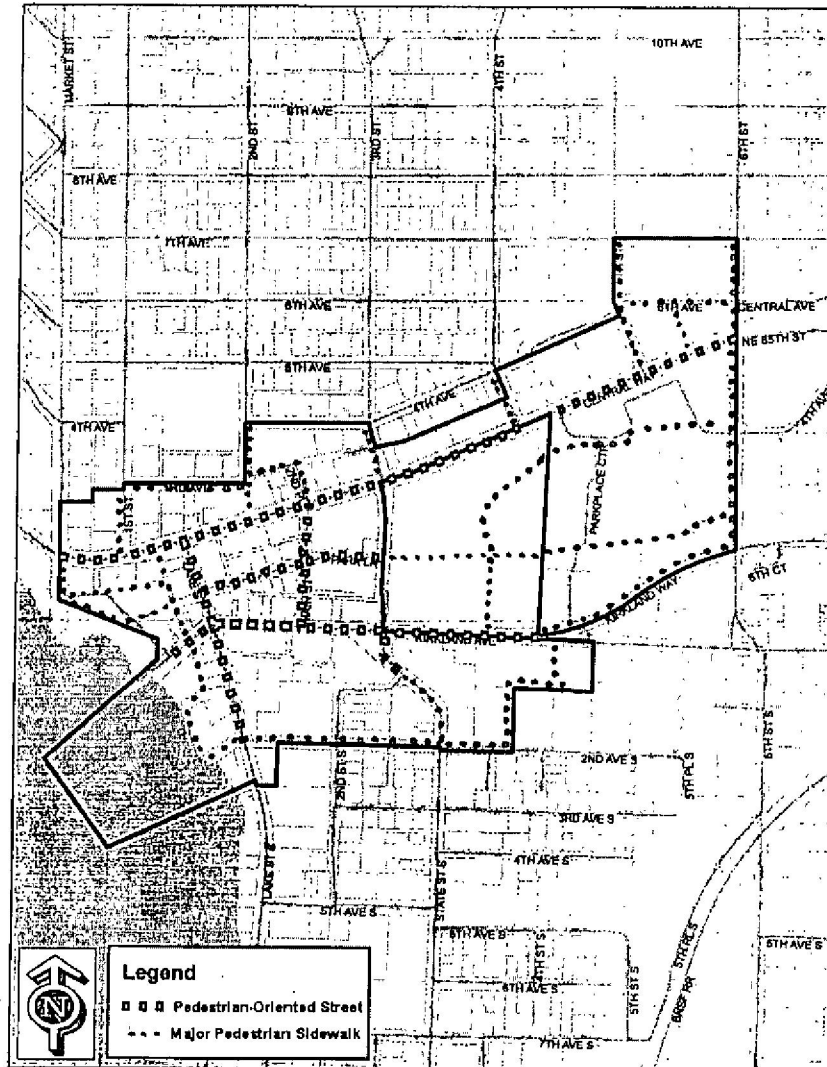


Plate 34

**Pedestrian Circulation in the JBD**

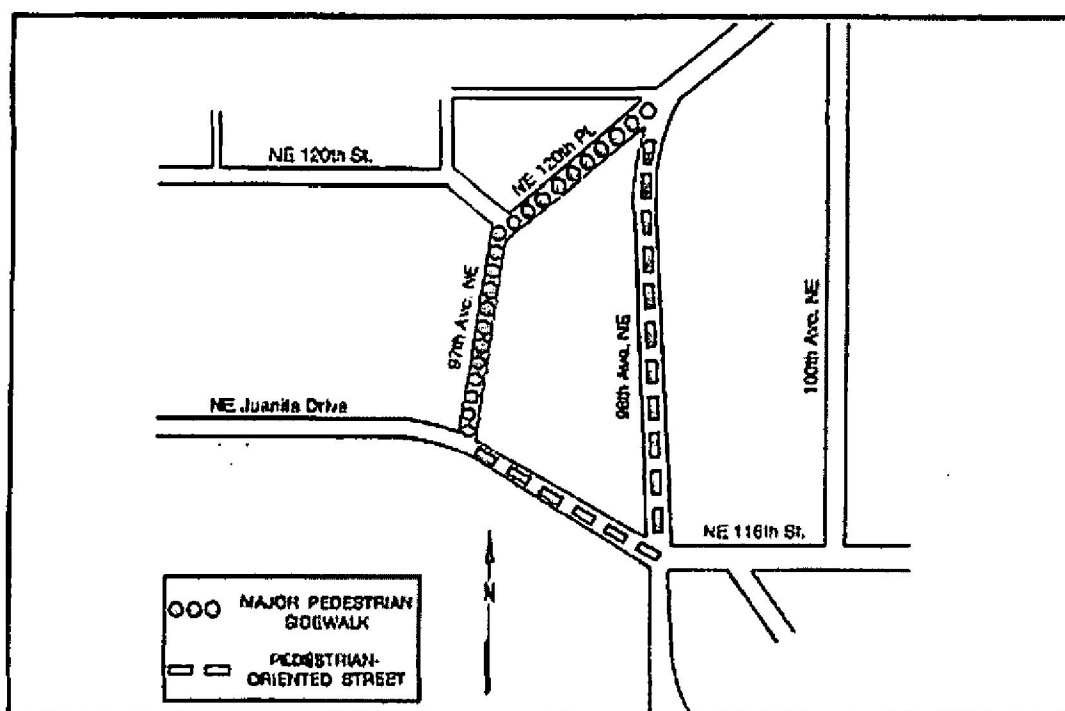
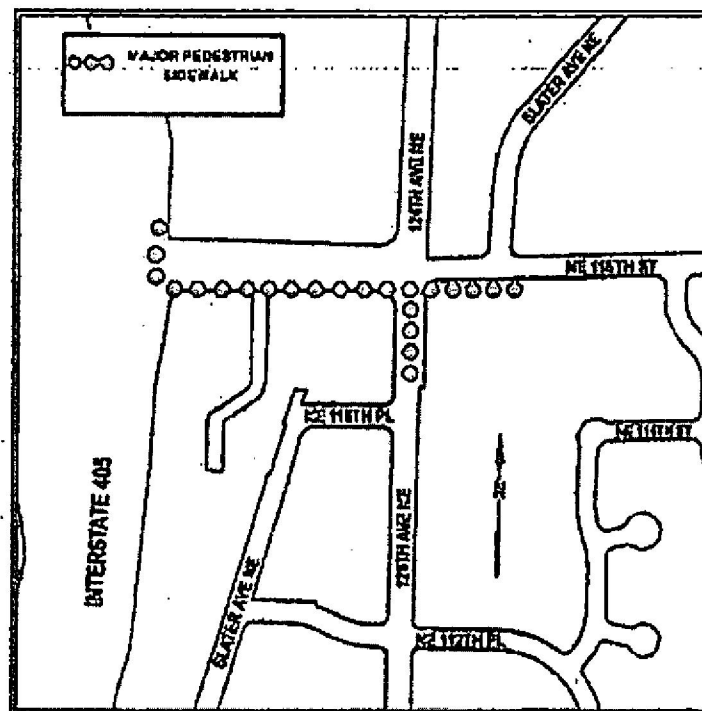


Plate 34J

Pedestrian Circulation in the NRHBD

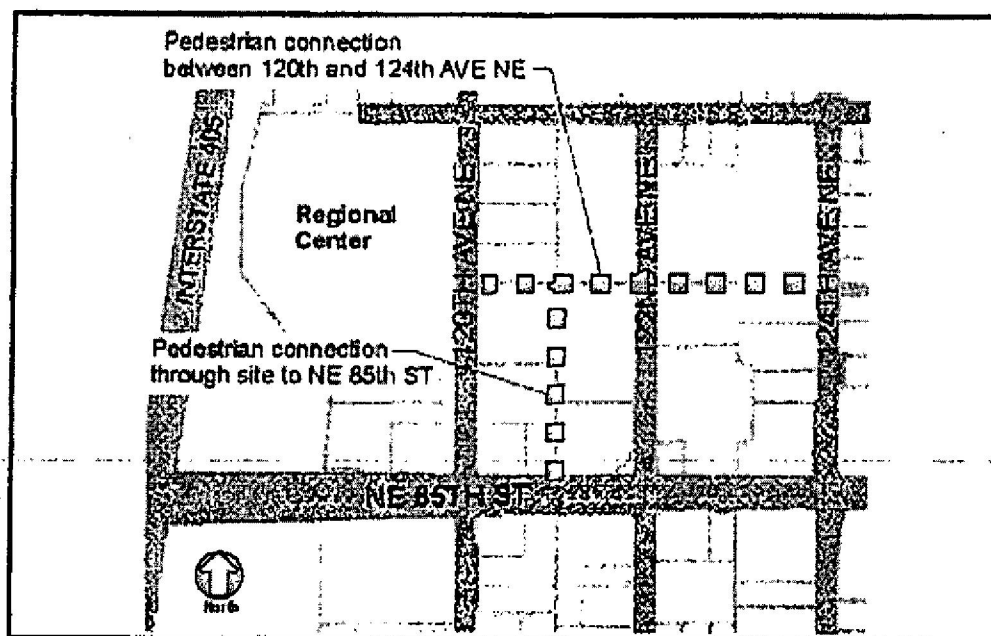


Attachment A-19



Plate 34K

**Through-Block Pathways Concept for RHBD**



## Chapter 55 – TOTEM LAKE (TL) ZONES

55.05 User Guide. The charts in KZC 55.09 contain the basic zoning regulations that apply in the TL 1A zone of the city. Use these charts by reading down the left hand column entitled Use. Once you locate the use in which you are interested, read across to find the regulations that apply to that use.

### Section 55.07



### Section 55.07 – GENERAL REGULATIONS

1. Refer to Chapter 1 KZC to determine what other provision of this Code may apply to the subject property.
2. All ground floor uses shall be a minimum of 15 feet in height. This regulation does not apply to parking garages or property with no frontage on NE 128th Street.
3. In addition to the height exceptions established by KZC 115.60, the following exceptions to height regulations in TL zones are established:
  - a. Decorative parapets may exceed the height limit by a maximum of four feet; provided, that the average height of the parapet around the perimeter of the structure shall not exceed two feet.
  - b. For structures with a peaked roof, the peak may extend eight feet above the height limit if the slope of the roof is equal to or greater than four feet vertical to 12 feet horizontal.
4. The minimum required front yard is 10 feet, unless otherwise prescribed in the use zone chart. Ground floor canopies and similar entry features may encroach into the front yard, provided the total horizontal dimension of such elements may not exceed 25 percent of the length of the structure. No parking, other than underground parking, may encroach into the required 10-foot front yard.
5. The ability to accommodate new development in the TL 1A zone is dependent upon the construction of two new streets: 119th Avenue NE, between NE 128th Street and NE 130th Place, and NE 130th Place, between 120th Avenue NE and Totem Lake Boulevard NE, as shown on ~~Plate 34~~. Consistent with and to the extent authorized by applicable statutes and court decisions, new development on properties across which these streets in whole or in part extend, shall contribute to the creation of the streets as follows:
  - a. With all new development, the portions of these streets crossing the subject property shall be dedicated as public right-of-way consistent with ~~Plate 34~~ and consistent with Plate 34A.
  - b. With all new development exceeding 30 feet in height, the streets shall be improved as determined by the Public Works Director. Minor deviations in the location and width of the streets may be approved by the Public Works Director if the deviations will not negatively affect the functioning of the streets.
6. Properties located between TL 2 and NE 128th Street may be required to provide a pedestrian connection between TL 2 and NE 128th Street.

ATTACHMENT

A

2.1

# USE ZONE CHART

DIRECTIONS: FIRST, read down to find use. THEN, across for REGULATIONS												
Section 55.09	USE ↓ REGULATIONS ↓	Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.010	Office Use	D.R., Chapter 142 KZC	None	10'	0'	0'	85% See Spec. Reg. 5.	30' to 160' above average building elevation. See Spec. Reg. 4.	B	D	See Chapter 105 KZC	<div>92.15 and 105.</div> <div>1. The minimum floor area ratio (FAR) for development on the subject property is 1.0, or 100 percent of lot size.</div> <div>2. The maximum floor area ratio (FAR) for development on the subject property is 2.0, or 200 percent of lot size, except as provided in Special Regulation 3 below. When combined with residential use, the maximum FAR for this use is determined as follows: (% office use x 2) + (% residential use x 3) = FAR of each use allowed on the subject property. Maximum FAR is determined based on parcel size, prior to any road dedication required pursuant to General Regulation 5 for this zone.</div> <div>3. On parcels where road dedication is required pursuant to General Regulation 5, the maximum floor area ratio (FAR) may be increased by an additional 0.2 FAR for each 10 percent or portion thereof of the subject property required to be dedicated. Where this use is combined with residential use, the maximum FAR for the residential use may be increased by an additional 0.3 of residential use for each 10 percent or portion thereof of the subject property required to be dedicated.</div> <div>4. Building height may be increased as follows:<div>a. Building height may exceed 30 feet above average building elevation if one of the following public improvements is provided:<div>1) Dedication and improvement of new streets pursuant to General Regulation 5; or</div><div>2) Where General Regulation 5 does not apply, the development of pedestrian-oriented elements that exceed the requirements of KZO 92.10. Examples include pedestrian walkways through the subject property, public plazas, public art and fountains.</div></div><div>b. Building height may exceed 80 feet and be increased up to 160 feet above average building elevation, with the height increases to be based on the following considerations:<div>1) Development on the subject property complies with 4(a) above.</div><div>2) Design of buildings meets guidelines for towers set forth in Design Guidelines (Chapter 142 KZC, and Chapter 3.30 KMC).</div></div></div>
REGULATIONS FOR THIS USE CONTINUED ON THE NEXT PAGE												

92.15 and 105.

REGULATIONS FOR THIS USE CONTINUED ON THE NEXT PAGE

Section 55.09



USE ZONE CHART

DIRECTIONS: FIRST, read down to find use. THEN, across for REGULATIONS												
Section 55.09	USE ↓ REGULATIONS ↓	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.040	Attached or Stacked Dwelling Units (continued)										<p>4. On parcels where road dedication is required pursuant to General Regulation 5, the maximum floor area ratio (FAR) may be increased by an additional 0.30 FAR for each 10 percent or portion thereof of the subject property required to be dedicated. Where this use is combined with office use, the maximum FAR for the office use may be increased by an additional 0.2 of office use for each 10 percent or portion thereof of the subject property required to be dedicated.</p> <p>5. Building height may be increased as follows:</p> <p>a. Building height may exceed 30 feet above average building elevation, if one of the following public improvements is provided:</p> <p>1) Dedication and improvement of new streets pursuant to General Regulation 5; or</p> <p>2) Where General Regulation 5 does not apply, the development of pedestrian-oriented elements that exceed the requirements of KZC 92.10. Examples include pedestrian walkways through the subject property, public plazas, public art and fountains; and</p> <p>3) Provides for at least 10 percent of the units in new residential developments of 10 units or greater as affordable housing units, as defined in Chapter 5 KZC. The number of affordable housing units is determined by rounding up to the next whole number (unit) if the fraction of the whole number is at least 0.66. An agreement in a form approved by the City must be recorded with King County Department of Records and Elections to stipulate conditions under which required affordable housing units will remain as affordable housing 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).</p> <p>b. Building height may exceed 80 feet and be increased up to 160 feet above average building elevation, with the height increases to be based on the following considerations:</p> <p>1) Development on the subject property complies with 5(a) above.</p> <p>2) Design of buildings meets guidelines for towers set forth in Design Guidelines (Chapter 142 KZC, and Chapter 3.30 KMC).</p>	

REGULATIONS FOR THIS USE CONTINUED ON THE NEXT PAGE

## Section 55.09

Zone  
TTL 1/A

## USE ZONE CHART

DIRECTIONS: FIRST, read (down) to find (use); THEN, across (for) REGULATIONS												
Section 55.09	USE ↓ REGULATIONS ↓	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.070	Assisted Living Facility	D.R., Chapter 142 KZC	None	10'	0'	0'	85% See Spec. Reg. 5.	30' to 160' above average building elevation. See Spec. Reg. 4.	B	A	See KZC 105.25.	<div>92.15 and 105 ←</div> <ol style="list-style-type: none"><li>Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use.</li><li>The maximum floor area ratio (FAR) for development on the subject property is 3.0, or 300 percent of lot size, except as provided in Special Regulation 3 below. Maximum FAR is determined based on parcel size, prior to any road dedication required pursuant to General Regulation 5 for this zone.</li><li>On parcels where road dedication is required pursuant to General Regulation 5, the maximum floor area ratio (FAR) may be increased by an additional 0.30 FAR for each 10 percent or portion thereof, of the subject property required to be dedicated.</li><li>Building height may be increased as follows:<ol style="list-style-type: none"><li>Building height may exceed 30 feet above average building elevation, if one of the following public improvements is provided:<ol style="list-style-type: none"><li>Dedication and improvement of new streets pursuant to General Regulation 5; or</li><li>Where General Regulation 5 does not apply, the development of pedestrian-oriented elements that exceed the requirements of KZC 92.10: Examples include pedestrian walkways through the subject property, public plazas, public art and fountains; and</li><li>Provides for at least 10 percent of the units in new residential developments of 10 units or greater as affordable housing units, as defined in Chapter 5 KZC. The number of affordable housing units is determined by rounding up to the next whole number (unit) if the fraction of the whole number is at least 0.66. An agreement in a form approved by the City must be recorded with King County Department of Records and Elections to stipulate conditions under which required affordable housing units will remain as affordable housing units for the life of the project for rental units, and at least 30 years from the date of initial occupancy for ownership units. Additional affordable housing incentives may be applicable to residential development (see Chapter 112 KZC).</li></ol></li></ol></li></ol>
REGULATIONS FOR THIS USE CONTINUED ON THE NEXT PAGE												

92.15 and 105  
←

REGULATIONS FOR THIS USE CONTINUED ON THE NEXT PAGE

Section 55.09

Zone  
ML 1/A

USE ZONE CHART

Section 55.09		DIRECTIONS: FIRST, read down to find use. THEN, across for REGULATIONS.									
USE ↓ REGULATIONS ↓	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
		Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage					Height of Structure
			Front	Side	Rear						
.080	Convalescent Center or Nursing Home (continued)									3. Building height may be increased as follows: a. Building height may exceed 30 feet above average building elevation, if one of the following public improvements is provided: 1) Dedication and improvement of new streets pursuant to General Regulation 5; or 2) Where General Regulation 5 does not apply, the development of pedestrian-oriented elements that exceed the requirements of KZC 92.10. Examples include pedestrian walkways through the subject property, public plazas, public art and fountains. b. Building height may exceed 80 feet and be increased up to 160 feet above average building elevation, with the height increases to be based on the following considerations: 1) Development of the subject property complies with 3(a) above. 2) Design of buildings meets guidelines for towers set forth in Design Guidelines (Chapter 142 KZC, and Chapter 3.30 KMC). 3) Floor plates may not exceed 10,000 square feet per floor, for the portion of the building above 80 feet in height, except on those parcels where road dedication is required pursuant to General Regulation 5. On these parcels, floor plates may not exceed 20,000 square feet on floors between 80 feet and 120 feet in height. Beyond 120 feet in height, floor plates may not exceed 10,000 square feet per floor. 4) Portions of structures exceeding 80 feet in height must be separated by at least 60 feet, both on the subject property and from taller building elements on adjacent properties. 4. Increases in lot coverage may be considered if: a. Land dedication on the subject property provided pursuant to General Regulation 5 limits area available for development on the property, and/or b. Other techniques used to provide open space result in superior landscaping, such as the use of gardens on lower portions of structures or on rooftops, the provision of visual and pedestrian access to public garden areas, or other approaches that provide for useable green space.	

55.11 User Guide. The charts in KZC 55.15 contain the basic zoning regulations that apply in the TL 1B zone of the city. Use these charts by reading down the left hand column entitled Use. Once you locate the use in which you are interested, read across to find the regulations that apply to that use.

### Section 55.13



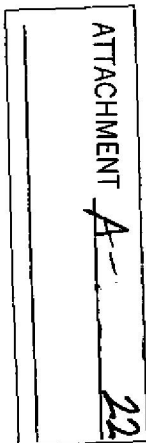
### Section 55.13 – GENERAL REGULATIONS

1. Refer to Chapter 1 KZC to determine what other provision of this Code may apply to the subject property.
2. In addition to the height exceptions established by KZC 115.60, the following exceptions to height regulations in TL zones are established:
  - a. Decorative parapets may exceed the height limit by a maximum of four feet; provided, that the average height of the parapet around the perimeter of the structure shall not exceed two feet.
  - b. For structures with a peaked roof, the peak may extend eight feet above the height limit if the slope of the roof is equal to or greater than four feet vertical to 12 feet horizontal.
3. The minimum required front yard is 10 feet, unless otherwise prescribed in the use zone chart. Ground floor canopies and similar entry features may encroach into the front yard, provided the total horizontal dimension of such elements may not exceed 25 percent of the length of the structure. No parking may encroach into the required 10-foot front yard.
4. The ability to accommodate new development in the TL ~~1A and 1B~~ zones is dependent upon the construction of two new streets: NE 130th Place, between 120th Avenue NE and Totem Lake Boulevard NE, and ~~110th Avenue NE, between NE 120th Street and NE 130th Place~~, as shown on Plate ~~34~~. Consistent with and to the extent authorized by applicable statutes and court decisions, new development on properties across which ~~these~~ <sup>this</sup> streets in whole or in part extend, shall contribute to the creation of the streets as follows:
  - a. With all new development, the portions of the streets crossing the subject property shall be dedicated as public right-of-way consistent with Plate ~~34~~, and
  - b. With all new development exceeding 30 feet in height, the streets shall be improved consistent with Plate ~~34~~ **34A**Minor deviations in the location, width and improvement of the streets may be approved by the Public Works Director if the deviations will not negatively affect the functioning of the streets.

O-4072  
eff 3-12-07

34A

34A





## Section 55.15

Zone  
MIL 115

## USE ZONE CHART

Section 55.15	USE ↓ REGULATIONS ↑	DIRECTIONS: FIRST read (down) to find (use) THEN across for REGULATIONS										
		Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.020	Development Containing Both Office Use and Attached or Stacked Dwelling Units (continued)											

0-4072 eff 3-12-07

a. Where land dedication for 119<sup>th</sup> Avenue NE is not required pursuant to General Regulation 4, office use is limited to 0.5 FAR.

b. Where land dedication is required for the improvement of 119<sup>th</sup> Avenue NE, pursuant to General Regulation 4, office use may be increased according to the formula set forth in Special Regulation 1. Office use may not exceed 90 percent of the total FAR for the mixed use development. If the office use is proposed to be built prior to the residential use, the applicant may propose a phasing plan for the residential component to the Planning Department. Maximum FAR is determined based on parcel size, prior to any road dedication required pursuant to General Regulation 4 for this zone.

a. The maximum Floor Area Ratio (FAR) for this use is 3.0, except as provided in paragraph b of this section. Office use shall not exceed 10% of the total gross floor area of all structures on the subject property.

cb. On parcels where land dedication is required pursuant to General Regulation 4, the maximum floor area ratio (FAR) may be increased by an additional 0.2 FAR of office use, or 0.3 of residential use for each 10 percent or portion thereof of the subject property required to be dedicated.

b. Where land dedication is required for the improvement of 119<sup>th</sup> Avenue NE, pursuant to General Regulation 4, office use may be increased according to the formula set forth in Special Regulation 1. Office use may not exceed 90 percent of the total FAR for the mixed use development. If the office use is proposed to be built prior to the residential use, the applicant may propose a phasing plan for the residential component to the Planning Department. Maximum FAR is determined based on parcel size, prior to any road dedication required pursuant to General Regulation 4 for this zone.

b. On parcels where land dedication is required pursuant to General Regulation 4, the maximum floor area ratio (FAR) may be increased by an additional 0.2 FAR of office use, or 0.3 of residential use for each 10 percent or portion thereof of the subject property required to be dedicated.

2. Twenty-foot yard required where properties abut NE 132nd Street.

3. Within 100 feet of the centerline of NE 132nd Street, building height may not exceed 30 feet above the elevation of the centerline of NE 132nd Street along the subject property.

4. Building height may be increased as follows:

a. Building height may exceed 30 feet above average building elevation, if:

1) One of the following public improvements is provided:

a) Dedication and improvement of new streets pursuant to General Regulation 4; or

b) Where General Regulation 4 does not apply, the development of pedestrian-oriented elements that exceed the requirements of KZC 92.10. Examples include pedestrian walkways through the subject property, public plazas, public art and fountains; and

2) Provides for at least 10 percent of the units in new residential developments of 10 units or greater as affordable housing units, as defined in Chapter 5 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.

REGULATIONS FOR THIS USE CONTINUED ON THE NEXT PAGE

REGULATIONS FOR THIS USE CONTINUED ON THE NEXT PAGE

92.15 and 105



DIRECTIONS: IF FIRST read down to find use. THEN across for REGULATIONS												
Section 55.15	USE ↓ REGULATIONS ↓	Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.050	Attached or Stacked Dwelling Units	D.R., Chapter 142 KZC	None	10' See Spec. Reg. 5.	0'	0'	85% See Spec. Reg. 8.	30' to 160' above average building elevation. See Spec. Regs. 6 and 7.	C	A	See KZC 105.25.	<div>92.15 and 105 ←</div> <div><div>1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use.</div><div>2. Residential development must provide a minimum density of 50 dwelling units per gross acre.</div><div>3. The maximum floor area ratio (FAR) for development on the subject property is 3.0, or 300 percent of lot size. Maximum FAR is determined based on parcel size, prior to any road dedication required pursuant to General Regulation 4 for this zone.</div><div>4. On parcels where road dedication is required pursuant to General Regulation 4, the maximum floor area ratio (FAR) may be increased by an additional 0.30 for each 10 percent or portion thereof of the subject property required to be dedicated.</div><div>5. Twenty-foot yard required where properties abut NE 132nd Street.</div><div>6. Within 100 feet of the centerline of NE 132nd Street, building height may not exceed 30 feet above the elevation of the centerline of NE 132nd Street along the subject property.</div><div>7. Building height may be increased as follows:<div>a. Building height may exceed 30 feet above average building elevation, if one of the following public improvements is provided:<div><div>1) Dedication and improvement of new streets pursuant to General Regulation 4; or</div><div>2) Where General Regulation 4 does not apply, the development of pedestrian-oriented elements that exceed the requirements of KZC 02.10. Examples include pedestrian walkways through the subject property, public plazas, public art and fountains; and</div><div>3) Provides for at least 10 percent of the units in new residential developments of 10 units or greater as affordable housing units, as defined in Chapter 5 KZC. The number of affordable housing units is determined by rounding up to the next whole number (unit) if the fraction of the whole number is at least 0.66. An agreement in a form approved by the City must be recorded with King County Department of Records and Elections to stipulate conditions under which required affordable housing units will remain as affordable housing 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.</div></div></div></div></div>
REGULATIONS FOR THIS USE CONTINUED ON THE NEXT PAGE												

92.15 and 105  
←

REGULATIONS FOR THIS USE CONTINUED ON THE NEXT PAGE

## Section 55.15

Zone  
MLB

## USE ZONE CHART

DIRECTIONS: FIRST, read (down) to find use. THEN, across for REGULATIONS												
Section 55.15	USE ↓ REGULATIONS ↓	Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.080	Assisted Living Facility	D.R., Chapter 142 KZC	None	10' See Spec. Reg. 4.	0'	0'	85% See Spec. Reg. 7.	30' to 160' above average building elevation. See Spec. Regs. 5 and 6.	C	A	1 per assisted living unit.	<div>92.15 and 105 ←</div> <div><div>1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use.</div><div>2. The maximum floor area ratio (FAR) for development on the subject property is 3.0, or 300 percent of lot size. Maximum FAR is determined based on parcel size, prior to any road dedication required pursuant to General Regulation 4 for this zone.</div><div>3. On parcels where road dedication is required pursuant to General Regulation 4, the maximum floor area ratio (FAR) may be increased by an additional 0.30 for each 10 percent or portion thereof, of the subject property required to be dedicated.</div><div>4. Twenty-foot yard required where properties abut NE 132nd Street.</div><div>5. Within 100 feet of the centerline of NE 132nd Street, building height may not exceed 30 feet above the elevation of the centerline of NE 132nd Street.</div><div>6. Building height may be increased as follows:<div><div>a. Building height may exceed 30 feet above average building elevation, if one of the following public improvements is provided:<div><div>1) Dedication and improvement of new streets pursuant to General Regulation 4; or</div><div>2) Where General Regulation 4 does not apply, the development of pedestrian-oriented elements that exceed the requirements of KZC 92.10. Examples include pedestrian walkways through the subject property, public plazas, public art and fountains; and</div><div>3) Provides for at least 10 percent of the units in new residential developments of 10 units or greater as affordable housing units, as defined in Chapter 5 KZC. The number of affordable housing units is determined by rounding up to the next whole number (unit) if the fraction of the whole number is at least 0.66. An agreement in a form approved by the City must be recorded with King County Department of Records and Elections to stipulate conditions under which required affordable housing units will remain as affordable housing 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).</div></div></div></div></div></div>
REGULATIONS FOR THIS USE CONTINUED ON THE NEXT PAGE												

92.15 and  
105 ←

REGULATIONS FOR THIS USE CONTINUED ON THE NEXT PAGE

## Section 55.15


 Zone  
TL 1B

## USE ZONE CHART

DIRECTIONS: FIRST read down to find use, THEN across for REGULATIONS												
Section 55.15	USE ↓ REGULATIONS ↓	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.090	Convalescent Center or Nursing Home (continued)										5. Building height may be increased as follows: a. Building height may exceed 30 feet above average building elevation, if one of the following public improvements is provided: 1) Dedication and improvement of new streets pursuant to General Regulation 4; or 2) Where General Regulation 4 does not apply, the development of pedestrian-oriented elements that exceed the requirements of KZC 92.10-Examples include pedestrian walkways through the subject property, public plazas, public art and fountains; and b. Building height may exceed 80 feet and be increased up to 160 feet above average building elevation, with the height increases to be based on the following considerations: 1) Development on the subject property complies with 5(a) above, 2) Design of buildings meets guidelines for towers set forth in Design Guidelines (Chapter 142 KZC, and Chapter 3.30 KMC). 3) Floor plates may not exceed 10,000 square feet per floor, for the portion of the building above 80 feet in height. 4) Methods for mitigating any significant shadowing and lighting impacts of the increased building height on the residential areas to the north are proposed. 5) Taller elements of buildings would be stepped back from the perimeter of TL 1B boundaries, away from adjacent residential zones. 6) Portions of structures exceeding 80 feet in height must be separated by at least 60 feet, both on the subject property and from taller building elements on adjacent properties. 6. Increases in lot coverage may be considered if: a. Land dedication on the subject property provided pursuant to General Regulation 4 limits area available for development on the property; and/or b. Other techniques used to provide open space result in superior landscaping, such as the use of gardens on lower portions of structures or on rooftops, the provision of visual and pedestrian access to public garden areas, or other approaches that provide for useable green space.	

55.17 User Guide. The charts in KZC 55.21 contain the basic zoning regulations that apply in the TL 2 zone of the City. Use these charts by reading down the left hand column entitled Use. Once you locate the use in which you are interested, read across to find the regulations that apply to that use.

## Section 55.19



### Section 55.19 – 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 provision of this code may apply to the subject property.
2. In addition to the height exceptions established in KZC 115.60, the following exceptions to height regulations in TL 2 are established:
  - a. Decorative parapets may exceed the height limit by a maximum of four feet; provided, that the average height of the parapet around the perimeter of the structure shall not exceed two feet.
  - b. For structures with a sloped roof, the peak may extend eight feet above the height limit if the slope of the roof is equal to or greater than four feet vertical to 12 feet horizontal.

#### New General Regulation in TL 2 Use Zone Chart:

#3. The applicant shall install at least one *through-block pathway* pursuant to the standards in 105.19<sup>4</sup> 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 shall also be provided.

ATTACHMENT

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55.29 User Guide. The charts in KZC 55.33 contain the basic zoning regulations that apply in the TL 4A, TL 4B and TL 4C 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 55.31

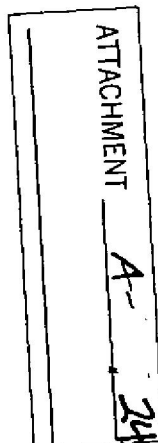


## Section 55.31 – GENERAL REGULATIONS

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

1. Refer to Chapter 1 KZC to determine what other provision of this code may apply to the subject property.
2. The ground floor of all structures with frontage on a pedestrian or vehicular circulation route, or adjacent to a pedestrian-oriented space, shall be a minimum of 15 feet in height. This requirement does not apply to:
  - a. The following uses: vehicle service stations, private lodges or clubs, stacked dwelling units, churches, schools, day-care centers, mini-schools or mini-day-care centers, assisted living facilities, convalescent centers or nursing homes, public utilities, government facilities or community facilities;
  - b. Parking garages; or
  - c. Additions to existing nonconforming development where the Planning Official determines it is not feasible.
3. In addition to the height exceptions established by KZC 115.60, the following exceptions to height regulations in TL zones are established:
  - a. Decorative parapets may exceed the height limit by a maximum of four feet; provided, that the average height of the parapet around the perimeter of the structure shall not exceed two feet.
  - b. For structures with a peaked roof, the peak may extend eight feet above the height limit if the slope of the roof is equal to or greater than four feet vertical to 12 feet horizontal.
- ~~4~~ For the purpose of applying landscape buffering standards, development on Totem Lake Boulevard, where adjoining Totem Lake Park, shall only be required to provide landscaping in accordance with KZC 95.25(3).
- ~~5~~ <sup>4</sup> At least 50 percent of the total gross floor area located on the ground floor area of all structures on the subject property must contain retail establishments, restaurants, taverns, hotels or motels. These uses shall be oriented to a major pedestrian sidewalk, a through block pedestrian pathway or an internal pathway (see also Chapter <sup>105</sup> ~~82~~ KZC).
- ~~5~~ <sup>105</sup> Access for drive-through facilities must be approved by the Public Works Official. See Chapter 105 KZC for requirements.
- ~~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.

Delete #4



55.35 User Guide. The charts in KZC 55.39 contain the basic zoning regulations that apply in the TL 5 zone of the City. Use these charts by reading down the left hand column entitled Use. Once you locate the use in which you are interested, read across to find the regulations that apply to that use.

## Section 55.37



### Section 55.37 - 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 provision of this code may apply to the subject property.
2. The ability to accommodate new development in the TL 5 zone is dependent upon the construction of two new streets: 123rd Avenue NE and NE 120th Street, as shown on Plate 34. Consistent with and to the extent authorized by applicable statutes and court decisions, new development on properties across which these streets in whole or in part extend shall contribute to the creation of the streets as follows:
  - a. With all new development, the portions of these streets crossing the subject property shall be dedicated as public right-of-way consistent with Plate 34; and
  - b. With all new development exceeding 35 feet in height, the streets shall be improved as determined by the Public Works Director. Minor deviations in the location and width of the streets may be approved by the Public Works Director if the deviations will not negatively affect the functioning of the streets.
  - c. The street network within the TL 5 zone should be primarily made up of dedicated public rights-of-way with street improvements that meet the current City standards. The Public Works Director may authorize that an access street can be within a private access easement if it is found that the private street allows for a superior site design that also maintains an effective street network. If a private access street is allowed, the standards for the street improvements should be similar to those of public streets, and the maintenance of such streets shall be the responsibility of the property owner. Additionally, if a private access street is allowed, design standards applicable to development abutting a major pedestrian sidewalk continue to apply.
- 2.d. Insert attached text.
3. Maximum allowable building height may be increased to 45 feet above average building elevation on parcels where dedication for roads is provided. Additional building height may be allowed with participation in a Conceptual Master Plan. No portion of a structure may exceed the following heights above the elevation of NE 116th Street, as measured at the midpoint of the frontage of the subject property on NE 116th Street:
  - a. Within 20 feet of NE 116th Street, 35 feet.
  - b. Within 30 feet of NE 116th Street, 45 feet.
  - c. Within 40 feet of NE 116th Street, 55 feet.
4. The ground floor of all structures on the subject property with frontage on a pedestrian or vehicular circulation route, or adjacent to a pedestrian-oriented space shall be a minimum of 15 feet in height. This requirement does not apply to:
  - a. The following uses: vehicle service stations, private lodges or clubs, stacked dwelling units, churches, schools, day-care centers, mini-schools or mini-day-care centers, assisted living facilities, convalescent centers or nursing homes, public utilities, government facilities or community facilities.
  - b. Parking garages.
  - c. Additions to existing nonconforming development where the Planning Official determines it is not feasible.

(GENERAL REGULATIONS CONTINUED ON NEXT PAGE)

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## (GENERAL REGULATIONS CONTINUED FROM PREVIOUS PAGE)

5. At least 30 percent 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. Ground floor spaces in structures with frontage on a pedestrian or vehicular route, or adjacent to a pedestrian-oriented space must contain retail establishments, restaurants or taverns.
6. No surface parking may encroach into the required front yard.
7. Access for drive-through facilities must be approved by the Public Works Official. See Chapter 105 KZC for requirements.
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.

*Insert  
#9. from attached sheet*

### **New General Regulations for TL 5 Use Zone Chart:**

#2.d. Development in the TL5 zone must provide a grid of internal access roads shown on Plate 34.B and 34.F pursuant to the following standards:

1. A north-south street (123rd Avenue NE) from NE 116th Street on the south leading to the extension of NE 120th Street and a potential future bridge connecting over the BNSF railroad to 120th Place NE. This is intended to be a dedicated public street that can be implemented in phases as redevelopment occurs on applicable sites.
2. An east/west connection with the planned NE 120th Street extension. This is intended to link the proposed 123rd Avenue NE extension above with 124th Avenue NE. This is intended to be a dedicated public street that can be implemented in conjunction with redevelopment on applicable sites.
3. Two or three other east-west access roads from 124th Avenue NE towards interior lots and areas closer to I-405. A desirable distance between access roads is between 250 and 300 feet. The maximum allowable distance between access roads shall be 350 feet. These may be public or private streets implemented in conjunction with redevelopment on applicable sites. Wider separation (up to 500 feet) may be considered where properties dedicate a minimum 30-foot-wide public pedestrian corridor.
4. Suggested cross-sections for each of these roads would include:
  - a) Two travel lanes (one lane each way);
  - b) On-street parallel parking;
  - c) Eight to 12 feet wide sidewalks on each side of the street with street trees placed toward the curb 30 feet on-center. Sidewalk width may be reduced where planting strips (minimum four feet wide) are maintained between the street and sidewalk.

#9. The applicant shall install a *through-block pathway* or other pathways to link streets and/or activities. In addition to the new roads to be developed through the district (123rd Avenue NE and NE 120th Street, designated as *major pedestrian sidewalks* in Plate 34.F, a network of east-west pathways at intervals no greater than 350 feet that link uses to 124th Avenue NE shall be installed. *Through-block pathways* may be integrated with internal access roads and/or provided within separate pedestrian-only corridors. See Section 105.19.3 for *through block pathway* standards. Additional *through-block pathways* not shown in the Comprehensive Plan may be required by the City on parcels larger than two acres in order to enhance pedestrian access on large sites.



## Section 55.43



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. Where feasible, primary access for nonresidential uses within TL 6 shall be from 124th Avenue NE, NE 124th Street, or NE 120th Street.
3. The ground floor of all structures with frontage on a pedestrian or vehicular circulation route, or adjacent to a pedestrian-oriented space shall be a minimum of 15 feet in height. This requirement does not apply to:
  - a. The following uses: vehicle service stations, private lodges or clubs, stacked dwelling units, churches, schools, day-care centers, mini-schools or mini-day-care centers, assisted living facilities, convalescent centers or nursing homes, public utilities, government facilities or community facilities;
  - b. Parking garages;
  - c. Additions to existing nonconforming development where the Planning Official determines it is not feasible; or
  - d. Parcels located more than 500 feet north of NE 124th Street, east of 116th Avenue NE.
4. Within TL 6B, at least 50 percent of the gross floor area located on the ground floor of all structures with frontage on a pedestrian or vehicular route, or adjacent to a pedestrian-oriented space, must contain retail establishments, restaurants, taverns, hotels or motels. These uses shall be oriented to a major pedestrian sidewalk, a through block pedestrian pathway or an internal pathway (see also Chapter ~~105~~ KZC). This regulation does not apply to parcels located more than 500 feet north of NE 124th Street, east of 116th Avenue NE, *(see Plate 34.6) E 105A*
5. In addition to the height exceptions established by KZC 115.60, the following exceptions to height regulations in TL zones are established:
  - a. Decorative parapets may exceed the height limit by a maximum of four feet; provided, that the average height of the parapet around the perimeter of the structure shall not exceed two feet.
  - b. For structures with a peaked roof, the peak may extend eight feet above the height limit if the slope of the roof is equal to or greater than four feet vertical to 12 feet horizontal.
6. The review process for development in this zone is as follows:
  - a. In TL 6A, any development activities requiring Design Review approval pursuant to KZC 142.15 shall be reviewed administratively (ADR), pursuant to KZC 142.25. Where gross floor area of an existing building is expanded by less than 10 percent, no design review is required.
  - b. In TL 6B, as set forth in Chapter 142 KZC.
7. Access for drive-through facilities must be approved by the Public Works Official. See Chapter 105 KZC for requirements.
8. Some development standards or design regulations may be modified as part of the design review process. See Chapter 92 or 142 KZC for requirements.

Insert #9, 10 from attached sheet

### New General Regulation for TL 6A, 6B Use Zone Chart:

#9. In TL6B, development must provide a grid of internal access roads (see Plate 34.G) pursuant to the following standards:

a) A centralized east-west connection that forms the spine for the site. Such a connection would reduce the need for vehicular circulation on NE 124th Street.

b) Two to three north-south connections from NE 124th Street to the east-west connection noted above. A desirable distance between access roads is between 250 and 300 feet. The maximum allowable distance between access roads shall be 350 feet. These may be public or private streets. Wider separation (up to 500 feet) may be considered where properties dedicate a minimum 30-foot-wide public pedestrian corridor.

c) Suggested cross-sections for each of these roads:

1) Two travel lanes (one lane each way):

2) On-street parallel parking:

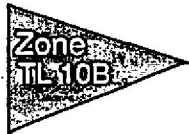
3) Eight to 12 feet wide sidewalks on each side of the street with street trees placed 30 feet on-center. Sidewalk width may be reduced where planting strips (minimum four feet wide) are maintained between the street and sidewalk.

The above access roads may be private or public.

#10 The applicant shall install a *through-block pathway* or other pathways to link streets and/or activities. (See Plate 34.G). Include at least one mid-block east-west pathway connecting uses to 116th Avenue NE and a network of north-south pathways at intervals no greater than 350 feet that link uses to NE 124th Street. *Through-block pathways* may be integrated with internal access roads and/or provided within separate pedestrian-only corridors. See Section 105.19.3 for *through block pathway standards*. Additional *through-block pathways* not shown in the Comprehensive Plan may be required by the City on parcels larger than two acres in order to enhance pedestrian access on large sites.

55.71 User Guide. The charts in KZC 55.75 contain the basic zoning regulations that apply in the TL 10B zone of the City. Use these charts by reading down the left hand column entitled Use. Once you locate the use in which you are interested, read across to find the regulations that apply to that use.

### Section 55.73



### Section 55.73 – 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 20 feet above average building elevation; or
  - b. The horizontal length of any facade of that portion of the structure which is parallel to the boundary of the low density zone shall not exceed 50 feet.See KZC 115.30, Distance Between Structures/Adjacency to Institutional Use, for further details.
3. The ability to accommodate new development in the TL 10B zone is dependent upon the extension of 118th Avenue NE to NE 116th Street as shown on Plate 36, Chapter 180 KZC. Consistent with and to the extent authorized by applicable statutes and court decisions, new development on properties across which this street in whole or in part extends, shall contribute to the creation of the street as follows:
  - a. With all new development, the portions of this street crossing the subject property shall be dedicated as public right-of-way consistent with Plate 36; and
  - b. With all new development exceeding 35 feet in height, the street shall be improved as determined by the Public Works Director. Minor deviations in the location and width of the street may be approved by the Public Works Director if the deviations will not negatively affect the functioning of the street.
4. Maximum allowable building height may be increased to 45 feet above average building elevation on parcels where dedication for the road is provided. Additional height increases beyond 45 feet above A.B.E. may be allowed for certain uses, as authorized in the Use Zone Chart.
5. Vehicular access to NE 116th is permitted only via 118th Avenue NE, or if the subject property does not have access to 118th Avenue NE. (Does not apply to Public Park use).
6. Any development activities requiring Design Review approval pursuant to KZC Section 142.15 shall be reviewed administratively (ADR), pursuant to KZC 142.25. Where gross floor area of an existing building is expanded by less than 10 percent, no Design Review is required.
7. Development must be designed to retain the existing hill along NE 116th Street and retain, at a minimum, 25 percent of the viable significant trees. The City may require greater than 25 percent depending on the location and clustering of trees. (Does not apply to Public Park use).
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.

34C

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## CHAPTER 52 – JUANITA BUSINESS DISTRICT (JBD) ZONES

**52.05** User Guide. The charts in KZC 52.12 contain the basic zoning regulations that apply in the JBD 1 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 52.10



#### Section 52.10 – 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. Building height and placement and other site design features should seek to provide for a view corridor from 98th Avenue NE through the subject property towards Lake Washington.
3. 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 (does not apply to Public Parks uses).

*Insert #4*

The applicant shall install a through-block pathway extending from the north end to the south end of JBD 1 of the Juanita Business District. Two through-block pathways, 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 (see Plate 34 in Chapter 180). See Section 105.19<sup>4</sup> for through block pathway standards.

*SI.*

The alignment of these pathways shall take into account proposed and existing buildings and, to the extent possible, shall extend along building fronts or property lines. The applicant must install pathways that run generally north/south (or diagonally northeast/southwest) and east/west on the subject property. The pathways shall be located to provide a direct continuation of the existing or future through-block pathway on adjacent properties. When possible, the pathways shall be located to create view corridors and reinforce connections to Lake Washington. During the Design Review process, the City may determine that a through-block pathway is not required if a suitable through-block pathway exists on adjacent properties.

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DIRECTIONS: FIRST read down to find use. THEN, across for REGULATIONS												
Section 52.12	USE ↓ REGULATIONS ↑	Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.120	Development containing two or more of the following uses: - Retail Establishments, including Restaurants, Taverns, and Fast Food Restaurants - Office Uses - Stacked or Attached Dwelling Units See Special Regulations 1 and 2.	If the development exceeds 30' above average building elevation, then Process IIA, Chapter 150 KZC, otherwise D.R., Chapter 142 KZC.	See Spec. Reg. 3	0'	0'	0'	80%	See Special Regulations 4 and 12.	See Spec. Reg. 5.	See Spec. Regs. 6 and 7.	See KZC 105.25.	<ol style="list-style-type: none"><li>1. A development which includes two or more of the uses specifically listed in this "use" column may also include one or more of the other uses allowed in this zone.</li><li>2. The following uses are not permitted in this zone:<ol style="list-style-type: none"><li>a. Retail establishments providing storage services unless accessory to another permitted use.</li><li>b. Automobile sales and/or rental facilities.</li><li>c. Outdoor storage of bulk commodities, except in the following circumstances:<ol style="list-style-type: none"><li>1) If the square footage of the storage area is less than 20 percent of the total square footage of the retail structure; or</li><li>2) If the commodities represent growing stock in connection with horticultural nurseries, whether the stock is in open ground, pots, or containers.</li></ol></li><li>d. Storage and operation of heavy equipment, except delivery vehicles associated with retail uses.</li></ol></li><li>3. The minimum lot size for this use is eight acres. Lot size requirements for this use do not require that the entire subject property be under one ownership, as long as the entire development is approved at one time as a master plan.</li><li>4. The maximum height of structures on the subject property is as follows:<ol style="list-style-type: none"><li>a. If the subject property contains at least 11 acres:<ol style="list-style-type: none"><li>1) On the northern portion of the site, structures may not exceed 78 feet above average building elevation; and</li><li>2) On the southern portion of the site, structures may not exceed 30 feet above average building elevation.</li></ol></li><li>b. If the subject property contains more than eight acres, but less than 11 acres:<ol style="list-style-type: none"><li>1) On the northern portion of the site, structures may not exceed 52 feet above average building elevation; and</li><li>2) On the southern portion of the site, structures may not exceed 30 feet above average building elevation.</li></ol></li></ol></li><li>5. Chapter 95 KZC applies to the development of the subject property. The City will determine required buffers for the proposed development as part of the approval process based on the following:<ol style="list-style-type: none"><li>a. The buffering should integrate development of the subject property with compatible development on adjoining property to provide a unified appearance to the business district.</li><li>b. The buffering should provide some separation and visual relief for present or reasonably anticipated residential use on adjoining property.</li><li>c. The buffering should provide a linkage to Juanita Beach Park, rather than a separation from the park.</li></ol></li></ol>
REGULATIONS CONTINUED ON NEXT PAGE												

REGULATIONS CONTINUED ON NEXT PAGE

## Section 52.12



## USE ZONE CHART

DIRECTIONS: FIRST, read down to find use. THEN, across for REGULATIONS												
Section 52.12	USE ↓ REGULATIONS ↓	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.120	Development containing two or more of the following uses: - Retail Establishments, including Restaurants, Taverns, and Fast Food Restaurants - Office Uses - Stacked or Attached Dwelling Units (continued)										<div>6. Any development approved under this provision must include a master sign plan for all signs on the subject property.</div> <div>7. If the development contains restaurant, tavern, fast food restaurant, or retail use, then sign category E applies. Otherwise, sign category D applies.</div> <div>8. Drive-in and drive-through facilities are permitted only if these facilities do not compromise the pedestrian orientation of the development. The location and specific design of the facilities requires Planning Official approval.</div> <div>9. Restaurants, taverns, fast food restaurants, and retail establishments selling goods and services should be the predominate use on the ground floor of structures. Other permitted uses, including dwelling units, may be allowed on the ground floor of structure if this does not compromise the desired mixed use character of the development.</div> <div>10. The subject property must contain landscaped public open space in conjunction with a pedestrian path or series of pedestrian paths that link the East Ridge to the subject property and the subject property to Juanita Beach Park.</div> <div>11. The subject property must have access points from at least two public rights-of-way.</div> <div>12. Buildings exceeding 35 feet above average building elevation shall be permitted only if design techniques are used to minimize perceived building mass and achieve superior architectural and human scale from abutting rights-of-way and public open spaces. In meeting this requirement, buildings shall exceed the design requirements of KZO 92.90(2) and (3), and will normally include terracing of upper floors and modulation of front facades.</div> <div>13. The applicant shall comply with the Special and General Regulations established in this Chapter for the uses that are proposed to be included on the subject property unless the City determines that they conflict with regulations applicable to this use listing.</div> <div>14. The City may approve the proposed development only if it contains public amenities such as plazas, sculptures, fountains, water fountains, and pocket parks.</div> <div>15. Buildings exceeding 30 feet above average building elevation shall demonstrate compliance with the design regulations of Chapter 92 KZC and the provisions of the Juanita Business District Chapter of the Comprehensive Plan. The City will use Process IIA, Chapter 152 KZC, to determine compliance.</div>	

92.30.3. and 5.

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92.30.3 and 5.

53.30 User Guide. The charts in KZC 53.34 contain the basic zoning regulations that apply in the RH 3 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 53.32

Zone  
RH#3

#### Section 53.32 – 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. 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 square feet.
4. At least 50 percent 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 85th Street, a major pedestrian sidewalk, a through block pedestrian pathway or an internal pathway (see also Chapter ~~92-KZC~~ 105, 110 and Plate 34.K)
5. The ground floor of all structures on the subject property shall be a minimum of 15 feet 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 centers or nursing homes, public utilities, government facilities or community facilities.
  - b. Parking garages.
  - c. Additions to existing nonconforming 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 85th 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.
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 KZC 105.96 for requirements.
9. ~~A~~ <sup>through block</sup> pedestrian pathway shall be installed: <sup>pursuant to the through block pathway standards in 105.19. See Plate 34K</sup>
  - a. Along the north portion of the zone to make an east-to-west pedestrian connection between 124th Avenue NE and 120th Avenue NE as designated in the Comprehensive Plan; and
  - b. Connecting the north end of the zone to NE 85th Street.
10. For lighting requirements associated with development, see KZC 115.85(2).

ATTACHMENT

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## CHAPTER 20 – MULTIFAMILY 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 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 20.08

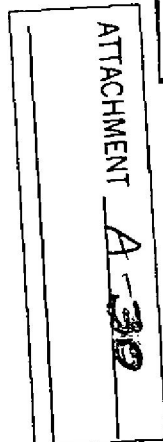


#### Section 20.08 – GENERAL REGULATIONS

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 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.See KZC 115.30, Distance Between Structures/Adjacency to Institutional Use, 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 immediately. 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, the total horizontal dimension of such elements may not exceed 25 percent of the length of the structure. No parking may encroach into the required 10-foot front yard.
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).

(GENERAL REGULATIONS CONTINUED ON NEXT PAGE)





## (GENERAL REGULATIONS CONTINUED FROM PREVIOUS PAGE)

6. If the subject property is located between Juanita Drive and Lake Washington or 98th Avenue NE and Lake Washington, the following regulations apply:
  - 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.
  - 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 areas.
  - 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).
7. If the property is located in the NE 85th Street Subarea, the following shall apply:
  - a. If the subject property is located south of NE 85th Street between 124th Avenue and 120th Avenue, the applicant shall to the extent possible save existing viable significant trees within the required landscape buffer separating nonresidential development from adjacent single-family homes.
  - b. If the subject property is located directly north of the RH 4 zone, the applicant shall install a <sup>through block</sup> pedestrian pathway to connect an east-west pedestrian pathway designated in the Comprehensive Plan between 124th Avenue NE and 120th Avenue NE. *pursuant to the standards in 105.19.3*
8. May not use lands waterward of the high waterline to determine lot size or to calculate allowable density. *(see page 34)*
9. May also be regulated under the Shoreline Master Program, KMC Title 24.

## Chapter 48 – LIGHT INDUSTRIAL TECHNOLOGY (LIT) ZONES

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:

1. Refer to Chapter 1 KZC to determine what other provision 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 20 feet above average building elevation, or
  - b. The horizontal length of any facade of that portion of the structure which is parallel to the boundary of the low density zone shall not exceed 50 feet.See KZC 115.30, Distance Between Structures/Adjacency to Institutional Use, for further details.  
(Does not apply to Hazardous Waste Treatment and Storage Facilities uses).
3. Except if adjoining a low density zone, structure height may be increased above 35 feet in height through a Process IIA, Chapter 150 KZC, if:
  - a. It will not block local or territorial views designated in the Comprehensive Plan;
  - b. The increased height is not specifically inconsistent with the applicable neighborhood plan provisions of the Comprehensive Plan; and
  - c. The required yard of any portion of the structure may be increased up to a maximum of one foot for each foot that any portion of the structure exceeds 35 feet above average building elevation. The need for additional setback yards will be determined as part of the review of any request to increase structure height.(Does not apply to Hazardous Waste Treatment and Storage Facilities and Public Parks uses).
4. If the property is located in the NE 85th Street Subarea, the applicant shall install a <sup>through block</sup> pedestrian pathway to connect an east-west pathway designated in the Comprehensive Plan between 124th Avenue NE and 120th Avenue NE. *pursuant to the through block pathway standards in Section 105.1936a Plate 34K.)*
5. Retail uses are prohibited unless otherwise allowed in the use zone charts.

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