



**CITY OF KIRKLAND**  
Planning and Community Development Department  
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## **MEMORANDUM**

**To:** David Ramsay, City Manager

**From:** Eric Shields, Planning Director  
Jeremy McMahan, Planning Supervisor

**Date:** May 22, 2009

**Subject:** Proposed Annexation Area – Public Hearing #1, File No. ANN09-00001

### **RECOMMENDATION**

Conduct first public hearing on the proposed zoning (Attachments 1 and 3) and Comprehensive Plan land use maps (Attachment 2) for the proposed annexation area (PAA). Following testimony, provide staff with direction on any changes for consideration at the second public hearing on July 7<sup>th</sup>.

### **BACKGROUND**

State law requires the City to prepare zoning for the PAA. Zoning for the PAA will be part of the annexation ballot measure scheduled for November. State law also requires that the City hold two public hearings, at least 30 days apart, on the proposed zoning (RCW 35A.14.330). The first public hearing is June 2<sup>nd</sup> and the second public hearing is scheduled for July 7<sup>th</sup>.

State law also provides the following guidance in establishing zoning for annexation areas:

All such regulations and restrictions shall be designed, among other things, to encourage the most appropriate use of land throughout the area to be annexed; to lessen traffic congestion and accidents; to secure safety from fire; to provide adequate light and air; to prevent overcrowding of land; to avoid undue concentration of population; to promote a coordinated development of the unbuild areas; to encourage the formation of neighborhood or community units; to secure an appropriate allotment of land area in new developments for all the requirements of community life; to conserve and restore natural beauty and other natural resources; to facilitate the adequate provision of transportation, water, sewerage and other public uses and requirements.

The City issued a SEPA Determination of Nonsignificance (DNS) on May 8, 2009 for the draft zoning (see Attachment 7). One comment letter was received from the Lake Washington School District encouraging the City consideration of school impact fees. The requirements of SEPA have been satisfied.

## **APPROACH TO DRAFT ZONING - SUMMARY**

The following analysis summarizes the approach the City has taken to date to establish zoning for the PAA, starting with an overview of the zoning map (Attachment 1) followed by an overview of the zoning regulations (Attachment 3).

### Zoning Map

#### **A. Single Family Zoning (RSA zones)**

- Retain the County's units per acre density method (vs. City's minimum lot size method). Establish RSA 1 (one unit per acre, "urban separator"), RSA 4, RSA 6, and RSA 8 zones.
- Generally retain the same zoning map designations for properties as the County designations (e.g. – County's R-6 zone becomes City's RSA 6 zone).
- Place a Holmes Point overlay zone (designated HP on the map) over the western portions of Finn Hill. The overlay zone corresponds to the County P-suffix area that establishes additional requirements for protection of trees and critical areas.
- Where smaller properties are surrounded on three sides by a higher density zone, match the higher density zoning. Approximately four small areas fall into this category. An analysis of these properties is included in Attachment 6.

*Note: King County's residential zoning is established in units per acre, with R-4 through R-12 being their medium density designations (the R-1 area is a designated "urban separator"). The County's Comprehensive Plan for these areas does not make any distinctions between these densities, simply establishing the entire area as urban residential - medium density with 4-12 units/acre.*

#### **B. Multifamily Zoning (RMA zones)**

- Establish zoning map designations that correspond to the County's zoning. For example, the County's R-18 (18 units/acre) equates to the City's RM 2.4 (1 unit/ 2400 square feet). The "A" suffix allows for adjustment to the RM zoning regulations to match certain County allowances.
- Generally retain the same zoning map designations for properties as the County designations.
- Where existing multifamily properties are developed or are being developed at a density higher than the County zone, use the closest City zoning designation. Approximately seven small areas fall into this category.
- Where smaller areas are surrounded on three sides by a higher density zone, match the higher density zoning. Two small areas fall into this category. An analysis of these properties is included in Attachment 6.

#### **C. Professional Office Residential (PRA) north of NE 132<sup>nd</sup> Street and east on 100<sup>th</sup> Avenue NE**

- Establish zoning consistent with the existing medical uses, including a doctor's office, Fairfax Hospital, and Lakeside Milam. The County's zoning for this area is a mix of high density

residential and office. Kirkland PR zone allows for the current uses and the "A" suffix allows for adjustment to the PR zoning regulations to match certain County allowances.

#### **D. Commercial Zoning**

1. **BNA** (North and south Finn Hill Neighborhood business districts)

- Approximate the County's existing Neighborhood Business (NB) zones with the City's Neighborhood Business (BN) zone. The "A" suffix allows for adjustment to the BN zoning regulations to match certain County allowances.
- Based on Council direction from May 19<sup>th</sup>, add one multifamily zoned property to the south Finn Hill neighborhood business district, consistent with the County Comprehensive Plan (see Attachment 7)

2. **BCA 1** (Juanita) and **BCA 2** (Kingsgate) business districts

- Approximate the County's existing Commercial Business (CB) zones with the City's Commercial Business (BC) zone. The "A" suffix allows for adjustment to the BC zoning regulations to match certain County allowances.

3. **TL 6A** (Totem Lake area, south of NE 124<sup>th</sup> Street)

- Existing County Industrial (I) zones do not correspond to adjoining City zoning on the south side of 124<sup>th</sup>. Staff recommends continuing existing City zoning to the east, resulting in TL 6A (commercial rather than industrial) adjoining 124<sup>th</sup> and RM 2.4 zoning for the PSE substation to the south. These zones are consistent with existing land use patterns. An analysis of these properties is included in Attachment 6.

#### **E. Industrial zoning north of NE 124<sup>th</sup> Street (TL 7)**

- Approximate the County's Industrial (I) zone with the City's Totem Lake 7 (TL 7) zone north of 124<sup>th</sup> Street. TL 7 is the City's industrial zone adjoining the PAA.

#### Use Zone Charts

*The following is only intended as a summary of key zoning issues. The complete text of the zoning is included as Attachment 3.*

#### **A. Single Family Use Zone Charts (RSA zones)**

- Create a new RSA zone that retains the County's units per acre density method (vs. City's minimum lot size method).
- Establish a minimum lot size in each zone equal to 70% of base density (e.g. – RSA 6 = 6 units per acre. Average lot size on an acre = 7,260. 70% of 7,260 = 5,082). The County allows 2,500 square foot minimum lot size. The 70% limit is similar, but more flexible, than the lot size averaging the City provide in the subdivision ordinance.
- Adopt the City's requirements for height, setbacks, garage setbacks, lot coverage, and floor area ratio.

- General regulation references overlay zoning regulations in new Chapter 70 for the Holmes Point overlay. The overlay regulations carry over King County requirements developed to protect trees and critical areas in the eastern portions of Finn Hill.
- Adopt vesting provisions that allow lots within approved subdivisions to use County regulations for a period of 5 years after annexations.

**B. Multifamily Use Zone Charts (RMA zones)**

- The "A" suffix allows for the following adjustments to the RM zoning regulations:
  - The County allows maximum building heights of 60' or more while Kirkland's RM zone allows a 30' maximum. The Council previously directed establishing a 35' maximum.
  - 5' side setbacks (rather than the 5 minimum/15' total).

**C. Professional Office Residential Use Zone Charts (PRA) (north of NE 132<sup>nd</sup> Street and east on 100<sup>th</sup> Avenue NE)**

- The "A" suffix allows for adjustment to the PR zoning regulations to correspond more closely to the County height allowance. The County allows maximum building heights of 60' or more with increased setbacks. Kirkland's PR zone allows a 30' maximum. The Council previously directed establishing a 35' base height with a 60' maximum with increased setbacks. This direction was based on the types of office/hospital uses in this area.

**D. Commercial Use Zone Charts**

1. **BNA** (North and south Finn Hill Neighborhood business districts)

- The "A" suffix allows for adjustment to the BN zoning regulations to correspond to the following County allowances:
  - 10' front yard setbacks rather than Kirkland's 20'.
  - 35' height limit rather than Kirkland 30' (County allows 35' with increase to 45' with greater setbacks).
  - Eliminates 10,000 square foot retail size limit in BNA (County does not have a limit and existing retail like the QFC in north Finn Hill exceed this limit).
  - Adds "retail establishment providing entertainment, recreational, or cultural activities" to list of allowed use in BNA (County allows athletic clubs and one currently exists in the north Finn Hill shopping center).

2. **BC 1** (Juanita) and **BC 2** (Kingsgate) business districts

- The "A" suffix allows for adjustment to the BC zoning regulations to correspond to the following County allowances:
  - 10' front yard setbacks rather than Kirkland's 20'
  - Prohibits storage service uses consistent with County's prohibition
  - The BC 1 regulations for the Juanita district reflect the existing County overlay height limit of 35' in that area (compared to Kirkland's 30' height).
  - The BC 2 for the Kingsgate district reflects the County's base height of 35' with height increases allowed through increased setbacks and other

performance standards. This is consistent with direction provided by Council on May 19<sup>th</sup>.

- The County has a base density of 48 units per acre (Kirkland's BC zone does not have density limits). Staff has added the County's base density for BC 1 and BC 2. These densities could be increased through Kirkland's affordable housing regulations in a manner similar to the County incentives. The County has other density incentives (transit, energy efficiency, arts, walkable, etc.) that Kirkland does not have.

*The City Council should confirm whether the County density limits are desired.*

3. **TL 6A** (Totem Lake area, south of 124<sup>th</sup>)

- No changes to the TL 6A charts are proposed.

**E. Industrial Use Zone Charts (north of NE 124<sup>th</sup> Street (TL 7))**

- No changes to the TL charts are proposed.

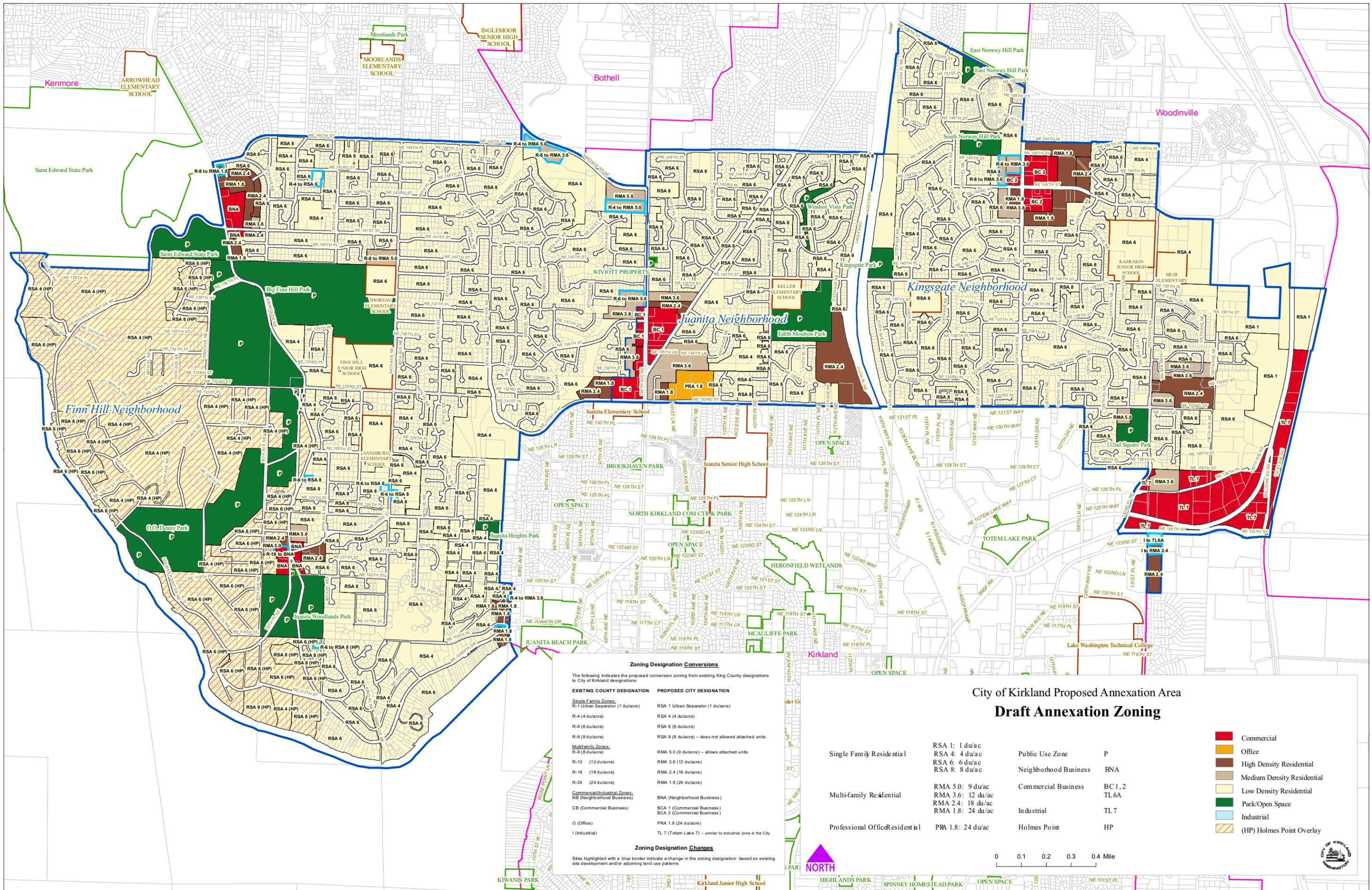
Additional Zoning Regulations

Unless specifically amended for the PAA (see Attachment 3), all other current City of Kirkland zoning regulations would apply to the PAA.

- **Heron Habitat Overlay:** The County has regulations that increase the standard buffers from shorelines, stream, and wetlands in areas identified as heron habitat. The draft regulations would adopt the County's maps and apply buffer and setback increases to those mapped areas.
- **Oversize Vehicles:** The City prohibits vehicles over 9' high and 22' long in residential zones but the County has no such regulation. The draft regulations provide for grandfathering of existing oversize vehicles and a registration process to document the status.

Attachments

1. Zoning Maps (divided into west portion and east portion of PAA)
2. Comprehensive Plan Land Use Maps (divided into west portion and east portion of PAA)
3. Draft Zoning Code Amendments
4. Draft Title 22 Amendments
5. Critical Areas Maps
6. Draft Comparison Charts
7. Analysis of Zoning and Land Use Map Changes – Property Information
8. SEPA DNS and LWSD comment letter



**Zoning Designation Conversions**

The following indicates the proposed conversion zoning from existing King County designations to City of Kirkland designations:

EXISTING COUNTY DESIGNATION	PROPOSED CITY DESIGNATION
<b>Single Family Zones:</b>	
R-1 Urban Separator (1 du/acre)	RSA 1 Urban Separator (1 du/acre)
R-4 (4 du/acre)	RSA 4 (4 du/acre)
R-6 (6 du/acre)	RSA 6 (6 du/acre)
R-8 (8 du/acre)	RSA 8 (8 du/acre) – does not allow attached units
<b>Multi-family Zones:</b>	
R-8 (8 du/acre)	RMA 5.0 (9 du/acre) – allows attached units
R-12 (12 du/acre)	RMA 3.6 (12 du/acre)
R-18 (18 du/acre)	RMA 2.4 (18 du/acre)
R-24 (24 du/acre)	RMA 1.8 (24 du/acre)
<b>Commercial/Industrial Zones:</b>	
NB (Neighborhood Business)	BNA (Neighborhood Business)
CB (Commercial Business)	BCA 1 (Commercial Business) BCA 2 (Commercial Business)
O (Office)	PRA 1.8 (24 du/acre)
I (Industrial)	TL 7 (Totem Lake 7) – similar to industrial zone in the City

**Zoning Designation Changes**

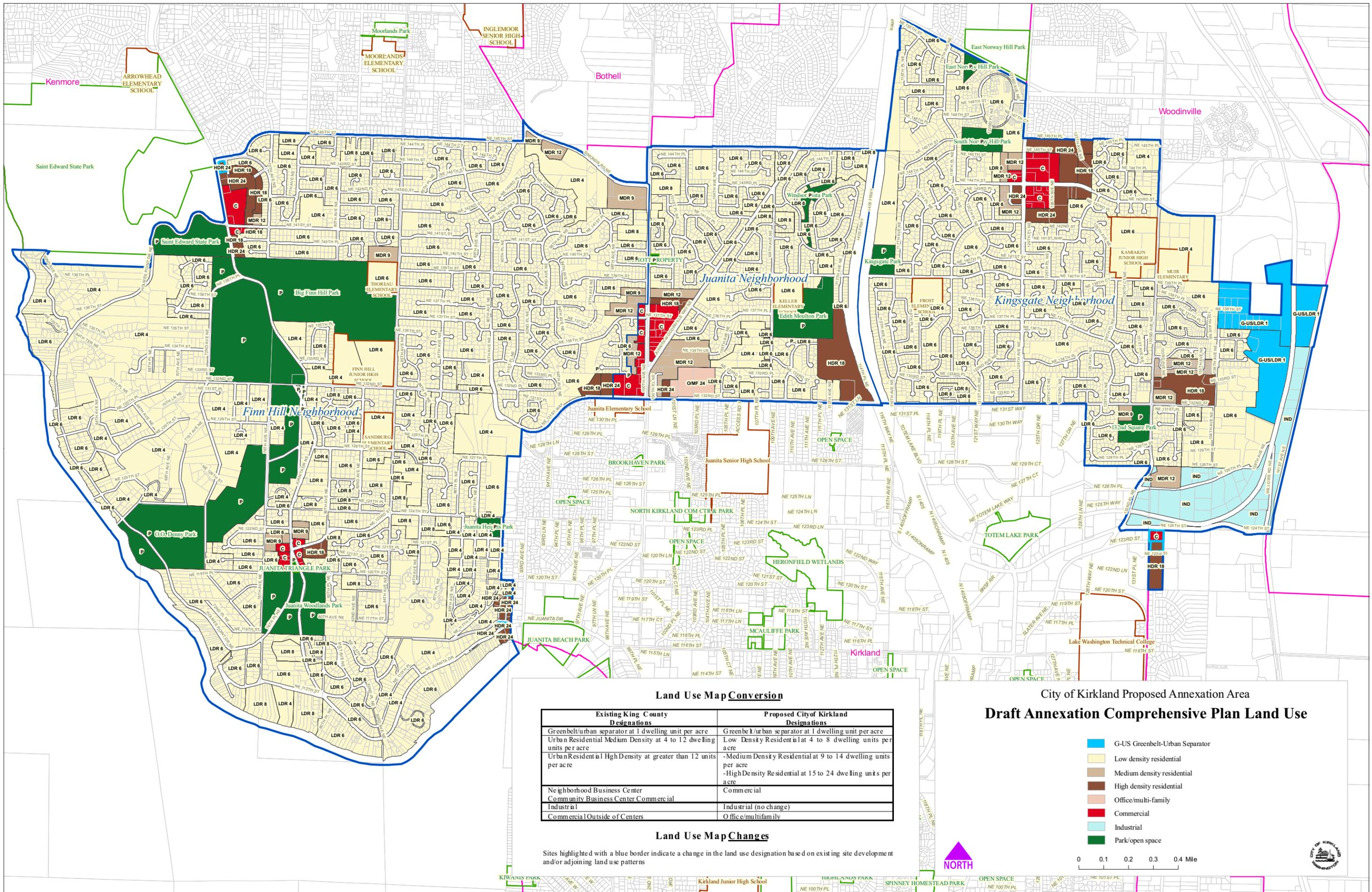
Sites highlighted with a blue border indicate a change in the zoning designation based on existing site development and/or adjoining land use patterns.

**City of Kirkland Proposed Annexation Area  
Draft Annexation Zoning**

Single Family Residential	RSA 1: 1 du/acre RSA 4: 4 du/acre RSA 6: 6 du/acre RSA 8: 8 du/acre	Public Use Zone	P
Multi-family Residential	RMA 5.0: 9 du/acre RMA 3.6: 12 du/acre RMA 2.4: 18 du/acre RMA 1.8: 24 du/acre	Neighborhood Business	BNA
Professional Office/Residential	PRA 1.8: 24 du/acre	Commercial Business	BC 1, 2 TL 6A
		Industrial	TL 7
		Holmes Point	HP

- Commercial
- Office
- High Density Residential
- Medium Density Residential
- Low Density Residential
- Park/Open Space
- Industrial
- ▨ (HP) Holmes Point Overlay





**Land Use Map Conversion**

Existing King County Designations	Proposed City of Kirkland Designations
Greenbelt/urban separator at 1 dwelling unit per acre	Greenbelt/urban separator at 1 dwelling unit per acre
Urban Residential Medium Density at 4 to 12 dwelling units per acre	Low Density Residential at 4 to 8 dwelling units per acre
Urban Residential High Density at greater than 12 units per acre	-Medium Density Residential at 9 to 14 dwelling units per acre -High Density Residential at 15 to 24 dwelling units per acre
Neighborhood Business Center	Commercial
Community Business Center Commercial	Commercial
Industrial	Industrial (no change)
Commercial Outside of Centers	Office/multifamily

**Land Use Map Changes**

Sites highlighted with a blue border indicate a change in the land use designation based on existing site development and/or adjoining land use patterns

**City of Kirkland Proposed Annexation Area  
Draft Annexation Comprehensive Plan Land Use**

- G-US Greenbelt-Urban Separator
- Low density residential
- Medium density residential
- High density residential
- Office/multi-family
- Commercial
- Industrial
- Park/open space

0 0.1 0.2 0.3 0.4 Mile



**ATTACHMENT A (May 7, 2009)**

**DRAFT ZONING CODE AMENDMENTS FOR PROPOSED ANNEXATION AREA OF KINGS GATE, JUANITA, AND FINN HILL**

**File No. ANN09-00001**

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HOW TO READ THIS:

- Text that is covered by a strike-through (~~strike-through~~) is existing text currently contained in the Zoning Code that is to be deleted.
- Text that is underlined (underlined), with the exception of section headings, is new text that is to be added.

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- Chapter 1 – 15 (*no changes*)
- Chapter 17 – Single-Family Residential ~~XAnnexation~~ (RSX) Zones
- Chapter 18 – Single-Family Residential A (RSA) Zones
- Chapter 20 – Multifamily Residential (RM) and Multifamily Residential A (RMA) Zones
- Chapter 25 – Professional Office Residential (PR) and Professional Office Residential A (PRA) Zones
- Chapter 27 – 35 (*no changes*)
- Chapter 40 – Neighborhood Business (BN) and Neighborhood Business A (BNA) Zones
- Chapter 45 – Community Business (BC) and Community Business A (BCA) Zones
- Chapter 47 – Community Business ~~XAnnexation~~ (BCX) Zones
- Chapter 48 – 60 (*no changes*)
- Chapter 70 - Holmes Point Overlay Zone
- Chapter 72 – 180 (*no changes*)

**Chapter 1 – User Guide**

1.10 Additional Regulations

In addition to the regulations in the use zone charts, this code contains a variety of provisions that may apply to the subject property or to a particular use or activity on the property. The following list of questions will help you determine what other factors of this code may contain regulations that are of interest.

Add New 1.10.1 and renumber remainder of section:

Overlay “HL” – Is there an “HL” on the Zoning Map within a dashed line that contains the subject property? Is so, see Chapter 70 KZC.

**Chapter 10 – Legal Effect**

10.45 Annexed Property

- 1. \_\_\_\_\_ Whenever, prior to annexation, a proposed extended Comprehensive Plan and zoning regulations and/or map have been prepared and adopted by the City pursuant to RCW 35A.14.330, that plan and zone regulation and/or map will, upon the effective date of annexation, be deemed to amend this code to the extent set forth in the annexation ordinance. Any other property or area which may, because of annexation, become a part of the City, will be deemed to be zoned with a classification the same as, or as nearly comparable as possible with, the classification that the property was zoned immediately prior to annexation.
- 2. \_\_\_\_\_ Lots within an approved subdivision or short subdivision shall be governed by the King County zoning regulations in effect at the time of annexation for a period of five years after the date of annexation unless the City finds that a change in conditions creates a serious threat to the public health or safety. After five years, the current zoning regulations shall apply.

10.25 Amend Zoning Categories Adopted as follows:

The City is divided into the following zoning categories:

<u>Zoning Category</u>	<u>Symbol</u>
1. Single-family Residential Zones	RS and RSX (followed by a designation indicating minimum lot size per dwelling unit) and <u>RSA (followed by designation indicating maximum units per acre.)</u>
2. Multifamily Residential Zones	RM <u>and RMA</u> (followed by a designation indicating minimum lot size per dwelling unit)
3. Professional Office Zones	PR <u>and PRA</u> (followed by a designation indicating minimum lot size per dwelling unit)
4. through 6. no change	
7. Neighborhood Business	BN <u>and BNA</u>
8. Community Business	BC, <u>BCA</u> and BCX
11.-17. No change	

10.30 Amend Overlay Zoning Categories as follows:

Add: Holmes Point Overlay Zone “HL”

**Chapter 5 – Definitions** (Note: Only definitions for which changes are being made are included below. All other definitions in Chapter 5 of the Kirkland Zoning Code remain unchanged).

5.10 Definitions

The following definitions apply throughout this code unless, from the context, another meaning is clearly intended:

- .145 Commercial Zones – The following zones: BN; BNA, BC; BCA, BCX; CBD; JBD 1; JBD 2; JBD 4; JBD 5; JBD 6; MSC 2, MSC 4, NRH 1A; NRH 1B; NRH 4; RH 1A; RH 1B; RH 2A; RH 2B; RH 2C; RH 3; RH 5A; RH 5B; RH 5C; RH 7; TL 2; TL 4A; TL 4B; TL 4C; TL 5; TL 6A; TL 6B; and TL
- .360 High Density Residential Zones – The following zones: RM 2.4; RMA 2.4, RM 1.8; RMA 1.8, PLA 5A, D, E; PLA 6A, D, I, J; PLA 7A, B; and TL 1B..
- .490 Low Density Zones – The following zones: RS 35; RSX 35; RS 12.5; RSX 12.5; RS 8.5; RSX 8.5; RSA 8, RS 7.2; RSX 7.2; RS 6.3; RSA 6, RS 5.0; RSX 5.0; RSA 4, RSA 1, PLA 6C, 6E; PLA 16; WD II; and comparable zones in other adjoining jurisdictions, except properties with approved intent to rezone to zoning designations other than low density.
- .513 Maximum Units per Acre – Within RSA zones, the maximum allowed number of dwelling units shall be computed by multiplying the gross area of the subject property by the applicable residential density number per acre shown on the Zoning Map. For the purpose of calculating the maximum units per acre, all road dedications, and vehicular access easements and tracts shall be included in the calculation for density. The maximum development potential requirements of KZC Chapter 90 shall apply.
- .520 Medium Density Zones – The following zones: RM 5.0; RMA 5.0, RM 3.6; RMA 3.6, WD I; WD III; PLA 2, 3B; PLA 6F, H, K; PLA 7C; PLA 9; PLA 15B; and PLA 17.
- .595 Office Zones – The following zones: PO; PR 8.5; PR 5.0; PR 3.6; PR 2.4; PR 1.8; PRA 1.8, JBD 3; PLA 3A; PLA 5B, C; PLA 6B; PLA 15A; PLA 17A; FC III; MSC 1, MSC 4, NRH 2; NRH 3; NRH 5; NRH 6; RH 4; RH 8; TL 1A; TL 10A, TL 10B, TL 10C, TL 10D and TL 10E.
- .785 Residential Zone – The following zones: RS 35; RSX 35; RS 12.5; RSX 12.5; RS 8.5; RSX 8.5; RSA 8, RS 7.2; RSX 7.2; RS 6.3; RSA 6, RS 5.0; RSX 5.0; RSA 4, RSA 1, RM 5.0; RMA 5.0, RM 3.6; RMA 3.6, RM 2.4; RMA 2.4, RM 1.8; RMA 1.8, WD I; WD II; WD III; PLA 2; PLA 3B; PLA 5A, D, E; PLA 6A, C, D, E, F, H, I, J, K; PLA 7A, B, C; PLA 9; PLA 15B; PLA 16; PLA 17; and TL 11.
- .950 Urban Separator – Areas planned for permanent low density residential within the Urban Growth Area that protect adjacent resource land, environmentally sensitive areas, or rural areas, and create open space corridors within and between the urban areas which provide environmental, visual, recreational and wildlife benefits. The King County Countywide Planning Policies have designated the RSA 1 zone as an urban separator.

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

*Add the following zones to the table:*

- RSA 8
- RSA6
- RSA 4
- RSA 1
- RMA 5.0
- RMA 3.6
- RMA 1.8
- PR 1.8
- BNA
- BCA

**10.25 Zoning Categories Adopted**

The City is divided into the following zoning categories:

<b>Zoning Category</b>		<b>Symbol</b>
1.	Single-Family Residential Zones	RS, <u>RSA</u> and RSX (followed by a designation indicating minimum lot size per dwelling unit or units per acre)
2.	Multifamily Residential Zones	RM and <u>RMA</u> (followed by a designation indicating minimum lot size per dwelling unit)
3.	Professional Office/Residential Zones	PR and <u>PRA</u> (followed by a designation indicating minimum lot size per dwelling unit)
7.	Neighborhood Business	BN and <u>BNA</u>
8.	Community Business	BC, <u>BNA</u> and BCX

**10.30 Overlay Designations Adopted**

Add to table of overlay zones:

1. Holmes Point Overlay Zone “HP”

**Chapter 18 – RSA Zone**

New chapter. See Attachment A-1 containing the new Single-Family Residential A (RSA) use zone charts

**Chapter 17 – RSX Zone**

Revise title of zone from “Single-Family Residential Annexation” to “Single-Family Residential X”

**Chapter 20 – RM/RMA Zone**

Revised chapter adding new RMA zones. See Attachment A-2.

**Chapter 25 – PR/PRA Zone**

Revised chapter adding new PRA zone. See Attachment A-3.

**Chapter 40 – BN/BNA Zone**

Revised chapter adding new BNA zone. See Attachment A-4

**Chapter 47 – BC/BC 1/BC 2 Zone**

Revised chapter adding new BC 1 and BC 2 zones. See Attachment A-5

**Chapter 70 – Holmes Point Overlay Zone (HP)**

New Chapter. See Attachment A-6

**Chapter 90 – Drainage Basins**

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General

- 90.125 Frequently Flooded Areas
- 90.127 Heron Habitat Protection Areas
- 90.130 Site Requirements and Sensitive Areas Protection Techniques
- 90.135 Maximum Development Potential
- 90.140 Reasonable Use Exception
- 90.145 Bond or Performance Security
- 90.150 Dedication
- 90.155 Liability
- 90.160 Appeals
- 90.165 Setbacks and Buffers Required by Prior Approvals
- 90.170 Planning/Public Works Official Decisions – Lapse of Approval

90.30 Definitions

- .10. Primary Basin- The following basins, as shown on the Sensitive Areas Map: Juanita Creek, Forbes Creek, South Juanita Slope, Yarrow Creek, ~~and~~ Carillon Creek-, Denny Creek, and Champagne Creek.
- .13 Secondary Basins – Moss Bay, Houghton Slope A, Houghton Slope B, ~~and~~ Kirkland Slope, Holmes Point and Kingsgate Slope, which are depicted on the Sensitive Areas Map.

90.127 Heron Habitat Protection Areas

- 1. Purpose of the Heron Habitat Protection Area - The purpose of the heron habitat protection area designation is to identify and protect areas that provide essential feeding, nesting and roosting habitat for identified great blue heron rookeries. The protection areas contain isolated areas of known heron habitat in the general region surrounding the heron rookery.
- 2. The following development standards shall be applied in addition to all applicable buffers and required yards development permits located within a heron habitat protection area designated in Plate X:
  - a. Subdivisions and short subdivisions adjacent to streams or wetlands within the heron habitat protection area shall provide buffers that are 50 feet greater than required pursuant to Chapter 90 along those streams and wetlands to provide habitat for herons. This additional 50 foot buffer shall be planted with dense native plant material to discourage human intrusion into feeding or nesting and roosting areas. Plantings shall be reviewed and approved by the City.
  - b. For subdivisions and short subdivisions adjacent to Lake Washington within the heron habitat protection area, the required high waterline yard shall be increased by 50 feet. This additional 50 foot buffer shall be planted with dense native plant material to discourage human intrusion into feeding or nesting and roosting areas. Plantings shall be reviewed and approved by the City.

c. New docks, piers, bulkheads, and boat ramps constructed within the heron habitat protection area shall mitigate for loss of heron feeding habitat by providing enhanced native vegetation approved by the City adjacent to the development or between the development and the shoreline. Bulkheads shall be buffered from the water's edge by enhanced plantings of native vegetation approved by the City.

90.135 Maximum Development Potential

1. Dwelling Units – The maximum potential number of dwelling units for a site which contains a wetland, stream, minor lake, or their buffers shall be the buildable area in square feet divided by the minimum lot area per unit or the maximum units per acre as specified by Chapters 15 through 60 KZC, plus the area of the required sensitive area buffer in square feet divided by the minimum lot area per unit, the maximum units per acre or as specified by Chapters 15 through 60 KZC, multiplied by the development factor derived from subsection (2) of this section:

$$\text{MAXIMUM DWELLING UNIT POTENTIAL} = (\text{BUILDABLE AREA}/\text{THE PRESCRIBED MINIMUM LOT AREA PER UNIT OR MAXIMUM UNITS PER ACRE}) + [(\text{BUFFER AREA}/\text{THE PRESCRIBED MINIMUM LOT AREA PER UNIT OR MAXIMUM UNITS PER ACRE}) \times (\text{DEVELOPMENT FACTOR})]$$

For purposes of this subsection only, “buildable area” means the total area of the subject property minus sensitive areas and their buffers.

For developments providing affordable housing units pursuant to Chapter 112 KZC, or cottage , carriage or two/three unit homes pursuant to Chapter 113, the density bonus and resulting maximum density shall be calculated using the maximum dwelling unit potential of this section as the base to which the bonus units will be added.

For multifamily development, if application of the maximum development potential formula results in a fraction, the number of permitted dwelling units shall be rounded up to the next whole number (unit) if the fraction of the whole number is at least 0.66. For single-family development, if application of the maximum development potential formula results in a fraction, the number of permitted dwelling units (lots) shall not be rounded up, regardless of the fraction. This provision shall not be construed to preclude application of Chapter 22.28 KMC.

Lot size and/or density may be limited by or through other provisions of this code or other applicable law, and the application of the provisions of this chapter may result in the necessity for larger lot sizes or lower density due to inadequate buildable area.

**Chapter 113 – Cottage, Carriage and Two/Three Unit Homes**

113.20 Applicable Use Zones

The housing types described in this chapter may be used only in the following low density zones: RSA 4, RSA 6, RS 7.2, RSX 7.2, RS 8.5, RSX 8.5, RS 12.5 and RSX 12.5, (see Section 113.25 for further regarding location of these housing types).

113.25 Parameters for Cottages, Carriage Units and Two/Three-Unit Homes *(Note: Only rows in the table of Section 113.25 that are proposed to be changed are provided below. The rest of the table remains unchanged.)*

Please refer to Sections 113.30, 113.35 and 113.40 for additional requirements related to these standards.

Minimum Required Yards (from exterior property lines of subject property)	Front: 20' Other: 10'	Must be included in a cottage project	Front: 20' Other: 10'
	<b>Cottage</b>	<b>Carriage</b>	<b>Two/Three-Unit Home</b>
Lot coverage (all impervious surfaces) <sup>1</sup>	50%	Must be included in a cottage project.	50%
Height Dwelling Units Accessory Structures	25' (RS Zones) and 27' ( <u>RSA and RSX Zones</u> ) maximum above A.B.E., (where minimum roof slope of 6:12 for all parts of the roof above 18' are provided). Otherwise, 18' above A.B.E. One story, not to exceed 18' above A.B.E.		
Tree Retention	Standards contained in Section 95.35 for Tree Plan III shall apply to development approved under this Chapter.		

<sup>1</sup> Lot coverage is calculated using the entire development site. Lot coverage for individual lots may vary.

**Chapter 115 – Miscellaneous Use Development and Performance Standards**

115.150 Vehicles – Size in Residential Zones Limited

1. General – Except as specified below, it is a violation of this code to park or store any vehicle, boat or trailer on any lot in a residential zone if that vehicle, boat or trailer is both more than nine feet in height and 22 feet in length, including bumpers and any other elements that are required by federal or state law for the operation of the vehicle, boat or trailer on public roads or waterways

Except within the disapproval jurisdiction of the Houghton Community Council, any boat that is 16 feet or longer and has a gunwale which is at least five (5) feet from the ground when the boat is sitting on a boat trailer shall not be parked or stored in a required front yard.

2. Exceptions
  - a. A vehicle, boat or trailer of any size may be parked on any lot in the City for not more than 24 hours in any consecutive seven-day period for the exclusive purpose of loading or unloading the vehicle, boat or trailer. Within the disapproval jurisdiction of the Houghton Community Council, the time limitation shall be not more than 48 hours in any consecutive seven-day period.

b. An oversized vehicle, boat or trailer may be parked on a lot in an RSA or RMA zone containing an existing residence if all of the following are met:

1) Within six (6) months of the effective date of annexation, the owner registers the oversized vehicle, boat or trailer parked on his/her property with the City's Planning Department. The owner shall provide the City with a copy of the State vehicle registration license showing that the person obtaining the registration is the owner of the vehicle, boat or trailer and that the address on the vehicle license is the same as the address where the vehicle, boat or trailer is parked;

2) The owner of the vehicle, boat or trailer resides on the lot that contains the vehicle;

3) Within one (1) year of the effective date of annexation, a registered vehicle, boat or trailer under KZC subsection 115.115.2.1) may be replaced with another vehicle, boat or trailer of the same type and no greater dimensions, provided that the requirements of 115.115.2.1) are met for the replacement vehicle and the replaced vehicle, boat or trailer has been removed from the property.

4.) The exception runs with the registered vehicle, boat or trailer parked on a specific lot at the time of annexation and to the owner of the vehicle, boat or trailer who resides on the specific property at the time of annexation.

~~b.-c~~ The City may, using Process ~~IIA~~ I, described in Chapter ~~450~~ 145 KZC, approve a request to park or store a vehicle, boat or trailer of any size on a lot in a residential zone if:

- 1) The parking or storage of the vehicle, boat or trailer will not be detrimental to the character of the neighborhood; and
- 2) The property abutting the subject property will not be impacted by the parking or storage; and
- 3) The placement of the vehicle, boat or trailer will not create a potential fire hazard; and

- 4) The parking or storage is clearly accessory to a residential use on the subject property and the vehicle, boat or trailer is operated by a resident of the subject property.

The City may impose screening requirements, limit the hours of operation of the vehicle, boat or trailer and impose other restrictions to eliminate adverse impacts of the parking or storage.

## Chapter 120 - Variances

### 120.10 Process for Deciding Upon a Proposed Variance

*The following subsection is not effective within the disapproval jurisdiction of the Houghton Community Council:*

1. The City will use Process IIA, described in Chapter 150 KZC, to review and decide upon an application for a variance except as to property located within an RS, RSA or RSX Zone or for a detached dwelling unit in any zone. For variance applications as to property located within an RS, RSA or RSX Zone or for a detached dwelling unit in any zone, the City will use Process I described in Chapter 145 KZC; provided, however, that while the content of the notice shall be per KZC 145.22(1), the distribution of the notice shall be per KZC 150.30(2).

*The following subsection is effective only within the disapproval jurisdiction of the Houghton Community Council:*

2. The City will use Process IIA, described in Chapter 150 KZC, to review and decide upon an application for a variance except as to property located within an RS, RSA or RSX Zone. For variance applications as to property located within an RS, RSA or RSX Zone, the City will use Process I described in Chapter 145 KZC; provided, however, that while the content of the notice shall be per KZC 145.22(1), the distribution of the notice shall be per KZC 150.30(2).

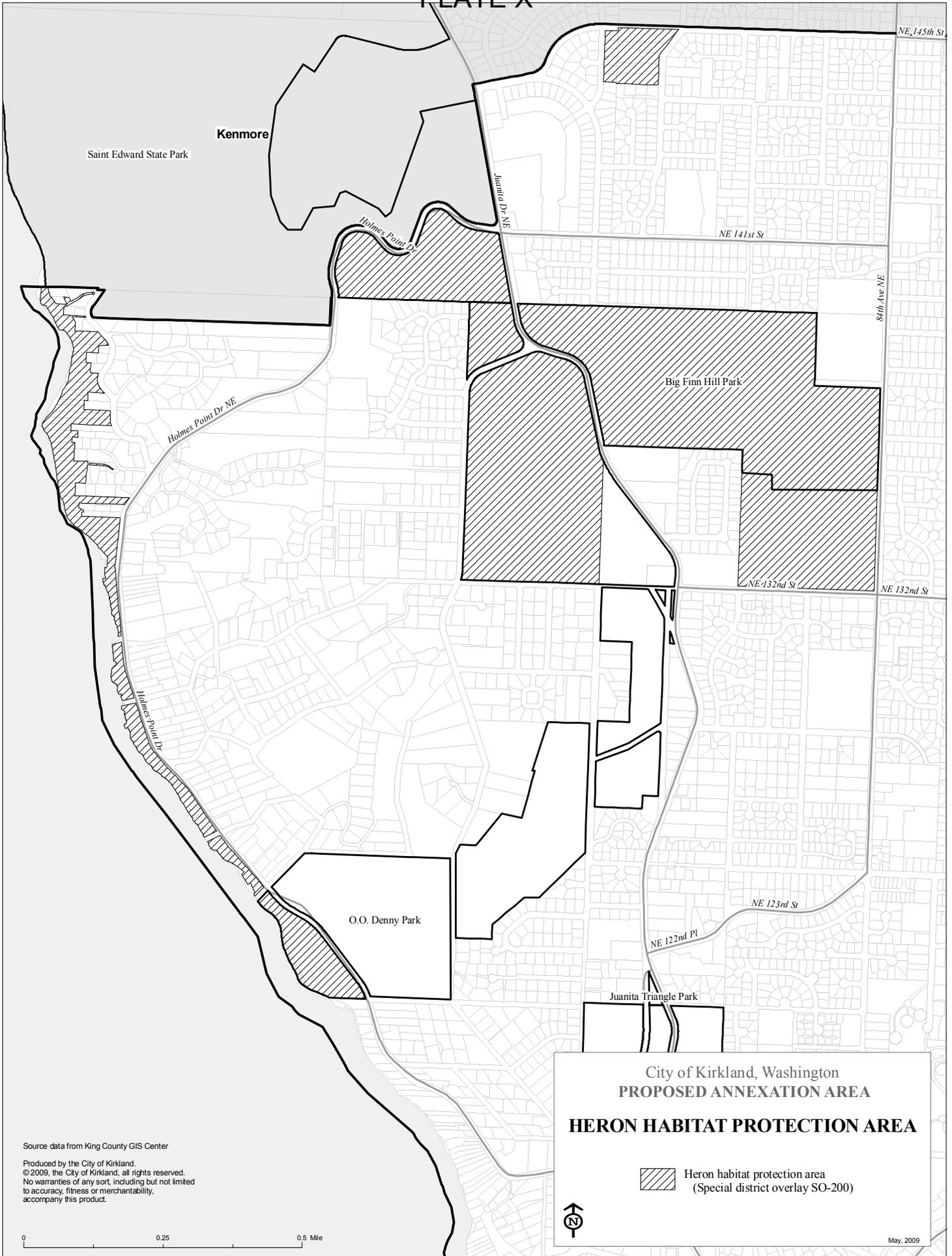
### 115.80 Legal Building Site

1. General – It is a violation of this code to erect any structure on or to use or occupy any lot or parcel unless that lot or parcel is a legal building site. A lot or parcel is a legal building site if it meets all of the following criteria:
  - a. It was created or segregated pursuant to all applicable laws, ordinances and regulations.
  - b. Except as specified in subsection (2) of this section, it meets the allowable minimum lot size established by this code.
  - c. It is either adjacent to, or has a legally created means of access to, a street providing access to the lot or parcel.
2. Exception, Detached Dwelling Units – An applicant may build one detached dwelling unit on a lot or parcel regardless of the size of the lot or parcel if:
  - a. ~~The applicant applies for necessary permits to construct the unit within five years of the date the lot or parcel is annexed into the City and~~ The lot or parcel was a lawfully created lot under King County subdivision and zoning laws; or

## Kirkland Zoning Code

- b. There is or ever has been a residence on the subject property. At any time, the applicant may remodel, rebuild, or enlarge that one residence; provided, that all other Zoning Code requirements are met; or
- c. The lot lines defining the lot or parcel were recorded in the King County Assessors Office prior to May 17, 1972, and the lot or parcel has not simultaneously been owned by the owner of a contiguous lot or parcel which fronts on the same right-of-way subsequent to May 17, 1972.

# PLATE X



Source data from King County GIS Center  
Produced by the City of Kirkland.  
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No warranties of any sort, including but not limited to accuracy, fitness or merchantability, accompany this product.

City of Kirkland, Washington  
**PROPOSED ANNEXATION AREA**  
**HERON HABITAT PROTECTION AREA**

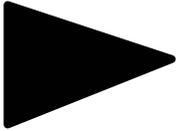
 Heron habitat protection area  
(Special district overlay SO-200)



## CHAPTER 18 – SINGLE-FAMILY RESIDENTIAL A (RSA) ZONES

**18.05** User Guide. The charts in KZC 18.10 contain the basic zoning regulations that apply in each RSA 1, RSA 4, RSA 6 and RSA 8 zones of the City. Use these charts by reading down the left hand column entitled Use. Once you locate the use in which you are interested, read across to find the regulations that apply to that use.

### Section 18.08



#### Section 18.08 – 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 detached dwelling unit in a low density zone, then either:
  - a. The height of that portion of the structure shall not exceed 15 feet above average building elevation, or
  - b. The maximum horizontal facade shall not exceed 50 feet.See KZC 115.30, Distance Between Structures/Adjacency to Institutional Use, for further details.  
(Does not apply to Detached Dwelling Unit and Mini-School or Mini-Day-Care Center uses).
3. All subdivisions and short subdivisions in the R-1 zone shall be clustered such that development is located away from critical areas. The open space resulting from such clustering shall be placed in a separate tract that includes at least fifty percent (50%) of the subject property. Open space tracts shall be permanent and shall be dedicated to a homeowner's association or other suitable organization for purposes of maintenance. Passive recreation, with no development of recreational facilities, and natural-surface pedestrian and equestrian trails are acceptable uses within the open space tract. If access to the open space is provided, the access shall be located in a separate tract. A greenbelt protection or open space easement shall be dedicated to the City to protect the designated open space tract resulting from lot clustering.
4. For properties with the Holmes Point (HP) Overlay Zone, see KZC 70 for additional regulations.
5. For properties with frontage on Lake Washington, the required yard measured from the high waterline shall be the greater of 15' or 15 percent of the average parcel depth. No structure other than a moorage structure shall be waterward of the high waterline.
6. See Plate X for areas identified as Heron Habitat Protection Areas and KZC 90.127 for regulations that apply to identified Heron Habitat Protection Areas.

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

Section 18.10	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)	
			Units per Acre or Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.010	Detached Dwelling Unit	None	As established on the Zoning Map. See Spec. Regs. 1, 2 and 3.	20'  See Spec. Regs. 5 and 6.	5' each side.	10'	50%, except 30% for the RSA 1 zone. See Gen. Reg. 3.  See Gen. Reg. 4. for Holmes Point area.	30' above average building elevation.	E	A	2.0 per dwelling unit.	<ol style="list-style-type: none"> <li>Maximum units per acre is as follows:                             <ol style="list-style-type: none"> <li>In RSA 1 zone, the maximum units per acre is one dwelling unit.</li> <li>In RSA 4 zones, the maximum units per acre is four dwelling units.</li> <li>In RSA 6 zones, the maximum units per acre is six dwelling units.</li> <li>In RSA 8 zones, the maximum units per acre is eight dwelling units.</li> </ol>                             In RSA 1, 4, 6 and 8 zones, not more than one dwelling unit may be on each lot, regardless of the size of the lot.                         </li> <li>Minimum lot size per dwelling unit is as follows:                             <ol style="list-style-type: none"> <li>In RSA 1 zone, newly platted lots shall be clustered and configured in a manner to provide generally equal sized lots outside of the required open space area.</li> <li>In RSA 4 zones, the minimum lot size is 7,600 square feet.</li> <li>In RSA 6 zones, the minimum lot size is 5,100 square feet.</li> <li>In RSA 8 zones, the minimum lot size is 3,800 square feet.</li> </ol> </li> <li>Road dedication and vehicular access easements or tracts may be included in the density calculation, but not in the minimum lot size per dwelling unit.</li> <li>Floor Area Ratio (F.A.R.) allowed for the subject property is as follows:                             <ol style="list-style-type: none"> <li>In RSA 1 zone, F.A.R. is 20 percent of lot size.</li> <li>In RSA 4 zones, F.A.R. is 50 percent of lot size.</li> <li>In RSA 6 zones, F.A.R. is 50 percent of lot size.</li> <li>In RSA 8 zones, F.A.R. is 50 percent of lot size; provided, that F.A.R. may be increased up to 60 percent of lot size for the first 5,000 square feet of lot area if the primary roof form of all structures on the site is peaked, with a minimum pitch of four feet vertical: 12 feet horizontal. See KZC 115.42, Floor Area Ratio (F.A.R.) Calculation for Detached Dwelling Units in Low Density Residential Zones, for additional information.</li> </ol> </li> <li>On corner lots, only one front yard must be a minimum of 20 feet. All other front yards shall be regulated as a side yard (minimum five-foot yard). The applicant may select which front yard shall meet the 20-foot requirement.</li> <li>Garages shall comply with the requirements of KZC 115.43, including required front yard.</li> </ol>

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS													
Section 18.10	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)	
				Units per Acre or Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
					Front	Side	Rear						
												7. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.	

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

Section 18.10	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)
			Units per Acre or Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.010	Moorage Facility for 1 or 2 boats.	None	None	20'	5' See Spec. Reg. 12	-	50%	Landward of the High Waterline, 25' above average building elevation. Waterward of the High Waterline, dock and pier decks may not be more than 24' above mean sea level. Diving boards and similar features may not be more than 3' above the deck.	E	See Spec. Reg 8	None	<ol style="list-style-type: none"> <li>1. Moorage must be for the exclusive use of residents of the subject property. Renting moorage space is not permitted.</li> <li>2. Moorage structures may not extend waterward beyond a point 150 feet from the high waterline. In addition, piers and docks may not be wider than is reasonably necessary to provide safe access to the boats, but not more than eight feet in width.</li> <li>3. If the moorage structures will extend waterward of the Inner Harbor Line, the applicant must obtain a lease from the Washington State Department of Natural Resources prior to proposing this use.</li> <li>4. May not treat moorage structure with creosote, oil base or toxic substances.</li> <li>5. Must provide at least one covered and secured waste receptacle.</li> <li>6. All utility lines must be below the pier deck and, where feasible, underground.</li> <li>7. Piers must be adequately lit; the source of the light must not be visible from neighboring properties.</li> <li>8. Moorage structures must display the street address of the subject property. The address must be oriented to the lake with letters and numbers at least four inches high, and visible from the lake.</li> <li>9. Covered moorage is not permitted.</li> <li>10. Aircraft moorage is not permitted.</li> <li>11. Two or more adjoining waterfront lots may share a mooring facility. If this occurs, the following regulations apply: <ol style="list-style-type: none"> <li>a. All lots will be taken together as the subject property to determine compliance with the requirements of this use.</li> <li>b. The moorage structure may be built to accommodate two boats for each residential unit on the subject property.</li> <li>c. The owner of each lot must deed to the City the overwater development rights to the property. Upon request, the City will, without cost, deed this right back to the owner of a lot, but the number of boats permitted to moor at the shared moorage facility will be reduced by two.</li> </ol> </li> <li>12. No moorage structure may be within either 25' of a public park; or 25' of another moorage structure not on the subject property.</li> </ol>

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS													
Section 18.10	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)	
				Units per Acre or Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
					Front	Side	Rear						
.020	Church		See Special Regulation 1.  See Spec Regulation 2.	20'	20' on each side	20'	70%, except 30% for RSA 1 zone. See Gen. Reg. 3.  See Gen Reg. 4 for Holmes Point area.	30' above average building elevation.	C	B	1 for every 4 people based on maximum occupancy load of worship. See Special Reg. 4.	<ol style="list-style-type: none"> <li>1. The required review process is as follows:               <ol style="list-style-type: none"> <li>a. If the subject property, including all contiguous property owned by the applicant and held by others for future use by the applicant, is less than five acres, the required review process is Process IIA, Chapter 150 KZC.</li> <li>b. If the subject property, including all contiguous property owned by the applicant and held by others for future use by the applicant, is five or more acres, a Master Plan, approved through Process IIB, Chapter 152 KZC, is required. The Master Plan must show building placement, building dimensions, roadways, utility location, land uses within the Master Plan area, parking location, buffering, and landscaping.</li> </ol> </li> <li>2. Minimum lot size is as follows:               <ol style="list-style-type: none"> <li>a. In RSA 1 zone, newly platted lots shall be clustered and configured in a manner to provide generally equal sized lots outside of the required open space area.</li> <li>b. In RSA 4 zones, the minimum lot size is 7,600 square feet.</li> <li>c. In RSA 6 zones, the minimum lot size is 5,100 square feet.</li> <li>d. In RSA 8 zones, the minimum lot size is 3,800 square feet.</li> </ol> </li> <li>3. The property must be served by a collector or arterial street.</li> <li>4. No parking is required for day-care or school ancillary to the use.</li> </ol>	
.030	School or Day-Care Center  Spec. Reg. 1	See Spec. Reg. 2	As established on the Zoning Map. See Spec. Reg. 3.	If this use can accommodate 50 or more students or children, then:			70% except 30% for RSA 1 zone. See Gen. Reg. 3	30' above average building elevation. See Spec. Reg. 9.	D  See Gen. Regs. 3 and 4	B  See Spec. Reg. 12.	See KZC 105.25.	<ol style="list-style-type: none"> <li>1. May locate on the subject property only if:               <ol style="list-style-type: none"> <li>a. It will not be materially detrimental to the character of the neighborhood in which it is located; or</li> <li>b. Site and building design minimizes adverse impacts on surrounding residential neighborhoods.</li> <li>c. The property is served by a collector or arterial street.</li> </ol> </li> <li>2. The required review process is as follows:               <ol style="list-style-type: none"> <li>a. If the subject property, including all contiguous property owned by the applicant and held by others for future use by the applicant, is less than five acres, the required review process is Process IIA, Chapter 150 KZC.</li> </ol> </li> </ol>	
				50'	50' on each side	50'							
			If this use can accommodate 13 to 49 students or children, then:				See Gen. Reg. 4 for Holmes						

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

Section 18.10	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)	
				Units per Acre or Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
					Front	Side	Rear						
				20'	20' on each side	20'	Point area.				b. If the subject property, including all contiguous property owned by the applicant and held by others for future use by the applicant, is five or more acres, a Master Plan, approved through Process IIB, Chapter 152 KZC, is required. The Master Plan must show building placement, building dimensions, roadways, utility locations, land uses within the Master Plan area, parking location, buffering, and landscaping. 3. Minimum lot size is as follows: a. In RSA 1 zone, newly platted lots shall be clustered and configured in a manner to provide generally equal sized lots outside of the required open space area. b. In RSA 4 zones, the minimum lot size is 7,600 square feet. c. In RSA 6 zones, the minimum lot size is 5,100 square feet. d. In RSA 8 zones, the minimum lot size is 3,800 square feet. 4. A six-foot-high fence along the side and rear property lines is required only along the property lines adjacent to the outside play areas. 5. Hours of operation and maximum number of attendees at one time may be limited to reduce impacts on nearby residential uses. 6. Structured play areas must be setback from all property lines as follows: a. 20 feet if this use can accommodate 50 or more students or children. b. 10 feet if this use can accommodate 13 to 49 students or children. 7. An on-site passenger loading area must be provided. The City shall determine the appropriate size of the loading area on a case-by-case basis, depending on the number of attendees and the extent of the abutting right-of-way improvements. Carpooling, staggered loading/unloading time, right-of-way improvements or other means		

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS													
Section 18.10	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)	
				Units per Acre or Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
					Front	Side	Rear						
											<p>may be required to reduce traffic impacts on nearby residential uses.</p> <p>8. The location of parking and passenger loading areas shall be designed to reduce impacts on nearby residential uses.</p> <p>9. For school use, structure height may be increased, up to 35 feet, if:</p> <ul style="list-style-type: none"> <li>a. The school can accommodate 200 or more students; and</li> <li>b. The required side and rear yards for the portions of the structure exceeding the basic maximum structure height are increased by one foot for each additional one foot of structure height; and</li> <li>c. The increased height is not specifically inconsistent with the applicable neighborhood plan provisions of the Comprehensive Plan.</li> <li>d. The increased height will not result in a structure that is incompatible with surrounding uses or improvements.</li> </ul> <p>10. May include accessory living facilities for staff persons.</p> <p>11. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388).</p> <p>12. Electrical signs shall not be permitted.</p>		

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

Section 18.10	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)	
			Units per Acre or Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.040	Mini-School or Mini-Day-Care Center  See Spec. Reg. 1	Process I, Chapter 145 KZC.	As established on the Zoning Map. See Spec. Reg. 2.	20'	5' but 2 side yards must equal at least 15'.	10'	50%, except 30% for the RSA 1 zone. See Gen Reg. 3.  See Gen. Reg. 4 for Holmes Point area.	30' above average building elevation.	E  See Gen Regs. 3 and 4.	B  See Spec. Reg. 8.	See KZC 105.25.	<ol style="list-style-type: none"> <li>1. May locate on the subject property if:                             <ol style="list-style-type: none"> <li>a. It will not be materially detrimental to the character of the neighborhood in which it is located.</li> <li>b. Site design must minimize adverse impacts on surrounding residential neighborhoods.</li> </ol> </li> <li>2. Minimum lot size is as follows:                             <ol style="list-style-type: none"> <li>a. In RSA 1 zone, newly platted lots shall be clustered and configured in a manner to provide generally equal sized lots outside of the required open space area.</li> <li>b. In RSA 4 zones, the minimum lot size is 7,600 square feet.</li> <li>c. In RSA 6 zones, the minimum lot size is 5,100 square feet.</li> <li>d. In RSA 8 zones, the minimum lot size is 3,800 square feet.</li> </ol> </li> <li>3. A six-foot-high fence is required along the property line adjacent to the outside play areas.</li> <li>4. Hours of operation and the maximum number of attendees may be limited by the City to reduce impacts on nearby residential uses.</li> </ol>

REGULATIONS CONTINUED ON NEXT PAGE

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS													
Section 18.10	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)	
				Units per Acre or Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
					Front	Side	Rear						
.040	Mini-School or Mini-Day-Care Center (continued)											REGULATIONS CONTINUED FROM PREVIOUS PAGE 5. Structured play areas must be setback from all property lines by five feet. 6. An on-site passenger loading area may be required depending on the number of attendees and the extent of the abutting right-of-way improvements. 7. The location of parking and passenger loading areas shall be designed to reduce impacts on nearby residential uses. 8. Electrical signs shall not be permitted. Size of signs may be limited to be compatible with nearby residential uses. 9. May include accessory living facilities for staff persons. 10. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388).	
.050	(Reserved)												
.060	Golf Course See Spec. Regs. 1, 2 and 3.	Process IIA, Chapter 150 KZC.	1 acre	50'	50' on each side	50'	50%, except 30% for the RSA 1 zone. See Gen. Reg. 3  See Gen. Reg. 4 for Holmes Point area.	30' above average building elevation.	E See Gen. Regs. 3 and 4	B	See KZC 105.25.	1. Site design must minimize adverse impacts on surrounding residential neighborhoods. 2. May not include miniature golf. 3. The following accessory uses are specifically permitted as part of this use. a. Equipment storage facilities. b. Retail sales and rental of golf equipment and accessories. c. A restaurant.	
.070	Public Utility	See Spec. Reg. 1.	None	20'	20' on each side	20'	70%, except 30% for the RSA 1	30' above average building	A See Gen. Regs. 3 and 4			1. The required review process is as follows: a. If the subject property, including all contiguous property owned by the applicant and held by others for future use by the applicant, is less than five acres, the required review process is Process IIA, Chapter	

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

Section 18.10	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)	
			Units per Acre or Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.080	Government Facility Community Facility			10' on each side	10'	zone. See Gen. Reg. 3.  See Gen. Reg. 4 for Holmes Point.	elevation.	C  See Spec. Reg. 3. and Gen. Regs. 3 and 4.		150 KZC. b. If the subject property, including all contiguous property owned by the applicant and held by others for future use by the applicant, is five or more acres, a Master Plan, approved through Process IIB, Chapter 152 KZC, is required. The Master Plan must show building placement, building dimensions, roadways, utility locations, land uses within the Master Plan area, parking location, buffering, and landscaping. 2. Site design must minimize adverse impacts on surrounding residential neighborhoods. 3. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.		
.090	Public Park	Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.										

AND RMA

## 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.

RMA (after all zones)

<p><b>Section 20.08</b></p> 	<p><b>Section 20.08 – GENERAL REGULATIONS</b></p> <p>The following regulations apply to all uses in this zone unless otherwise noted:</p>
	<p>1. Refer to Chapter <a href="#">1</a> KZC to determine what other provisions of this code may apply to the subject property.</p>
	<p>2. If any portion of a structure is adjoining a low density zone or a low density use in PLA 17, then either:</p> <ul style="list-style-type: none"> <li>a. The height of that portion of the structure shall not exceed 15 feet above average building elevation; or</li> <li>b. The horizontal length of any facade of that portion of the structure which is parallel to the boundary of the low density zone shall not exceed 50 feet.</li> </ul> <p>See KZC <a href="#">115.30</a>, Distance Between Structures/Adjacency to Institutional Use, for further details. (Does not apply to General Moorage Facility and Detached Dwelling Units uses).</p>
	<p>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).</p>
	<p>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.</p>
	<p>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).</p>
	<p>6. If the subject property is located between Juanita Drive and Lake Washington or 98th Avenue NE and Lake Washington, the following regulations apply:</p> <ul style="list-style-type: none"> <li>a. Must provide a required yard of 15 feet or 15 percent of average parcel depth, measured from the high waterline. To the extent that this provision is inconsistent with other required yard dimensions identified in this chapter, this provision shall govern.</li> <li>b. Must provide public pedestrian access from the right-of-way to and along the entire waterfront of the subject property within the high waterline yard. Access to the waterfront may be waived by the City if public access along the waterfront</li> </ul>

	<p>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.</p> <p>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.</p> <p>(Does not apply to General Moorage Facility, Detached Dwelling Units and Public Park uses).</p>
	<p>7. If the property is located in the NE 85th Street Subarea, the following shall apply:</p> <p>a. If the subject property is located south of NE 85th Street between 124th Avenue NE and 120th Avenue NE, the applicant shall to the extent possible save existing viable significant trees within the required landscape buffer separating nonresidential development from adjacent single-family homes.</p> <p>b. If the subject property is located directly north of the RH 4 zone, the applicant shall install a through-block pedestrian pathway pursuant to the standards in KZC <a href="#">105.19(3)</a> to connect an east-west pedestrian pathway designated in the Comprehensive Plan between 124th Avenue NE and 120th Avenue NE. (See Plate 34K).</p>
	<p>8. May not use lands waterward of the high waterline to determine lot size or to calculate allowable density.</p>
	<p>9. May also be regulated under the Shoreline Master Program, KMC Title 24.</p>

Section 20.10



USE ZONE CHART

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

Section 20.10	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						
.010	Detached Dwelling Units	None	5,000 sq. ft. in an RM 5.0. Otherwise, 3,600 sq. ft.	20'	5'	10'	60%	If adjoining a low density zone other than SX, then 25' above average building elevation. Otherwise, 30' above average building elevation. See Spec. Reg. 8.	E	A	2.0 per unit.	<ol style="list-style-type: none"> <li>For this use, only one dwelling unit may be on each lot regardless of the size of the lot.</li> <li>Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.</li> </ol>
.020	Detached, Attached or Stacked Dwelling Units  Stacked Dwelling Units are not permitted in RM 5.0.	Within the NE 85th Street Subarea, D.R., Chapter 142 KZC. Otherwise, none.	3,600 sq. ft. with a density as established on the Zoning Map. See Spec. Reg. 1.	20'	5' for detached units. For attached or stacked units, 5', but 2 side yards must equal at least 15'. See Spec. Reg. 6.	10' See Spec. Reg. 7.	60%	25' above average building elevation. Otherwise, 30' above average building elevation. See Spec. Reg. 8.	D See Spec. Regs. 4 and 9.		1.7 per unit.	<ol style="list-style-type: none"> <li>Minimum amount of lot area per dwelling unit is as follows:                             <ol style="list-style-type: none"> <li>In RM 5.0 zones, the minimum lot area per unit is 5,000 sq. ft.</li> <li>In RM 3.6 zones, the minimum lot area per unit is 3,600 sq. ft.</li> <li>In RM 2.4 zones, the minimum lot area per unit is 2,400 sq. ft.</li> <li>In RM 1.8 zones, the minimum lot area per unit is 1,800 sq. ft.</li> </ol> </li> <li>Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.</li> <li>Chapter 115 KZC contains regulations regarding common recreational space requirements for this use.</li> <li>Except for low density uses, if the subject property is located within the NRH neighborhood, west of Slater Avenue NE and south of NE 100th Street, and if it adjoins a low density zone or a low density use in PLA 17, then landscape category A applies.</li> <li>Development located in the RM 3.6 zone in North Rose Hill, lying between Slater Avenue NE and 124th Avenue NE, and NE 108th Place (extended) and approximately NE 113th Place (extended) shall comply with the following:                             <ol style="list-style-type: none"> <li>Each development shall incorporate at least two acres; and</li> <li>Significant vegetation that provides protection from I-405 shall be retained to the maximum extent feasible.</li> </ol> </li> <li>The side yard may be reduced to zero feet if the side of the dwelling unit is attached to a dwelling unit on an adjoining lot. If one side of a dwelling unit is so attached and the opposite side is not, the side that is not attached must provide a minimum side yard of five feet.</li> <li>The rear yard may be reduced to zero feet if the rear of the dwelling unit is attached to a dwelling unit on an adjoining lot.</li> </ol>

REGULATIONS CONTINUED ON NEXT PAGE

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 20.10	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						
.020	Detached, Attached or Stacked Dwelling Units (continued)										REGULATIONS CONTINUED FROM PREVIOUS PAGE 8. Where the 25-foot height limitation results solely from an adjoining low density zone occupied by a school that has been allowed to increase its height to at least 30 feet, then a structure height of 30 feet above average building elevation is allowed. 9. When a low density use adjoins a detached dwelling unit in a low density zone, Landscape Category E applies.	
.030	Church	Within the NE 85th Street Sub-area, D.R., Chapter 142 KZC. Otherwise, Process IIA, Chapter 150 KZC.	7,200 sq. ft.	20'	20'	20'	70%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above average building elevation.	C See Spec. Reg. 3.	B	1 for every 4 people based on maximum occupancy load of worship. See Spec. Reg. 2. 1. The property must be served by a collector or arterial street. 2. No parking is required for day-care or school ancillary to the use. 3. If the subject property is located within the NRH neighborhood, west of Slater Avenue NE and south of NE 100th Street, and if it adjoins a low density zone or a low density use in PLA 17, then landscape category A applies.	

RM Zone:

RMA Zone: 35' above average building elevation

Section 20.10



USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS													
Section 20.10	USE ⇩ REGULATIONS ⇩	Required Review Process	Lot Size	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
				REQUIRED YARDS (See Ch. 115)				Lot Coverage	Height of Structure				
				Front	North Property Line	South Property Line	High Water Line						
.040	General Moorage Facility	Process IIA, Chapter 150 KZC.	None, but must have at least 100' of frontage on Lake Washington.	30' See the high waterline Spec. Reg. 4.	Landward of the greater of: a. 15' or b. 1-1/2 times the height of the primary structure above average building elevation minus 10'.	10'	For moorage structure, 0'. For other structures the greater of: a. 15', or b. 15% of the average parcel depth.	60%	Landward of the high waterline 30' above average building elevation. Waterward of the high waterline, dock and pier decks may not be more than 24' above mean sea level.	B	B	None for residents or their guests.	<ol style="list-style-type: none"> <li>Moorage may only be used by residents of the dwelling units on the subject property, or their guests.</li> <li>Except as permitted by Special Regulation 18, no structures, other than moorage structures or public access piers or boardwalks, may be waterward of the high waterline. For regulations regarding public access piers, see the specific listing in this zone.</li> <li>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.</li> <li>The required 30' front yard may be reduced one foot for each one foot of this yard that is developed as a public use area if:                             <ol style="list-style-type: none"> <li>Within 30' of the front property line, each portion of a structure is setback from the front property line by a distance greater than or equal to the height of that portion above the front property line; and</li> <li>Substantially, the entire width of this yard, from north to south property lines, is developed as a public use area; and</li> <li>The design of the public use area is specifically approved by the City.</li> </ol> </li> <li>A view corridor must be maintained across 30 percent of the average parcel width. The view corridor must be in one continuous piece. Within the view corridor, structures, parking areas, and landscaping will be allowed, provided that they do not obscure the view from Lake Washington Boulevard to and beyond Lake Washington. This corridor must be adjacent to either the north or south property line, whichever will result in the widest view corridor given development on adjacent properties.</li> <li>The design on the site must be compatible with the scenic nature of the waterfront. If the development will result in the isolation of a detached dwelling unit, site design, building design and landscaping must mitigate the impacts of that isolation.</li> </ol>
				REGULATIONS CONTINUED ON NEXT PAGE									

REGULATIONS CONTINUED ON NEXT PAGE

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS													
Section 20.10	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	North Property Line	South Property Line	High Water Line						
.040	General Moorage Facility (continued)			c. Closer to a lot containing a detached dwelling unit than a line that starts where the high water line of the lot intersects the side property line of the lot closest to the moorage structure at a 30-degree angle from that side property line. This setback applies whether or not the subject property abuts the lot, but does not exceed beyond any intervening over water structure; or d. Within 25' of another moorage structure not on the subject property.  The minimum dimension of any yard, other than listed, is 5'.							7. The City will determine the maximum allowable number of moorages based on the following factors: a. The ability of the land landward of the high waterline to accommodate the necessary support facilities. b. The potential for traffic congestion. c. The number of moorages shall not exceed the number of dwelling units on the subject property. 8. Moorage structures may not be larger than is necessary to provide safe and reasonable moorage for the boats moored. The City will specifically review the size and configuration of moorage structures to insure that: a. The moorage structures do not extend waterward of the point necessary to provide reasonable draft for the boats to be moored, but not beyond the outer harbor line; and b. The moorage structures are not larger than is necessary to moor the specified number of boats; and c. The moorage structures will not interfere with the public use and enjoyment of the water or create a hazard to navigation; and d. The moorage structures will not adversely affect nearby uses; and e. The moorage structures will not have a significant long-term adverse effect on aquatic habitats. 9. If the moorage structures will extend waterward of the Inner Harbor Line, the applicant must obtain a lease from the Washington State Department of Natural Resources prior to submittal of a Building Permit for this use. 10. May not treat moorage structure with creosote, oil base, or toxic substance. 11. Must provide at least two covered and secured waste receptacles. 12. All utility and service lines must be below the pier deck and, where feasible, underground. 13. Piers must be adequately lit. The source of the light must not be visible from neighboring properties. 14. Moorage structures must display the street address of the subject property. The address must be oriented to the lake with letters and numbers at least four inches high. 15. Covered moorage is not permitted. 16. Aircraft moorage is not permitted. 17. At least one pump-out facility shall be provided. 18. See KZC 30.11 for regulations regarding bulkheads and land surface modification.		

Section 20.10



USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 20.10	USE ↓ REGULATIONS ↑	Required Review Process	Lot Size	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
				REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.050	School or Day-Care Center	Within the NE 85th Street Sub-area, D.R., Chapter 142 KZC. Otherwise, Process IIA, Chapter 150 KZC.	7,200 sq. ft.	If this use can accommodate 50 or more students or children, then: 50' 50' on 50' each side  If this use can accommodate 13 to 49 students or children, then: 20' 20' on 20' each side	70%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above average building elevation. See Spec. Reg. 8.	D	B	See KZC 105.25.	<ol style="list-style-type: none"> <li>May locate on the subject property only if:                             <ol style="list-style-type: none"> <li>It will not be materially detrimental to the character of the neighborhood in which it is located.</li> <li>Site and building design must minimize adverse impacts on surrounding residential neighborhoods.</li> </ol> </li> <li>A six-foot-high fence is required only along the property line adjacent to the outside play areas.</li> <li>Structured play areas must be set back from all property lines as follows:                             <ol style="list-style-type: none"> <li>Twenty feet if this use can accommodate 50 or more students or children.</li> <li>Ten feet if this use can accommodate 13 to 49 students or children.</li> </ol> </li> <li>An on-site passenger loading area must be provided. The City shall determine the appropriate size of the loading area on a case-by-case basis, depending on the number of attendees and the extent of the abutting right-of-way improvements. Carpooling, staggered loading/unloading time, right-of-way improvements or other means may be required to reduce traffic impacts on nearby residential uses.</li> <li>May include accessory living facilities for staff persons.</li> <li>To reduce impacts on nearby residential uses, hours of operation of the use may be limited and parking and passenger loading areas relocated.</li> <li>These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388).</li> <li>For school use, structure height may be increased, up to 35 feet, if:                             <ol style="list-style-type: none"> <li>The school can accommodate 200 or more students; and</li> <li>The required side and rear yards for the portions of the structure exceeding the basic maximum structure height are increased by one foot for each additional one foot of structure height; and</li> <li>The increased height is not specifically inconsistent with the applicable neighborhood plan provisions of the Comprehensive Plan; and</li> <li>The increased height will not result in a structure that is incompatible with surrounding uses or improvements. <i>This special regulation is not effective within the disapproval jurisdiction of the Houghton Community Council.</i></li> </ol> </li> </ol>		

RM Zone:

RMA Zone: 35' above average building elevation



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Section 20.10	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						
.060	Grocery Store, Drug Store, Laundromat, Dry Cleaners, Barber Shop, Beauty Shop or Shoe Repair Shop See Spec. Reg. 9.	Process IIA, Chapter 150 KZC.	7,200 sq. ft.	20'	5' but 2 side yards must equal at least 15'.	10'	60%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above average building elevation.	B	E	1 per each 300 sq. ft. of gross floor area.	<ol style="list-style-type: none"> <li>This use may be permitted only if it is specifically consistent with the Comprehensive Plan in the proposed location.</li> <li>May only be permitted if placement, orientation, and scale indicate this use is primarily intended to serve the immediate residential area.</li> <li>Must be located on a collector arterial or higher volume right-of-way.</li> <li>Placement and scale must indicate pedestrian orientation.</li> <li>Must mitigate traffic impacts on residential neighborhood.</li> <li>Gross floor area may not exceed 3,000 square feet.</li> <li>May not be located above the ground floor of a structure.</li> <li>Hours of operation may be limited to reduce impacts on nearby residential uses.</li> <li>This use is not permitted in an RM zone located within the NE 85th Street Subarea.</li> </ol>
.070	Mini-School or Mini-Day-Care	Within the NE 85th Street Sub-area, D.R., Chapter 142 KZC. Otherwise, none.	3,600 sq. ft.						D	B	See KZC 105.25.	<ol style="list-style-type: none"> <li>May locate on the subject property if:                             <ol style="list-style-type: none"> <li>It will not be materially detrimental to the character of the neighborhood in which it is located.</li> <li>Site design must minimize adverse impacts on surrounding residential neighborhoods.</li> </ol> </li> <li>A six-foot-high fence is required along the property line adjacent to the outside play areas.</li> <li>Structured play areas must be set back from all property lines by five feet.</li> <li>An on-site passenger loading area may be required depending on the number of attendees and the extent of the abutting right-of-way improvements.</li> <li>To reduce impacts on nearby residential uses, hours of operation of the use may be limited and parking and passenger loading areas relocated.</li> <li>May include accessory living facilities for staff persons.</li> <li>These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388).</li> </ol>

RM Zone:

RMA Zone: 35' above average building elevation

Section 20.10



USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 20.10	USE ↓ REGULATIONS →	Required Review Process	Lot Size	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
				REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.080	Assisted Living Facility (Not permitted in RM 5.0)  or RMA	Within the NE 85th Street Sub-area, D.R., Chapter 142 KZC. Otherwise, none.	3,600 sq. ft.	20'	5' but 2 side yards must equal at least 15'.  RMA Zone: 5'	10'	60%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above average building elevation.  RMA Zone: 35' above average building elevation	D See Spec. Reg. 6.	A	1.7 per independent unit. 1 per assisted living unit.	<ol style="list-style-type: none"> <li>1. A facility that provides both independent dwelling units and assisted living units shall be processed as an assisted living facility.</li> <li>2. If a nursing home use is combined with an assisted living facility use in order to provide a continuum of care for residents, the required review process shall be the least intensive process between the two uses.</li> <li>3. For density purposes, two assisted living units shall constitute one dwelling unit. Total dwelling units may not exceed the number of stacked dwelling units allowed on the subject property. Through Process IIB, Chapter 152 KZC, up to 1 1/2 times the number of stacked dwelling units allowed on the property may be approved if the following criteria are met:                             <ol style="list-style-type: none"> <li>a. Project is of superior design, and</li> <li>b. Project will not create impacts that are substantially different than would be created by a permitted multifamily development.</li> </ol> </li> <li>4. The assisted living facility shall provide usable recreation space of at least 100 square feet per unit, in the aggregate, for both assisted living units and independent dwelling units, with a minimum of 50 square feet of usable recreation space per unit located outside.</li> <li>5. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use.</li> <li>6. If the subject property is located within the NRH neighborhood, west of Slater Avenue NE and south of NE 100th Street, and if it adjoins a low density zone or a low density use in PLA 17, then landscape category A applies.</li> </ol>
.090	Convalescent Center or Nursing Home	Within the NE 85th Street Sub-area, D.R., Chapter 142 KZC. Otherwise, Process IIA, Chapter 150 KZC.	7,200 sq. ft.		10' on each side		70%		C See Spec. Reg. 2.	B	1 for each bed.	<ol style="list-style-type: none"> <li>1. If a nursing home use is combined with an assisted living facility use in order to provide a continuum of care for residents, the required review process shall be the least intensive process between the two uses.</li> <li>2. If the subject property is located within the NRH neighborhood, west of Slater Avenue NE and south of NE 100th Street, and if it adjoins a low density zone or a low density use in PLA 17, then Landscape Category A applies.</li> </ol>

USE ZONE CHART

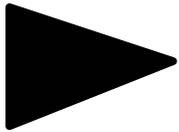
DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 20.10	USE ↓ REGULATIONS ↑	Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.100	Public Utility	Within the NE 85th Street Sub-area, D.R., Chapter 142 KZC. Otherwise, Process IIA, Chapter 150 KZC.	None	20'	20' on each side	20'	70%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above average building elevation.	A See Spec. Regs. 2 and 3.	B	See KZC 105.25.	<ol style="list-style-type: none"> <li>1. Site design must minimize adverse impacts on surrounding residential neighborhoods.</li> <li>2. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.</li> <li>3. If the subject property is located within the NRH neighborhood, west of Slater Avenue NE and south of NE 100th Street, and if it adjoins a low density zone or a low density use in PLA 17, then Landscape Category A applies.</li> </ol>
.110	Government Facility Community Facility			10' on each side	10'				C See Spec. Regs. 2 and 3.			
.120	Public Park	Development standards will be determined on case-by-case process.						RMA Zone: 35' above average building elevation		Chapter 49 KZC for required review		

## CHAPTER 25 – PROFESSIONAL OFFICE RESIDENTIAL (PR) AND PROFESSIONAL OFFICE RESIDENTIAL A (PRA) ZONES

### 25.05 User Guide.

The charts in KZC 25.10 contain the basic zoning regulations that apply in each PR 8.5, PR 5.0, PR 3.6, PR 2.4 and PR 1.8 and PRA 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 25.08



#### Section 25.08 – GENERAL REGULATIONS

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

1. Refer to Chapter 1 KZC to determine what other provisions of this code may apply to the subject property.
2. If any portion of a structure is adjoining a low density zone, then either:
  - a. The height of that portion of the structure shall not exceed 15 feet above average building elevation, or
  - b. The horizontal length of any facade of that portion of the structure which is parallel to the boundary of the low density zone shall not exceed 50 feet.See KZC 115.30, Distance Between Structures/Adjacency to Institutional Use, for further details.
3. The required yard of a structure abutting Lake Washington Boulevard or Lake St. S. must be increased two feet for each one foot that structure exceeds 25 feet above average building elevation (does not apply to Public Park uses).
4. If the property is located south of NE 85th Street between 124th Avenue and 120th Avenue, to the extent possible, the applicant shall save existing viable significant trees within the required landscape buffers separating nonresidential development from adjacent single-family homes.

5. Within the PRA zone, the maximum building height of a structure may be increased to 60 feet above average building elevation if:

- a. All required yards are increased by 1 feet for every 2 feet of height above 35 feet;
- b. Buildings may not exceed 3 stories; and
- c. Rooftop appurtenances may not exceed the maximum height and are screened with sloped roof forms.

a-

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

Section 25.10	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						
.010	Detached Dwelling Units	None	8,500 sq. ft. if PR 8.5 zone, 5,000 sq. ft. if PR 5.0 zone, otherwise 3,600 sq. ft.	20'	5' each	10'	70%	If adjoining a low density zone other than <a href="#">RSA</a> or <a href="#">RSX</a> , then 25' above average building elevation.	E	A	2.0 per dwelling unit.	<ol style="list-style-type: none"> <li>For this use, only one dwelling unit may be on each lot regardless of lot size.</li> <li>Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.</li> </ol>	
.020	Detached, Attached or Stacked Dwelling Units	Within the NE 85th Street Subarea, D.R., Chapter 142 KZC. Otherwise, none.	8,500 sq. ft. if PR 8.5 zone, 5,000 sq. ft. if PR 5.0 zone, otherwise 3,600 sq. ft. with a density as established on the Zoning Map. See Spec. Reg. 1.		<p><a href="#">For PR zones:</a> 5' each for detached units and 5' but 2 side yards must equal at least 15' for attached and stacked Units.</p> <p><a href="#">For PRA zones:</a> 5' each side See Spec. Reg. 4.</p>	10' See Spec. Reg. 5.		<p>See Spec. Reg. 6.</p> <p>Otherwise, <a href="#">for PR zones</a>, 30' above average building elevation <a href="#">and for PRA zones</a>, <a href="#">35 feet above average building elevation</a>.</p> <p><a href="#">See General Reg. 5.</a></p>	D		1.7 per unit.	<ol style="list-style-type: none"> <li>Minimum amount of lot area per dwelling unit is as follows: <ol style="list-style-type: none"> <li>In PR 8.5 zones, the minimum lot area per unit is 8,500 sq. ft.</li> <li>In PR 5.0 zones, the minimum lot area per unit is 5,000 sq. ft.</li> <li>In PR 3.6 zones, the minimum lot area per unit is 3,600 sq. ft.</li> <li>In PR 2.4 zones, the minimum lot area per unit is 2,400 sq. ft.</li> <li>In PR 1.8 <a href="#">and PRA 1.8</a> zones, the minimum lot area per unit is 1,800 sq. ft.</li> </ol> </li> <li>Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.</li> <li>Chapter 115 KZC contains regulations regarding common recreational space requirements for this use.</li> <li>The side yard may be reduced to zero feet if the side of the dwelling unit is attached to a dwelling unit on an adjoining lot. If one side of a dwelling unit is so attached and the opposite side is not, the side that is not attached must provide a minimum side yard of five feet.</li> <li>The rear yard may be reduced to zero feet if the rear of the dwelling unit is attached to a dwelling unit on an adjoining lot.</li> <li>Where the 25-foot height limitation results solely from an adjoining low density zone occupied by a school that has been allowed to increase its height to at least 30 feet, then a structure height of 30 feet above average building elevation is allowed.</li> </ol>	

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

Section 25.10	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						
.030	Office Uses	Within the NE 85th Street Subarea, D.R., Chapter 142 KZC. Otherwise, none.	None	20'	<u>For PR zones:</u> 5' but 2 side yards must equal at least 15'	10'	70%	If adjoining a low density zone other than <u>RSA or RSX</u> , then 25' above average building elevation.  Otherwise, <u>for PR zones</u> , 30' above average building elevation <u>and for PRA zones</u> , 35 feet above average building elevation.  <u>See General Reg. 5.</u>	C	D	If medical, dental or veterinary office, then one per each 200 sq. ft. of gross floor area. Otherwise one per each 300 sq. ft. of gross floor area.	<ol style="list-style-type: none"> <li>The following regulations apply to veterinary offices only: <ol style="list-style-type: none"> <li>May only treat small animals on the subject property.</li> <li>Outside runs and other outside facilities for the animals are not permitted.</li> <li>Site must be designed so that noise from this use will not be audible off the subject property. A certification to this effect, signed by an acoustical engineer, must be submitted with the development permit application.</li> </ol> </li> <li>Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: <ol style="list-style-type: none"> <li>The ancillary assembled or manufactured goods are subordinate to and dependent on this use.</li> <li>The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.</li> </ol> </li> </ol>	

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

Section 25.10	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						
.040	Development Containing Stacked or Attached Dwelling Units and Office Uses. See Spec. Reg. 1.	Within the NE 85th Street Subarea, D.R., Chapter 142 KZC. Otherwise, none.	3,600 sq. ft. with a residential density as established on the Zoning Map. See Spec. Reg. 2.	20'	<u>For PR zones:</u> 5' but 2 side yards must equal at least 15'  <u>For PRA zones:</u> 5' each in the PRA zones.	10'	70%	If adjoining a low density zone other than <u>RSA or RSX</u> , then 25' above average building elevation.  See Spec. Reg. 5.  Otherwise, <u>for PR zones, 30' above average building elevation and for PRA zones, 35 feet above average building elevation.</u>  <u>See General Reg. 5.</u>	C	D	See KZC 105.25.	<ol style="list-style-type: none"> <li>A veterinary office is not permitted in any development containing dwelling units.</li> <li>Minimum amount of lot area per dwelling unit is as follows:                             <ol style="list-style-type: none"> <li>In PR 8.5 zones, the minimum lot area per unit is 8,500 square feet.</li> <li>In PR 5.0 zones, the minimum lot area per unit is 5,000 square feet.</li> <li>In PR 3.6 zones, the minimum lot area per unit is 3,600 square feet.</li> <li>In PR 2.4 zones, the minimum lot area per unit is 2,400 square feet.</li> <li>In PR 1.8 <u>and PRA 1.8 zones</u>, the minimum lot area per unit is 1,800 square feet.</li> </ol> </li> <li>Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.</li> <li>Chapter 115 KZC contains regulations regarding common recreational space requirements for this use.</li> <li>Ancillary assembly and manufacture of goods on the premises of this use are permitted only if:                             <ol style="list-style-type: none"> <li>The ancillary assembled or manufactured goods are subordinate to and dependent on this use.</li> <li>The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.</li> </ol> </li> <li>Where the 25-foot height limitation results solely from an adjoining low density zone occupied by a school that has been allowed to increase its height to at least 30 feet, then a structure height of 30 feet above average building elevation is allowed.</li> </ol>	
.050	Restaurant or Tavern	Within the NE 85th Street Subarea, D.R., Chapter 142 KZC.	8,500 sq. ft. if PR 8.5 zone, otherwise 7,200 sq. ft.	20'	10' on each side.	10'	70%	If adjoining a low density zone other than <u>RSA or RSX</u> , then 25' above average	B	E	1 per each 100 sq. ft. floor area.	<ol style="list-style-type: none"> <li>This use is not permitted in a PR 3.6 zone located in the NE 85th Street Subarea.</li> <li>Drive-in or drive-through facilities are prohibited.</li> </ol>	

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

Section 25.10	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						
.060	Grocery Store, Drug Store, Laundromat, Dry Cleaners, Barber Shop, or Shoe Repair Shop	Otherwise, Process I, Chapter 145 KZC.			10' on each side.		building elevation.  Otherwise, <u>for PR zones</u> , 30' above average building elevation <u>and for PRA zones</u> , <u>35' above average building elevation</u> . See <u>General Reg. 5</u> .	C	B	1 per each 300 sq. ft. floor area.	<ol style="list-style-type: none"> <li>This use is not permitted in a PR 3.6 zone located in the NE 85th Street Subarea.</li> <li>May not be located above the ground floor of a structure.</li> <li>Gross floor area cannot exceed 3,000 square feet.</li> </ol>		
.070	Funeral Home or Mortuary				20' on each side.	20'						1. This use is not permitted in a PR 3.6 zone located in the NE 85th Street Subarea.	
.080	Church									1 for every 4 people based on maximum occupancy load of any area of worship. See Spec. Reg. 1.	1. No parking is required for day-care or school ancillary to this use.		
.090	School or Day Care Center	Within the NE 85th Street Subarea, D.R., Chapter 142 KZC.  Otherwise, none.  If this use is adjoining	8,500 sq. ft. if PR 8.5 zone, otherwise 7,200 sq. ft.	If this use can accommodate 50 or more students or children, then:  50' 50' on 50' each side  If this use can accommodate 13 to 49 students or children, then:			70%	If adjoining a low density zone other than <u>RSA or RSX</u> , then 25' above average building elevation.  Otherwise, <u>for PR zones</u> ,	D	B	See KZC 105.25.	<ol style="list-style-type: none"> <li>A six-foot-high fence is required only along the property lines adjacent to the outside play areas.</li> <li>Structured play areas must be set back from all property lines as follows: <ol style="list-style-type: none"> <li>Twenty feet if this use can accommodate 50 or more students or children.</li> <li>Ten feet if this use can accommodate 13 to 49 students or children.</li> </ol> </li> <li>An on-site passenger loading area must be provided. The City shall determine the appropriate size of the loading area on a case-by-case basis, depending on the number of attendees and the extent of the abutting right-of-way improvements.</li> </ol>	

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

Section 25.10	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						
			a low density zone, then Process I, Chapter 145 KZC.	20'	20' on each side	20'		30' above average building elevation and for <a href="#">PRA zones, 35' above average building elevation.</a>  <a href="#">See General Reg. 5 and</a> See Spec. Reg. 7.			<p>Carpooling, staggered loading/unloading time, right-of-way improvements or other means may be required to reduce traffic impacts on nearby residential uses.</p> <p>4. May include accessory living facilities for staff persons.</p> <p>5. To reduce impacts on nearby residential uses, hours of operation of the use may be limited and parking and passenger loading areas relocated.</p> <p>6. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388).</p> <p>7. For school use, structure height may be increased, up to 35 feet <a href="#">in PR zones and 40 feet in PRA zones</a>, if:</p> <p>a. The school can accommodate 200 or more students; and</p> <p>b. The required side and rear yards for the portions of the structure exceeding the basic maximum structure height are increased by one foot for each additional one foot of structure height; and</p> <p>c. The increased height is not specifically inconsistent with the applicable neighborhood plan provisions of the Comprehensive Plan; and</p> <p>d. The increased height will not result in a structure that is incompatible with surrounding uses or improvements. <i>This special regulation is not effective within the disapproval jurisdiction of the Houghton Community Council.</i></p> <p>8. For a Mini-School or Mini-Day-Care Center use, electrical signs shall not be permitted and the size of signs may be limited to be compatible with nearby residential uses.</p> <p>9. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388).</p>		

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

Section 25.10	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								
.100	Mini-School or Mini-Day-Care	Within the NE 85th Street Subarea, D.R., Chapter 142 KZC. Otherwise, none.	8,500 sq. ft. if PR 8.5 zone, 7,200 sq. ft. if PR 7.2 zone, 5,000 sq. ft. if PR 5.0 zone, otherwise 3,600 sq. ft.	20'	<u>For PR zones:</u> 5' but 2 side yards must equal at least 15'	10'	70%	If adjoining a low density zone other than <u>RSA or RSX</u> , then 25' above average building elevation.  Otherwise, for <u>PR zones</u> , 30' above average building elevation <u>and for PRA zones, 35' above average building elevation.</u>  <u>See General Reg. 5.</u>	E	B	See KZC 105.25.	<ol style="list-style-type: none"> <li>1. A six-foot-high fence is required along the property lines adjacent to the outside play areas.</li> <li>2. Structured play areas must be set back from all property lines by five feet.</li> <li>3. An on-site passenger loading area may be required depending on the number of attendees and the extent of the abutting right-of-way improvements.</li> <li>4. To reduce impacts on nearby residential uses, hours of operation of the use may be limited and parking and passenger loading areas relocated.</li> <li>5. Electrical signs shall not be permitted. Size of signs may be limited to be compatible with nearby residential uses.</li> <li>6. May include accessory living facilities for staff persons.</li> <li>7. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388).</li> </ol>		

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

Section 25.10	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						
.110	Assisted Living Facility							If adjoining a low density zone other than <a href="#">RSA or RSX</a> , then 25' above average building elevation.  Otherwise, <a href="#">for PR zones</a> , 30' above average building elevation <a href="#">and for PRA zones</a> , 35' above average building elevation. <a href="#">See General Reg. 5.</a>	D	A	1.7 per independent unit. 1 per assisted living unit.	<ol style="list-style-type: none"> <li>1. A facility that provides both independent dwelling units and assisted living units shall be processed as an assisted living facility.</li> <li>2. If a nursing home use is combined with an assisted living facility use in order to provide a continuum of care for residents, the required review process shall be the less intensive process between the two uses.</li> <li>3. For density purposes, two assisted living units shall constitute one dwelling unit. Total dwelling units may not exceed the number of stacked dwelling units allowed on the subject property. Through Process IIB, Chapter 152 KZC, up to 1 1/2 times the number of stacked dwelling units allowed on the property may be approved if the following criteria are met:                             <ol style="list-style-type: none"> <li>a. Project is of superior design, and</li> <li>b. Project will not create impacts that are substantially different than would be created by a permitted multifamily development.</li> </ol> </li> <li>4. The assisted living facility shall provide usable recreation space of at least 100 square feet per unit, in the aggregate, for both assisted living units and independent dwelling units, with a minimum of 50 square feet of usable recreation space per unit located outside.</li> <li>5. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use.</li> </ol>	
.120	Convalescent Center or Nursing Home	Within the NE 85th Street Subarea, D.R., Chapter 142 KZC.	8,500 sq. ft. if PR 8.5 zone, otherwise 7,200 sq. ft.	20'	10' on each side	10'	70%	If adjoining a low density zone other than <a href="#">RSA and RSX</a> , then 25' above average building elevation.	C	B	1 for each bed.	<ol style="list-style-type: none"> <li>1. If a nursing home use is combined with an assisted living facility use in order to provide a continuum of care for residents, the required review process shall be the less intensive process between the two uses.</li> </ol>	
.130	Public Utility	Otherwise, Process I, Chapter	None		20' on each side	20'			A		See KZC 105.25.		

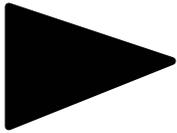
DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS													
Section 25.10	USE ↓	REGULATIONS ↱	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
				Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
					Front	Side	Rear						
.140	Government Facility Community Facility	145 KZC.			10' on each side	10'		Otherwise, <u>for</u> PR zones, 30' above average building elevation <u>and for PRA zones, 35' above average building elevation.</u>  <u>See General Reg. 5.</u>	C See Spec. Reg. 2.		<ol style="list-style-type: none"> <li>1. Site design must minimize adverse impacts on surrounding residential neighborhoods.</li> <li>2. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.</li> </ol>		
.150	Public Park	Development standards will be determined on case-by-case basis. See Chapter 49 KZC for required review process.											

## CHAPTER 40 – NEIGHBORHOOD BUSINESS (BN) AND NEIGHBORHOOD BUSINESS A (BNA) ZONES

### 40.05 User Guide.

The charts in KZC 40.10 contain the basic zoning regulations that apply in each of the BN and BNA 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 40.08



#### Section 40.08 – GENERAL REGULATIONS

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

1. Refer to Chapter 1 KZC to determine what other provisions of this code may apply to the subject property.
2. If any portion of a structure is adjoining a low density zone, then either:
  - a. The height of that portion of the structure shall not exceed 15 feet above average building elevation, or
  - b. The horizontal length of any facade of that portion of the structure which is parallel to the boundary of the low density zone shall not exceed 50 feet in width.See KZC 115.30, Distance Between Structures/Adjacency to Institutional Use, for further details.
3. The required yard of a structure abutting Lake Washington Blvd. or Lake Street South must be increased two feet for each one foot that structure exceeds 25 feet above average building elevation (does not apply to Public Park uses).

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

Section 40.10	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									
.010	Retail Establishment Selling Groceries and Related Items	None	None	<u>BN zone:</u> 20'	10' on each side	10'	80%	If adjoining a low density zone other than <u>RSX or RSA</u> , then 25' above average building elevation.  Otherwise, <u>for BN zone</u> , 30' above average building elevation <u>and for BNA zone</u> , 35' above average building elevation.	B	D	1 per each 300 sq. ft. of gross floor area.	<p>for Retail Establishments Selling Groceries and Related Items</p>	<ol style="list-style-type: none"> <li><u>Except in the BNA zone</u>, Gross floor area for this use may not exceed 10,000 square feet.</li> <li>Access from drive-through facilities must be approved by the Public Works Department. Drive-through facilities must be designed so that vehicles will not block traffic in the right-of-way while waiting in line to be served.</li> <li>A delicatessen, bakery, or other similar use may include, as part of this use, accessory seating if:                             <ol style="list-style-type: none"> <li>The seating and associated circulation area does not exceed more than 10 percent of the gross floor area of this use; and</li> <li>It can be demonstrated to the City that the floor plan is designed to preclude the seating area from being expanded.</li> </ol> </li> </ol>		
.020	Retail Establishment Selling Drugs, Books, Flowers, Liquor, Hardware Supplies, Garden Supplies or Works of Art			<u>BNA zone:</u> 10'											
.030	Retail Variety or Department Store														
.040	Retail Establishment Providing Banking and Related Financial Services														<ol style="list-style-type: none"> <li><u>Except in the BNA zone</u>, Gross floor area for this use may not exceed 10,000 square feet.</li> <li>Access from drive-through facilities must be approved by the Public Works Department. Drive-through facilities must be designed so that vehicles will not block traffic in the right-of-way while waiting in line to be served.</li> <li>Ancillary assembly and manufactured goods on the premises of this use are permitted only if:                             <ol style="list-style-type: none"> <li>The assembled or manufactured goods are directly related to and are dependent upon this use, and are available for purchase and removal from the premises.</li> <li>The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other retail uses.</li> </ol> </li> <li>For restaurants with drive-in or drive-through facilities, one outdoor waste receptacle shall be provided for every eight parking stalls.</li> </ol>
.050	Retail Establishment Providing Laundry, Dry Cleaning, Barber, Beauty or Shoe Repair Services														<ol style="list-style-type: none"> <li>1 per every 4 fixed seats</li> </ol>
.060	Restaurant or Tavern												1 per each 100 sq. ft. of gross floor area.		<p><u>5. Retail Establishment providing entertainment, recreational or cultural activities only allowed in BNA zone.</u></p>

.055 Retail Establishment providing entertainment, recreational or cultural activities See special regulation 5.

1 per every 4 fixed seats

5. Retail Establishment providing entertainment, recreational or cultural activities only allowed in BNA zone.

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

Section 40.10	USE ↓ REGULATIONS ↘	Required Review Process	MINIMUMS			MAXIMUMS		Lot Coverage	Height of Structure	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)									
				Front	Side	Rear							
.070	Private Lodge or Club									B	1 per each 300 sq. ft. of gross floor area.		
.080	Vehicle Service Station	Process IIA, Chapter 150.	22,500 sq. ft.	40'	15' on each side. See Spec Reg. 3.	15'	80%	If adjoining a low density zone other than <u>RSX or RSA</u> , then 25' above average building elevation.	A	D	See KZC 105.25.	<ol style="list-style-type: none"> <li>Hours of operation may be limited to reduce impact on residential areas.</li> <li>May not be more than two vehicle service stations at any intersection.</li> <li>Gas pump islands may extend 20 feet into the front yard. Canopies or covers over gas pump islands may not be closer than 10 feet to any property line. Outdoor parking and service areas may not be closer than 10 feet to any property line. See KZC 115.105, Outdoor Use, Activity and Storage, for further regulations.</li> </ol>	
.090	Office Use	None	None	<u>BN zone:</u> 20'	5', but 2 side yards must equal at least 15'.	10'		Otherwise, <u>for BN zone,</u> 30' above average building elevation <u>and for BNA zone,</u> 35' above average building elevation.	C		If a Medical, Dental or Veterinary office, then one per each 200 sq. ft. of gross floor area. Otherwise one per each 300 sq. ft. of gross floor area.	<ol style="list-style-type: none"> <li>The following regulations apply to veterinary offices only: <ol style="list-style-type: none"> <li>May only treat small animals on the subject property.</li> <li>Outside runs and other outside facilities for the animals are not permitted.</li> <li>Site must be designed so that noise from this use will not be audible off the subject property. A certification to this effect, signed by an Acoustical Engineer, must be submitted with the development permit application.</li> </ol> </li> <li>Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: <ol style="list-style-type: none"> <li>The ancillary assembled or manufactured goods are subordinate to and dependent on this use.</li> <li>The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.</li> </ol> </li> <li>At least 75 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, or offices. These uses shall be oriented to an adjacent arterial, a major pedestrian sidewalk, a through block pedestrian pathway or an internal pathway.</li> </ol>	
.100	Stacked Dwelling Unit. See Special Regulation 1.			Same as the regulations for the ground floor use. See Special Regulation 1.					A		1.7 per unit.	<ol style="list-style-type: none"> <li>This use, with the exception of a lobby, may not be located on the ground floor of a structure.</li> <li>Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.</li> </ol>	

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Section 40.10	USE ↓ REGULATIONS →	Required Review Process	MINIMUMS			MAXIMUMS		Lot Coverage	Height of Structure	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)									
				Front	Side	Rear							
.110	Church	None	None	<u>BN zone:</u> 20'	10' on each side	10'	80%	If adjoining a low density zone other than RSX or RSA, then 25' above average building elevation.  Otherwise, for <u>BN zone</u> , 30' above average building elevation <u>and for BNA zone</u> , 35' above average building elevation.	C	B	1 for every 4 people based on maximum occupancy load of any area of worship. See also Special Reg. 2.	<ol style="list-style-type: none"> <li>May include accessory living facilities for staff persons.</li> <li>No parking is required for day-care or school ancillary to this use.</li> </ol>	
.120	School or Day-Care Center			If this use can accommodate 50 or more students or children, then:  50'    50' on each side    50'  If this use can accommodate 13 to 49 students or children, then:				If adjoining a low density zone other than RSX or RSA, then 25' above average building elevation.  Otherwise, for <u>BN zone</u> , 30' above average building	D		See KZC 105.25.	<ol style="list-style-type: none"> <li>A six-foot-high fence is required only along the property lines adjacent to the outside play areas.</li> <li>Hours of operation may be limited to reduce impacts on nearby residential uses.</li> <li>Structured play areas must be setback from all property lines as follows:                             <ol style="list-style-type: none"> <li>20 feet if this use can accommodate 50 or more students or children.</li> <li>10 feet if this use can accommodate 13 to 49 students or children.</li> </ol> </li> <li>An on-site passenger loading area must be provided. The City shall determine the appropriate size of the loading areas on a case-by-case basis, depending on the number of attendees and the extent of the abutting right-of-way improvements. Carpooling, staggered loading/unloading time, right-of-way improvements or other means may be required to reduce traffic</li> </ol>	

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

Section 40.10	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						
			20'	20' on each side	20'		elevation <u>and for BNA zone, 35' above average building elevation.</u>				impacts on nearby residential uses. 5. The location of parking and passenger loading areas shall be designed to reduce impacts on nearby residential uses. 6. May include accessory living facilities for staff persons. 7. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388). 8. For school use, structure height may be increased, up to 35 feet, if: a. The school can accommodate 200 or more students; and b. The required side and rear yards for the portions of the structure exceeding the basic maximum structure height are increased by one foot for each additional one foot of structure height; and c. The increased height is not specifically inconsistent with the applicable neighborhood plan provisions of the Comprehensive Plan. d. The increased height will not result in a structure that is incompatible with surrounding uses or improvements. <i>This special regulation is not effective within the disapproval jurisdiction of the Houghton Community Council.</i>	

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

Section 40.10	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						
.130	Mini-School or Mini-Day-Care	None	None	<u>BN zone:</u> 20'	5', but 2 side yards must equal at least 15'.	10'	80%	If adjoining a low density zone other than <u>RSX and RSA</u> , then 25' above average building elevation.  Otherwise, <u>for BN zone</u> , 30' above average building elevation <u>and for BNA zone</u> , 35' above average building elevation.	D	B	See KZC 105.25.	<ol style="list-style-type: none"> <li>1. A six-foot-high fence is required along the property lines adjacent to the outside play areas.</li> <li>2. Hours of operation may be limited by the City to reduce impacts on nearby residential uses.</li> <li>3. Structured play areas must be setback from all property lines by five feet.</li> <li>4. An on-site passenger loading area may be required depending on the number of attendees and the extent of the abutting right-of-way improvements.</li> <li>5. The location of parking and passenger loading areas shall be designed to reduce impacts on nearby residential uses.</li> <li>6. May include accessory living facilities for staff persons.</li> <li>7. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388).</li> </ol>
.140	Assisted Living Facility See Spec. Reg. 3.	None	None	Same as the regulations for the ground floor use. See Spec. Reg. 3.				A	1.7 per independent unit. 1 per assisted living unit.	<ol style="list-style-type: none"> <li>1. A facility that provides both independent dwelling units and assisted living units shall be processed as an assisted living facility.</li> <li>2. If a nursing home use is combined with an assisted living facility use in order to provide a continuum of care for residents, the required review process shall be the least intensive process between the two uses.</li> <li>3. With the exception of the lobby, this use may not be located on the ground floor of a structure.</li> <li>4. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use.</li> </ol>		
.150	Convalescent Center or Nursing Home			<u>BN zone:</u> 20'	10' on each side	10'	80%	If adjoining a low density zone other than <u>RSX or RSA</u> , then 25' above average building elevation. Otherwise,	C	B	1 for each bed.	<ol style="list-style-type: none"> <li>1. If a nursing home use is combined with an assisted living facility use in order to provide a continuum of care for residents, the required review process shall be the least intensive process between the two uses.</li> </ol>
.160	Public Utility			<u>BNA zone:</u> 10'	20' on each side	20'		Otherwise,	A		See KZC 105.25.	<ol style="list-style-type: none"> <li>1. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.</li> </ol>

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

Section 40.10	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						
.170	Government Facility Community Facility			10' on each side	10'		for BN zone, 30' above average building elevation <u>and for BNA zone, 35' above average building elevation.</u>	C See Spec. Reg. 1				
.180	Public Park	Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.										

**CHAPTER 45 – COMMUNITY BUSINESS (BC, BC 1, AND BC 2) ZONES**

**45.05** User Guide. The charts in KZC 45.10 contain the basic zoning regulations that apply in each of the BC, BC 1, AND BC 2 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 45.08**



**Section 45.08 – GENERAL REGULATIONS**

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

1. Refer to Chapter 1 KZC to determine what other provisions of this code may apply to the subject property.
2. If any portion of a structure is adjoining a low density zone, then either:
  - a. The height of that portion of the structure shall not exceed 15 feet above average building elevation, or
  - b. The horizontal length of any facade of that portion of the structure which is parallel to the boundary of the low density zone shall not exceed 50 feet in width.See KZC 115.30, Distance Between Structures/Adjacency to Institutional Use, for further details.
- ~~3. The required front yard of any portion of the structure must be increased one foot for each foot that any portion of the structure exceeds 30 feet above average building elevation (does not apply to Public Park uses).~~
- ~~4. Except if adjoining a low density zone, structure height may be increased above 30 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; and
  - b. The increased height is not specifically inconsistent with the applicable neighborhood plan provisions of the Comprehensive Plan. (Does not apply to Public Park uses).~~
5. At least 75 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, or offices. These uses shall be oriented to an adjacent arterial, a major pedestrian sidewalk, a through block pedestrian pathway or an internal pathway.



USE ZONE CHART

- 3. In the BC 1 and BC 2 zones, side and rear yards abutting a residential zone shall be 20 feet.
- 4. In the BC 1 and BC 2 zones, all required yards for any portion of a structure must be increased one foot for each foot that any portion of the structure exceeds 35 feet above average building elevation (does not apply to Public Park uses)
- 5. Maximum height of structure is as follows:
  - a. In the BC zone, if adjoining a low density zone other than RSX, then 25 feet above average building elevation. Otherwise, 30 feet above average building elevation. Except if adjoining a low density zone, structure height may be increased above 30 feet in height through a Process IIA, Chapter 150 KZC, if:
    - i. It will not block local or territorial views designated in the Comprehensive Plan;
    - ii. The increased height is not specifically inconsistent with the applicable neighborhood plan provisions of the Comprehensive Plan; and
    - iii. The required front yard of any portion of the structure is increased one foot for each foot that any portion of the structure exceeds 30 feet above average building elevation (does not apply to Public Park uses).
  - b. In the BC 1 zone, 35 feet above average building elevation.
  - c. In the BC 2 zone, 35 feet above average building elevation. Structure height may be increased to 60 feet in height if:
    - i. At least 50% of the floor area is residential;
    - ii. Parking is located away from the street by placing it behind buildings, to the side of buildings, or in a parking structure;
    - iii. The ground floor is a minimum 15' in height for all retail, restaurant, or office uses (except parking garages); and
    - iv. The required yards of any portion of the structure are increased one foot for each foot that any portion of the structure exceeds 30 feet above average building elevation (does not apply to Public Park uses).

Section 45.10



USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS													
Section 45.10	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						
.010	Vehicle Service Station		Process I, Chapter 145 KZC.	22,500 sq. ft.	40'	15' on each side	15'	80%	<del>If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above average building elevation.</del> See Gen. Regs. 4 & 5	A	E	See KZC 105.25.	<ol style="list-style-type: none"> <li>May not be more than two vehicle service stations at any intersection.</li> <li>Gas pump islands may extend 20 feet into the front yard. Canopies or covers over gas pump islands may not be closer than 10 feet to any property line. Outdoor parking and service areas may not be closer than 10 feet to any property line. See KZC 115.105, Outdoor Use, Activity and Storage, for further regulations.</li> </ol>
.020	A Retail Establishment providing vehicle or boat sales or vehicle or boat service or repair. See Spec. Reg. 2.		None	None	<u>BC: 20'</u>	0'	0'						<ol style="list-style-type: none"> <li>Outdoor vehicle or boat parking or storage areas must be buffered as required for a parking area in Chapter 105 KZC. See KZC 115.105, Outdoor Use, Activity and Storage, for further regulations.</li> <li>Vehicle and boat rental are allowed as part of this use.</li> </ol>
.030	Restaurant or Tavern									B		1 per each 100 sq. ft. of gross floor area.	<ol style="list-style-type: none"> <li>For restaurants with drive-in or drive-through facilities:                             <ol style="list-style-type: none"> <li>One outdoor waste receptacle shall be provided for every eight parking stalls.</li> <li>Access for drive-through facilities shall be approved by the Public Works Department. Drive-through facilities shall be designed so that vehicles will not block traffic in the right-of-way while waiting in line to be served.</li> <li>Landscape Category A shall apply.</li> </ol> </li> </ol>
.050	A Retail Establishment providing storage services. see also spec. Regs. 1. & 2									A		See KZC 105.25.	<ol style="list-style-type: none"> <li>May include accessory living facilities for resident security manager.</li> <li><u>This use not permitted in BC 1 &amp; 2 zones.</u></li> </ol>

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS													
Section 45.10	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						
.060	Any Retail Establishment other than those specifically listed in this zone, selling goods, or providing services including banking and related financial services		None	None	BC: 20'	0'	0'	80%	<del>If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above average building elevation.</del> See Gen. Regs. 4&5	B	E	1 per each 300 sq ft. of gross floor area.	1. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: <ol style="list-style-type: none"> <li>The assembled or manufactured goods are directly related to and are available for purchase and removal from the premises.</li> <li>The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other retail uses.</li> </ol> 2. Access from drive-through facilities must be approved by the Public Works Department. Drive-through facilities must be designed so that vehicles will not block traffic in the right-of-way while waiting in line to be served.                     3. A delicatessen, bakery, or other similar use may include, as part of the use, accessory seating if: <ol style="list-style-type: none"> <li>The seating and associated circulation area does not exceed more than 10 percent of the gross floor area of the use; and</li> <li>It can be demonstrated to the City that the floor plan is designed to preclude the seating area from being expanded.</li> </ol>
.070	Office Use								C	D	If a medical, dental or veterinary office, then 1 per each 200 sq. ft. of gross floor area. Otherwise, 1 per each 300 sq. ft. of gross floor area.	1. The following regulations apply to veterinary offices only: <ol style="list-style-type: none"> <li>May only treat small animals on the subject property.</li> <li>Outside runs and other outside facilities for the animals are not permitted.</li> <li>Site must be designed so that noise from this use will not be audible off the subject property. A certification to this effect, signed by an Acoustical Engineer, must be submitted with the development permit application.</li> </ol> 2. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: <ol style="list-style-type: none"> <li>The ancillary assembled or manufactured goods are subordinate to and dependent on this use.</li> <li>The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.</li> </ol>	

Section 45.10



USE ZONE CHART

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

Section 45.10	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											
.080	Hotel or Motel	None	None	BC: 20'	0'	0'	80%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above average building elevation.	B	E	1 per each room. See also Spec. Reg. 2.	1. May include ancillary meeting and convention facilities. 2. Excludes parking requirements for ancillary meeting and convention facilities. Additional parking requirement for these ancillary uses shall be determined on a case-by-case basis.						
.090	A Retail Establishment providing entertainment, recreational or cultural activities			BC 1 & BC 2: 10'	See Gen. Regs. 3 & 4	See Gen. Regs. 3 & 4							See Gen. Regs. 4&5.	C	B	1 per every 4 fixed seats.		
.100	Private Lodge or Club																	
.110	Stacked Dwelling Unit. See Special Regulation 1.			900 square feet per unit in BC 1 and BC 2, otherwise none	Same as the regulations for the ground floor use. See Spec. Reg. 1.										A	1.7 per unit.	1. This use, with the exception of a lobby, may not be located on the ground floor of a structure. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.	
.120	Church			BC: 20'	0'	0'							80%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above average building elevation. See Gen. Regs. 4&5	C	B	1 for every four people based on maximum occupancy load of any area of worship. See also Special Reg. 2.	1. May include accessory living facilities for staff persons. 2. No parking is required for day-care or school ancillary to this use.

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS													
Section 45.10	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						
.130	School or Day-Care Center		None	None	BC: 20' BC 1 & BC 2: 10'	0' See Gen. Regs. 3 & 4	0' See Gen. Regs. 3 & 4	80%	<del>If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above average building elevation.</del> See Gen. Regs. 4&5	D	B	See KZC 105.25.	<ol style="list-style-type: none"> <li>1. A six-foot-high fence is required only along the property lines adjacent to the outside play areas.</li> <li>2. Hours of operation may be limited to reduce impacts on nearby residential uses.</li> <li>3. Structured play areas must be setback from all property lines as follows:                             <ol style="list-style-type: none"> <li>a. 20 feet if this use can accommodate 50 or more students or children.</li> <li>b. 10 feet if this use can accommodate 13 to 49 students or children.</li> </ol> </li> <li>4. An on-site passenger loading area must be provided. The City shall determine the appropriate size of the loading areas on a case-by-case basis, depending on the number of attendees and the extent of the abutting right-of-way improvements. Carpooling, staggered loading/unloading time, right-of-way improvements or other means may be required to reduce traffic impacts on nearby residential uses.</li> <li>5. May include accessory living facilities for staff persons.</li> <li>6. The location of parking and passenger loading areas shall be designed to reduce impacts on nearby residential uses.</li> <li>7. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388).</li> </ol>
.140	Mini-School or Mini-Day-Care											<ol style="list-style-type: none"> <li>1. A six-foot-high fence is required along the property lines adjacent to the outside play areas.</li> <li>2. Hours of operation may be limited by the City to reduce impacts on nearby residential uses.</li> <li>3. Structured play areas must be setback from all property lines by five feet.</li> <li>4. An on-site passenger loading area may be required depending on the number of attendees and the extent of the abutting right-of-way improvements.</li> <li>5. The location of parking and passenger loading areas shall be designed to reduce impacts on nearby residential uses.</li> <li>6. May include accessory living facilities for staff persons.</li> <li>7. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388).</li> </ol>	

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USE ZONE CHART

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

Section 45.10	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						
.150	Assisted Living Facility		None	For BC 1 and BC 2, see Spec. Reg. 5, otherwise None			Same as the regulations for the ground floor use. See Spec. Reg. 4.			A	1.7 per independent unit. 1 per assisted living unit.	<ol style="list-style-type: none"> <li>1. A facility that provides both independent dwelling units and assisted living units shall be processed as an assisted living facility.</li> <li>2. If a nursing home use is combined with an assisted living facility use in order to provide a continuum of care for residents, the required review process shall be the least intensive process between the two uses.</li> <li>3. This use may not be located on the ground floor of a structure.</li> <li>4. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use.</li> <li>5. In BC 1 and BC 2, subject to density limits listed for attached and stacked dwelling units. For density purposes, two assisted living units constitute one dwelling unit.</li> </ol>	
.160	Convalescent Center or Nursing Home			BC: 20'	0'	0'	80%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above average building elevation. See Gen. Regs. 4&5	C	B	1 for each bed.	<ol style="list-style-type: none"> <li>1. If a nursing home use is combined with an assisted living facility use in order to provide a continuum of care for residents, the required review process shall be the least intensive process between the two uses.</li> </ol>	
.170	Public Utility			BC: 20'					A		See KZC 105.25.	<ol style="list-style-type: none"> <li>1. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.</li> </ol>	
.180	Government Facility Community Facility								BC 1 & BC 2: 10'				See Gen. Regs. 3 & 4
.190	Public Park		Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.										

**Section 45.10**



**USE ZONE CHART**



**Chapter 70 – Holmes Point Overlay Zone (new)**

## Sections:

70.05	Purpose
70.15	Standards
70.25	Variations from Standards

70.05 Purpose

The purpose of the Holmes Point minimum site disturbance development standards is to allow infill at urban densities while providing an increased level of protection for the Holmes Point area, an urban residential area characterized by a predominance of sensitive environmental features including but not limited to steep slopes, landslide hazard areas and erosion hazard areas, and further characterized by a low level of roads and other impervious surfaces relative to undisturbed soils and vegetation, tree cover and wildlife habitat. These standards limit the allowable amount of site disturbance on lots in Holmes Point to reduce visual impacts of development, maintain community character and protect a high proportion of the undisturbed soils and vegetation, tree cover and wildlife, and require an inspection of each site and the area proposed to be cleared, graded and built on prior to issuance of a building permit.

70.15 Standards

Within the parcels shown on the Kirkland Zoning Map with an (HP) suffix, the minimum density, maximum density and maximum impervious surface standards set forth in Chapter 18 are superseded by this (HP) suffix, and the following development standards shall be applied to all residential development:

1 When review under Chapters 85 or 90 (Environmentally Sensitive Areas) or the City of Kirkland's Surface Water Design Manual is required, the review shall assume the maximum development permitted by this (HP) suffix condition will occur on the subject property, and the threshold of approval shall require a demonstration of no significant adverse impact on properties located downhill or downstream from the proposed development.

2. Total lot coverage shall be limited within every building lot as follows:
  - a. On lots up to six thousand five hundred square feet in size, two thousand six hundred square feet;
  - b. On lots six thousand five hundred and one to nine thousand square feet in size, two thousand six hundred square feet plus twenty eight percent of the lot area over six thousand five hundred square feet;

- c. On lots over nine thousand square feet in size, three thousand three hundred square feet plus ten percent of the lot area over nine thousand square feet;
- d. On a lot already developed, cleared or otherwise altered up to or in excess of the limits set forth above prior to (((insert actual effective date of King County P suffix))), new impervious surfaces shall be limited to five percent of the area of the lot, not to exceed 750 square feet;
- e. For purposes of computing the allowable lot coverage within each lot, private streets, joint-use driveways or other impervious-surfaced access facilities required for vehicular access to a lot in easements or access panhandles shall be excluded from calculations.

Summary Table:

<b>Lot Size</b>	<b>Maximum Lot Coverage</b>
Less than 6,500 sq. ft.	2,600 sq. ft.
6501 sq. ft. to 9,000 sq. ft.	2,600 sq. ft. plus 28% of the lot area over 6,500 sq. ft.
9,001 sq. ft. or greater	3,300 sq. ft. plus 10% of the lot area over 9,000 sq. ft.
Developed , cleared or altered lots	New impervious limited to 5% of the total lot are, but not to exceed 750 sq. ft.

- 3. In addition to the maximum area allowed for buildings and other impervious surfaces under subsection 70.15.2, up to 50 percent of the total lot area may be used for garden, lawn or landscaping, provided:
  - a. All significant trees, as defined in Chapter 95, must be retained. The limits set forth in this subsection are to be measured at grade level; the area of allowable garden, lawn or landscaping may intrude into the drip line of a significant tree required to be retained under this subsection if it is demonstrated not to cause root damage or otherwise imperil the tree's health;
  - b. Total site alteration, including impervious surfaces and other alterations, shall not exceed 75 percent of the total lot area; and
  - c. If development on the lot is to be served by an on-site sewage disposal system, any areas required by the department of public health to be set aside for on-site sewage disposal systems shall be contained as much as possible within the portion of the lot altered for garden, lawn or landscaping as provided by this subsection. If elements of the on-site sewage disposal system must be installed outside the landscaped area,

the elements must be installed so as not to damage any significant trees required to be retained under subsection 70.15.3.a, and any plants that are damaged must be replaced with similar native plants.

4. Subdivisions and short subdivisions shall be subject to the following requirements:
  - a. New public or private road improvements shall be the minimum necessary to serve the development on the site in accordance with Chapter 110. The City shall consider granting modifications to the road standards to further minimize site disturbance, consistent with pedestrian and traffic safety, and the other purposes of the road standards; and
  - b. Impervious surfaces and other alterations within each lot shall be limited as provided in subsections 2 and 3. In townhouse or multifamily developments, total impervious surfaces and other alterations shall be limited to two thousand six hundred square feet per lot or dwelling unit in the R-6 and R-8 zones, and three thousand three hundred square feet per lot or dwelling unit in the R-4 zone.
  
5. The Department of Planning and Community Development shall conduct site inspections prior to approving any site alteration or development on parcels subject to this (HP) suffix condition as follows:
  - a. Prior to issuing a permit for alteration or building on any individual lot subject to this (HP) suffix condition, the Planning Official shall inspect the site to verify the existing amount of undisturbed area, tree and other plant cover, and any previous site alteration or building on the site. Prior to this inspection and prior to altering the site, the applicant shall clearly delineate the area of the lot proposed to be altered and built on with environmental fencing, high-visibility tape or other conspicuous and durable means, and shall depict this area on a site plan included in the application.
  - b. Prior to approving any subdivision, or building permit for more than one dwelling unit on any parcel subject to this (HP) suffix condition, the Planning Official shall inspect the site to verify the amount of undisturbed area, tree and other plant cover, and any previous site alteration or building on the site. Prior to this inspection and prior to altering the site, the applicant shall clearly delineate the area of the proposed grading for streets, flow control and other common improvements, with environmental fencing, high-visibility tape or other conspicuous and durable means, and shall depict this area on a plot plan included in the application. Development of individual lots within any approved subdivision or short subdivision shall be subject to an individual inspection in accordance with subsection a.

6. Areas not covered by impervious surfaces or altered as provided in subsections 2, 3, or 4, which are not environmentally sensitive areas governed by Chapters 85 or 90, shall be maintained in an undisturbed state, except for the following activities:
  - a. Incidental trimming or removal of vegetation necessary for protection of property or public health and safety, or the incidental removal of vegetation to be used in the celebration of recognized holidays. Replacement of removed hazardous trees may be required;
  - b. Areas infested by noxious weeds may be replanted with appropriate native species or other appropriate vegetation;
  - c. Construction of primitive pedestrian-only trails in accordance with the construction and maintenance standards in the U.S. Forest Service "Trails Management Handbook" (FSH 2309.18, June 1987, as amended) and "Standard Specifications for Construction of Trails" (EM-7720-102, June 1996, as amended); but in no case shall trails be constructed of concrete, asphalt or other impervious surface;
  - d. Limited trimming and pruning of vegetation for the creation and maintenance of views, and the penetration of direct sunlight, provided the trimming or pruning does not cause root damage or otherwise imperil the tree's health as allowed for in K.C.C. 21A.24.310D.4; and
  - e. Individual trees or plants may be replaced with appropriate species on a limited basis. Forested hydrological conditions, soil stability and the duff layer shall be maintained.
7. Conformance with this (HP) suffix condition shall not relieve an applicant from conforming to any other applicable provisions of the Zoning Code, Subdivision Ordinance, or Shoreline Master Program.

#### 70.25 Variations from Standards

For development activity occurring after (((insert actual effective date of King County P suffix))), upon written request from the applicant, the Planning Director may allow up to a ten percent increase in impervious surface on individual lots over the limits set forth above, provided such increase is the minimum necessary to allow reasonable use of the property and meets all other applicable decision criteria for a variance as provided in Chapter 120, and one or more of the following circumstances applies:

1. Development of a lot will require a driveway sixty feet or longer from the lot boundary to the proposed dwelling unit;
2. On-site flow control facilities are required by the Public Works;

3. The requested increase will allow placement of new development on the site in such a way as to allow preservation of one or more additional significant trees, as defined in Chapter 95, that would otherwise be cleared; or
4. The requested increase is necessary to provide additional parking, access ramp or other facilities needed to make a dwelling accessible for a mobility-impaired resident.

ATTACHMENT 5

TITLE 22 AMENDMENTS

File No. ANN09-00001

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HOW TO READ THIS:

- Text that is covered by a strike-through (~~strike-through~~) is existing text currently contained in the Zoning Code that is to be deleted.
- Text that is underlined (underlined), with the exception of section headings, is new text that is to be added.

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**Chapter 22.08, DEFINITIONS** *(add annexation drainage basins)*

**22.08.190 Primary basins.**

“Primary basins” means the watersheds associated with the following ~~five~~ seven creeks: (1) Juanita Creek, (2) Forbes Creek, (3) Cochran Springs Creek, (4) Yarrow Creek, ~~and~~ (5) Carillon Creek, (6) Denny Creek, and (7) Champagne Creek as shown in the Kirkland sensitive areas maps. (Ord. 3705 § 2 (part), 1999)

**22.08.203 Secondary basins.**

“Secondary basins” means the Moss Bay Basin, Houghton Basin, ~~and~~ Kirkland Slope Basin, Holmes Point Basin, and Kingsgate Slope Basin which are also depicted as the urban drainage basins on the Kirkland sensitive areas maps. (Ord. 3705 § 2 (part), 1999)

**Chapter 22.28, DESIGN REQUIREMENTS**

**22.28.030 Lots—Size.** *(reference minimum lot sizes contains in the RSA use zone charts since the Zoning Map only reflects units per acre in the RSA zones)*

All lots within a subdivision must meet the minimum size requirements established for the property in the Kirkland zoning code or other land use regulatory document. If a property is smaller than that required for subdivision by an amount less than or equal to ten percent of the minimum lot size for the zoning district as shown on the Kirkland zoning map or as indicated in the Kirkland zoning code, subdivision may still proceed as long as the shortage of area is spread evenly over all of the lots in the subdivision. In cases where an existing structure or other physical feature (sensitive area, easement, etc.) makes even distribution of the size shortage difficult, an exception to the even distribution may be made.

If a property is smaller than that required for subdivision by an amount greater than ten percent and less than or equal to fifteen percent of the minimum lot size for the zoning district as shown on the Kirkland zoning map or as indicated in the Kirkland zoning code, subdivision may also proceed, as long as:

- (a) The shortage of area is spread evenly over all of the lots in the subdivision (unless an existing structure or other physical feature such as a sensitive area or easement makes even distribution of the size shortage difficult); and
- (b) All lots have a minimum lot width at the back of the required front yard of no less than fifty feet (unless the garage is located at the rear of the lot or the lot is a flag lot); and
- (c) In zoning districts for which the zoning code establishes a floor area ratio (FAR) limitation, a covenant is signed prior to recording of the plat ensuring that building on the new lots will comply with an

## Kirkland Municipal Code Title 22, SUBDIVISIONS

FAR restriction at least ten percentage points less than that required by the zoning district as shown on the Kirkland zoning map; and

(d) If any lot is smaller than the minimum lot size for the zoning district by an amount greater than five percent of the minimum lot size, the subdivision shall be reviewed and decided using process IIB described in Chapter 152 of Title [23](#) of this code. In addition to meeting the decisional criteria found in Chapter 152 of Title [23](#) of this code, approval of the application may only be recommended if the new lots are compatible, with regard to size, with other lots in the immediate vicinity of the subdivision.

A covenant must also be signed prior to recording of the plat to ensure that the garage will be located at the rear of the lot in cases where this option is chosen under subsection (b) of this section. (Ord. 3705 § 2 (part), 1999)

### **22.28.040 Lots—Lot averaging.** *(prohibit additional lot averaging in the RSA zones since the RSA zoning already allows lot averaging beyond current Kirkland allowances)*

In multiple lot subdivisions not located in an RSA zone and not subject to Section [22.28.030](#), the minimum lot area shall be deemed to have been met if the average lot area is not less than the minimum lot area required of the zoning district in which the property is located as identified on the zoning map. Under this provision, either:

(a) Not more than twenty percent of the number of lots in a subdivision and one of the lots in a short plat may contain an area less than the prescribed minimum for this zoning district. In no case shall any lots be created which contain an area more than ten percent less than the prescribed minimum for this zoning district; or

(b) Up to seventy-five percent of the number of lots in a subdivision or short plat may contain an area less than the prescribed minimum for this zoning district if the lots which would be created contain an area no more than five percent less than prescribed.

These smaller lots shall be located so as to have the least impact on surrounding properties and public rights-of-way.

Using process IIA, Chapter 150 of Title [23](#) of this code, and the applicable sections of Chapters [22.12](#) or 22.20 of this title, additional lot averaging may be achieved. Through process IIA, not more than thirty percent of the number of lots in a subdivision, and two of the lots in a short plat, may contain an area less than the prescribed minimum for this zoning district as long as the average lot area is not less than the minimum lot area required for the zoning district in which the property is located as identified on the zoning map. In no case shall any lots be created through this process which contain an area more than fifteen percent less than the prescribed minimum for this zoning district. The smaller lots shall be located so as to have the least impact on surrounding properties and public rights-of-way. In addition, the plat or short plat must meet the following criteria:

(1) The averaging is necessary because of special circumstances regarding the size, shape, topography, or location of the subject property, or the location of a preexisting improvement on that subject property; and

(2) The averaging will not be materially detrimental to the property or improvements in the area of the subject property or to the city in part or as a whole; and

(3) Existing significant trees and vegetation will be preserved where feasible to buffer the adjacent properties from the smaller lots in the subject subdivision.

Additional lot averaging may only be addressed and obtained through the provisions of Chapter 125, Planned Unit Development, of Title [23](#) of this code and the applicable sections of Chapters [22.12](#) or 22.20 of this title. (Ord. 4011 § 2, 2005; Ord. 3705 § 2 (part), 1999)

### **22.28.080 Access—Required.** *(change easement computation to reflect RSA zoning allowances)*

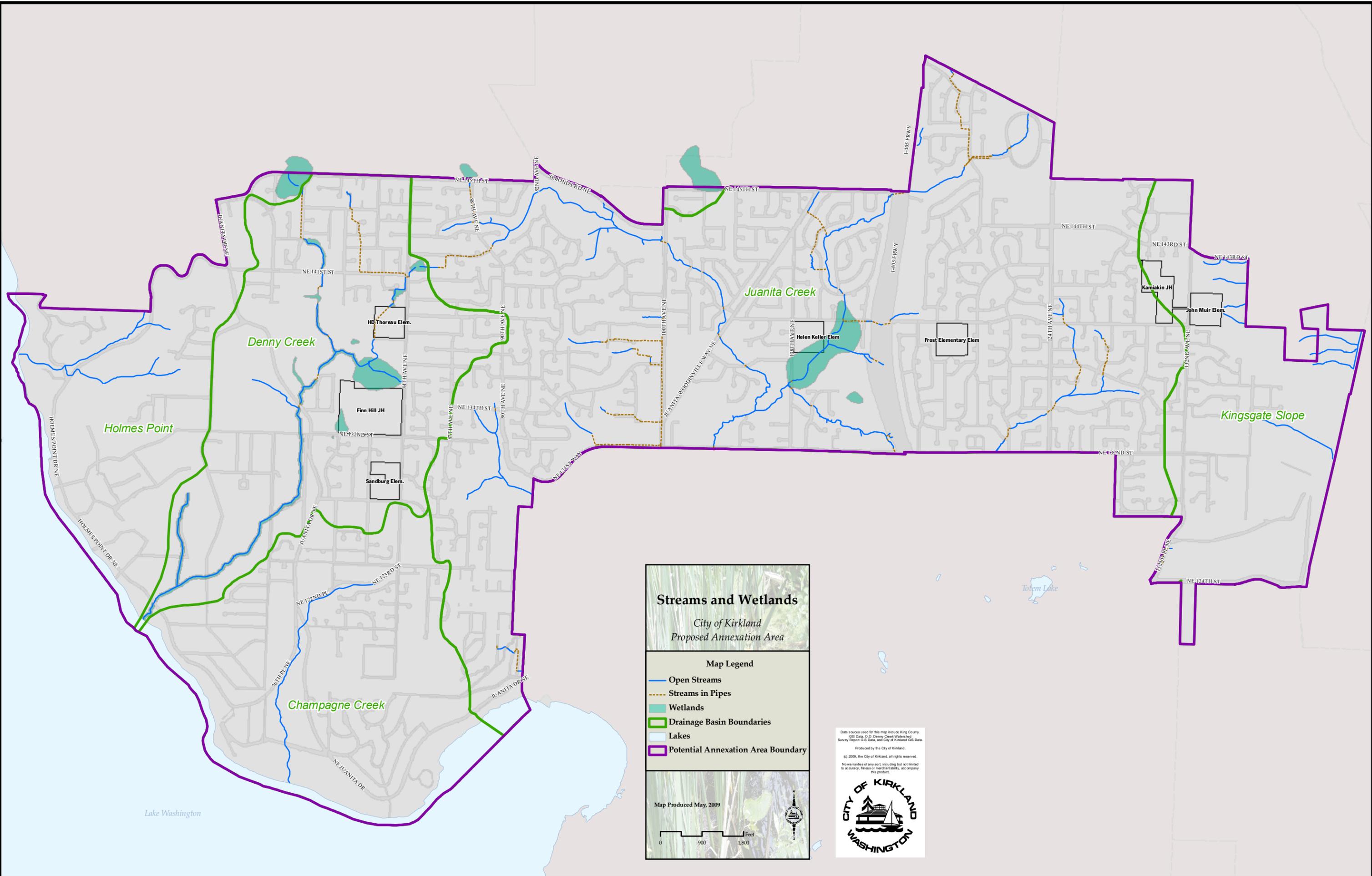
(a) All lots must have direct legal access as required by the zoning code, including Section 115.80, Legal Building Site, and Section 105.10, Vehicular Access Easement or Tract Standards, of Title [23](#) of this code. The city will determine whether access will be by right-of-way or vehicular-access easement or tract on a case-by-case basis.

(b) Unless otherwise provided in the Kirkland Zoning Code, ~~the~~ the area of a vehicular-access easement or tract shall not be included in the computation of the lot area for the servient lot. However:

## **Kirkland Municipal Code Title 22, SUBDIVISIONS**

(1) If the vehicular easement serves only one lot which does not abut a public right-of-way, the easement shall be included in the lot area for the servient lot; provided, that the servient lot abuts a public right-of-way and is not a flag lot; and

(2) The area of a vehicular-access easement shall be included in the lot area for cottage housing development approved pursuant to Chapter 113 of the Kirkland Zoning Code. (Ord. 4152 § 2, 2008: Ord. 4122 § 1 (part), 2008: Ord. 3705 § 2 (part), 1999)



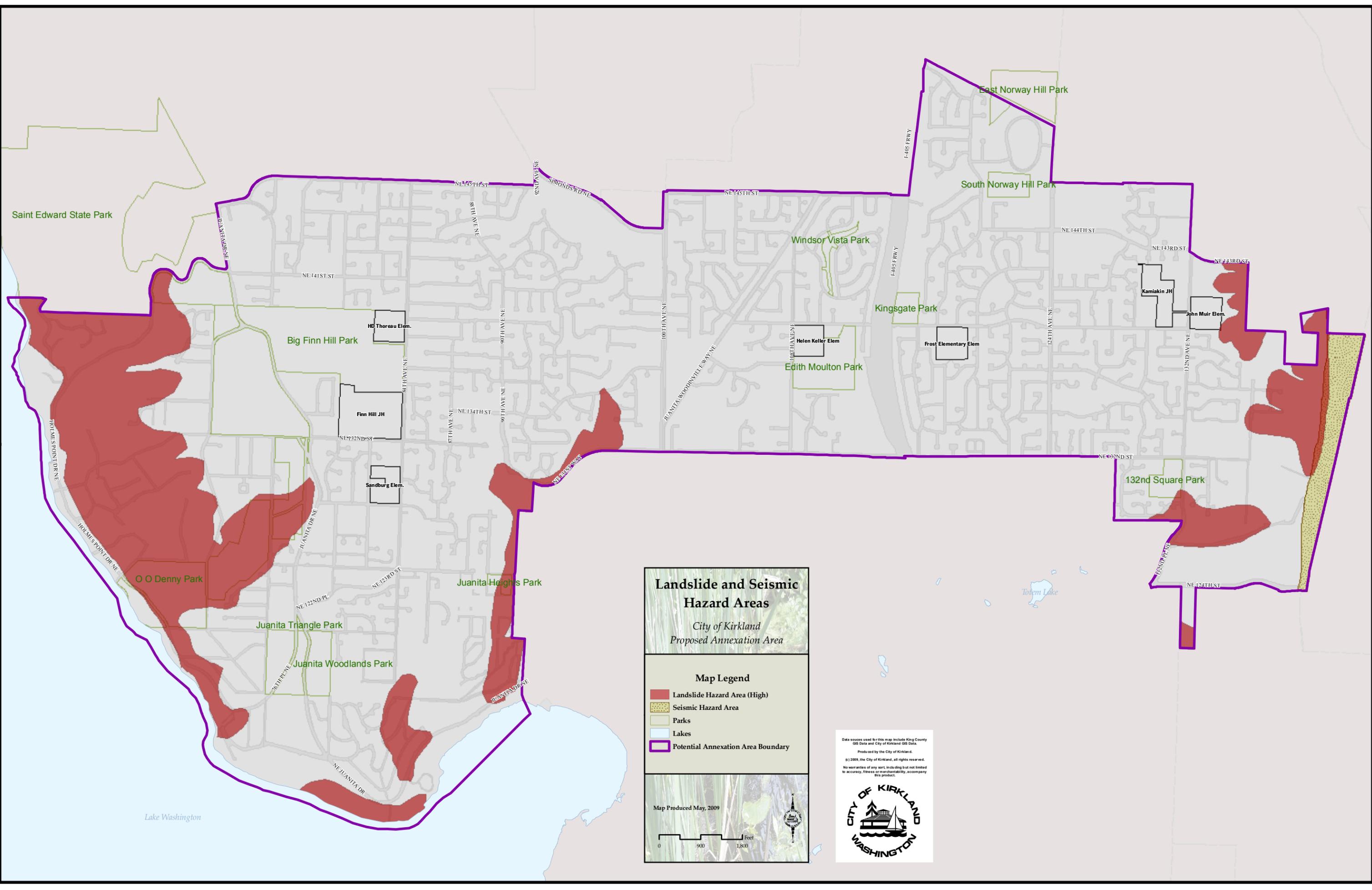
**Streams and Wetlands**  
*City of Kirkland*  
*Proposed Annexation Area*

- Map Legend**
- Open Streams
  - Streams in Pipes
  - Wetlands
  - Drainage Basin Boundaries
  - Lakes
  - Potential Annexation Area Boundary

Map Produced May, 2009

Data sources used for this map include King County GIS Data, O.D. Denny Creek Watershed Survey Report GIS Data, and City of Kirkland GIS Data.  
 Produced by the City of Kirkland.  
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 No warranties of any sort, including but not limited to accuracy, fitness or merchantability, accompany this product.





**Landslide and Seismic Hazard Areas**  
*City of Kirkland*  
*Proposed Annexation Area*

**Map Legend**

- Landslide Hazard Area (High)
- Seismic Hazard Area
- Parks
- Lakes
- Potential Annexation Area Boundary

Map Produced May, 2009

0 900 1,800 Feet

Data sources used for this map include King County GIS Data and City of Kirkland GIS Data.  
 Produced by the City of Kirkland.  
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 No warranties of any sort, including but not limited to accuracy, fitness or merchantability, accompany this product.



## Comparison of Permitted Uses

### “Low Density” Residential Zones (King County R-1 through R-8 compared to Kirkland RSX Zones)

*The following summary of King County and City of Kirkland permitted use provisions is intended as a general overview of typical uses. Due to the complexity of the standards and various provisos found in the regulations, readers are advised to review the actual codes if they have a specific question. The codes are available on the respective County and City websites.*

P=Use Permitted

NP=Use Not Permitted

C=Conditional Use/Special Permit required

<b>USE:</b>	<b>KING COUNTY</b>	<b>KIRKLAND</b>	<b>DRAFT ZONING</b>
Single Family dwelling units	P	P	<b>P</b>
Accessory Dwelling Units	P	P	<b>P</b>
Attached & Stacked Dwelling Units	P	NP	<b>NP</b>
Cottage Housing <sup>1</sup>	P (conditional use, NP in R-1 zone)	P (zoning permit required. NP in RSX 35)	<b>P</b> (zoning permit required)
Limited Retail	C	NP	<b>NP</b>
Home Occupation (accessory to residence) <sup>2</sup>	P	P	<b>P</b>
Day Care (accessory to residence), less than 12 attendees	P	P	<b>P</b>
Misc. (larger daycares, schools, churches, community facilities & government facilities)	C (may be subject to various location and permitting requirements)	C (may be subject to various location and permitting requirements)	<b>C</b> (subject to Kirkland's location and permitting requirements)

<sup>1</sup> Subject to specific design and siting standards in County and City regulations

<sup>2</sup> Subject to specific limitations in County and City regulations. See Comparison Chart

## Comparison of Permitted Uses

### “Medium – High Density” Residential Zones (King County R-8 through R-48 compared to Kirkland RM Zones)

*The following summary of King County and City of Kirkland permitted use provisions is intended as a general overview of typical uses. Due to the complexity of the standards and various provisos found in the regulations, readers are advised to review the actual codes if they have a specific question. The codes are available on the respective County and City websites.*

P=Use Permitted

NP=Use Not Permitted

C=Conditional Use/Special Permit required

<b>USE:</b>	<b>KING COUNTY</b>	<b>KIRKLAND</b>	<b>DRAFT ZONING</b>
Single Family dwelling units	P	P	<b>P</b>
Attached & Stacked Dwelling Units	P	P (stacked not allowed in RM 5.0)	<b>P</b> (stacked not allowed in RMA 5.0)
Assisted Living	P	P	<b>P</b>
Limited Retail	C	C	<b>C</b>
Home Occupation (accessory to residence) <sup>3</sup>	P	P	<b>P</b>
Day Care (accessory to residence), less than 12 attendees	P	P	<b>P</b>
Misc. (larger daycares, schools, churches, community facilities & government facilities)	P (may be subject to various location and permitting requirements)	P (may be subject to various location and permitting requirements)	<b>P</b> (subject to Kirkland's location and permitting requirements)

<sup>3</sup> Subject to specific standards in County and City regulations. See Comparison Chart

## Comparison of Permitted Uses

### Office/Residential Zones (King County O to Kirkland PR Zones)

*The following summary of King County and City of Kirkland permitted use provisions is intended as a general overview of typical uses. Due to the complexity of the standards and various provisos found in the regulations, readers are advised to review the actual codes if they have a specific question. The codes are available on the respective County and City websites.*

P=Use Permitted

NP=Use Not Permitted

C=Conditional Use/Special Permit required

<b>USE:</b>	<b>KING COUNTY</b>	<b>KIRKLAND</b>	<b>DRAFT ZONING</b>
Office	P	P	<b>P</b>
Single Family dwelling units	NP	P	<b>P</b>
Attached & Stacked Dwelling Units	P (only as part of mixed use development)	P	<b>P</b>
Assisted Living	P (only as part of mixed use development)	P	<b>P</b>
Convalescent Center/Nursing Home	NP	C	<b>C</b>
Theater	P	NP	<b>NP</b>
Restaurants	P	C	<b>C</b>
Limited Service Retail	C	C	<b>C</b>
Self Service Storage	P	NP	<b>NP</b>
Equipment Rental	P	NP	<b>NP</b>
Veterinary Clinic	NP	P	<b>P</b>
Day Care (accessory to residence), less than 12 attendees	P	P	<b>P</b>
Misc. (larger daycares, schools, churches, community facilities & government facilities)	P (may be subject to various location and permitting requirements)	P (may be subject to various location and permitting requirements)	<b>P</b> (subject to Kirkland's location and permitting requirements)

## Comparison of Permitted Uses

### Neighborhood Business Zones (King County NB to Kirkland BN Zones)

*The following summary of King County and City of Kirkland permitted use provisions is intended as a general overview of typical uses. Due to the complexity of the standards and various provisos found in the regulations, readers are advised to review the actual codes if they have a specific question. The codes are available on the respective County and City websites.*

P=Use Permitted

NP=Use Not Permitted

C=Conditional Use/Special Permit required

<b>USE:</b>	<b>KING COUNTY</b>	<b>KIRKLAND</b>	<b>DRAFT ZONING</b>
Grocery Store	P	P (10,000 s.f. size limit)	<b>P</b> (no size limit)
Variety Store, Limited Service Retail	P (2,000 s.f. size limit)	P (10,000 s.f. size limit)	<b>P</b> (10,000 s.f. size limit)
Sports Club	P	NP	<b>P</b>
Restaurants	P	P (10,000 s.f. size limit)	<b>C</b>
Office	P	P	<b>P</b>
Attached & Stacked Dwelling Units	P (only as part of mixed use development, density and percentage limits)	P (only as part of mixed use development, not allowed on ground floor, no density limits)	<b>P</b> (only as part of mixed use development, not allowed on ground floor, no density limits)
Assisted Living	P (only as part of mixed use development)	P (only as part of mixed use development, not allowed on ground floor)	<b>P</b> (only as part of mixed use development, not allowed on ground floor)
Convalescent Center/Nursing Home	NP	P	<b>P</b>
Vehicle Service Station	P	C	<b>C</b>
Automotive Repair and Service	P (must be in building)	NP	<b>NP</b>
Self Service Storage	P	NP	<b>NP</b>
Equipment Rental	P	NP	<b>NP</b>
Veterinary Clinic	NP	P	<b>P</b>
Day Care	P	P	<b>P</b>
School	NP	P	<b>P</b>
Church	P	P	<b>P</b>

## Comparison of Permitted Uses

### Community Business Zones (King County CB to Kirkland BC Zones)

*The following summary of King County and City of Kirkland permitted use provisions is intended as a general overview of typical uses. Due to the complexity of the standards and various provisos found in the regulations, readers are advised to review the actual codes if they have a specific question. The codes are available on the respective County and City websites.*

P=Use Permitted

NP=Use Not Permitted

C=Conditional Use/Special Permit required

<b>USE:</b>	<b>KING COUNTY</b>	<b>KIRKLAND</b>	<b>DRAFT ZONING</b>
Retail	P	P	<b>P</b>
Restaurant	P	P	<b>P</b>
Office	P	P	<b>P</b>
Attached & Stacked Dwelling Units, Assisted Living	P (only as part of mixed use development, density and percentage limits)	P (only as part of mixed use development, not allowed on ground floor, no density limits)	<b>P</b> (only as part of mixed use development, not allowed on ground floor, no density limits)
Automotive repair and service	P	P	<b>P</b>
Vehicle Sales	NP	P	<b>P</b>
Hotel	P (Kingsgate) NP (Juanita)	P	<b>P</b>
Convalescent Center/Nursing Home	P	P	<b>P</b>
Vehicle Service Station	P	P	<b>P</b>
Self Service Storage	P (Kingsgate) NP (Juanita)	P	<b>NP</b>
Equipment Rental	P	P	<b>P</b>
Day Care	P	P	<b>P</b>
Kennel, Hospital, Auction House, Racetrack, College/Universities	P	NP	<b>NP</b>
School	P	P	<b>P</b>
Church	P	P	<b>P</b>

## Comparison of Permitted Uses

### Industrial Zones (King County I to Kirkland TL 7 Zones)

*The following summary of King County and City of Kirkland permitted use provisions is intended as a general overview of typical uses. Due to the complexity of the standards and various provisos found in the regulations, readers are advised to review the actual codes if they have a specific question. The codes are available on the respective County and City websites.*

P=Use Permitted

NP=Use Not Permitted

C=Conditional Use/Special Permit required

<b>USE:</b>	<b>KING COUNTY</b>	<b>KIRKLAND</b>	<b>DRAFT ZONING</b>
Packaging, Manufacturing, Warehouse, Wholesale, etc.	P	P	<b>P</b>
Self Service Storage	P	P	<b>P</b>
Retail Building Material	NP	P	<b>P</b>
Restaurant	P	P (accessory to permitted use only)	<b>P</b> (accessory to permitted use only)
Office	P (accessory to permitted use only)	P	<b>P</b>
Automotive repair and service	P	P	<b>P</b>
Vehicle Sales	P	P	<b>P</b>
Retail	NP (except auto supply, food store less than 2,000 s.f.)	P (multi use complex w/ more than 7)	<b>P</b> (multi use complex w/ more than 7)
Variety Store	NP	P (if greater than 75,000 s.f.)	<b>P</b> (if greater than 75,000 s.f.)
Hotel	NP	P	<b>P</b>
Vehicle Service Station	P	P	<b>P</b>
Self Service Storage	P	P	<b>P</b>
Equipment Rental	P	P	<b>P</b>
Day Care	P (accessory to permitted use only)	P	<b>P</b>

## Comparison of Basic Zoning Regulations

### “Low Density” Residential Zones (King County R-1 through R-8 compared to Kirkland RSX Zones)

*The following summary of King County and City of Kirkland regulations is intended as a general overview. Due to the complexity of the standards and various provisos found in the regulations, readers are advised to review the actual codes if they have a specific question. The codes are available on the respective County and City websites.*

Regulation:	King County:	Kirkland	Draft Zoning Regulations
Maximum height	35' but can reach 45' if building setbacks increased	30'	30'
Minimum front yard setback	20' for garage 10' for main house	20', but 13' for open entry porches	City regulation
Minimum garage setback	No such regulation	8' greater than required for remainder of the house, garage width limited to 50% of total width of front façade	City regulation
Minimum rear yard setback	5'	10'	City regulation
Minimum side yard setback	5' each	5' each	No change
Maximum lot coverage (all impervious surfaces)	R-1 zone 30% R-4 zone 55% R-6 zone 70% R-8 zone 75%	50%	City regulation (except 30% for RSA 1)
Maximum size of home (FAR - floor area ratio)	No such regulation	50% of lot size (20% for RSX 35)	City regulation (except 20% for RSA 1)
Residential density by zone	Units per acre (R-1, R-4, R-6 & R-8) Includes all areas for road dedication, easement road & wetland/streams. Minimum lot size is 2,500 sq ft.	Minimum lot size (Most common: 7,200 sq ft & 8,500 sq. ft.) Excludes areas for road dedication, some easement roads, & wetland/streams, but includes part of buffer.	Units per acre (RSA 1, RSA 4, RSA 6 & RSA 8) Includes all areas for road dedication, easement road & part of wetland/stream buffer. Minimum lot size is 70% of County zone.

Regulation:	King County:	Kirkland	Draft Zoning Regulations
Size limit of vehicles, boats & trailers	Not regulated	Prohibits if greater than 9' high and 22' in length. Allows 24 hours for loading. May apply for permit to store if adequately screened. Enforced on complaint basis	City regulations, but vest existing as of effective date of annexation if registered with City 6 months after annexation.
Accessory dwelling units (ADU)	Must be in same building as primary unit if lot is less than 5,000 sq. ft. or on lots with more than one primary unit. Primary or accessory unit limited to 1,000 sq. ft. unless in attic or basement.	Size limited to 40% of combined primary and ADU sq. ft. Detached ADU limited to 800 sq. ft. Height cannot exceed 15' above primary structure or greater than 25', whichever is less.	City regulations
Home occupations	Limited to 20% of floor area of home, excluding garage and any other building on the site. One non-resident employee, but no limit on resident employee. Customers by appt only.	Limited to 500 sq. ft. Two non-resident employees. No more than 6 customers per day and no more than 2 at a time. One vehicle per business. May be able to exceed requirements through a zoning permit	City regulations
Animals	<p>Poultry/fowl:            -Less than 21,780 sq. ft. lot: 3 per household            -More than 21,780 sq. ft. lot: 1/1 sq. ft. structure (maximum structure size is 2,000 sq. ft., must be kept in building or pen)</p> <p>Livestock (horses, cows...):            -Minimum 20,000 sq. ft. lot (without a permit)</p>	<p>Poultry/fowl:            -Less than 35,000 sq. ft. lot: not allowed            -More than 35,000 sq. ft. lot: 20 plus 1 for each additional 500 sq. ft. of lot area</p> <p>Livestock (horses, cows...):            -Minimum 35,000 sq. ft. lot (without a permit)</p>	City regulations

	-6 per acre in a structure -3 per acre if outside	-2 per 35,000 sq. ft. plus 1 for each 17,500 sq. ft.	
Tree removal on existing lots <sup>1</sup>	Allowed (special regs. for Holmes Point Overlay)	Allows removal of up to 2 significant <sup>2</sup> trees per year. If last 2, replacement plantings required	City regulations (special regs. for Holmes Point Overlay)
Tree removal in new construction or major remodel	Allowed (special regs. for Holmes Point Overlay)	Prioritizes retention of significant trees in setbacks. Required tree density of 30 tree credits per acre. Incentives and variations to development standards available.	City regulations (special regs. for Holmes Point Overlay)
Tree removal in subdivisions	Requires 10 significant trees or 5% of all trees to be saved, whichever is greater, excluding critical areas. Some trees can be counted as 2 tree credits if certain size and quality of tree are met.	Prioritizes retention of significant trees in setback yards and retention of tree groves. Required tree density of 30 tree credits per acre. Incentives and variations to development standards available.	City regulations (special regs. for Holmes Point Overlay)
Wetland buffers <sup>3</sup>	50' – 200', 15' buffer setback	Wetlands 25' – 100', 10' buffer setback	City regulations
Stream buffers	25' – 115', 15' buffer setback	25' – 75', 10' buffer setback	City regulations
Lake Washington buffer	115', 15' buffer setback	No buffers (zoning and shoreline setbacks apply)	City regulations

<sup>1</sup> Both City & County allow hazardous trees to be removed anywhere on the property and prohibit tree removal in greenbelts, wetlands, streams & hillside areas.

<sup>2</sup> In Kirkland, a significant tree is defined as 6" diameter at 4.5' from the ground. In King County, it is 8" diameter for evergreens and 12" diameter for deciduous trees at 4.5' from the ground.

<sup>3</sup> City & County use different rating systems, buffer standards & buffer reduction provisions

## Comparison of Building Height Regulations

### Commercial Zones (King County NC and CB compared to Kirkland BN and BCX Zones)

*The following summary of King County and City of Kirkland regulations is intended as a general overview. Due to the complexity of the standards and various provisos found in the regulations, readers are advised to review the actual codes if they have a specific question. The codes are available on the respective County and City websites.*

Business District	County Maximum Allowable Heights	City Maximum Allowable Heights	Draft Zoning Regulations
<b>North &amp; South Finn Hill NB Zone</b>	35', but can reach up to 45' if for every 1' of additional height over 35', the required yards are increased by 1'.	BN: 30'	35' (BNA)
<b>Juanita CB Zone</b>	35' (limited by NS P5 suffix)	BCX: 30', may be increased through Process IIA	35' (BC 1), no increases
<b>Kingsgate CB Zone</b>	35' base, may be increased to 60' subject to performance standards	BC and BCX: 30', may be increased through Process IIA	35' base (BC 2), may be increased to 60' subject to performance standards

### Other Key Regulations for Business Commercial Zones

Use Regulations	King County	Kirkland	Draft zoning regulations
Auto and boat sales	Not allowed in any annexation commercial zone	Allowed in most commercial zones	Allow in Kingsgate, & Juanita commercial areas
Storage service	Allowed only in Kingsgate commercial area	Allowed in limited commercial zones	Not allow in annexation commercial areas
Signs	Up to 20' high sign on a pole or a base	Up to 12' high sign on a base	City regulation
Lot coverage	Office 75% Commercial 85% Industrial 90%	Office 70% Commercial 80% Industrial 90%	City regulations

Density	King County	Kirkland	Draft zoning regulations
<b>Kingsgate and Juanita CB Zones</b>	48 units/acre, incentives allow 150% increase, 200% increase if all affordable	No density limits in BC or BCX	48 units/acre. Kirkland's affordable housing incentives for density increases

**ANALYSIS OF PROPOSED CHANGES TO ZONING OR LAND USE MAPS**

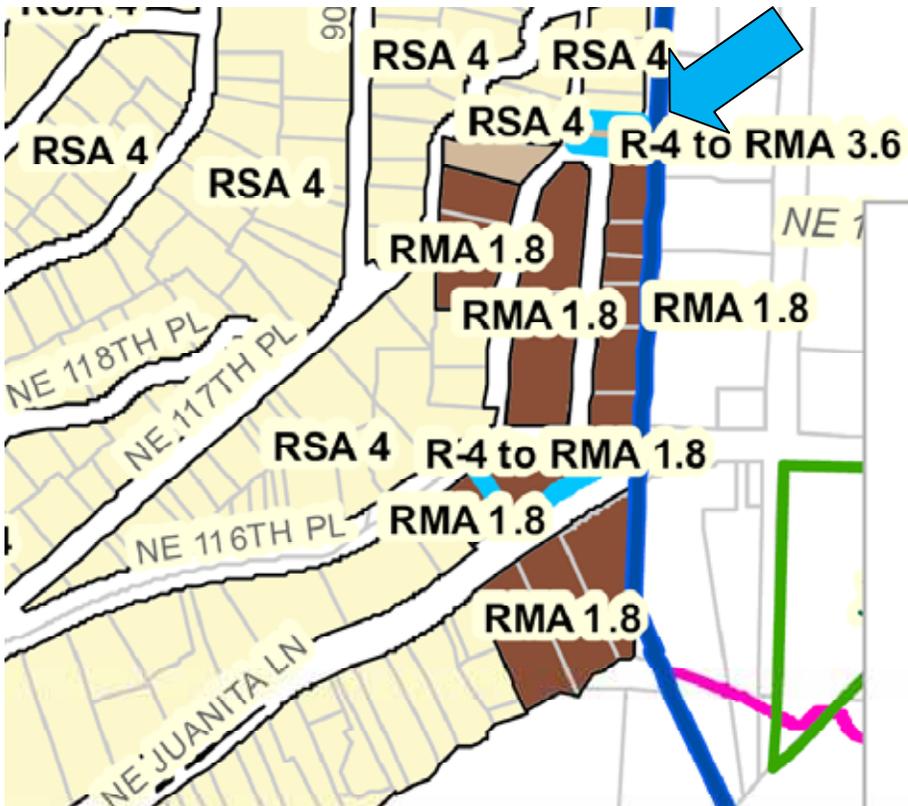
<b>ID #1</b>		
	<b>Neighborhood:</b>	Finn Hill
	<b>PIN:</b>	3754500045
	<b>KC Zoning Designation:</b>	R-4
	<b>KC Land Use Map Designation:</b>	Urban Residential Medium, 4-12 units/acre
	<b>Proposed Kirkland Zoning Designation:</b>	RMA 3.6
	<b>Proposed Kirkland Land Use Map Designation:</b>	Medium Density Residential, 12 units/acre
	<b>Reason for change:</b>	Parcel contains a legal duplex which would be rendered nonconforming by Kirkland RSA 4 zone. Parcel bordered to south, west, and east by multifamily zoning.

KC Assessor's Information:

Parcel description

Property name		Plat name	<b>JUANITA BEACH CAMPS ADD</b>	Water system	<b>WATER DISTRICT</b>
Property type	<b>R - RESIDENTIAL</b>	Plat block	<b>1</b>	Sewer system	<b>NONE OR UNKNOWN</b>
Present use	<b>Duplex</b>	Plat lot	<b>9-10</b>	Access	<b>PUBLIC</b>
Lot area	<b>5,500 sq. ft. (0.13 acres)</b>	Q-S-T-R	<b>SW-30-26-5</b>	Street surface	<b>GRAVEL</b>

Draft Zoning Map (subject parcel indicated by blue arrow):



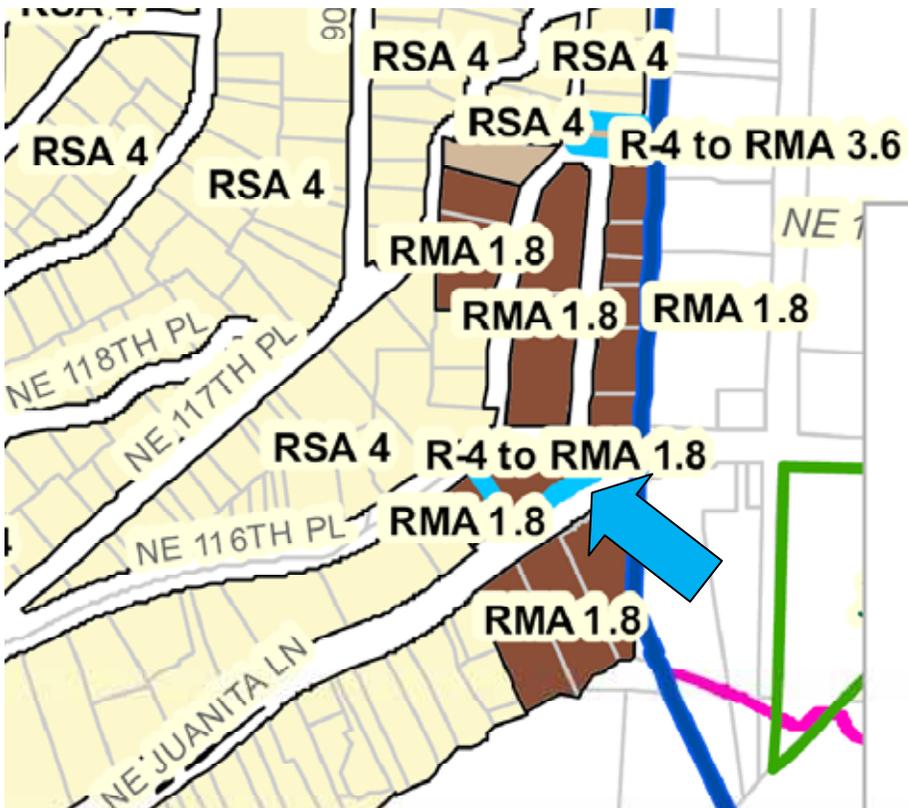
**ANALYSIS OF PROPOSED CHANGES TO ZONING OR LAND USE MAPS**

<b>ID #2</b>		
	<b>Neighborhood:</b>	Finn Hill
	<b>PIN:</b>	3760500535
	<b>KC Zoning Designation:</b>	R-4
	<b>KC Land Use Map Designation:</b>	Urban Residential Medium, 4-12 units/acre
	<b>Proposed Kirkland Zoning Designation:</b>	RMA 1.8
	<b>Proposed Kirkland Land Use Map Designation:</b>	High Density Residential, 24 units/acre
	<b>Reason for change:</b>	Property is entirely surrounded by high density residential zoning, including properties within Kirkland limits to the east. The site has no apparent development constraints (e.g. – sensitive areas).

KC Assessor's Information:

Parcel description			
Property name		Plat name	JUANITA POINT A RESIDENCE PARK
Property type	R - RESIDENTIAL	Plat block	
Present use	Single Family(Res Use/Zone)	Plat lot	86
Lot area	14,209 sq. ft. (0.33 acres)	Q-S-T-R	SW-30-26-5
		Water system	WATER DISTRICT
		Sewer system	PUBLIC
		Access	PUBLIC
		Street surface	PAVED

Draft Zoning Map (subject parcel indicated by blue arrow):



## ANALYSIS OF PROPOSED CHANGES TO ZONING OR LAND USE MAPS

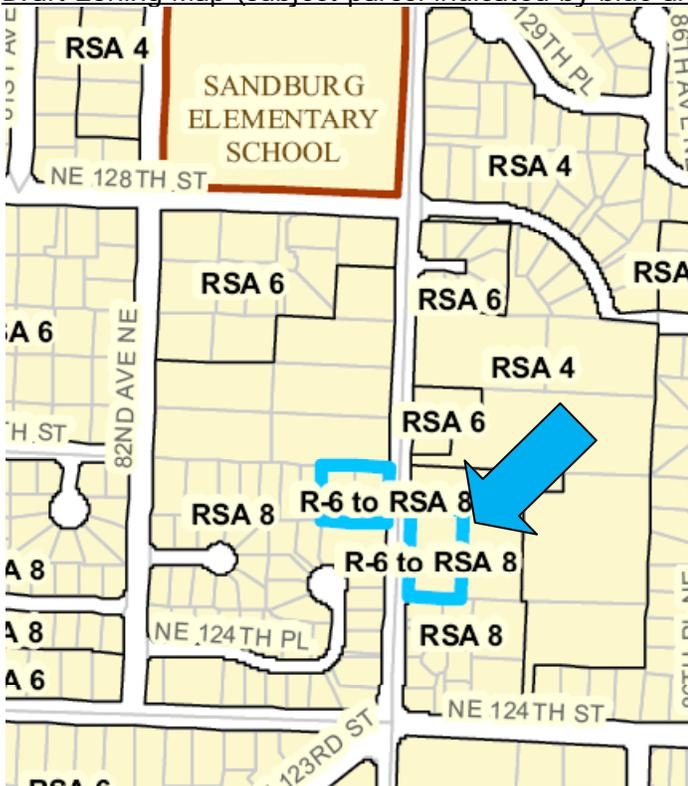
<b>ID #3</b>		
	<b>Neighborhood:</b>	Finn Hill
	<b>PIN:</b>	3026059008
	<b>KC Zoning Designation:</b>	R-6
	<b>KC Land Use Map Designation:</b>	Urban Residential Medium, 4-12 units/acre
	<b>Proposed Kirkland Zoning Designation:</b>	RSA 8
	<b>Proposed Kirkland Land Use Map Designation:</b>	Low Density Residential, 8 units/acre
	<b>Reason for change:</b>	Property is currently surrounded on three sides by R-8 zoning. The site has no apparent development constraints.

### KC Assessor's Information:

#### Parcel description

Property name		Plat name		Water system	WATER DISTRICT
Property type	R - RESIDENTIAL	Plat block		Sewer system	PRIVATE
Present use	Single Family(Res Use/Zone)	Plat lot		Access	PUBLIC
Lot area	30,375 sq. ft. (0.70 acres)	Q-S-T-R	NW-30-26-5	Street surface	PAVED

### Draft Zoning Map (subject parcel indicated by blue arrow):



## ANALYSIS OF PROPOSED CHANGES TO ZONING OR LAND USE MAPS

<b>ID #4</b>		
	<b>Neighborhood:</b>	Finn Hill
	<b>PIN:</b>	3840700480, 3840700481
	<b>KC Zoning Designation:</b>	R-6
	<b>KC Land Use Map Designation:</b>	Urban Residential Medium, 4-12 units/acre
	<b>Proposed Kirkland Zoning Designation:</b>	RSA 8
	<b>Proposed Kirkland Land Use Map Designation:</b>	Low Density Residential, 8 units/acre
	<b>Reason for change:</b>	Property is currently surrounded on three sides by R-8 zoning. The site has no apparent development constraints.

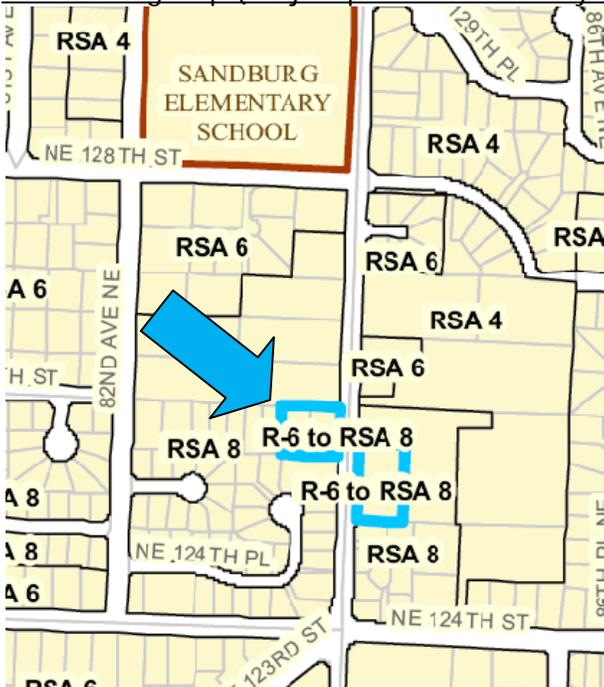
### KC Assessor's Information PIN 3840700480:

Parcel description			
Property name		Plat name	KERRS LAKE WASH ONE ACRE TRACTS
Property type	R - RESIDENTIAL	Plat block	9
Present use	Single Family(Res Use/Zone)	Plat lot	6-7
Lot area	12,325 sq. ft. (0.28 acres)	Q-S-T-R	NE-25-26.4
		Water system	WATER DISTRICT
		Sewer system	PUBLIC
		Access	PUBLIC
		Street surface	PAVED

### KC Assessor's Information PIN 3840700481:

Parcel description			
Property name		Plat name	KERRS LAKE WASH ONE ACRE TRACTS
Property type	R - RESIDENTIAL	Plat block	9
Present use	Single Family(Res Use/Zone)	Plat lot	6-7
Lot area	12,325 sq. ft. (0.28 acres)	Q-S-T-R	NE-25-26.4
		Water system	WATER DISTRICT
		Sewer system	PRIVATE
		Access	PRIVATE
		Street surface	PAVED

### Draft Zoning Map (subject parcel indicated by blue arrow):



**ANALYSIS OF PROPOSED CHANGES TO ZONING OR LAND USE MAPS**

<b>ID #5</b>		
	<b>Neighborhood:</b>	Finn Hill
	<b>PIN:</b>	3840700747, 3840700746
	<b>KC Zoning Designation:</b>	R-6
	<b>KC Land Use Map Designation:</b>	Urban Residential Medium, 4-12 units/acre
	<b>Proposed Kirkland Zoning Designation:</b>	RSA 8
	<b>Proposed Kirkland Land Use Map Designation:</b>	Low Density Residential, 8 units/acre
	<b>Reason for change:</b>	Property is currently surrounded on three sides by R-8 zoning. The site has no apparent development constraints.

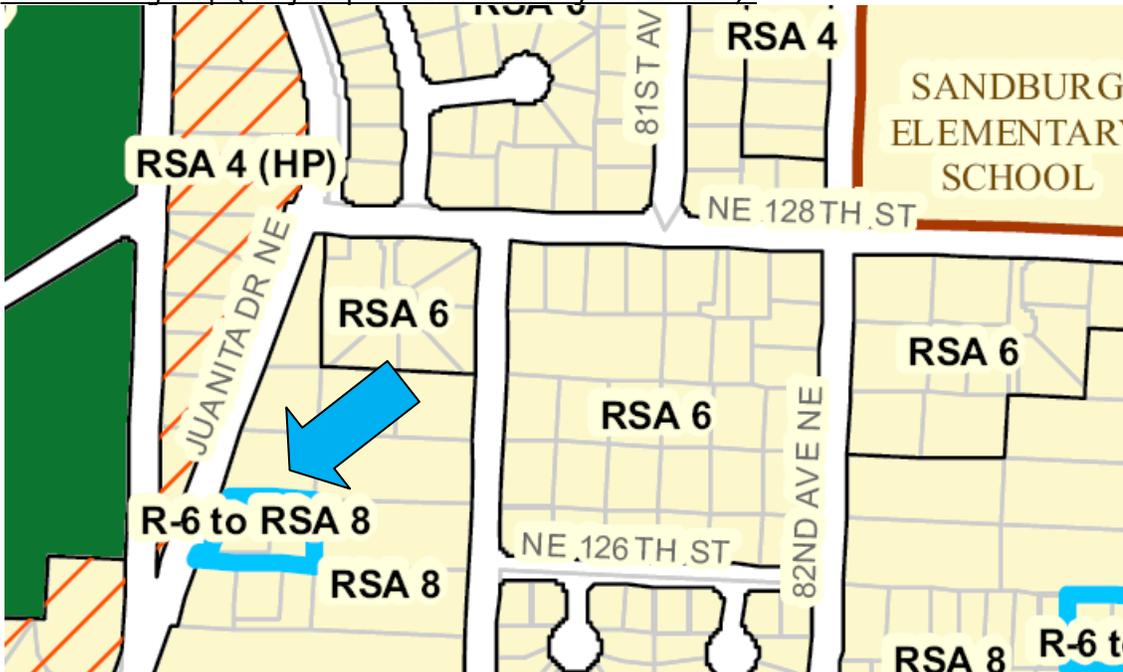
KC Assessor's Information PIN 3840700747:

<b>Parcel description</b>					
Property name		Plat name	KERRS LAKE WASH ONE ACRE TRACTS	Water system	WATER DISTRICT
Property type	R - RESIDENTIAL	Plat block	14	Sewer system	PUBLIC
Present use	Single Family(Res Use/Zone)	Plat lot	5	Access	PUBLIC
Lot area	10,666 sq. ft. (0.24 acres)	Q-S-T-R	NE-25-26-4	Street surface	PAVED

KC Assessor's Information PIN 3840700746:

<b>Parcel description</b>					
Property name		Plat name	KERRS LAKE WASH ONE ACRE TRACTS	Water system	WATER DISTRICT
Property type	R - RESIDENTIAL	Plat block	14	Sewer system	PUBLIC
Present use	Single Family(Res Use/Zone)	Plat lot	5	Access	PUBLIC
Lot area	13,000 sq. ft. (0.30 acres)	Q-S-T-R	NE-25-26-4	Street surface	PAVED

Draft Zoning Map (subject parcel indicated by blue arrow):



**ANALYSIS OF PROPOSED CHANGES TO ZONING OR LAND USE MAPS**

<b>ID #6</b>		
	<b>Neighborhood:</b>	Finn Hill
	<b>PIN:</b>	2426049058, 2426049057, 3211200470, 2426049177, 2426049175, 2426049176
	<b>KC Zoning Designation:</b>	R-4
	<b>KC Land Use Map Designation:</b>	Urban Residential Medium, 4-12 units/acre
	<b>Proposed Kirkland Zoning Designation:</b>	RSA 6
	<b>Proposed Kirkland Land Use Map Designation:</b>	Low Density Residential, 6 units/acre
	<b>Reason for change:</b>	Properties are currently surrounded on three sides by R-6 zoning. The site has no apparent development constraints.

KC Assessor's Information PIN 2426049058:

<b>Parcel description</b>					
Property name		Plat name		Water system	<b>WATER DISTRICT</b>
Property type	R - RESIDENTIAL	Plat block		Sewer system	<b>PUBLIC</b>
Present use	<b>Single Family(Res Use/Zone)</b>	Plat lot		Access	<b>PUBLIC</b>
Lot area	38,760 sq. ft. (0.89 acres)	Q-S-T-R	<b>NE-24-26-4</b>	Street surface	<b>PAVED</b>

KC Assessor's Information PIN 2426049057:

<b>Parcel description</b>					
Property name		Plat name		Water system	<b>WATER DISTRICT</b>
Property type	R - RESIDENTIAL	Plat block		Sewer system	<b>PUBLIC</b>
Present use	<b>Single Family(Res Use/Zone)</b>	Plat lot		Access	<b>PUBLIC</b>
Lot area	7,375 sq. ft. (0.17 acres)	Q-S-T-R	<b>NE-24-26-4</b>	Street surface	<b>PAVED</b>

KC Assessor's Information PIN 3211200470:

<b>Parcel description</b>					
Property name		Plat name	<b>HEATHER GLEN</b>	Water system	<b>WATER DISTRICT</b>
Property type	R - RESIDENTIAL	Plat block	<b>2</b>	Sewer system	<b>PUBLIC</b>
Present use	<b>Single Family(Res Use/Zone)</b>	Plat lot	<b>19</b>	Access	<b>PUBLIC</b>
Lot area	9,000 sq. ft. (0.22 acres)	Q-S-T-R	<b>NE-24-26-4</b>	Street surface	<b>PAVED</b>

KC Assessor's Information PIN 2426049177:

<b>Parcel description</b>					
Property name		Plat name		Water system	<b>WATER DISTRICT</b>
Property type	R - RESIDENTIAL	Plat block		Sewer system	<b>PUBLIC</b>
Present use	<b>Single Family(Res Use/Zone)</b>	Plat lot		Access	<b>PUBLIC</b>
Lot area	7,378 sq. ft. (0.17 acres)	Q-S-T-R	<b>NE-24-26-4</b>	Street surface	<b>PAVED</b>

KC Assessor's Information PIN 2426049175:

<b>Parcel description</b>					
Property name		Plat name		Water system	<b>WATER DISTRICT</b>
Property type	R - RESIDENTIAL	Plat block		Sewer system	<b>PUBLIC</b>
Present use	<b>Single Family(Res Use/Zone)</b>	Plat lot		Access	<b>PUBLIC</b>
Lot area	7,280 sq. ft. (0.17 acres)	Q-S-T-R	<b>NE-24-26-4</b>	Street surface	<b>PAVED</b>

KC Assessor's Information PIN 2426049176:

## ANALYSIS OF PROPOSED CHANGES TO ZONING OR LAND USE MAPS

### Parcel description

Property name		Plat name		Water system	WATER DISTRICT
Property type	R - RESIDENTIAL	Plat block		Sewer system	PUBLIC
Present use	Single Family(Res Use/Zone)	Plat lot		Access	PUBLIC
Lot area	7,280 sq. ft. (0.17 acres)	Q-S-T-R	NE-24-26-4	Street surface	PAVED

Draft Zoning Map (subject parcel indicated by blue arrow):



## ANALYSIS OF PROPOSED CHANGES TO ZONING OR LAND USE MAPS

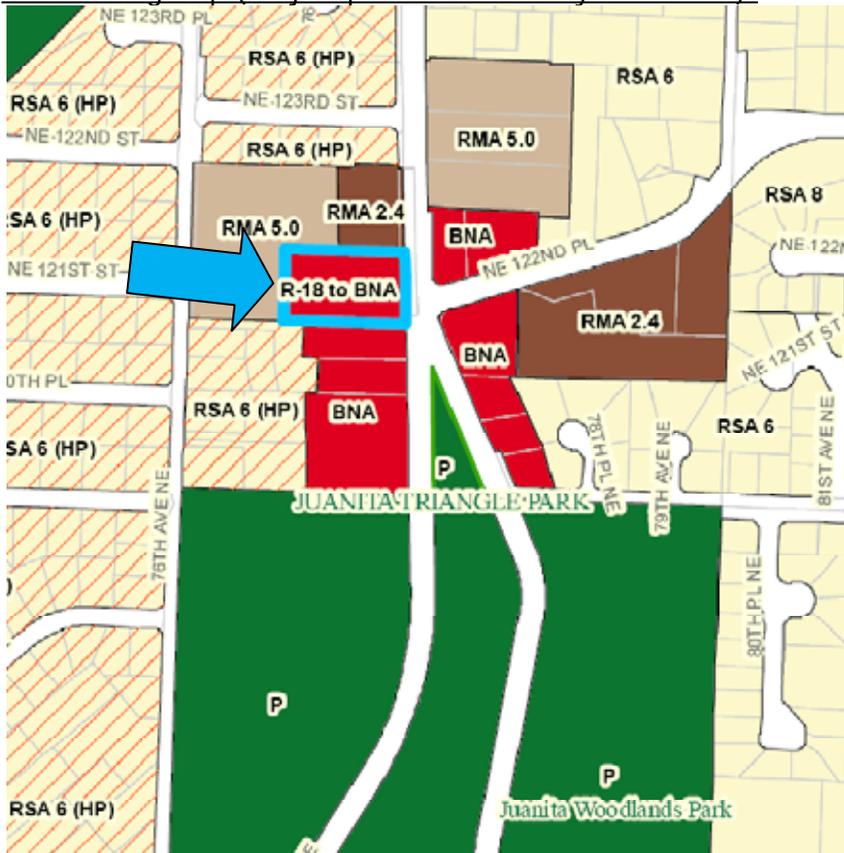
<b>ID #7</b>		
	<b>Neighborhood:</b>	Finn Hill
	<b>PIN:</b>	6076500060
	<b>KC Zoning Designation:</b>	R-18
	<b>KC Land Use Map Designation:</b>	Neighborhood Business Center
	<b>Proposed Kirkland Zoning Designation:</b>	BNA
	<b>Proposed Kirkland Land Use Map Designation:</b>	Commercial
	<b>Reason for change:</b>	Make zoning consistent with the County's Comprehensive Plan designation. Property is currently designated as part of the Neighborhood Business Center in King County's Comprehensive Plan. The site has no apparent development constraints and is presently developed with an older single family home.

### KC Assessor's Information:

#### Parcel description

Property name		Plat name	NIBLOCK LAKE PARK TRS	Water system	WATER DISTRICT
Property type	R - RESIDENTIAL	Plat block	A	Sewer system	PUBLIC
Present use	Single Family(C/I Zone)	Plat lot	3-4	Access	PUBLIC
Lot area	52,658 sq. ft. (1.21 acres)	Q-S-T-R	SE-25-26-4	Street surface	PAVED

### Draft Zoning Map (subject parcel indicated by blue arrow):



## ANALYSIS OF PROPOSED CHANGES TO ZONING OR LAND USE MAPS

<b>ID #8</b>		
	<b>Neighborhood:</b>	Finn Hill
	<b>PIN:</b>	7504490000
	<b>KC Zoning Designation:</b>	R-8
	<b>KC Land Use Map Designation:</b>	Urban Residential Medium, 4-12 units/acre
	<b>Proposed Kirkland Zoning Designation:</b>	RMA 1.8
	<b>Proposed Kirkland Land Use Map Designation:</b>	High Density Residential, 24 units/acre
	<b>Reason for change:</b>	The property is currently developed with a condominium project at a density of 1 unit/1,710 square feet. Proposed zoning would conform to existing development.

### KC Assessor's Information:

#### Parcel description

Property name	ST EDWARDS PLACE CONDOMINIUM	Plat name	ST EDWARDS PLACE	Water system	WATER DISTRICT
Property type	K - CONDOMINIUM	Plat block		Sewer system	PUBLIC
Present use	Condominium(Residential)	Plat lot	UNIT A101	Access	PIRI IC
Lot area	30,782 sq. ft. (0.71 acres)	Q-S-T-R	NW-24-26-4	Street surface	PAVED

#### Condominium complex description

Complex address	14251 73RD AVE NE 98011	Complex description	18 Unit Condo	Project location	AVERAGE
Year built	1991	Complex type	Condo, Residential	Project appeal	AVERAGE
Effective year	1991	Percent complete	100	Percent with a view	0
Land type	Fee Simple	Number of buildings	2	Elevators	N
Building quality	AVERAGE	Number of stories	3	Security system	N
Construction class	WOOD FRAME	Number of units	18	Fireplace	Y
Condition	Average	Average unit size(sq. ft.)	913	Laundry	PRIVATE
Apartment conversion	N	Land per unit(sq. ft.)	1,710		

### Draft Zoning Map (subject parcel indicated by blue arrow):



## ANALYSIS OF PROPOSED CHANGES TO ZONING OR LAND USE MAPS

<b>ID #9</b>		
	<b>Neighborhood:</b>	Finn Hill
	<b>PIN:</b>	7796530000
	<b>KC Zoning Designation:</b>	R-4
	<b>KC Land Use Map Designation:</b>	Urban Residential Medium, 4-12 units/acre
	<b>Proposed Kirkland Zoning Designation:</b>	RMA 5.0
	<b>Proposed Kirkland Land Use Map Designation:</b>	Medium Density Residential, 9 units/acre
	<b>Reason for change:</b>	The property is currently developed with a condominium project at a density of 1 unit/5,652 square feet. Proposed zoning would conform to existing development.

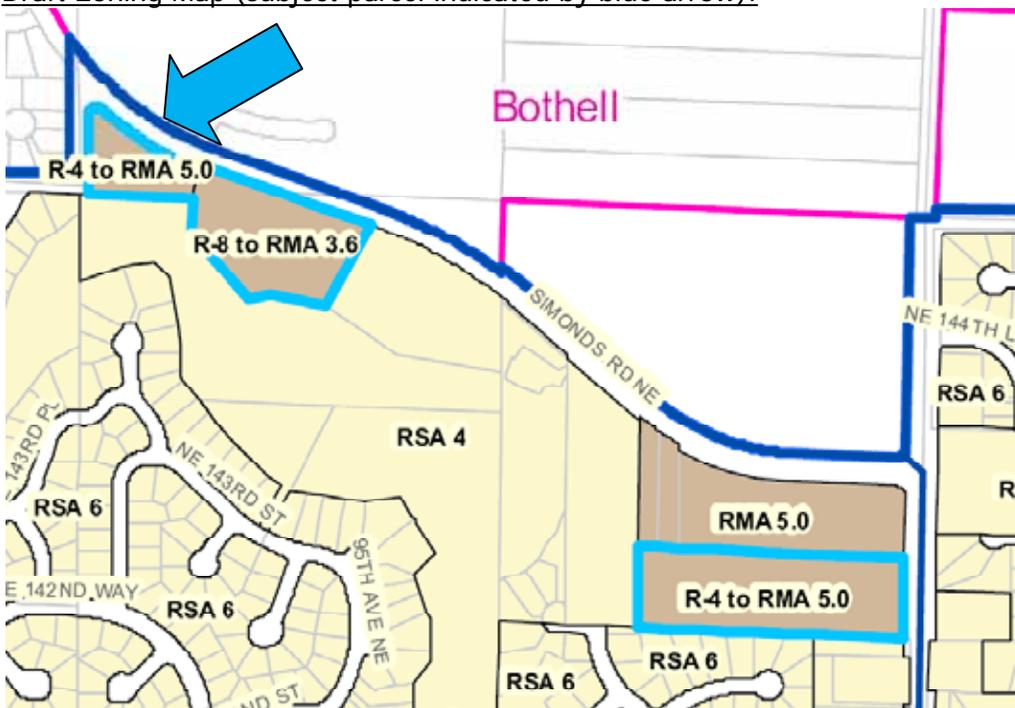
### KC Assessor's Information:

Parcel description					
Property name	<b>SIMONDS ESTATES CONDOMINIUM</b>	Plat name	<b>SIMONDS ESTATES</b>	Water system	<b>WATER DISTRICT</b>
Property type	<b>K - CONDOMINIUM</b>	Plat block		Sewer system	<b>PUBLIC</b>
Present use	<b>Condominium(Residential)</b>	Plat lot		Access	<b>PUBLIC</b>
Lot area	<b>62,169 sq. ft. (1.43 acres)</b>	Q-S-T-R	<b>SE-18-26-5</b>	Street surface	<b>PAVED</b>

Condominium complex description					
Complex address	<b>14503 SIMONDS RD NE 98011</b>	Complex description	<b>11 UNIT CONDO</b>	Project location	<b>AVERAGE</b>
Year built	<b>1996</b>	Complex type	<b>Condo,Residential</b>	Project appeal	<b>AVERAGE</b>
Effective year	<b>1996</b>	Percent complete	<b>100</b>	Percent with a view	<b>0</b>
Land type	<b>Fee Simple</b>	Number of buildings	<b>3</b>	Elevators	<b>N</b>
Building quality	<b>AVERAGE</b>	Number of stories	<b>2</b>	Security system	<b>N</b>
Construction class	<b>WOOD FRAME</b>	Number of units	<b>11</b>	Fireplace	<b>Y</b>
Condition	<b>Average</b>	Average unit size(sq. ft.)	<b>1,022</b>	Laundry	<b>PRIVATE</b>
Apartment conversion	<b>N</b>	Land per unit(sq. ft.)	<b>5,652</b>		

### Draft Zoning Map (subject parcel indicated by blue arrow):



## ANALYSIS OF PROPOSED CHANGES TO ZONING OR LAND USE MAPS

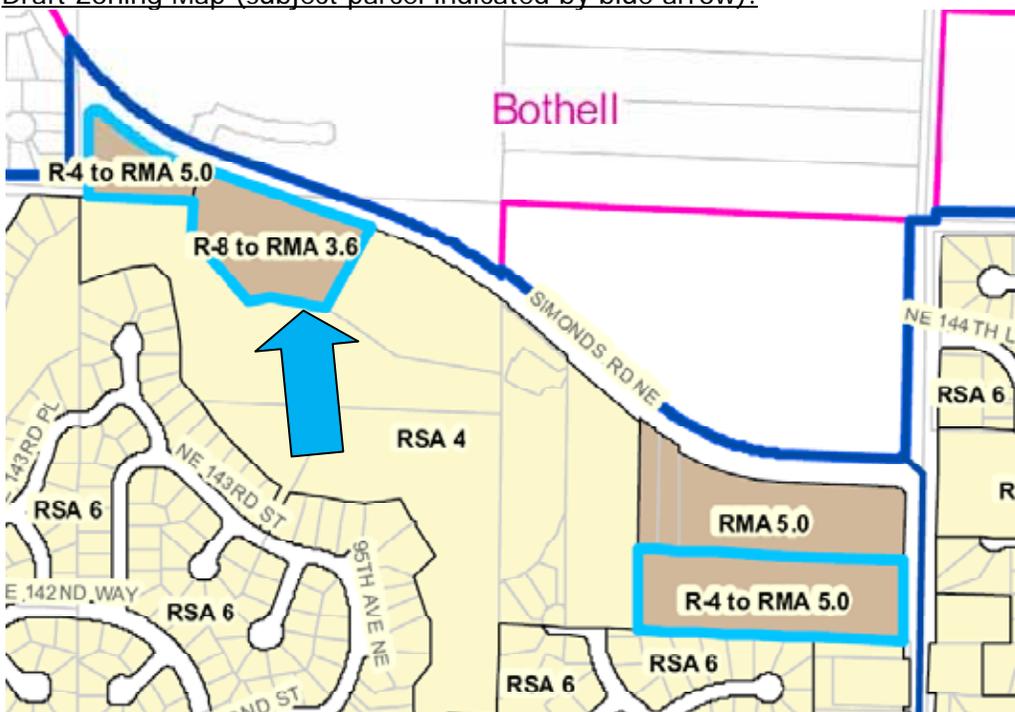
<b>ID #10</b>		
	<b>Neighborhood:</b>	Finn Hill
	<b>PIN:</b>	1926059204
	<b>KC Zoning Designation:</b>	R-8
	<b>KC Land Use Map Designation:</b>	Urban Residential Medium, 4-12 units/acre
	<b>Proposed Kirkland Zoning Designation:</b>	RMA 3.6
	<b>Proposed Kirkland Land Use Map Designation:</b>	Medium Density Residential, 12 units/acre
	<b>Reason for change:</b>	The property is currently developed with a 42 unit apartment project at a density of 1 unit/ 3,723 square feet. Proposed zoning would conform to existing development.

### KC Assessor's Information:

#### Parcel description

Property name	ALPINE RIDGE APARTMENTS	Plat name		Water system	WATER DISTRICT
Property type	C - COMMERCIAL	Plat block		Sewer system	PUBLIC
Present use	Apartment	Plat lot		Access	PUBLIC
Lot area	156,380 sq. ft. (3.59 acres)	Q-S-T-R	NE-19-26-5	Street surface	PAVED

### Draft Zoning Map (subject parcel indicated by blue arrow):



## ANALYSIS OF PROPOSED CHANGES TO ZONING OR LAND USE MAPS

<b>ID #11</b>		
	<b>Neighborhood:</b>	Finn Hill
	<b>PIN:</b>	5089680000
	<b>KC Zoning Designation:</b>	R-4
	<b>KC Land Use Map Designation:</b>	Urban Residential Medium, 4-12 units/acre
	<b>Proposed Kirkland Zoning Designation:</b>	RMA 5.0
	<b>Proposed Kirkland Land Use Map Designation:</b>	Medium Density Residential, 9 units/acre
	<b>Reason for change:</b>	The property is currently developed with a condominium project at a density of 1 unit/6,055 square feet. Proposed zoning would conform to existing development.

### KC Assessor's Information:

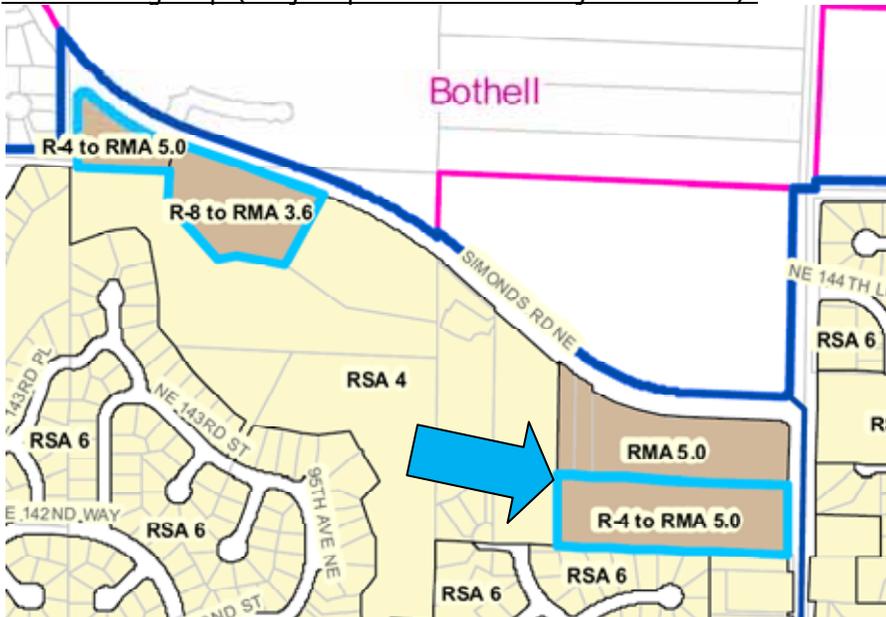
#### Parcel description

Property name	MAPLE GLENN CONDOMINIUM	Plat name	MAPLE GLENN	Water system	WATER DISTRICT
Property type	K - CONDOMINIUM	Plat block	BLDGD	Sewer system	PUBLIC
Present use	Condominium(Residential)	Plat lot	UNIT 101	Access	PUBLIC
Lot area	211,928 sq. ft. (4.87 acres)	Q-S-T-R	NE-19-26-5	Street surface	PAVED

#### Condominium complex description

Complex address	9920 NE 142ND ST 98011	Complex description	35 UNIT CONDO	Project location	AVERAGE
Year built	1989	Complex type	Condo,Residential	Project appeal	AVERAGE
Effective year	1989	Percent complete	100	Percent with a view	0
Land type	Fee Simple	Number of buildings	6	Elevators	N
Building quality	AVERAGE/GOOD	Number of stories	3	Security system	N
Construction class	WOOD FRAME	Number of units	35	Fireplace	Y
Condition	Average	Average unit size(sq. ft.)	1,042	Laundry	PRIVATE
Apartment conversion	Y	Land per unit(sq. ft.)	6,055		

### Draft Zoning Map (subject parcel indicated by blue arrow):



## ANALYSIS OF PROPOSED CHANGES TO ZONING OR LAND USE MAPS

<b>ID #12</b>		
	<b>Neighborhood:</b>	Finn Hill
	<b>PIN:</b>	1926059126, 1926059058
	<b>KC Zoning Designation:</b>	R-6
	<b>KC Land Use Map Designation:</b>	Urban Residential Medium, 4-12 units/acre
	<b>Proposed Kirkland Zoning Designation:</b>	RMA 5.0
	<b>Proposed Kirkland Land Use Map Designation:</b>	Medium density residential, 9 units/acre
	<b>Reason for change:</b>	Camwest has received County approvals for a condominium project on the western parcel (including properties to the south). The project received density bonuses under County zoning. The western parcel would contain 11 units (1 unit/4,853 square feet). The proposed zoning would allow the multifamily use under Kirkland's closest zoning designation. The eastern parcel does not have a development proposal, but continuing the RMA 5.0 zoning to 100 <sup>th</sup> Ave. NE would create a logical boundary. Both parcels are close to the commercial area and are well served by transit.

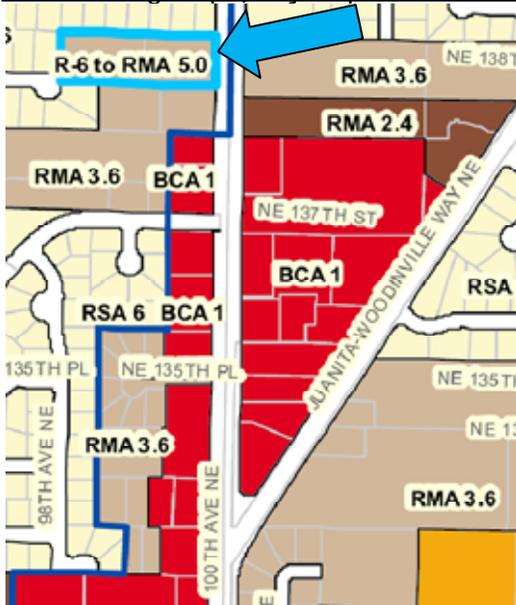
### KC Assessor's Information PIN 1926059126:

Parcel description			
Property name		Plat name	Water system <b>WATER DISTRICT</b>
Property type	<b>R - RESIDENTIAL</b>	Plat block	Sewer system <b>PUBLIC</b>
Present use	<b>Single Family(Res Use/Zone)</b>	Plat lot	Access <b>PUBLIC</b>
Lot area	<b>53,382 sq. ft. (1.23 acres)</b>	Q-S-T-R <b>SE-19-26-5</b>	Street surface <b>PAVED</b>

### KC Assessor's Information PIN 1926059058:

Parcel description			
Property name		Plat name	Water system <b>WATER DISTRICT</b>
Property type	<b>R - RESIDENTIAL</b>	Plat block	Sewer system <b>PUBLIC</b>
Present use	<b>Single Family(Res Use/Zone)</b>	Plat lot	Access <b>PUBLIC</b>
Lot area	<b>33,069 sq. ft. (0.76 acres)</b>	Q-S-T-R <b>SE-19-26-5</b>	Street surface <b>PAVED</b>

### Draft Zoning Map (subject parcel indicated by blue arrow):



## ANALYSIS OF PROPOSED CHANGES TO ZONING OR LAND USE MAPS

<b>ID #13</b>		
	<b>Neighborhood:</b>	Kingsgate
	<b>PIN:</b>	2126059144
	<b>KC Zoning Designation:</b>	R-8
	<b>KC Land Use Map Designation:</b>	Urban Residential Medium, 4-12 units/acre
	<b>Proposed Kirkland Zoning Designation:</b>	RMA 3.6
	<b>Proposed Kirkland Land Use Map Designation:</b>	Medium Density Residential, 12 units/acre
	<b>Reason for change:</b>	The property is currently developed with a 25 unit apartment project at a density of 1 unit/ 4,183 square feet. Proposed zoning would conform to existing development.

### KC Assessor's Information:

Parcel description			
Property name	CEDARWOOD	Plat name	Water system WATER DISTRICT
Property type	C - COMMERCIAL	Plat block	Sewer system PUBLIC
Present use	Apartment	Plat lot	Access PUBLIC
Lot area	104,582 sq. ft. (2.40 acres)	Q-S-T-R NW 21 26 5	Street surface NONE OR UNKNOWN

Commercial building description			
Building	1 of 1	Building description	CEDARWOOD
Year built	1982	Predominant use	MULTIPLE RESIDENCE (LOW RISE) (352)
Stories	2	Gross sq. ft.	25,542
Building quality	AVERAGE	Net sq. ft.	25,122
Construction class	WOOD FRAME	Heating system	ELECTRIC
Building shape	Very Irreg	Sprinklers	N
		Elevators	N

Apartment complex description					
Complex address	14415 123RD LN NE 56634	Complex description	CEDARWOOD	Project appeal	AVERAGE
Year built	1982	Percent complete	100	Percent with a view	0
Effective year	1998	Number of buildings	6	Elevators	N
Building quality	AVERAGE	Number of stories	2	Security system	N
Construction class	WOOD FRAME	Number of units	25	Fireplace	N
Condition	Good	Average unit size(sq. ft.)	1,005	Laundry	Private

### Draft Zoning Map (subject parcel indicated by blue arrow):



## ANALYSIS OF PROPOSED CHANGES TO ZONING OR LAND USE MAPS

<b>ID #14</b>		
	<b>Neighborhood:</b>	Kingsgate
	<b>PIN:</b>	6387700000
	<b>KC Zoning Designation:</b>	R-6
	<b>KC Land Use Map Designation:</b>	Urban Residential Medium, 4-12 units/acre
	<b>Proposed Kirkland Zoning Designation:</b>	RMA 3.6
	<b>Proposed Kirkland Land Use Map Designation:</b>	Medium Density Residential, 12 units/acre
	<b>Reason for change:</b>	The property is currently developed with a condominium project at a density of 1 unit/3,487 square feet. Proposed zoning would conform to existing development.

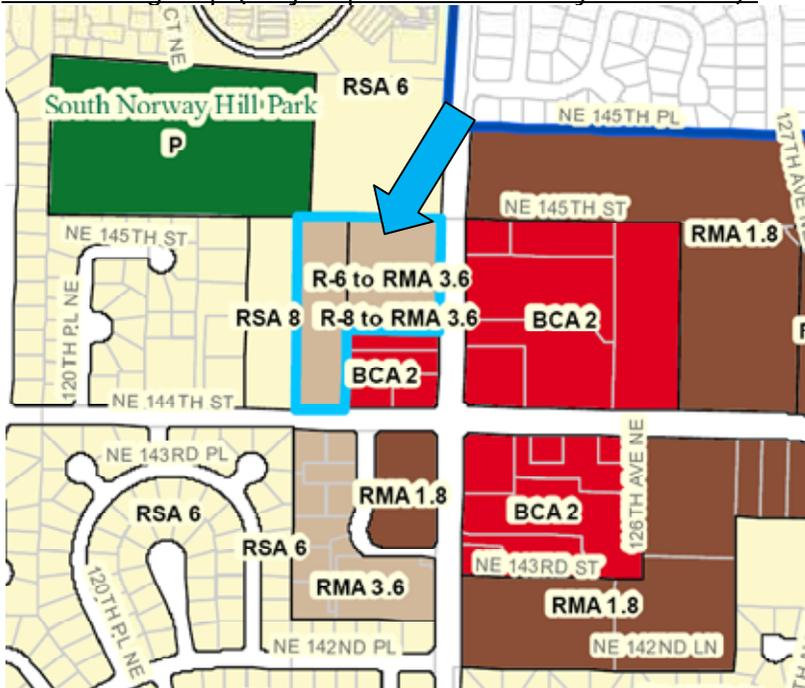
### KC Assessor's Information:

Parcel description					
Property name	OLYMPIC VILLAGE CONDOMINIUM	Plat name	OLYMPIC VILLAGE	Water system	WATER DISTRICT
Property type	K - CONDOMINIUM	Plat block	A	Sewer system	PUBLIC
Present use	Condominium(Residential)	Plat lot	UNIT A-1	Access	PUBLIC
Lot area	111,596 sq. ft. (2.56 acres)	Q-S-T-R	NW-21-26-5	Street surface	PAVED

Condominium complex description					
Complex address	14447 124TH AVE NE 98034	Complex description	32 TOWNHOUSE CONDO	Project location	AVERAGE
Year built	1979	Complex type	Condo,Residential	Project appeal	AVERAGE
Effective year	1979	Percent complete	100	Percent with a view	0
Land type	Fee Simple	Number of buildings	5	Elevators	N
Building quality	AVERAGE	Number of stories	2	Security system	N
Construction class	WOOD FRAME	Number of units	32	Fireplace	Y
Condition	Average	Average unit size(sq. ft.)	1,316	Laundry	PRIVATE
Apartment conversion	N	Land per unit(sq. ft.)	3,487		

### Draft Zoning Map (subject parcel indicated by blue arrow):



## ANALYSIS OF PROPOSED CHANGES TO ZONING OR LAND USE MAPS

<b>ID #15</b>		
	<b>Neighborhood:</b>	Kingsgate
	<b>PIN:</b>	2726059012, 2726059080
	<b>KC Zoning Designation:</b>	Industrial
	<b>KC Land Use Map Designation:</b>	Industrial
	<b>Proposed Kirkland Zoning Designation:</b>	TL 6A (a commercial zone)
	<b>Proposed Kirkland Land Use Map Designation:</b>	Commercial
	<b>Reason for change:</b>	Kirkland's current zoning for the south side of NE 124 <sup>th</sup> St. is commercial (TL 6A), with industrial zoning (TL 7) on the north side. The proposed commercial zoning for these parcels on the south side of 124 <sup>th</sup> would be a logical extension of Kirkland zoning and existing land use patterns. The current vehicle repair and service businesses would remain conforming uses in the TL 6A zone.

### KC Assessor's Information PIN 2726059012:

Parcel description			
Property name	RADIATOR KING ETC	Plat name	Water system WATER DISTRICT
Property type	C - COMMERCIAL	Plat block	Sewer system PUBLIC
Present use	Service Building	Plat lot	Access PUBLIC
Lot area	31,799 sq. ft. (0.73 acres)	Q-S-T-R SW-27-26-5	Street surface PAVED

Commercial building description			
Building	1 of 1	Building description	SERVICE GARAGE
Year built	1983	Predominant use	GARAGE, SERVICE REPAIR (248)
Stories	1	Gross sq. ft.	15,154
Building quality	AVERAGE	Net sq. ft.	15,154
Construction class	MASONRY	Heating system	HEAT PUMP
Building shape	Rect or Slight Irreg	Sprinklers	N
		Elevators	

### KC Assessor's Information PIN 2726059080:

Parcel description			
Property name	SHOWCASE AUTO REBUILD	Plat name	Water system WATER DISTRICT
Property type	C - COMMERCIAL	Plat block	Sewer system PUBLIC
Present use	Service Building	Plat lot	Access PUBLIC
Lot area	28,314 sq. ft. (0.65 acres)	Q-S-T-R SW-27-26-5	Street surface PAVED

Commercial building description			
Building	1 of 1	Building description	SERVICE GARAGE
Year built	1973	Predominant use	GARAGE, SERVICE REPAIR (828)
Stories	1	Gross sq. ft.	4,000
Building quality	AVERAGE	Net sq. ft.	4,000
Construction class	PREFAB STEEL	Heating system	SPACE HEATERS
Building shape	Rect or Slight Irreg	Sprinklers	Y
		Elevators	

### Draft Zoning Map (subject parcel indicated by blue arrow):



## ANALYSIS OF PROPOSED CHANGES TO ZONING OR LAND USE MAPS

<b>ID #16</b>		
	<b>Neighborhood:</b>	Kingsgate
	<b>PIN:</b>	2726059084
	<b>KC Zoning Designation:</b>	Industrial
	<b>KC Land Use Map Designation:</b>	Industrial
	<b>Proposed Kirkland Zoning Designation:</b>	RMA 2.4
	<b>Proposed Kirkland Land Use Map Designation:</b>	High Density Residential, 18 units/acre
	<b>Reason for change:</b>	Kirkland's current zoning for the south side of NE 123 <sup>rd</sup> St. is RM 2.4 and properties south of 123 <sup>rd</sup> in Kirkland and the PAA are developed with high density residential uses. The proposed multifamily zoning for this PSE substation site would be a logical extension of Kirkland zoning and existing land use patterns. The substation would remain conforming uses in the RMA 2.4 zone.

KC Assessor's Information:

Parcel description

Property name	<b>PUGET POWER SUB-STATION</b>	Plat name		Water system	<b>WATER DISTRICT</b>
Property type	<b>C - COMMERCIAL</b>	Plat block		Sewer system	<b>PUBLIC</b>
Present use	<b>Utility, Public</b>	Plat lot		Access	<b>PUBLIC</b>
Lot area	<b>56,363 sq. ft. (1.29 acres)</b>	Q-S-T-R	<b>SW-27-26-5</b>	Street surface	<b>NONE OR UNKNOWN</b>

Draft Zoning Map (subject parcel indicated by blue arrow):



CITY OF KIRKLAND  
123 FIFTH AVENUE, KIRKLAND, WASHINGTON 98033-6189  
(425) 587-3225



**DETERMINATION OF NONSIGNIFICANCE (DNS) .**

CASE #: SEP09-00009

DATE ISSUED: 5/8/2009

DESCRIPTION OF PROPOSAL -----

**Establish proposed zoning, zoning map, and comprehensive plan land use map for the potential annexation of the Kingsgate, Jaunita, and Finn Hill areas by the City of Kirkland. Minor amendments to the City of Kirkland subdivision regulations (Kirkland Municipal Code) are also required. The annexation itself is SEPA exempt pursuant to RCW 43.21C.222. The proposal is a nonproject action, see Section D of the checklist.**

PROPONENT: CITY OF KIRKLAND

LOCATION OF PROPOSAL -----

**PROPOSED ANNEXATION AREAS OF KINGSGATE, JUANITA, AND FINN HILL**

**LEAD AGENCY IS THE CITY OF KIRKLAND**

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21.030 (2) (c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public upon request.

This DNS is issued under 197-11-340 (2); the lead agency will not act on this proposal for 14 days from the date above. Comments must be submitted by 5:00 p.m. 5/22/2009

Responsible official: \_\_\_\_\_

Eric Shields, Director  
Department of Planning and Community Development  
425-587-3225

Date

Address: City of Kirkland  
123 Fifth Avenue  
Kirkland, WA 98033-6189

**You may appeal this determination to the Planning Department at Kirkland City Hall, 123 Fifth Avenue, Kirkland, WA 98033 no later than 5:00 p.m., May 22, 2009 by WRITTEN NOTICE OF APPEAL.**

You should be prepared to make specific factual objections. Contact the Planning Department at 425-587-3225 to read or ask about the procedures for SEPA appeals.

Please reference case # SEP09-00009.

Publish in the Seattle Times (date): \_\_\_\_\_

Distribute this form with a copy of the checklist to the following:

\_\_\_\_\_ Environmental Review Section, Department of Ecology,  
P.O. Box 47703, Olympia, WA 98504-7703

\_\_\_\_\_ Department of Fish and Wildlife (for streams and wetlands - with drawings)  
North Lake Washington Tributaries Area Habitat Biologist  
16018 Mill Creek Boulevard, Mill Creek, WA 98012

\_\_\_\_\_ Department of Fish and Wildlife (for shorelines and Lake Wa. - with drawings)  
Lake Washington Tributaries Area Habitat Biologist  
C/O DOE  
3190 160th Avenue SE, Bellevue, WA 98008

\_\_\_\_\_ Seattle District, U.S. Army Corps of Engineers,  
P.O. Box C-3755  
Seattle, WA 98124

\_\_\_\_\_ Attn: Lynn Best, Acting Director, Environmental Division, Seattle City Light  
700 5th Avenue, Suite 3316  
P.O. Box 34023  
Seattle, WA 98125-4023

\_\_\_\_\_ Attn: Environmental Reviewer  
Muckleshoot Indian Tribe Fisheries Division  
39015 172nd Avenue SE  
Auburn, WA 98092

\_\_\_\_\_ Northshore Utility District,  
P.O. Box 82489  
Kenmore, WA 98028-0489

\_\_\_\_\_ Shirley Marroquin  
Environmental Planning Supervisor  
King County Wastewater Treatment Division  
201 South Jackson Street, MS KSC-NR-0505  
Seattle, WA 98104-3855 - and -

\_\_\_\_\_ Gary Kriedt  
King County Metro Transit Environmental Planning  
201 South Jackson Street, MS KSC-TR-0431  
Seattle, WA 98104-3856

\_\_\_\_\_ Director of Support Services Center  
Lake Washington School District No. 414  
P.O. Box 97039  
Redmond, WA 98073-9739

\_\_\_\_\_ John Sutherland, Developer Services  
Washington State Department of Transportation  
15700 Dayton Ave. N., MS 240  
P.O. Box 330310  
Seattle, WA 98133-9710

\_\_\_\_\_ Jan McGruder, Executive Director  
East Lake Washington Audubon Society  
PO Box 3115  
Kirkland, WA 98083

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Applicant / Agent \_\_\_\_\_

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cc: Case # ANN09-00001

Distributed to agencies along with a copy of the checklist. (see attached).

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Distributed By: \_\_\_\_\_

SEPA\_C\_A, rev: 5/7/2009

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Date: \_\_\_\_\_



## Lake Washington School District No. 414

P.O. Box 97039  
Redmond, WA 98073  
425 702-3257  
www.lwsd.org

DR. CHIP KIMBALL  
Superintendent

JANENE FOGARD  
Deputy Superintendent

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Christopher Carlson

May 22, 2009

Eric Shields, Planning Director  
City of Kirkland  
123 Fifth Avenue  
Kirkland, Washington 98033

RE: SEPA Determination – Proposed Zoning and Comprehensive Plan for Proposed  
Annexation Area of Kingsgate, Juanita, and Finn Hill

Dear Mr. Shields:

The Lake Washington School District (the “District”) submits the following comments regarding the above-referenced SEPA action.

As you know, the District serves the City of Kirkland and the proposed annexation area. As you also know, the District has worked, over the last two years, to provide the City of Kirkland with information related to a proposed school impact fee ordinance. (Please refer to our letters dated December 10, 2007, January 15, 2008, February 13, 2009, and April 22, 2009). The District has requested that the City of Kirkland adopt a school impact fee ordinance in order to alleviate the impacts of new residential growth on District facilities.

Our concern related to the proposed annexation area is tied directly to the impact fee issue. Specifically, the proposed annexation area is currently located within unincorporated King County. King County has an adopted school impact fee ordinance. *See*, King County Ordinance 11621. As such, the District currently benefits from the receipt of impact fee dollars from new residential development in this area. This means that the District receives from new residential development a portion of the costs necessary to provide the capacity to serve the new development. While this portion is generally just a fraction of the total costs of the necessary capacity, the impact fee ensures that the existing community is not required to pay the total costs of the needed capacity. If the City of Kirkland annexes this area, the District faces the loss of this impact fee revenue.

Eric Shields, Planning Director

May 21, 2009

Page 2

We understand from information provided to us by you on May 20, 2009, that there are approximately 277 acres of vacant and potentially redevelopable residential land within the proposed annexation area. The information indicates that the annexation area could yield roughly 1,620 housing new units of residential capacity (no information was provided regarding the breakdown between single family and multi-family units). Assuming that approximately ½ of the projected units are single family and ½ are multi-family and using our current student generation rates, this means that the District could see 651 new students (including 429.3 new elementary students) from the proposed annexation area.<sup>1</sup> Note that this number will increase if the ratio of single family dwelling units is higher.<sup>2</sup>

As we stated in our December 10, 2007, letter to the City, Kirkland schools are over capacity by 121 students (6,844 regular student capacity and 6,944 current student population). Similarly, using 2007 numbers, District-wide, schools are over regular classroom capacity by 1,287 students (22,165 regular student capacity and 23,452 current student population). Capacity needs are most pronounced at elementary school levels. The District recently added additional capacity at several schools, including Rose Hill Elementary, which is located in Kirkland. However, based upon recent updates, 8 of the 9 elementary schools located within the City of Kirkland are over capacity (with an overall deficiency equal to nearly one elementary school). Students generated from new development in the proposed annexation area will exacerbate these needs.

For these reasons, we request that the City of Kirkland carefully consider impacts to schools, which are part of the infrastructure needed to serve new development, when evaluating the annexation proposal. Furthermore, as we have requested in our earlier correspondence and in public testimony before the City Council, we continue to urge the City of Kirkland to adopt a school impact fee ordinance.

Please let us know if there is any additional information that we can provide to the City at this time. Thank you.

Sincerely,



Chip Kimball  
Superintendent

cc: Forrest Miller, LWSD Director of Facilities & Transportation  
Denise Stiffarm, K&L Gates LLP

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<sup>1</sup> Based upon the student generation rates contained in the District's 2008 Capital Facilities Plan.

<sup>2</sup> For example, if 2/3 of the units are single family and 1/3 multi-family, the units would yield approximately 796.5 new students.