



**CITY OF KIRKLAND**  
**Planning and Building Department**  
123 Fifth Avenue, Kirkland, WA 98033 425.587.3225  
[www.kirklandwa.gov](http://www.kirklandwa.gov)

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**MEMORANDUM**

**Date:** April 13, 2016

**To:** Kurt Triplett, City Manager

**From:** Dorian Collins, Senior Planner, AICP  
Paul Stewart, Deputy Director, AICP

**Subject:** Zoning Code Amendments to the PR 1.8 zone, east of I-405 – Council Action (File CAM16-00218)

**RECOMMENDATION**

Adopt enclosed Ordinance 4514 consistent with the Planning Commission recommendation for amendments to the PR 1.8 zone, east of I-405.

**BACKGROUND DISCUSSION**

RJ Development contacted the City regarding their interest in developing a three-story memory care facility on the undeveloped, eastern portion of the property containing the existing Madison House retirement and assisted living facility. The developer had encountered challenges in designing the facility within the 30' maximum building height limit in the PR 1.8 zone, due to the site's steep topography, the presence of a 75 foot-wide Seattle City Light transmission easement along the site's eastern boundary, and unique design requirements related to accommodating handicap-enabled vans on the first floor of the structure. As designed, the proposed memory care facility would be approximately 45' 6" above average building elevation.

In lieu of suggesting that the developer apply for a variance from building height standards for the memory care project, staff suggested that the Planning Commission consider an amendment to the Zoning Code to increase the allowable building height in the PR 1.8 zone located east of I-405. Staff suggested that an increase to the building height maximum may be appropriate in the area, since the subject property lies within the core of the Totem Lake Business District and Urban Center, where compact development and greater heights and development intensities are supported.

The proposed amendments were the subject of discussion at a Planning Commission study session on February 25<sup>th</sup>, where the Commission considered two options for amendments to the PR 1.8 zone east of I-405. The Commission discussed the options, and directed staff to bring one of the options, an increase in maximum building height to 60 feet above average building elevation, to a public hearing on March 10<sup>th</sup>, 2016 for consideration. At the hearing, the Commission considered public comment in support of the amendments from a representative from RJ Development, who is working with the owner of Madison House and the proposed "Jefferson House" memory care facility in the PR 1.8 zone. No

written comments were received. The decisional criteria found in Chapter 135 of the Zoning Code were also considered.

A more detailed summary of the proposed amendments is available in the [memorandum](#) prepared for the public hearing. The staff memorandum for the February 25<sup>th</sup> study session is provided [here](#).

At the Council's April 19<sup>th</sup> meeting, staff will present an overview of the Planning Commission's recommendation on the code amendments. The Planning Commission's recommendation is to increase the maximum allowable building height for a structure in the PR 1.8 zone, located between 120<sup>th</sup> Avenue NE and 124<sup>th</sup> Avenue NE to 60 feet above average building elevation. The recommendation is summarized in Exhibit A, and the proposed amendments are included as an attachment to Ordinance 4514.

### **SEPA COMPLIANCE**

An addendum to the *City of Kirkland 2015 Comprehensive Plan Update & Totem Lake Planned Action – Draft and Final Environmental Impact Statement* for the proposed amendments was issued on March 9, 2015.

#### Exhibit

- A. Planning Commission recommendation, dated April 5, 2016

cc: CAM16-00218



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## MEMORANDUM

**Date:** April 5, 2016

**To:** Kirkland City Council

**From:** Eric Laliberte, Chair, Kirkland Planning Commission

**Subject:** Zoning Code Amendments for the PR 1.8 Zone, east of I-405 (File CAM16-00218)

## INTRODUCTION

We are pleased to submit the recommended Zoning Code (KZC) amendments for consideration of the City Council. This effort is intended to provide flexibility for development within the core of the Totem Lake Business District

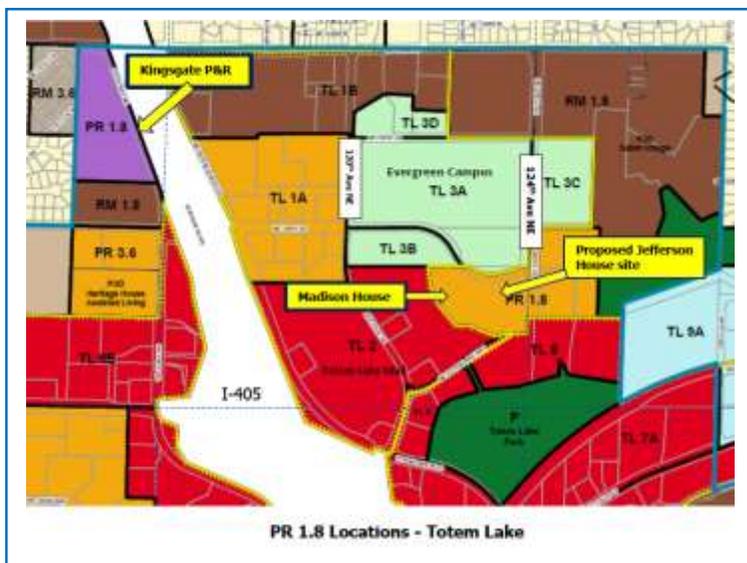
The amendments are included as an attachment to the ordinance.

## ISSUE

This project includes an amendment to Chapter 30 of the Zoning Code, to increase the maximum building height from 30 feet above average building elevation to 60 feet above average building elevation. The amendment would be limited to the PR 1.8 zone located east of I-405.

We considered two options developed by staff for proposed amendments at our study session in February. The options were to either extend the proposed height increase to include all properties within the PR 1.8 zone (east of I-405) or to limit the increased height within the zone to land west of 124<sup>th</sup> Avenue NE.

We agreed that an increase in the maximum building height standard in this area would provide consistency with standards on the Evergreen campus directly to the north of the area, provide an opportunity for growth within the Business District Core subarea, and would also provide needed flexibility for development in an area constrained by slopes and a SCL transmission easement. We were



concerned about potential visual impacts of redevelopment with taller structures east of 124<sup>th</sup> Avenue NE however, as the land is at a higher elevation and structures would be closer to the neighboring multifamily area.

After discussing these issues, the Planning Commission concluded that we supported an increase in the allowable building height, but that in order to minimize the potential for visual impacts from redevelopment in the eastern portion of the zone, the amendment should be limited to that portion of the PR 1.8 zone that lies west of 124<sup>th</sup> Avenue NE.

The recommended amendment is Attachment 1 to this memorandum.

### **Decisional Criteria**

The decisional criteria found in KZC Section 135.25 were considered when making this recommendation, and can be viewed by following this link to the March 10<sup>th</sup> public hearing [staff memorandum](#) (page 2).

### **Attachment**

1. Proposed amendments to KZC Chapter 30

cc: CAM16-00218

- PU-34. Drive-in or drive-through facilities are prohibited.
- PU-35. The following uses are not permitted:
  - a. Vehicle service stations.
  - b. Entertainment or recreational activities.
  - c. Storage services unless accessory to another permitted use.
  - d. The sale, service and/or rental of motor vehicles, sailboats, motor boats, and recreation trailers, heavy equipment and similar vehicles.
  - e. Storage and operation of heavy equipment, except delivery vehicles, associated with retail uses.
  - f. Storage of parts unless conducted entirely within an enclosed structure.
  - g. Uses with drive-in or drive-through facilities.
- PU-36. A delicatessen, bakery, or other similar use may include accessory seating if:
  - a. The seating and associated circulation area does not exceed more than 10 percent of the gross floor area of the use; and
  - b. It can be demonstrated to the City that the floor plan is designed to preclude the seating area from being expanded.
- PU-37. If this use is adjoining a low density zone, then Process I, Chapter 145 KZC.

PU-38. Structured play areas must be set back from all property lines as follows:

- a. 20 feet if this use can accommodate 50 or more people.
- b. 10 feet if this use can accommodate 13 to 49 people.

PU-39. Retail establishments selling marijuana or products shall be set back from all property lines as follows:  
46.

(Ord. 4479 § 1, 2015; Ord. 4476 § 2, 2015)

\*Code reviser's note: This section of the code has been modified

**30.30 Density/Dimensions**

(PO; PR 8.5; PR 5.0; PR 3.6; PR 2.4; PRA 2.4, P...

*New reference to Footnote DD-32 to be added to all permitted uses for the PR zone:*  
**DD-32: For that portion of the PR 1.8 zone lying between 120<sup>th</sup> Ave. NE and 124<sup>th</sup> Ave. NE, the maximum building height of a structure shall be 60 feet above average building elevation.**

walk routes shown on Plate  
of the City.

PLA 17A)

(Refer to KZC 30.20, Permitted Uses Table, to determine if a use is allowed in the zone; see also KZC 30.40, Development Standards Table)

USE	Minimum Lot Size	REQUIRED YARDS (See Ch. 115 KZC)			Maximum Lot Coverage	Maximum Height of Structure ABE = Average Building Elevation
		Front	Side	Rear		
30.30.010 Assisted Living Facility <sup>1</sup>	3,600 sq. ft. PR, PRA: 3,600 sq. ft. <sup>2</sup>	20' PLA 5B: 20' <sup>3</sup> PLA 5C: 10'	PR, PLA 6B: 5' <sup>4</sup> PLA 5B: 5' <sup>3, 6</sup> PRA: 5' PLA 5C: 5' <sup>3, 7</sup>	10' PLA 5B: 10' <sup>6</sup>	70%	PR: 30' above ABE. <sup>4</sup> PRA: 35' above ABE. <sup>4, 5</sup> PLA 5B: 30' above ABE. PLA 5C: 30' above ABE. <sup>8, 18</sup> PLA 6B: 30' above ABE. <sup>9</sup>
30.30.020 Boat Launch (for Nonmotorized and/or Motorized Boats)	None	30' <sup>12</sup>	5' <sup>3</sup>	See Chapter <u>83</u> KZC.	80%	30' above ABE. <sup>30</sup>
30.30.030 Church	7,200 sq. ft. PO: None PR, PRA: 7,200 sq. ft. <sup>16</sup>	20' PLA 5B: 20' <sup>3</sup> PLA 5C: 10'	20' PLA 5B: 20' <sup>6</sup>	20' PLA 5B: 20' <sup>6</sup>	70% PLA 17A: 80%	PO: 30' above ABE. <sup>9</sup> PR: 30' above ABE. <sup>4</sup> PRA: 35' above ABE. <sup>4, 5</sup> PLA 5B, PLA 17A: 30' above ABE. PLA 5C: 60' above ABE. <sup>17, 18</sup> PLA 6B: 30' above ABE. <sup>9, 22</sup>

USE		Minimum Lot Size	REQUIRED YARDS (See Ch. 115 KZC)			Maximum Lot Coverage	Maximum Height of Structure ABE = Average Building Elevation	
			Front	Side	Rear			
30.30.040	Community Facility	None	20' PLA 5B: 20' <sup>6</sup> PLA 5C: 10' PLA 15A: 30' <u>12</u>	10' PLA 5B: 10' <sup>6</sup> PLA 15A: 5' <sup>3</sup>	10' PO: 20' PLA 5B: 10' <sup>6</sup> PLA 15A: See Chapter <u>83</u> KZC.	70% PLA 15A, PLA 17A: 80%	PO, PLA 6B: 30' above ABE. <sup>9</sup> PR: 30' above ABE. <sup>4</sup> PRA: 35' above ABE. <sup>4, 5</sup> PLA 5B, PLA 17A: 30' above ABE. PLA 5C: 60' above ABE. <sup>17, 18</sup> PLA 15A: 30' above ABE. <sup>19</sup>	
30.30.050	Convalescent Center	7,200 sq. ft. PO: None PR, PRA: 7,200 sq. ft. <sup>18</sup>	20' PLA 5B: 20' <sup>6</sup> PLA 5C: 10'	10' PLA 5B: 5' <sup>3, 9</sup>	10' PO: 20' PLA 5B: 10' <sup>6</sup>	70% PLA 17A: 80%	PO, PLA 6B: 30' above ABE. <sup>9</sup> PR: 30' above ABE. <sup>4</sup> PRA: 35' above ABE. <sup>4, 5</sup> PLA 5B, PLA 17A: 30' above ABE. PLA 5C: 60' above ABE. <sup>17, 18</sup>	
30.30.060	Detached, Attached or Stacked Dwelling Units	PR, PRA: 3,600 sq. ft. <u>20, 21</u> PLA 5B: 3,600 sq. ft. with at least 1,800 sq. ft. per unit. PLA 5C: 3,600 sq. ft. PLA 6B: 3,600 sq. ft. per dwelling unit. PLA 15A: 7,200 sq. ft. with at least 3,600 sq. ft. per unit PLA 17A: 5,000 sq. ft. per unit	20' PLA 5B: 20' <sup>8</sup> PLA 5C: 10' PLA 15A: 30' <sup>12, 13, 15</sup>	Detached units: PR: 5' PRA, PLA 6B: 5' <sup>10</sup> PLA 5C: 5' <sup>7, 10</sup> Attached or stacked units: PR: 5' <sup>3</sup> PRA: 5' <sup>10</sup> PLA 5B: 5' <sup>3, 6, 10</sup> PLA 5C: 5' <sup>3, 7, 10</sup> PLA 6B, PL 17A: 5' <sup>3, 10</sup> PLA 15A: 5' <sup>3, 15</sup>	10' <sup>11</sup> PLA 5B: 10' <sup>6, 11</sup> PLA 15A: 10' <sup>11, 15</sup>	70% PLA 15A: 80%	PR: 30' above ABE. <sup>4, 22</sup> PRA: 35' above ABE. <sup>4, 5, 22</sup> PLA 5B, PLA 17A: 30' above ABE. PLA 5C: 30' above ABE. <sup>8, 18</sup> PLA 6B: 30' above ABE. <sup>9, 22</sup> PLA 15A: 30' above ABE. <sup>14</sup>	
30.30.070	Detached Dwelling Unit	PR, PRA: 3,600 sq. ft. <u>20</u> PLA 5C, PLA 6B: 3,600 sq. ft. PLA 15A, PLA 17A: 5,000 sq. ft.	20' PLA 15A: 30' <sup>12, 23</sup>	5' PLA 15A: 5' <sup>3, 23</sup> PLA 17A: 5' <sup>24</sup>	10' PLA 15A: See Chapter <u>83</u> KZC. <sup>23</sup>	70% PLA 15A: 80%	PR: 30' above ABE. <sup>4, 22</sup> PRA: 35' above ABE. <sup>4, 5, 22</sup> PLA 5C: 25' above ABE. PLA 6B: 30' above ABE. <sup>9, 22</sup> PLA 15A, PLA 17A: 30' above ABE.	
30.30.080	Development containing: Attached or Stacked Dwelling Units; and Restaurant or Tavern; and Marina	5 acres with no less than 3,100 sq. ft. per dwelling unit. <sup>25, 26, 28</sup>	<u>27</u>					
30.30.090	Development Containing Stacked or Attached Dwelling Units and Office Uses	PR, PRA: 3,600 sq. ft. <u>21</u> PLA 5B: 3,600 sq. ft. with at least 1,800 sq. ft. per unit. PLA 5C: 3,600 sq. ft. PLA 6B: 3,600 sq. ft. per dwelling unit.	20' PLA 5B: 20' <sup>6</sup> PLA 5C: 10'	PR: 5' <sup>3</sup> PRA: 5' PLA 5B: 5' <sup>3, 6, 10</sup> PLA 5C: 5' <sup>3, 7, 10</sup> PLA 6B: 5' <sup>3, 10</sup>	PR, PRA: 10' PLA 5B: 10' <sup>6, 11</sup> PLA 5C, PLA 6B: 10' <sup>11</sup>	70%	PR: 30' above ABE. <sup>4, 22</sup> PRA: 35' above ABE. <sup>4, 5, 22</sup> PLA 5B: 30' above ABE. PLA 5C: 30' above ABE. <sup>8, 18</sup> PLA 6B: 30' above ABE. <sup>9, 22</sup>	

USE		Minimum Lot Size	REQUIRED YARDS (See Ch. 115 KZC)			Maximum Lot Coverage	Maximum Height of Structure ABE = Average Building Elevation
			Front	Side	Rear		
30.30.100	Funeral Home or Mortuary	PO: None PR, PRA: 7,200 sq. ft. <sup>16</sup> PLA 6B: 7,200 sq. ft.	20'	20'	20'	70%	PO: 30' above ABE. <sup>9</sup> PR: 30' above ABE. <sup>4</sup> PRA: 35' above ABE. <sup>4, 5</sup> PLA 6B: 30' above ABE. <sup>9, 22</sup>
30.30.110	Government Facility	None	20' PLA 5B: 20' <sup>8</sup> PLA 5C: 10' PLA 15A: 30' <sup>12</sup>	10' PLA 5B: 10' <sup>6</sup> PLA 15A: 5' <sup>3</sup>	10' PO: 20' PLA 5B: 10' <sup>6</sup> PLA 15A: See Chapter 83 KZC.	70% PLA 15A, PLA 17A: 80%	PO, PLA 6B: 30' above ABE. <sup>9</sup> PR: 30' above ABE. <sup>4</sup> PRA: 35' above ABE. <sup>4, 5</sup> PLA 5B, PLA 17A: 30' above ABE. PLA 5C: 60' above ABE. <sup>17, 18</sup> PLA 15A: 30' above ABE. <sup>19</sup>
30.30.120*	Reserved						
30.30.130	Hospital Facility	1 acre	20'	10'	20'	70%	30' above ABE. <sup>9</sup>
30.30.140	Marina	None	30' <sup>12, 30</sup>	5' <sup>3, 30</sup>	30'	80%	30' above ABE. <sup>19, 30</sup>
30.30.150	Mini-School or Mini-Day-Care Center	3,600 sq. ft. PO: None PR, PRA: 3,600 sq. ft. <sup>2</sup> PLA 17A: 7,200 sq. ft.	20' PLA 5B: 20' <sup>8</sup> PLA 5C: 10'	5' <sup>3</sup> PRA: 5' PLA 5B: 5' <sup>3, 8</sup> PLA 5C: 5' <sup>3, 7</sup>	10' PLA 5B: 10' <sup>6</sup>	70% PLA 17A: 80%	PO, PLA 6B: 30' above ABE. <sup>9</sup> PR: 30' above ABE. <sup>4</sup> PRA: 35' above ABE. <sup>4, 5</sup> PLA 5B, PLA 17A: 30' above ABE. PLA 5C: 30' above ABE. <sup>8, 18</sup>
30.30.160	Nursing Home	7,200 sq. ft. PO: None PR, PRA: 7,200 sq. ft. <sup>16</sup>	20' PLA 5B: 20' <sup>8</sup> PLA 5C: 10'	10' PLA 5B: 5' <sup>3, 8</sup>	10' PO: 20' PLA 5B: 10' <sup>6</sup>	70% PLA 17A: 80%	PO, PLA 6B, PLA 15A: 30' above ABE. <sup>9</sup> PR: 30' above ABE. <sup>4</sup> PRA: 35' above ABE. <sup>4, 5</sup> PLA 5B, PLA 17A: 30' above ABE. PLA 5C: 60' above ABE. <sup>17, 18</sup>
30.30.170	Office Uses	None PLA 6B: 7,200 sq. ft. PLA 17AB: 7,200 sq. ft. per unit	20' PLA 5B: 20' <sup>8</sup> PLA 5C: 10' PLA 15A: 30' <sup>12, 13, 15</sup>	5' <sup>3</sup> PLA 5B: 5' <sup>3, 8</sup> PRA: 5' PLA 5C: 5' <sup>3, 7</sup> PLA 15A: 5' <sup>3, 15</sup>	10' PLA 5B: 10' <sup>6</sup> PLA 15A: 10' <sup>15</sup>	70% PLA 15A, PLA 17A: 80%	PO: 30' above ABE. <sup>9</sup> PR: 30' above ABE. <sup>4</sup> PRA: 35' above ABE. <sup>4, 5</sup> PLA 5B, PLA 17A: 30' above ABE. PLA 5C: 30' above ABE. <sup>8, 18</sup> PLA 6B: 30' above ABE. <sup>9, 22</sup> PLA 15A: 30' above ABE. <sup>14</sup>
30.30.180	Passenger Only Ferry Terminal	None	30' <sup>12</sup>	5' <sup>3</sup>	See Chapter 83 KZC.	80%	30' above ABE. <sup>19, 30</sup>
30.30.190	Piers, Docks, Boat Lifts and Canopies Serving Detached, Attached or Stacked Dwelling Units	None	See Chapter 83 KZC.			-	See Chapter 83 KZC.
30.30.200	Piers, Docks, Boat Lifts and Canopies Serving Detached Dwelling Unit	None	See Chapter 83 KZC.			-	See Chapter 83 KZC.
30.30.210	Public Access Pier, Public Access Facility, or Boardwalk	None	See Chapter 83 KZC.			-	See Chapter 83 KZC.
30.30.220	Public Park	Development standards will be determined on a case-by-case basis.					

USE		Minimum Lot Size	REQUIRED YARDS (See Ch. 115 KZC)			Maximum Lot Coverage	Maximum Height of Structure ABE = Average Building Elevation
			Front	Side	Rear		
30.30.230	Public Utility	None	20' PLA 5B: 20' <sup>6</sup> PLA 5C: 10' PLA 15A: 30' <sup>12</sup>	20' PO: 10' PLA 5B: 20' <sup>6</sup> PLA 15A: 5' <sup>3</sup>	20' PLA 5B: 20' <sup>6</sup> PLA 5C: 10' PLA 15A: See Chapter 83 KZC.	70% PLA 15A, PLA 17A: 80%	PO, PLA 6B: 30' above ABE. <sup>9</sup> PR: 30' above ABE. <sup>4</sup> PRA: 35' above ABE. <sup>4, 5</sup> PLA 5B, PLA 17A: 30' above ABE. PLA 5C: 60' above ABE. <sup>17, 18</sup> PLA 15A: 30' above ABE. <sup>19</sup>
30.30.240	Restaurant or Tavern	PO: None PR, PRA: 7,200 sq. ft. <sup>16</sup>	20'	10'	PO: 20' PR, PRA: 10'	70%	PO: 30' above ABE. <sup>9</sup> PR: 30' above ABE. <sup>4</sup> PRA: 35' above ABE. <sup>4, 5</sup>
30.30.245*	Retail Establishment including Grocery Store, Drug Store, Laundromat, Dry Cleaners, Barber Shop, or Shoe Repair Shop	PO: None <sup>29</sup> PR, PRA: 7,200 sq. ft. <sup>16, 29</sup>	20'	10'	PO: 20' PR, PRA: 10'	70%	PO: 30' above ABE. <sup>9</sup> PR: 30' above ABE. <sup>4</sup> PRA: 35' above ABE. <sup>4, 5</sup>
30.30.250*	Retail Establishment other than those specifically listed, limited, or prohibited in this zone, selling goods or providing services	7,200 sq. ft. <sup>16</sup>	20'	10'	10'	70%	PR: 30' above ABE. <sup>4</sup> PRA: 35' above ABE. <sup>4, 5</sup>
30.30.260*	Retail Establishment providing banking or related financial service	PO: None PR, PRA: 7,200 sq. ft. <sup>16</sup>	20'	10'	PO: 20' PR, PRA: 10'	70%	PO: 30' above ABE. <sup>4</sup> PR: 30' above ABE. <sup>9</sup> PRA: 35' above ABE. <sup>4, 5</sup>
30.30.270	School or Day-Care Center	7,200 sq. ft. PO: None PR, PRA: 7,200 sq. ft. <sup>16</sup>	20' PLA 5C: 10'	5' <sup>3</sup> PRA: 5' PLA 5C: 5' <sup>3, 7</sup>	10'	70% PLA 17A: 80%	PO, PLA 6B: 30' above ABE. <sup>9</sup> PR: 30' above ABE. <sup>4, 31</sup> PRA: 35' above ABE. <sup>4, 5, 31</sup> PLA 5B, PLA 17A: 30' above ABE. <sup>31</sup> PLA 5C: 60' above ABE. <sup>17, 18</sup>
			50' PLA 5B: If this use can accommodate 50 or more students or children, then: 50'	50' PLA 5B: If this use can accommodate 13 to 49 students or children, then: 50'	50'		
30.30.280	Tour Boat	None	30' <sup>12</sup>	5' <sup>3</sup>	See Chapter 83 KZC.	80%	30' above ABE. <sup>19, 30</sup>
30.30.290	Water Taxi	None	30' <sup>12</sup>	5' <sup>3</sup>	See Chapter 83 KZC.	80%	30' above ABE. <sup>19, 30</sup>

**Density/Dimensions (DD) Special Regulations:**

- DD-1. In the PR, PRA, PLA 5B and PLA 6B zones, 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 one and one half times the number of stacked dwelling units allowed on the property may be approved if the following criteria are met:
  - a. Project is of superior design, and
  - b. Project will not create impacts that are substantially different than would be created by a permitted multifamily development.
- DD-2. 8,500 square feet if PR 8.5 zone, 7,200 square feet if PR 7.2 zone, 5,000 square feet if PR 5.0 zone.
- DD-3. Five feet but two side yards must equal at least 15 feet.
- DD-4. If adjoining a low density zone other than RSA or RSX, then 25 feet above ABE.
- DD-5. See KZC 30.10.020(2).
- DD-6. The required yard of any structure abutting a lot containing a low density use within PLA 5A must be increased one foot for each one foot that structure exceeds 20 feet above ABE.
- DD-7. From easterly edge of PLA 5C – 15 feet.

- DD-8. a. If the development contains at least one acre, 60 feet above ABE, except for properties within 325 feet of the PLA 5C eastern boundary, then 40 feet above ABE.
- b. If the development is south of 4th Avenue and within 180 feet east of 6th Street, and contains at least 0.8 acres, 52 feet above ABE.
- c. If the development is south of 4th Avenue and within 180 feet east of 6th Street, and contains at least 0.4 acres, 40 feet above ABE.
- DD-9. If adjoining a low density zone other than RSX, then 25 feet above ABE.
- DD-10. 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; provided, that this special regulation shall not supersede minimum yard requirements when abutting a lot containing a low density use within the PLA 5A zone.
- DD-11. 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; provided, that this special regulation shall not supersede minimum yard requirements when abutting a lot containing a low density use within the PLA 5A zone.
- DD-12. The required 30-foot front yard may be reduced one foot for each one foot of this yard that is developed as a public use area if:
- a. Within 30 feet of the front property line, each portion of a structure is set back from the front property line by a distance greater than or equal to the height of that portion above the front property line; and
- b. Substantially, the entire width of this yard, from north to south property lines, is developed as a public use area; and
- c. The design of the public use area is specifically approved by the City.
- DD-13. The required front yard for any portion of the structure over 30 feet in height above average building elevation shall be 35 feet. This required front yard cannot be reduced under DD-12 above for a public use area.
- DD-14. Structure height may be increased to 40 feet above ABE if:
- a. Obstruction of views from existing development lying east of Lake Washington Boulevard is minimized; and
- b. Maximum lot coverage is 80 percent, but shall not include any structure allowed within the required front yard under the General Regulations in KZC 60.170; and
- c. Maximum building coverage is 50 percent, but shall not include any structure allowed within the required front yard under the General Regulations in KZC 60.170 or any structure below finished grade; and
- d. A waterfront area developed and open for public use shall be provided with the location and design specifically approved by the City. Public amenities shall be provided, such as nonmotorized watercraft access or a public pier. A public use easement document shall be provided to the City for the public use area, in a form acceptable to the City. The City shall require signs designating the public use area; and
- e. The required public pedestrian access trail from Lake Washington Boulevard to the shoreline shall have a trail width of at least six feet and shall have a grade separation from the access driveway; and
- f. No roof top appurtenances, including elevator shafts, roof decks or plantings, with the exception of ground cover material on the roof not to exceed four inches in height, shall be on the roof of the building or within the required view corridors.
- DD-15. The minimum dimension of any yard, other than those listed, is five feet. Any required yard, other than the front required 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 shall provide the minimum required yard.
- DD-16. 8,500 square feet if PR 8.5 zone.
- DD-17. Except for properties within 325 feet of the PLA 5C eastern boundary, then 40 feet above ABE.
- DD-18. For properties abutting PLA 5D, any portion of a building exceeding 30 feet above ABE shall be no closer than 50 feet to the easterly edge of PLA 5C.
- DD-19. Structure height may be increased to 35 feet above ABE if:
- a. The increase does not impair views of the lake from properties east of Lake Washington Boulevard; and
- b. The increase is offset by a view corridor that is superior to that required by the General Regulations.
- DD-20. 8,500 square feet if PR 8.5 zone, 5,000 square feet if PR 5.0 zone.
- DD-21. With a residential density as established on the Zoning Map. Minimum amount of lot area per dwelling unit is as follows:
- a. In PR 8.5 zones, the minimum lot area per unit is 8,500 square feet.
- b. In PR 5.0 zones, the minimum lot area per unit is 5,000 square feet.
- c. In PR 3.6 zones, the minimum lot area per unit is 3,600 square feet.
- d. In PR 2.4 and PRA 2.4 zones, the minimum lot area per unit is 2,400 square feet.
- e. In PR 1.8 and PRA 1.8 zones, the minimum lot area per unit is 1,800 square feet.

- DD-22. 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 ABE is allowed.
- DD-23. The minimum dimension of any yard, other than those listed, is five feet.
- DD-24. 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.
- DD-25. Part of the unit count allowed in Planned Area 15A may be developed in Planned Area 15B. The maximum permitted number of dwelling units on the subject property in Planned Area 15A is computed using the following formula:  
  
(The total lot area in square feet divided by 3,100) minus the unit count transferred to Planned Area 15B = the maximum permitted number of dwelling units.
- DD-26. The maximum amount of allowable floor area for nonresidential use is computed using the following formula:  
  
(The maximum number of dwelling units allowed on the subject property - the number of dwelling units proposed) x the average square footage of the dwelling units = amount of square footage available for nonresidential use.
- DD-27. The City will determine required yards, lot coverage, structure height and landscaping based on the compatibility of development with adjacent uses and the degree to which public access, use and views are provided. Also see Chapter 83 KZC for required shoreline setback.
- DD-28. Subsequent subdivision of an approved Master Plan into smaller lots is permitted; provided, that the required minimum acreage is met for the Master Plan.
- DD-29. Gross floor area shall not exceed 3,000 square feet.
- DD-30. Landward of the ordinary high water mark.
- DD-31. For school use, structure height may be increased, up to 35 feet and 40 feet in PRA zones, 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; and
  - d. The increased height will not result in a structure that is incompatible with surrounding uses or improvements.

*This special regulation is not effective within the disapproval jurisdiction of the Houghton Community Council.*

**DD-32: For that portion of the PR 1.8 zone lying between 120<sup>th</sup> Ave. NE and 124<sup>th</sup> Ave. NE, the maximum building height of a structure shall be 60 feet above average building elevation.**

Development Standards Table – Office Zones

(PO; PR 8.5; PR 5.0; PR 3.6; PR 2.4; PRA 2.4; PR 1.8; PRA 1.8; PLA 5B, PLA 5C; PLA 6B; PLA 15A; PLA 17A)

(Refer to KZC 30.20, Permitted Uses Table, to determine if a use is allowed in the zone; see also KZC 30.30, Density/Dimensions Table)

Use	Landscape Category (Chapter 95 KZC)	Sign Category (Chapter 100 KZC)	Required Parking Spaces (Chapter 105 KZC)
30.40.010 Assisted Living Facility	D	A	1.7 per independent unit. 1 per assisted living unit.
30.40.020 Boat Launch (for Nonmotorized and/or Motorized Boats)	B	B	See KZC 105.25.
30.40.030 Church	C	B	1 for every 4 people based on maximum occupancy load of any area of worship. <sup>3</sup>
30.40.040 Community Facility	C <sup>4</sup> PLA 15A: A <sup>4</sup>	B	See KZC 105.25.
30.40.050 Convalescent Center	C	B	1 for each bed.
30.40.060 Detached, Attached or Stacked Dwelling Units	D PLA 17A: D <sup>1</sup>	A	1.2 per studio unit. 1.3 per 1 bedroom unit. 1.6 per 2 bedroom unit. 1.8 per 3 or more bedroom unit. See KZC 105.20 for visitor parking requirements. PLA 17A: <sup>2</sup>

ORDINANCE O-4514

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, PLANNING, AND LAND USE AND AMENDING SECTION 30.30 OF THE KIRKLAND ZONING CODE REGARDING BUILDING HEIGHT IN PORTIONS OF THE PR 1.8 ZONE AND APPROVING A SUMMARY ORDINANCE FOR PUBLICATION, FILE NO. CAM16-00218.

1           WHEREAS, the City Council has received a recommendation  
2 from the Kirkland Planning Commission to amend Section 30.30 of the  
3 Kirkland Zoning Code, as set forth in the report and recommendation of  
4 the Planning Commission dated April 5, 2016 and bearing Kirkland  
5 Planning and Building Department File No. CAM16-00218; and  
6

7           WHEREAS, prior to making the recommendation, the Kirkland  
8 Planning Commission, following notice as required by RCW 36.70A.035,  
9 on March 10, 2016, held a public hearing, on the amendment proposals  
10 and considered the comments received at the hearing; and  
11

12           WHEREAS, pursuant to the State Environmental Policy Act  
13 (SEPA), there has accompanied the legislative proposal and  
14 recommendation through the entire consideration process, a SEPA  
15 Addendum to Existing Environmental Documents issued by the  
16 responsible official pursuant to WAC 197-11-625; and  
17

18           WHEREAS, in regular public meeting the City Council considered  
19 the environmental documents received from the responsible official,  
20 together with the report and recommendation of the Planning  
21 Commission; and.  
22

23           NOW, THEREFORE, BE IT ORDAINED by the City Council of the  
24 City of Kirkland as follows:  
25

26           Section 1. Section 30.30 of the Kirkland Zoning Code is  
27 amended as set forth in Attachment A attached to this ordinance and  
28 incorporated by reference.  
29

30           Section 2. If any section, subsection, sentence, clause, phrase,  
31 part or portion of this ordinance, including those parts adopted by  
32 reference, is for any reason held to be invalid or unconstitutional by any  
33 court of competent jurisdiction, such decision shall not affect the validity  
34 of the remaining portions of this ordinance.  
35

36           Section 3. This ordinance shall be in full force and effect five  
37 days from and after its passage by the Kirkland City Council and  
38 publication pursuant to Kirkland Municipal Code 1.08.017, in the  
39 summary form attached to the original of this ordinance and by this  
40 reference approved by the City Council as required by law.  
41

42           Section 4. A complete copy of this ordinance shall be certified  
43 by the City Clerk, who shall then forward the certified copy to the King  
44 County Department of Assessments.

45            Passed by majority vote of the Kirkland City Council in open  
46 meeting this \_\_\_\_ day of \_\_\_\_, 2016.

47  
48            Signed in authentication thereof this \_\_\_\_ day of  
49 \_\_\_\_\_, 2016.

\_\_\_\_\_  
DEPUTY MAYOR

Attest:

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

Approved as to Form:

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

- PU-34. Drive-in or drive-through facilities are prohibited.
- PU-35. The following uses are not permitted:
  - a. Vehicle service stations.
  - b. Entertainment or recreational activities.
  - c. Storage services unless accessory to another permitted use.
  - d. The sale, service and/or rental of motor vehicles, sailboats, motor boats, and recreation trailers, heavy equipment and similar vehicles.
  - e. Storage and operation of heavy equipment, except delivery vehicles, associated with retail uses.
  - f. Storage of parts unless conducted entirely within an enclosed structure.
  - g. Uses with drive-in or drive-through facilities.
- PU-36. A delicatessen, bakery, or other similar use may include accessory seating if:
  - a. The seating and associated circulation area does not exceed more than 10 percent of the gross floor area of the use; and
  - b. It can be demonstrated to the City that the floor plan is designed to preclude the seating area from being expanded.

PU-37. If this use is adjoining a low density zone, then Process I, Chapter 145 KZC.

PU-38. Structured play areas must be set back from all property lines as follows:

- a. 20 feet if this use can accommodate 50 or more persons.
- b. 10 feet if this use can accommodate 13 to 49 persons.

PU-39. Retail establishments selling marijuana or products shall be set back from all property lines as follows:  
46.

(Ord. 4479 § 1, 2015; Ord. 4476 § 2, 2015)

\*Code reviser's note: This section of the code has been modified

**30.30 Density/Dimensions**

(PO; PR 8.5; PR 5.0; PR 3.6; PR 2.4; PRA 2.4, P...

*New reference to Footnote DD-32 to be added to all permitted uses for the PR zone:*  
**DD-32: For that portion of the PR 1.8 zone lying between 120<sup>th</sup> Ave. NE and 124<sup>th</sup> Ave. NE, the maximum building height of a structure shall be 60 feet above average building elevation.**

walk routes shown on Plate

of the City.

PLA 17A)

(Refer to KZC 30.20, Permitted Uses Table, to determine if a use is allowed in the zone; see also KZC 30.40, Development Standards Table)

USE	Minimum Lot Size	REQUIRED YARDS (See Ch. 115 KZC)			Maximum Lot Coverage	Maximum Height of Structure ABE = Average Building Elevation
		Front	Side	Rear		
30.30.010 Assisted Living Facility <sup>1</sup>	3,600 sq. ft. PR, PRA: 3,600 sq. ft. <sup>2</sup>	20' PLA 5B: 20' <sup>3</sup> PLA 5C: 10'	PR, PLA 6B: 5' <sup>4</sup> PLA 5B: 5' <sup>3, 6</sup> PRA: 5' PLA 5C: 5' <sup>3, 7</sup>	10' PLA 5B: 10' <sup>6</sup>	70%	PR: 30' above ABE. <sup>4</sup> PRA: 35' above ABE. <sup>4, 5</sup> PLA 5B: 30' above ABE. PLA 5C: 30' above ABE. <sup>8, 18</sup> PLA 6B: 30' above ABE. <sup>9</sup>
30.30.020 Boat Launch (for Nonmotorized and/or Motorized Boats)	None	30' <sup>12</sup>	5' <sup>3</sup>	See Chapter <u>83</u> KZC.	80%	30' above ABE. <sup>30</sup>
30.30.030 Church	7,200 sq. ft. PO: None PR, PRA: 7,200 sq. ft. <sup>16</sup>	20' PLA 5B: 20' <sup>3</sup> PLA 5C: 10'	20' PLA 5B: 20' <sup>6</sup>	20' PLA 5B: 20' <sup>6</sup>	70% PLA 17A: 80%	PO: 30' above ABE. <sup>9</sup> PR: 30' above ABE. <sup>4</sup> PRA: 35' above ABE. <sup>4, 5</sup> PLA 5B, PLA 17A: 30' above ABE. PLA 5C: 60' above ABE. <sup>17, 18</sup> PLA 6B: 30' above ABE. <sup>9, 22</sup>

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USE		Minimum Lot Size	REQUIRED YARDS (See Ch. 115 KZC)			Maximum Lot Coverage	Maximum Height of Structure ABE = Average Building Elevation	
			Front	Side	Rear			
30.30.040	Community Facility	None	20' PLA 5B: 20' <sup>6</sup> PLA 5C: 10' PLA 15A: 30' <u>12</u>	10' PLA 5B: 10' <sup>6</sup> PLA 15A: 5' <sup>3</sup>	10' PO: 20' PLA 5B: 10' <sup>6</sup> PLA 15A: See Chapter <u>83</u> KZC.	70% PLA 15A, PLA 17A: 80%	PO, PLA 6B: 30' above ABE. <sup>9</sup> PR: 30' above ABE. <sup>4</sup> PRA: 35' above ABE. <sup>4, 5</sup> PLA 5B, PLA 17A: 30' above ABE. PLA 5C: 60' above ABE. <sup>17, 18</sup> PLA 15A: 30' above ABE. <sup>19</sup>	
30.30.050	Convalescent Center	7,200 sq. ft. PO: None PR, PRA: 7,200 sq. ft. <sup>18</sup>	20' PLA 5B: 20' <sup>6</sup> PLA 5C: 10'	10' PLA 5B: 5' <sup>3, 9</sup>	10' PO: 20' PLA 5B: 10' <sup>6</sup>	70% PLA 17A: 80%	PO, PLA 6B: 30' above ABE. <sup>9</sup> PR: 30' above ABE. <sup>4</sup> PRA: 35' above ABE. <sup>4, 5</sup> PLA 5B, PLA 17A: 30' above ABE. PLA 5C: 60' above ABE. <sup>17, 18</sup>	
30.30.060	Detached, Attached or Stacked Dwelling Units	PR, PRA: 3,600 sq. ft. <u>20, 21</u> PLA 5B: 3,600 sq. ft. with at least 1,800 sq. ft. per unit. PLA 5C: 3,600 sq. ft. PLA 6B: 3,600 sq. ft. per dwelling unit. PLA 15A: 7,200 sq. ft. with at least 3,600 sq. ft. per unit PLA 17A: 5,000 sq. ft. per unit	20' PLA 5B: 20' <sup>8</sup> PLA 5C: 10' PLA 15A: 30' <sup>12, 13, 15</sup>	Detached units: PR: 5' PRA, PLA 6B: 5' <sup>10</sup> PLA 5C: 5' <sup>7, 10</sup> Attached or stacked units: PR: 5' <sup>3</sup> PRA: 5' <sup>10</sup> PLA 5B: 5' <sup>3, 6, 10</sup> PLA 5C: 5' <sup>3, 7, 10</sup> PLA 6B, PL 17A: 5' <sup>3, 10</sup> PLA 15A: 5' <sup>3, 15</sup>	10' <sup>11</sup> PLA 5B: 10' <sup>6, 11</sup> PLA 15A: 10' <sup>11, 15</sup>	70% PLA 15A: 80%	PR: 30' above ABE. <sup>4, 22</sup> PRA: 35' above ABE. <sup>4, 5, 22</sup> PLA 5B, PLA 17A: 30' above ABE. PLA 5C: 30' above ABE. <sup>8, 18</sup> PLA 6B: 30' above ABE. <sup>9, 22</sup> PLA 15A: 30' above ABE. <sup>14</sup>	
30.30.070	Detached Dwelling Unit	PR, PRA: 3,600 sq. ft. <u>20</u> PLA 5C, PLA 6B: 3,600 sq. ft. PLA 15A, PLA 17A: 5,000 sq. ft.	20' PLA 15A: 30' <sup>12, 23</sup>	5' PLA 15A: 5' <sup>3, 23</sup> PLA 17A: 5' <sup>24</sup>	10' PLA 15A: See Chapter <u>83</u> KZC. <sup>23</sup>	70% PLA 15A: 80%	PR: 30' above ABE. <sup>4, 22</sup> PRA: 35' above ABE. <sup>4, 5, 22</sup> PLA 5C: 25' above ABE. PLA 6B: 30' above ABE. <sup>9, 22</sup> PLA 15A, PLA 17A: 30' above ABE.	
30.30.080	Development containing: Attached or Stacked Dwelling Units; and Restaurant or Tavern; and Marina	5 acres with no less than 3,100 sq. ft. per dwelling unit. <sup>25, 26, 28</sup>	<u>27</u>					
30.30.090	Development Containing Stacked or Attached Dwelling Units and Office Uses	PR, PRA: 3,600 sq. ft. <u>21</u> PLA 5B: 3,600 sq. ft. with at least 1,800 sq. ft. per unit. PLA 5C: 3,600 sq. ft. PLA 6B: 3,600 sq. ft. per dwelling unit.	20' PLA 5B: 20' <sup>6</sup> PLA 5C: 10'	PR: 5' <sup>3</sup> PRA: 5' PLA 5B: 5' <sup>3, 6, 10</sup> PLA 5C: 5' <sup>3, 7, 10</sup> PLA 6B: 5' <sup>3, 10</sup>	PR, PRA: 10' PLA 5B: 10' <sup>6, 11</sup> PLA 5C, PLA 6B: 10' <sup>11</sup>	70%	PR: 30' above ABE. <sup>4, 22</sup> PRA: 35' above ABE. <sup>4, 5, 22</sup> PLA 5B: 30' above ABE. PLA 5C: 30' above ABE. <sup>8, 18</sup> PLA 6B: 30' above ABE. <sup>9, 22</sup>	

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USE		Minimum Lot Size	REQUIRED YARDS (See Ch. 115 KZC)			Maximum Lot Coverage	Maximum Height of Structure ABE = Average Building Elevation	
			Front	Side	Rear			
30.30.100	Funeral Home or Mortuary	PO: None PR, PRA: 7,200 sq. ft. <sup>16</sup> PLA 6B: 7,200 sq. ft.	20'	20'	20'	70%	PO: 30' above ABE. <sup>9</sup> PR: 30' above ABE. <sup>4</sup> PRA: 35' above ABE. <sup>4, 5</sup> PLA 6B: 30' above ABE. <sup>9, 22</sup>	
30.30.110	Government Facility	None	20' PLA 5B: 20' <sup>8</sup> PLA 5C: 10' PLA 15A: 30' <sup>12</sup>	10' PLA 5B: 10' <sup>6</sup> PLA 15A: 5' <sup>3</sup>	10' PO: 20' PLA 5B: 10' <sup>6</sup> PLA 15A: See Chapter 83 KZC.	70% PLA 15A, PLA 17A: 80%	PO, PLA 6B: 30' above ABE. <sup>9</sup> PR: 30' above ABE. <sup>4</sup> PRA: 35' above ABE. <sup>4, 5</sup> PLA 5B, PLA 17A: 30' above ABE. PLA 5C: 60' above ABE. <sup>17, 18</sup> PLA 15A: 30' above ABE. <sup>19</sup>	
30.30.120*	Reserved							
30.30.130	Hospital Facility	1 acre	20'	10'	20'	70%	30' above ABE. <sup>9</sup>	
30.30.140	Marina	None	30' <sup>12, 30</sup>	5' <sup>3, 30</sup>	30'	80%	30' above ABE. <sup>19, 30</sup>	
30.30.150	Mini-School or Mini-Day-Care Center	3,600 sq. ft. PO: None PR, PRA: 3,600 sq. ft. <sup>2</sup> PLA 17A: 7,200 sq. ft.	20' PLA 5B: 20' <sup>8</sup> PLA 5C: 10'	5' <sup>3</sup> PRA: 5' PLA 5B: 5' <sup>3, 8</sup> PLA 5C: 5' <sup>3, 7</sup>	10' PLA 5B: 10' <sup>6</sup>	70% PLA 17A: 80%	PO, PLA 6B: 30' above ABE. <sup>9</sup> PR: 30' above ABE. <sup>4</sup> PRA: 35' above ABE. <sup>4, 5</sup> PLA 5B, PLA 17A: 30' above ABE. PLA 5C: 30' above ABE. <sup>8, 18</sup>	
30.30.160	Nursing Home	7,200 sq. ft. PO: None PR, PRA: 7,200 sq. ft. <sup>16</sup>	20' PLA 5B: 20' <sup>8</sup> PLA 5C: 10'	10' PLA 5B: 5' <sup>3, 8</sup>	10' PO: 20' PLA 5B: 10' <sup>6</sup>	70% PLA 17A: 80%	PO, PLA 6B, PLA 15A: 30' above ABE. <sup>9</sup> PR: 30' above ABE. <sup>4</sup> PRA: 35' above ABE. <sup>4, 5</sup> PLA 5B, PLA 17A: 30' above ABE. PLA 5C: 60' above ABE. <sup>17, 18</sup>	
30.30.170	Office Uses	None PLA 6B: 7,200 sq. ft. PLA 17AB: 7,200 sq. ft. per unit	20' PLA 5B: 20' <sup>8</sup> PLA 5C: 10' PLA 15A: 30' <sup>12, 13, 15</sup>	5' <sup>3</sup> PLA 5B: 5' <sup>3, 8</sup> PRA: 5' PLA 5C: 5' <sup>3, 7</sup> PLA 15A: 5' <sup>3, 15</sup>	10' PLA 5B: 10' <sup>6</sup> PLA 15A: 10' <sup>15</sup>	70% PLA 15A, PLA 17A: 80%	PO: 30' above ABE. <sup>9</sup> PR: 30' above ABE. <sup>4</sup> PRA: 35' above ABE. <sup>4, 5</sup> PLA 5B, PLA 17A: 30' above ABE. PLA 5C: 30' above ABE. <sup>8, 18</sup> PLA 6B: 30' above ABE. <sup>9, 22</sup> PLA 15A: 30' above ABE. <sup>14</sup>	
30.30.180	Passenger Only Ferry Terminal	None	30' <sup>12</sup>	5' <sup>3</sup>	See Chapter 83 KZC.	80%	30' above ABE. <sup>19, 30</sup>	
30.30.190	Piers, Docks, Boat Lifts and Canopies Serving Detached, Attached or Stacked Dwelling Units	None	See Chapter 83 KZC.			-	See Chapter 83 KZC.	
30.30.200	Piers, Docks, Boat Lifts and Canopies Serving Detached Dwelling Unit	None	See Chapter 83 KZC.			-	See Chapter 83 KZC.	
30.30.210	Public Access Pier, Public Access Facility, or Boardwalk	None	See Chapter 83 KZC.			-	See Chapter 83 KZC.	
30.30.220	Public Park	Development standards will be determined on a case-by-case basis.						

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USE	Minimum Lot Size	REQUIRED YARDS (See Ch. 115 KZC)			Maximum Lot Coverage	Maximum Height of Structure ABE = Average Building Elevation
		Front	Side	Rear		
30.30.230 Public Utility	None	20' PLA 5B: 20' <sup>6</sup> PLA 5C: 10' PLA 15A: 30' <sup>12</sup>	20' PO: 10' PLA 5B: 20' <sup>6</sup> PLA 15A: 5' <sup>3</sup>	20' PLA 5B: 20' <sup>6</sup> PLA 5C: 10' PLA 15A: See Chapter 83 KZC.	70% PLA 15A, PLA 17A: 80%	PO, PLA 6B: 30' above ABE. <sup>9</sup> PR: 30' above ABE. <sup>4</sup> PRA: 35' above ABE. <sup>4, 5</sup> PLA 5B, PLA 17A: 30' above ABE. PLA 5C: 60' above ABE. <sup>17, 18</sup> PLA 15A: 30' above ABE. <sup>19</sup>
30.30.240 Restaurant or Tavern	PO: None PR, PRA: 7,200 sq. ft. <sup>16</sup>	20'	10'	PO: 20' PR, PRA: 10'	70%	PO: 30' above ABE. <sup>9</sup> PR: 30' above ABE. <sup>4</sup> PRA: 35' above ABE. <sup>4, 5</sup>
30.30.245* Retail Establishment including Grocery Store, Drug Store, Laundromat, Dry Cleaners, Barber Shop, or Shoe Repair Shop	PO: None <sup>29</sup> PR, PRA: 7,200 sq. ft. <sup>16, 29</sup>	20'	10'	PO: 20' PR, PRA: 10'	70%	PO: 30' above ABE. <sup>9</sup> PR: 30' above ABE. <sup>4</sup> PRA: 35' above ABE. <sup>4, 5</sup>
30.30.250* Retail Establishment other than those specifically listed, limited, or prohibited in this zone, selling goods or providing services	7,200 sq. ft. <sup>16</sup>	20'	10'	10'	70%	PR: 30' above ABE. <sup>4</sup> PRA: 35' above ABE. <sup>4, 5</sup>
30.30.260* Retail Establishment providing banking or related financial service	PO: None PR, PRA: 7,200 sq. ft. <sup>16</sup>	20'	10'	PO: 20' PR, PRA: 10'	70%	PO: 30' above ABE. <sup>4</sup> PR: 30' above ABE. <sup>9</sup> PRA: 35' above ABE. <sup>4, 5</sup>
30.30.270 School or Day-Care Center	7,200 sq. ft. PO: None PR, PRA: 7,200 sq. ft. <sup>16</sup>	20' PLA 5C: 10'	5' <sup>3</sup> PRA: 5' PLA 5C: 5' <sup>3, 7</sup>	10'	70% PLA 17A: 80%	PO, PLA 6B: 30' above ABE. <sup>9</sup> PR: 30' above ABE. <sup>4, 31</sup> PRA: 35' above ABE. <sup>4, 5, 31</sup> PLA 5B, PLA 17A: 30' above ABE. <sup>31</sup> PLA 5C: 60' above ABE. <sup>17, 18</sup>
		50'	50'	50'		
		20'	20'	20'		
30.30.280 Tour Boat	None	30' <sup>12</sup>	5' <sup>3</sup>	See Chapter 83 KZC.	80%	30' above ABE. <sup>19, 30</sup>
30.30.290 Water Taxi	None	30' <sup>12</sup>	5' <sup>3</sup>	See Chapter 83 KZC.	80%	30' above ABE. <sup>19, 30</sup>

**Density/Dimensions (DD) Special Regulations:**

- DD-1. In the PR, PRA, PLA 5B and PLA 6B zones, 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 one and one half times the number of stacked dwelling units allowed on the property may be approved if the following criteria are met:
  - a. Project is of superior design, and
  - b. Project will not create impacts that are substantially different than would be created by a permitted multifamily development.
- DD-2. 8,500 square feet if PR 8.5 zone, 7,200 square feet if PR 7.2 zone, 5,000 square feet if PR 5.0 zone.
- DD-3. Five feet but two side yards must equal at least 15 feet.
- DD-4. If adjoining a low density zone other than RSA or RSX, then 25 feet above ABE.
- DD-5. See KZC 30.10.020(2).
- DD-6. The required yard of any structure abutting a lot containing a low density use within PLA 5A must be increased one foot for each one foot that structure exceeds 20 feet above ABE.
- DD-7. From easterly edge of PLA 5C – 15 feet.

- DD-8. a. If the development contains at least one acre, 60 feet above ABE, except for properties within 325 feet of the PLA 5C eastern boundary, then 40 feet above ABE.
- b. If the development is south of 4th Avenue and within 180 feet east of 6th Street, and contains at least 0.8 acres, 52 feet above ABE.
- c. If the development is south of 4th Avenue and within 180 feet east of 6th Street, and contains at least 0.4 acres, 40 feet above ABE.
- DD-9. If adjoining a low density zone other than RSX, then 25 feet above ABE.
- DD-10. 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; provided, that this special regulation shall not supersede minimum yard requirements when abutting a lot containing a low density use within the PLA 5A zone.
- DD-11. 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; provided, that this special regulation shall not supersede minimum yard requirements when abutting a lot containing a low density use within the PLA 5A zone.
- DD-12. The required 30-foot front yard may be reduced one foot for each one foot of this yard that is developed as a public use area if:
- a. Within 30 feet of the front property line, each portion of a structure is set back from the front property line by a distance greater than or equal to the height of that portion above the front property line; and
- b. Substantially, the entire width of this yard, from north to south property lines, is developed as a public use area; and
- c. The design of the public use area is specifically approved by the City.
- DD-13. The required front yard for any portion of the structure over 30 feet in height above average building elevation shall be 35 feet. This required front yard cannot be reduced under DD-12 above for a public use area.
- DD-14. Structure height may be increased to 40 feet above ABE if:
- a. Obstruction of views from existing development lying east of Lake Washington Boulevard is minimized; and
- b. Maximum lot coverage is 80 percent, but shall not include any structure allowed within the required front yard under the General Regulations in KZC 60.170; and
- c. Maximum building coverage is 50 percent, but shall not include any structure allowed within the required front yard under the General Regulations in KZC 60.170 or any structure below finished grade; and
- d. A waterfront area developed and open for public use shall be provided with the location and design specifically approved by the City. Public amenities shall be provided, such as nonmotorized watercraft access or a public pier. A public use easement document shall be provided to the City for the public use area, in a form acceptable to the City. The City shall require signs designating the public use area; and
- e. The required public pedestrian access trail from Lake Washington Boulevard to the shoreline shall have a trail width of at least six feet and shall have a grade separation from the access driveway; and
- f. No roof top appurtenances, including elevator shafts, roof decks or plantings, with the exception of ground cover material on the roof not to exceed four inches in height, shall be on the roof of the building or within the required view corridors.
- DD-15. The minimum dimension of any yard, other than those listed, is five feet. Any required yard, other than the front required 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 shall provide the minimum required yard.
- DD-16. 8,500 square feet if PR 8.5 zone.
- DD-17. Except for properties within 325 feet of the PLA 5C eastern boundary, then 40 feet above ABE.
- DD-18. For properties abutting PLA 5D, any portion of a building exceeding 30 feet above ABE shall be no closer than 50 feet to the easterly edge of PLA 5C.
- DD-19. Structure height may be increased to 35 feet above ABE if:
- a. The increase does not impair views of the lake from properties east of Lake Washington Boulevard; and
- b. The increase is offset by a view corridor that is superior to that required by the General Regulations.
- DD-20. 8,500 square feet if PR 8.5 zone, 5,000 square feet if PR 5.0 zone.
- DD-21. With a residential density as established on the Zoning Map. Minimum amount of lot area per dwelling unit is as follows:
- a. In PR 8.5 zones, the minimum lot area per unit is 8,500 square feet.
- b. In PR 5.0 zones, the minimum lot area per unit is 5,000 square feet.
- c. In PR 3.6 zones, the minimum lot area per unit is 3,600 square feet.
- d. In PR 2.4 and PRA 2.4 zones, the minimum lot area per unit is 2,400 square feet.
- e. In PR 1.8 and PRA 1.8 zones, the minimum lot area per unit is 1,800 square feet.

- DD-22. 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 ABE is allowed.
- DD-23. The minimum dimension of any yard, other than those listed, is five feet.
- DD-24. 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.
- DD-25. Part of the unit count allowed in Planned Area 15A may be developed in Planned Area 15B. The maximum permitted number of dwelling units on the subject property in Planned Area 15A is computed using the following formula:  
  
(The total lot area in square feet divided by 3,100) minus the unit count transferred to Planned Area 15B = the maximum permitted number of dwelling units.
- DD-26. The maximum amount of allowable floor area for nonresidential use is computed using the following formula:  
  
(The maximum number of dwelling units allowed on the subject property - the number of dwelling units proposed) x the average square footage of the dwelling units = amount of square footage available for nonresidential use.
- DD-27. The City will determine required yards, lot coverage, structure height and landscaping based on the compatibility of development with adjacent uses and the degree to which public access, use and views are provided. Also see Chapter 83 KZC for required shoreline setback.
- DD-28. Subsequent subdivision of an approved Master Plan into smaller lots is permitted; provided, that the required minimum acreage is met for the Master Plan.
- DD-29. Gross floor area shall not exceed 3,000 square feet.
- DD-30. Landward of the ordinary high water mark.
- DD-31. For school use, structure height may be increased, up to 35 feet and 40 feet in PRA zones, 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; and
  - d. The increased height will not result in a structure that is incompatible with surrounding uses or improvements.

*This special regulation is not effective within the disapproval jurisdiction of the Houghton Community Council.*

**DD-32: For that portion of the PR 1.8 zone lying between 120<sup>th</sup> Ave. NE and 124<sup>th</sup> Ave. NE, the maximum building height of a structure shall be 60 feet above average building elevation.**

Development Standards Table – Office Zones

(PO; PR 8.5; PR 5.0; PR 3.6; PR 2.4; PRA 2.4; PR 1.8; PRA 1.8; PLA 5B, PLA 5C; PLA 6B; PLA 15A; PLA 17A)

(Refer to KZC 30.20, Permitted Uses Table, to determine if a use is allowed in the zone; see also KZC 30.30, Density/Dimensions Table)

Use	Landscape Category (Chapter 95 KZC)	Sign Category (Chapter 100 KZC)	Required Parking Spaces (Chapter 105 KZC)
30.40.010 Assisted Living Facility	D	A	1.7 per independent unit. 1 per assisted living unit.
30.40.020 Boat Launch (for Nonmotorized and/or Motorized Boats)	B	B	See KZC 105.25.
30.40.030 Church	C	B	1 for every 4 people based on maximum occupancy load of any area of worship. <sup>3</sup>
30.40.040 Community Facility	C <sup>4</sup> PLA 15A: A <sup>4</sup>	B	See KZC 105.25.
30.40.050 Convalescent Center	C	B	1 for each bed.
30.40.060 Detached, Attached or Stacked Dwelling Units	D PLA 17A: D <sup>1</sup>	A	1.2 per studio unit. 1.3 per 1 bedroom unit. 1.6 per 2 bedroom unit. 1.8 per 3 or more bedroom unit. See KZC 105.20 for visitor parking requirements. PLA 17A: <sup>2</sup>

PUBLICATION SUMMARY  
ORDINANCE O-4514

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, PLANNING, AND LAND USE AND AMENDING SECTION 30.30 OF THE KIRKLAND ZONING CODE REGARDING BUILDING HEIGHT IN PORTIONS OF THE PR 1.8 ZONE AND APPROVING A SUMMARY ORDINANCE FOR PUBLICATION, FILE NO. CAM16-00218.

SECTION 1. Provides amendments related to development regulations for the PR 1.8 zone (Section 30.30) of the Kirkland Zoning Code related to building height.

SECTION 2. Provides a severability clause for the ordinance.

SECTION 3. Authorizes the publication of the ordinance by summary, which summary is approved by the City Council pursuant to Section 1.08.017 Kirkland Municipal Code and establishes the effective date as \_\_\_\_\_.

SECTION 4. Directs the City Clerk to certify and forward a complete certified copy of this ordinance to the King County Department of Assessments..

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the \_\_\_\_ day of \_\_\_\_\_, 2016.

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

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