CITY OF KIRKLAND
Planning and Community Development Department
123 Fifth Avenue, Kirkland, WA 98033 425.587-3225
www.ci.kirkland.wa.us

MEMORANDUM

To: David Ramsay, City Manager

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

Date: June 25, 2009

Subject: Proposed Annexation Area – Public Hearing #2, File No. ANN09-00001

RECOMMENDATION

Conduct second and final public hearing on the proposed zoning and Comprehensive Plan land use maps (Attachment 5) for the proposed annexation area (PAA). Council can either adopt the attached Ordinance 4196 or direct staff to make any desired changes for adoption at the July 21st Council meeting.

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 was held on June 2nd. The staff memo from that hearing is included as Attachment 1 and the complete Council packet is available online.

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 unbuilt 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. The requirements of SEPA have been satisfied.

ISSUES SINCE THE FIRST PUBLIC HEARING

The proposed maps have been amended to include the potential expansion of the PAA to incorporate one additional parcel north of Simonds Road. That parcel is developed with a condominium complex and the proposed zoning is RMA 5.0 to correspond to existing County zoning.

In addition, based on email correspondence and questions generated at recent public meetings, staff has identified the following as the key zoning issues in the PAA. Each issue is followed by staff analysis and a recommendation.

Storage Containers

Issue: At the June 2nd public hearing, a request was made to grandfather existing storage containers within the PAA. The City Council directed staff to draft appropriate regulations for consideration.

Analysis: KZC 115.138 restricts the siting of temporary storage containers (shipping containers, moving containers, etc.). The code does allow containers associated with active construction projects and for a 14 day period (e.g. – for moving). King County does not have similar restrictions.

Storage containers in the annexation area would be considered nonconforming as to City regulations at the time of annexation. KZC 162 regulates nonconformances and the City Attorney's office has advised that storage containers would be regulated under 162.35.12 (Any Other Nonconformance). This section would allow a legally established storage container to remain until:

- An alteration or change is made on the property that exceeds 50% of the replacement cost (e.g. – significant addition or redevelopment), or
- The use of the property changes.

It should be noted that neither the City nor County regulations allow storage containers to be located in setbacks or allow waiver of requirements for a building permit for those containers in excess of 120 square feet. Some examples noted in the PAA may presently be in violation of County rules on those issues and would remain in violation on annexation.

Staff Recommendation: The existing code provides a reasonable "grandfathering" of existing containers by allowing them to remain until the property owner rebuilds, undertakes significant additions, or changes to use. Therefore, no code amendment is recommended. An alternative would be to have a different set of regulations for the PAA that would allow storage containers outright.

Building Height

Issue: The City has received numerous emails (Attachment 2.a) from residents of Goat Hill (Finn Hill area adjoining the South Juanita Neighborhood) about the draft reduction in allowed building heights for single family zones. Most of the correspondence is against the reduction with one comment favoring the reduction. The County currently allows a maximum 35' building height in low density zones (with increases up to 45' in limited circumstances) and the City currently allows a maximum 30' building height.

Analysis: The correspondence raises a number of valid concerns, including the difficulty of developing homes in areas with steep slopes, small or narrow lots, and exceptional views. It also raises the concern of changing the expectations of property owners who may have planned for future development at 35'. If Council wishes to address these concerns, two options are available:

- Define a subarea for Goat Hill where the height limit would be 35'
- Retain the existing County 35' height limit throughout the PAA

The difficulty with the Goat Hill subarea option is that there are other parts of the PAA that have some or all of the same constraints as Goat Hill. Defining a specific and logical geographic boundary might also prove difficult.

In terms of precedence, it should be noted that the County heights were 5' taller than the City's at the time of the 1988 annexation and the City adopted the County height for those annexation zones.

Staff Recommendation: Maintain the County's allowed 35' building height in the low density annexation zones. Staff would recommend the height be applied consistently throughout the PAA rather than singling out Goat Hill as an exception. Allowed heights could be reconsidered on a neighborhood basis to reflect unique conditions as part of future neighborhood planning efforts in the PAA.

Chickens

Issue: Staff has received questions about the keeping of chickens in the PAA (see Attachment 2.b). The primary concern is whether to allow chickens in the PAA under the County's more liberal regulations. Existing County code allows the keeping of three chickens on lots with less than a ½ acre and has few restrictions on lots larger than ½ acre. Kirkland currently does not allow chickens (regulated as "fowl") on lots with less than 35,000 square feet and allows 20 or more (dependent on lot size) on lots with more than 35,000 square feet.

Analysis: The keeping of chickens in urban areas has grown in popularity with the sustainability movement. By way of example, chickens are allowed in the City of Seattle with restrictions similar to the County restrictions. Chickens provide benefits including natural pest control, locally produced food, and locally produced fertilizer. Issues with chickens are typically related to noise, but most homeowners would not keep roosters.

An excellent summary of chickens in urban areas can be found on the Seattle Tilth website at http://www.seattletilth.org/learn/resources-1/city-chickens/citychickensfaqs.

Staff Recommendation: Allow three chickens on lots less than 35,000 square feet in the PAA and apply current City regulations on lots more than 35,000 square feet. This change has been included in the draft ordinance for Council consideration.

Oversize Vehicles

Issue: The keeping of oversize vehicles in the PAA continues to be a frequently asked question in community meetings (See Attachment 2.c). Most of the concern comes from individuals who currently own and store oversize vehicles at their homes. One individual expressed concern that the PAA not be held to a lesser standard than the rest of Kirkland.

The County does not have any restrictions while the City prohibits keeping oversize vehicles (over 9' high and 22' long) without a permit. Based on previous direction, the draft regulations allow owners of oversize vehicles to register and retain existing vehicles. The owner can change vehicles within one year, provided the new vehicle is no larger than the registered vehicle. After one year, the "grandfathering" is limited to the registered vehicle. The draft regulations also downgrade the permit process to store an oversize vehicle from Process IIA (Hearing Examiner) to Process I (Planning Director).

Analysis: Several choices are available. The draft regulations could:

- Adopt the regulations as drafted
- Adopt the regulations as drafted but allow replacement in perpetuity
- Exempt the PAA from any restrictions

Staff Recommendation: Retain the existing draft regulations for registration and grandfathering. If the Council wishes to allow phasing out of oversize vehicles at a slower pace, staff would suggest the regulations be amended to allow existing vehicles to be replaced by new vehicles.

Attachments

1. Staff Memo from June 2, 2009 Public Hearing
2.a Correspondence - Height
2.b Correspondence – Chickens
2.c Comment form – Oversize Vehicles
3. Comparison Charts
4. Analysis of Zoning and Land Use Map Changes – Property Information
5. Ordinance 4196
6. Publication Summary

CITY OF KIRKLAND
Planning and Community Development Department
123 Fifth Avenue, Kirkland, WA 98033 425.587-3225
www.ci.kirkland.wa.us

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 7th.

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 2nd and the second public hearing is scheduled for July 7th.

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 unbuilt 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 132nd Street and east on 100th 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 19th, 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 124th Street)

- Existing County Industrial (I) zones do not correspond to adjoining City zoning on the south side of 124th. Staff recommends continuing existing City zoning to the east, resulting in TL 6A (commercial rather than industrial) adjoining 124th 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 124th Street (TL 7)

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

<u>Use Zone Charts</u>

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 132nd Street and east on 100th 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 19th.

- 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 124th)

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

E. Industrial Use Zone Charts (north of NE 124th 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

ROBERT W. VILLAREALE
ATTORNEY AT LAW (Ret.)

11842 - 89th PLACE N.E.
KIRKLAND, WA 98034

JUANITA BEACH JUNCTION

TELEPHONE
(425) 823-1198

RECEIVED
JUN 11 2009
CITY OF KIRKLAND
CITY MANAGER'S OFFICE

Jeremy - will put in July 7th packet.

June 11, 2009

Kirkland City Council
and Planning and Community Development
123 - 5th Avenue
Kirkland, WA 98033

To: Mayor: James L. Lauinger
Deputy Mayor: Joan McBride
Council Members: Dave Asher, Mary-Alyce Burleigh, Jessica Greenway, Tom Hodgson and Bob Sternoff
Planning and Community Development: Jeremy McMahon, Planning Specialist

Re: Proposed Change to Zoning and Building Requirements for PAA (Specifically the Goat Hill Neighborhood)

Dear Mayor, Deputy Mayor, Council Members and Mr. McMahon

I am a member of the Goat Hill Community and have lived here since 1972. Over the years, we have had to deal many issues involving noise and dust from new construction, substandard roads, traffic safety and the like. But we have always loved this neighborhood for its uniqueness, as a rural community with its spectacular views of Lake Washington, Mt. Rainier and the North Cascades.

Like many neighbors, I have attended several community meetings at Finn Hill Junior High and at City Hall. In conversations with your planners, a major topic of conversation was the application of the Kirkland Zoning Code to Goat Hill. Along with of some of my neighbors, we were consistently advised time and time again that the current height limitation of 35 feet for single family residences would be retained and would remain unchanged. I was further told that it would not be fair or even a good idea to lower the height limitation from 35′ to 30′ because many existing three story homes would then be in violation of your zoning code. Those homes, we are now told, would only be allowed to remain as an exception in perpetuity to the zoning code as a non-conforming use.

The price of annexation is too high, when it results in the Goat Hill Community being punished and unfairly treated as second class residents. As an attorney with some experience in land use law, I

know that a non-conforming use is not favored in the law, because it amounts to spot zoning. I also know that it is the long term intent of any local governmental body to abate or otherwise phase out a non-conforming use a soon as possible. Non-conforming uses cannot be expanded by way of a major remodel, addition or alteration.

I think that we have been less vocal and less vigilant than we should have been on this issue, because we continued to assume that height limitation was not an issue in the proposed annexation of Goat Hill, as previously represented by knowledgeable city employees. However, upon my recent review of Kirkland's Annexation Study on your website, I discovered that the Planning and Community Department has changed its position and is now proposing that the height restriction for single family homes on Goat Hill be reduced from 35' as currently permitted under the King County Zoning Code to 30' as currently allowed under the Kirkland Zoning Code. None of the neighbors that I have spoken to within the last day or so were aware of this proposed zoning code change.

To paraphrase the contents of a recent telephone conversation with Jeremy McMahon (06/08/09), I was made to understand that at a recent public meeting, this proposed height limitation change received a tepid response from some homeowners within the PAA, with some in favor and some opposed. He was unclear whether any of these individuals actually resided on Goat Hill. Because it did not appear to be a major issue, it was decided by the Mr. McMahon's Department that Kirkland's 30' height limitation should apply in general to the PAA.

When it comes to preserving and protecting the views from our homes on Goat Hill, I can assure you that this proposal is a major issue for my neighbors and me. Without speaking for my neighbors, although many have told me that they are in agreement with me, my wife and I will vote <u>NO</u> on this annexation as currently proposed.

I note in passing that it has always been the intent of the city council to preserve and protect the uniqueness and individuality of each community within the PAA. Moreover, the video of the council's Regular Meeting for June 2, 2009 recorded such affirmation in a discussion dealing with annexation issues.

The Goat Hill Community, with its small wooded lots, narrow winding roads, steep grades and hillsides, and its original 25'wide campsite lots" makes for a rural setting with breathtaking views. Goat Hill has been transformed from a dwindling number of 1940-1950 style homes into a community of impressive three story homes with peaked roofs and large picture windows. These homes, for the most part, have been architecturally designed to take maximum advantage of the views of Lake Washington, Mt. Rainier and the North Cascades.

The current proposed height limitation violates the council's principal desire and intent of maintaining the uniqueness of each community within the PAA. This simplistic proposal also makes no sense, since there is no compelling reason to apply it Goat Hill, where the views are large and expansive. For the most part, there are no view blockage issues, because Goat Hill's 20% plus grades and slopes by nature preserve and protect the view corridors of one home over the other. It only makes limited sense in its application to neighborhoods that a relatively flat and have no hillside views.

The uniqueness of Goat Hill Community should not be sacrificed in the name of administrative uniformity and blind compliance with the provisions of the Kirkland Zoning Code. Instead of simplicity and uniformity, such proposal will have the opposite effect. The net result will be to make many existing three story residences non-conforming, which, in turn, will adversely affect the resale value of these homes. In my experience, a prospective buyer of a home subject to a non-conforming use exception in a zoning code would be hesitant to purchase that home because such non-conforming use would prohibit any future additions and modifications to the structure that violate your proposed height limitation. This non-conforming use would also be noted as an exception in the issuance of any Policy of Title Insurance. Finally, because of this non-conforming use designation, a lender will also have reservations about making a loan to purchase a three story home in the first instance or even with regard to a homeowner needing to refinance a home mortgage. Since this non-conforming use designation is not of our making, we should not be made to suffer from its unintended legal or adverse financial consequences.

Goat Hill was platted in the 1930's and has a long history, separate and apart from the development of the City of Kirkland. It is not enough to simply provide that such non-conforming use will be allowed and tolerated in perpetuity, unless certain thresholds are triggered such as site redevelopment, a major remodel or planned addition. Your zoning code should not be used in such a way, which, from the outset, would restrict our right to maximize our views and utilize increased square footage in accordance with the current King County Code. Application of this new height restriction will lead to community resentment and an endless number of disputes and possible litigation, pitting us against the city concerning the nature and extent of future additions and alterations that would be allowed. Your zoning code will further complicate matters, because owners of property on Goat Hill will undoubtedly seek further redress through the variance process in order to mitigate their potential financial losses. Your zoning code could become a nightmare.

This proposed zoning change will also severely affect the development of many vacant lots, which are 50'or less in width. Many buildable lots will be nearly impossible to develop, because no one will be able to create enough square footage in a two story

structure to make development economically feasible. Our only other option under the Kirkland Zoning Code would be to construct a three story home, which would somehow meet your average grade requirements and/or to build a home with a flat roof, which is not attractive and not a good idea in a wooded setting in the Pacific Northwest. Leaving the height limitation unchanged is a win-win situation. The city would get increased property tax revenues and we would be able to develop these small view lots in way that makes economic sense.

My particular situation, which would be adversely impacted by this proposal is not unusual or uncommon with reference to many of my long time neighbors, who are similarly situated. My wife and I are retired. We look forward one day to selling our three story view home and downsizing by tearing down a much smaller rental home located on an adjacent parcel. We hope to build a three story 2500 square foot home on this lot. The rental home is just a small older two story home with 1200 square feet of living space. Under your proposed zoning change, we would not be allowed to rebuild this home with sufficient square footage to meet our needs due the small size of this lot.

We also participated in the very expensive development of an eight lot tract, which involved clearing and grading and bringing underground utilities to each lot in accordance with the King County Code and the Northshore Utility District. These eight lots are sloped and each have great views of Lake Washington and the North Cascades and Mt. Rainier. The covenants further provide for maintaining stepped up view corridors of one house over the other or between such other house in this tract. It also sets forth guidelines for quality construction of custom three story homes with no flat roofs being allowed or permitted. A quality upscale home was a very important consideration in the development of this tract. To date, two large custom three story homes have already been built by Legendary Homes and listed for sale. Another owner of a vacant lot in this tract has a King County building permit in hand, and is ready to build when the economy turns around. Likewise two other lots in this tract have been sold and the purchasers are also waiting for the housing market to bottom out. I still have an ownership interest in several lots which remain unsold, but which are currently listed for sale. Again, these covenants require that large quality three story homes with peaked roofs be built on these lots in order to maximize the hillside views. Anything less will violate the covenants and create financial hardships for me and the other existing owners and future purchasers.

In short, the height limitation of 35′ in the King County Code should be retained and maintained due the uniqueness of this sloping hillside community. We do not want it reduced to 30′ because it is violative of the council's own intent to preserve the uniqueness of this community; it will cause financial hardship to me and my neighbors; it will cloud title; it is violative of

existing covenants; it will denigrate our ability to maximize the extraordinary views afforded this hillside community, and finally there is no compelling reason to do so other than for consistency and uniformity. We do not want to be treated as second class residents of Kirkland.

Sincerely yours,

Robert W. Villareale

Robert W. Villareale

From: Jorge Reyes
Sent: Saturday, June 13, 2009 8:33 AM
To: 'jmcmahan@ci.kirkand.wa.us'
Subject: annexation height limit

Dear Mr. McMahan

I am opposed to the height restriction of 30” on single family homes for Goat Hill, given that it will adversely affect our the development of our neighborhood.

Thank you

Jorge Reyes
11858 89th pl ne
Kirkland, WA 98034

From: shirlker@hotmail.com
To: jmcmahan@ci.kirkland.wa.usa
Subject: height restriction goat hill
Date: Thu, 11 Jun 2009 09:30:11 -0700

Mr. McMahan,
I am very much opposed to changing the height restrictions on goat hill. I have owned a lot up there for several years, I bought it in 1976 and have worked for th e past couple of years with an architect to design a house for those lots. I have spent several thousands of dollars each year to get the design perfect, because of the economy I have had to put this project on hold till the economy improves. This is a dream home of mine after living in Kirkland on finn hill for 38 years and raising 4 children as a single mom working as a Registered Nurse. If you change the height my plans will be worthless and several thousand dollars will be lost to me, I will never be able to build that house and stay in Kirkland. Please think of the impact of what you are doing and what your reasoning is as I feel this is very unfair to me. I had my lot when there were only a few houses on the hill and have waited all these years to build so please reconsider what you are proposing...

Shirley Molitor
425 830 3069

From: Laura Zann
Sent: Friday, June 12, 2009 2:10 PM
To: 'jmcmahan@ci.kirkand.wa.us'
Cc: 'Scott Miller'; 'r.vill@verizon.net'
Subject: against 30' height restriction on Goat Hill

Mr. McMahan-

It has been brought to my attention that the City of Kirkland, in its annexation efforts, is planning to restrict the building height limit on Goat Hill to 30 feet, 5 feet shorter than that allowed now under the guidelines established by King County. My family has lived on Goat Hill for over a decade and we love the unique character of this neighborhood. We built our current house ten years ago, using an architect that adapted his signature style to a spectacular view site. Working with 5 feet less in height at that time would have severely limited our square footage and/or dramatically changed the home's aesthetics. We have purchased property next door with the vision of someday building on those lots. It scares me to think that an arbitrary political decision on the city's part may affect design considerations in the future. Is there a good reason behind the change? Why/how would it benefit anyone? I can only think of several ways in which such a change would be detrimental to property owners on the hill, driving down values in an already collapsing home market. I could go on in detail, but at this point I thought it best to at least voice my *vehement* opposition to such a measure.

I understand you may be meeting with one of my neighbors, Scott Miller, to walk the hill and talk about this. I would love to be part of that too.

I can be reached on my cell at 206-790-4663

It's a good life!

Warmly,

Eric Zann and the Zann family
8907 NE 117th Place
Kirkland WA 98034

From: Robert W. Villareale [mailto:r.vill@verizon.net]
Sent: Thursday, June 11, 2009 5:14 PM
To: jmcmahan@ci.kirkland.wa.us
Subject: Reduction of height limitation o 30'

Dear Mr. McMahan,

I dropped off my response to the Planning Department's proposal to reduce the current King County Code height restriction from 35' to 30'. I apologize for the misspelling of your name. I used to have a secretary who would take of such things.

From tone of the responses you have received from just a few of my neighbors, (more are on the way) you can see that we are very upset about this height limitation reduction and will vote no on annexation if it is not restored to 35'. You can contact me, if you like by phone or email at (425)823-1198) and r.vill@verizon.net. Thanks, Bob Villareale

RE: The Kirkland City Planning Dept Zoning Code Mandate for Goat Hill Annexation

Mr. McMahan -

I am writing in response to the proposed plan to impose 30' height restrictions on our upper Juanita/Goat Hill neighborhood as a part of annexation. In short, I vehemently oppose this capricious violation of our property rights and I favor being left alone along with our current 35' height restriction.

Given the opportunity, I would choose to remain unincorporated King county rather than trade my property investment value for status as part of the City of Kirkland. What value will annexation bring to me from a governing entity that neither understands nor cares to research my housing situation? How am I to respect a "Planning" Department that blindly rules out of hand to overlay a given set of rules on two disparate environments? The hilly relief and small campsite sized lots in the Juanita Beach Camps (Goat Hill) area are a different paradigm
than general Kirkland area and should be addressed as such.

My wife and I have enjoyed our many years on "the hill" and now, as we age and plan to sell our property in favor of something with fewer steps, we have this annexation/proposal looming before us. Our home is one of the few remaining original, quaint (read: old technology) cottages on Goat Hill. The current structure (on two small lots) and contiguous property (2 more small lots) will sell best to a contractor who can build higher and regain the view we once had years ago.

Since even before my 27 years in the Goat Hill community, there has been a shared appreciation among our residents for the uniqueness of our area. Juanita's Goat Hill is a place that, from its inception, has existed to furnish escape and shelter from the pressure of the city life style and mentality. A place where those who care to live (...and
think) apart from the masses are welcomed and accepted. Goat Hill has always been a place in the country that is just a few yards from the city.

You ask us to join Kirkland but, first, check our quality of life at the door...and I say, "No thank you".

Regards,
Glen Decker
27 year Goat Hill resident

From: Wudcarver2@aol.com [mailto:Wudcarver2@aol.com]
Sent: Thursday, June 11, 2009 4:05 PM
To: Jeremy McMahan
Subject: Height Restriction on Goat Hill

As owner of property at 8802 N E 117th Place, Kirkland, Goat Hill, I demand the current King County code height of dwellings on Goat Hill remain unchanged at 35 feet. Patricia A.Donlin

Mr. McMahan,

I'm writing to express my opposition to the proposed adoption of the City of Kirkland's height restriction code of thirty feet (30') in planned annexation areas of north Juanita. As a resident on Goat Hill, I believe such a height restriction will have an adverse effect on existing homes in the area as well as preventing the best use of currently vacant lots. The current 35' height limit allows for the development of 3-story homes with pitched roofs; the proposed changes will not allow for the same. The current King County height restriction of 35' should be maintained in our area. Therefore I must express my opposition to the proposed adoption of a 30' height restriction in the Goat Hill area of Juanita.

Sincerely,
Jared Hertzler

11861 89th Pl
Kirkland, WA 98034

Mr. Jeremy McMahan
Planning Supervisor
City of Kirkland

RE: Planned Annexation of Upper Juanita including Goat HIll

Mr. McMahan,

I urge you to retain the current King County Code for 35 foot height restrictions for Goat Hill. Changing the current code to thirty feet is not appropriate from my point of view. I suggest you drive to my residence on Goat Hill so that I may have the opportunity to give you a walking neighborhood tour and to explain my position. You will see first hand why in the case of Goat Hill it makes perfect logic to leave the current King County standard unchanged.

I have been a resident of King County since 1954, and property owner on Goat Hill since 1982. I own two legal building lots: one which includes the home in which I live, and another adjacent property on which I intend to build my retirement home. Both properties have sewer provided by Northshore Utility District.

A year ago I visited the Kirkland Planning department and was flatly assured that Kirkland had "no plans" to lower the height restrictions from the King County standard of 35 feet to the Kirkland standard of thirty feet " because it would create a non-conforming conditions for existing homes." At that time I felt assured. Because of this I didn't pay as close attention as I should have. I now feel deceived.

I am shocked to understand that your department is now recommending the change to thirty feet. If that is the case, I am vehemently opposed to that condition and will do everything in my power to maintain the current King County standard. I urge you to recommend maintaining the current thirty five foot standard in your proposal to the City.

1) Goat Hill has great views that give it unique property values and neighborhood identity.
2) I have homes built in front of my view building lot that were constructed with the 35 foot height restriction. If I am forced to conform to a different standard with my additional piece of property: I find that an unfair disadvantage, a condition which will seriously lower the view value of my property, and it's value within the Goat Hill market niche.
3) To create a non-conforming condition of existing homes causes problems, something Kirkland Planning acknowledged to me a year ago.

I look forward to meeting with you and discussing this in person. I have lived here for twenty seven years, please do not change the rules on me at this point in the game. Our economy has taken a large hit. Please do not compound the problem at this time.

Sincerely,

Scott MIller
11818 89th PL NE
Kirkland, WA 98034
206-650-1191

p.s. Please give me a call.

Dear Mr. McMahon: I am in favor of the 30-foot proposed height restriction for upper Juanita if annexed, as long as it includes the area below Goat Hill (Juanita Drive and immediate vicinity). I have been so alarmed by the current rate of growth that we have opted to live elsewhere. I am, however, still a property owner on Goat Hill. Please do whatever is necessary to prevent future monstrosities such as the one under construction between Juanita Drive and the water near 93rd. Thank you. Denise Gamboa 9002 NE 116th Place Kirkland 98034 360-403-1974

From: Countryhouse [mailto:mielonen@nwlink.com]
Sent: Monday, June 22, 2009 8:49 PM
To: Jeremy McMahan
Subject: King County Code height restriction

Dear Mr. McMahan,

We've recently moved into the Goat Hill neighborhood and have been made aware that the City of Kirkland is proposing the City in its planned annexation of upper Juanita, adopt the current zoning code requirement that all single family residents be limited to thirty (30') feet in height as opposed to the current King County Building Code, which provides for a height restriction of thirty five (35') feet. We feel that this change in zoning will significantly reduce the value of our property as well as adversely affect our ability to remodel. When we bought this house we were aware of several small issues which need correcting. It is our intention to correct the things we don't like within the next 5 years. The corrections will involve a significant remodeling project. We would be outraged and not hesitate to seek legal counsel to help defend our position should we not be able to realize our dream to build the home we always wanted and thought we just made a significant step towards with the current house. Limiting us to 30 feet would effectively stop us from any significant remodel or improvements. If we are forced to ask for variances and to put the City of Kirkland and us through hearings and lengthy and expensive paperwork, everybody would lose (mostly us). We intend to stand with our neighbors and strongly oppose any change in the height restriction or any other zoning laws which would negatively affect our property. Please hear our concerns and report to the city counsel our, and our neighbors strong opposition to this change. Please allow the height restriction on Goat Hill to remain unchanged from the 35 foot limit.

Sincerly,

Greg and Mary Herlin
11870 89th PL NE
Kirkland, WA 98034
email: mielonen@nwlink.com

From: Traudl Foster [mailto:traudi.foster@gmail.com]
Sent: Tuesday, June 23, 2009 9:49 AM
To: Jeremy McMahan
Subject: annexation question

Hi Jeremy

We spoke yesterday on the phone regarding my concern with the current Kirkland City chicken zoning laws. You urged me to send an email and here it is.
I hope it helps, this is of great importance to many of us.
thank you
Traudl Foster

I am writing to you in regards to the Kirkland City poultry and fowl zoning restrictions as stated in your Annexation Study 2009.

The lot sizes in King County vary greatly and many home owners have lots that are less than 20,000 square feet. Even so, we love our gardens, grow fruits and vegetables, make our own compost and fill our yards with flowers and flowering shrubs to attract birds and bees. We love the environment, watch our carbon footprint and are diligent in our efforts to be green and maintain a connection to local food sources.

Since it is not feasible for many of us to keep most farm animals the next logical step is to have a couple of chickens. Chickens are low impact in any size garden, they will eat bugs and slugs, provide just the right amount of fertilizer and most of all, will give you the best addition to your Sunday morning breakfast. Along with teaching your children and grandchildren the connection of food to table there is never any question as to the safety of the eggs, how far they have traveled and how long they have been on the shelf.

Because there is a healthy population of opossums, raccoons, dogs and cats in King County we know to house our chickens in predator safe enclosures.

If the Council is interested in learning more about the benefits of raising chickens in an urban environment, it would be a great idea to go on the annual Seattle Tilth City Chicken Tour which this year is on July 11. 2009. You will see the large variety of Chicken coops and runs, the craftsmanship of the builders and the love gardeners have for their birds. You can speak to the home owners and find out first hand the joys and rewards of keeping chickens in an urban environment.

Both the City of Seattle and King County zoning laws allow up to three chickens in any size lot.
I hope that you will reconsider you zoning requirements regarding lot size and raising small fowl and urge you to adopt the rules that are currently in place for Seattle City and King County home owners.

Thank you very much
Traudl Foster

6/23

Comment Card

THE CITY OF KIRKLAND

Did you find this meeting informative? ☑ Yes ☐ No

My question(s) about annexation:

I object to mandated trash service & oversize vehicle regs. Many who live in PAA like King County regs. This area is not like Kirkland. I don't want to ask permission to do something I already do. There is no reason you can't have a permanent variance for PAA same as County regs.

Contact Information

Name: Ian McHutchison E-mail (Optional):

Address: 8019 NE 128th Kirkland 98034

Copy to Jeremy

City of Kirkland, 123 5th Ave, Kirkland, WA 98033 • (425) 587-3001 • www.ci.kirkland.wa.us/annexation

6/25

Jeremy

FYI

Marie

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

USE:	**KING COUNTY**	**KIRKLAND**	**DRAFT ZONING**
Single Family dwelling units	P	P	**P**
Accessory Dwelling Units	P	P	**P**
Attached & Stacked Dwelling Units	P	NP	**NP**
Cottage Housing[1]	P (conditional use, NP in R-1 zone)	P (zoning permit required. NP in RSX 35)	**P** (zoning permit required)
Limited Retail	C	NP	**NP**
Home Occupation (accessory to residence)[2]	P	P	**P**
Day Care (accessory to residence), less than 12 attendees	P	P	**P**
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)	**C** (subject to Kirkland's location and permitting requirements)

[1] Subject to specific design and siting standards in County and City regulations
[2] 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

USE:	**KING COUNTY**	**KIRKLAND**	**DRAFT ZONING**
Single Family dwelling units	P	P	**P**
Attached & Stacked Dwelling Units	P	P (stacked not allowed in RM 5.0)	**P** (stacked not allowed in RMA 5.0)
Assisted Living	P	P	**P**
Limited Retail	C	C	**C**
Home Occupation (accessory to residence)[3]	P	P	**P**
Day Care (accessory to residence), less than 12 attendees	P	P	**P**
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)	**P** (subject to Kirkland's location and permitting requirements)

[3] 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

USE:	**KING COUNTY**	**KIRKLAND**	**DRAFT ZONING**
Office	P	P	**P**
Single Family dwelling units	NP	P	**P**
Attached & Stacked Dwelling Units	P (only as part of mixed use development)	P	**P**
Assisted Living	P (only as part of mixed use development)	P	**P**
Convalescent Center/Nursing Home	NP	C	**C**
Theater	P	NP	**NP**
Restaurants	P	C	**C**
Limited Service Retail	C	C	**C**
Self Service Storage	P	NP	**NP**
Equipment Rental	P	NP	**NP**
Veterinary Clinic	NP	P	**P**
Day Care (accessory to residence), less than 12 attendees	P	P	**P**
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)	**P** (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

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

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

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

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

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

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 reminder 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	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) Livestock (horses, cows...): -Minimum 20,000 sq. ft. lot (without a permit)	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 Livestock (horses, cows...): -Minimum 35,000 sq. ft. lot (without a permit)	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[1]	Allowed (special regs. for Holmes Point Overlay)	Allows removal of up to 2 significant[2] 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[3]	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

[1] Both City & County allow hazardous trees to be removed anywhere on the property and prohibit tree removal in greenbelts, wetlands, streams & hillside areas.
[2] 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.
[3] 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
North & South Finn Hill NB Zone	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)
Juanita CB Zone	35' (limited by NS P5 suffix)	BCX: 30', may be increased through Process IIA	35' (BC 1), no increases
Kingsgate CB Zone	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
Kingsgate and Juanita CB Zones	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

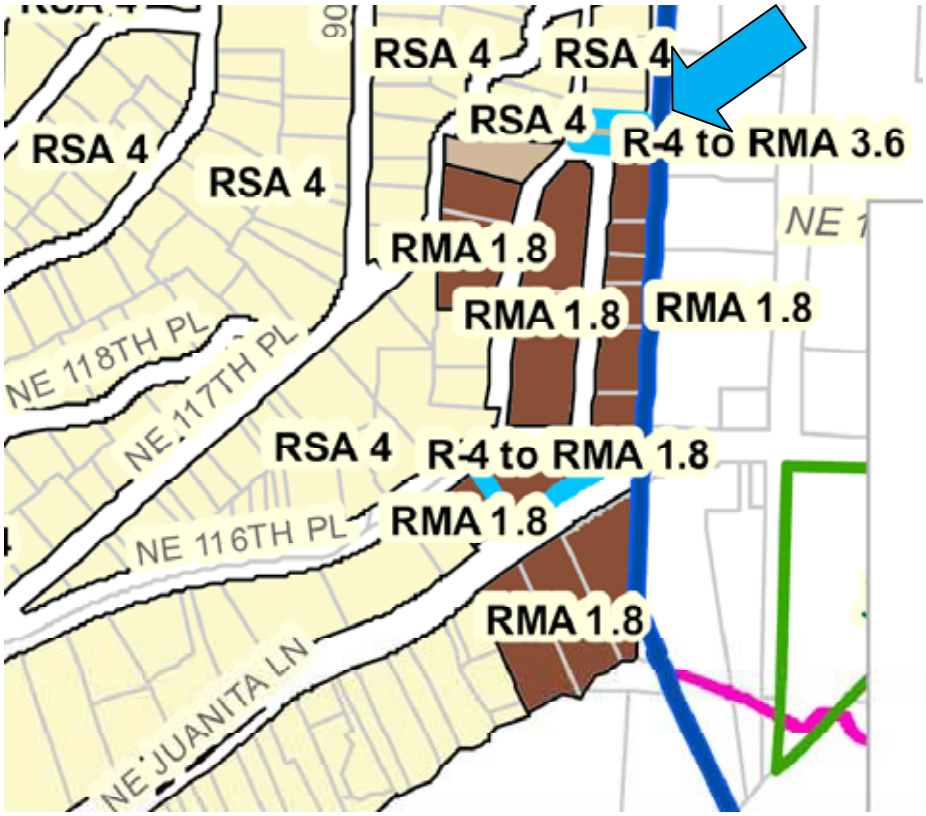
ID #1		
	Neighborhood:	Finn Hill
	PIN:	3754500045
	KC Zoning Designation:	R-4
	KC Land Use Map Designation:	Urban Residential Medium, 4-12 units/acre
	Proposed Kirkland Zoning Designation:	RMA 3.6
	Proposed Kirkland Land Use Map Designation:	Medium Density Residential, 12 units/acre
	Reason for change:	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	JUANITA BEACH CAMPS ADD	Water system	WATER DISTRICT
Property type	R - RESIDENTIAL	Plat block	1	Sewer system	NONE OR UNKNOWN
Present use	Duplex	Plat lot	9-10	Access	PUBLIC
Lot area	5,500 sq. ft. (0.13 acres)	Q-S-T-R	SW-30-26-5	Street surface	GRAVEL

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



ANALYSIS OF PROPOSED CHANGES TO ZONING OR LAND USE MAPS

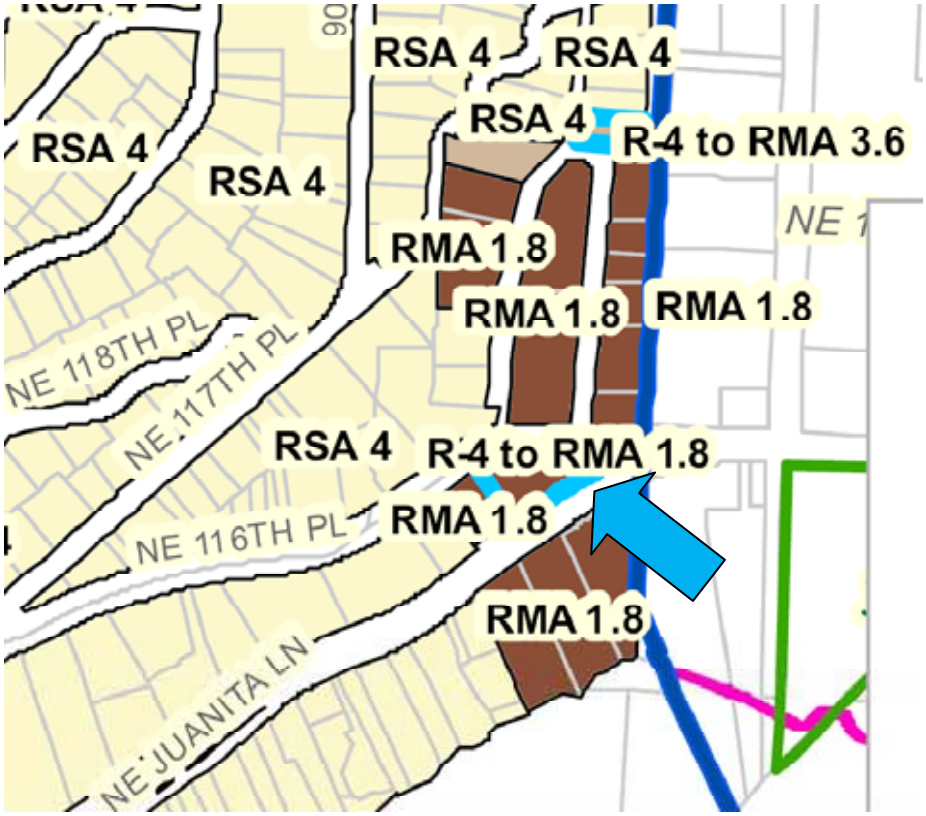
ID #2		
	Neighborhood:	Finn Hill
	PIN:	3760500535
	KC Zoning Designation:	R-4
	KC Land Use Map Designation:	Urban Residential Medium, 4-12 units/acre
	Proposed Kirkland Zoning Designation:	RMA 1.8
	Proposed Kirkland Land Use Map Designation:	High Density Residential, 24 units/acre
	Reason for change:	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	Water system	WATER DISTRICT
Property type	R - RESIDENTIAL	Plat block		Sewer system	PUBLIC
Present use	Single Family(Res Use/Zone)	Plat lot	86	Access	PUBLIC
Lot area	14,209 sq. ft. (0.33 acres)	Q-S-T-R	SW-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

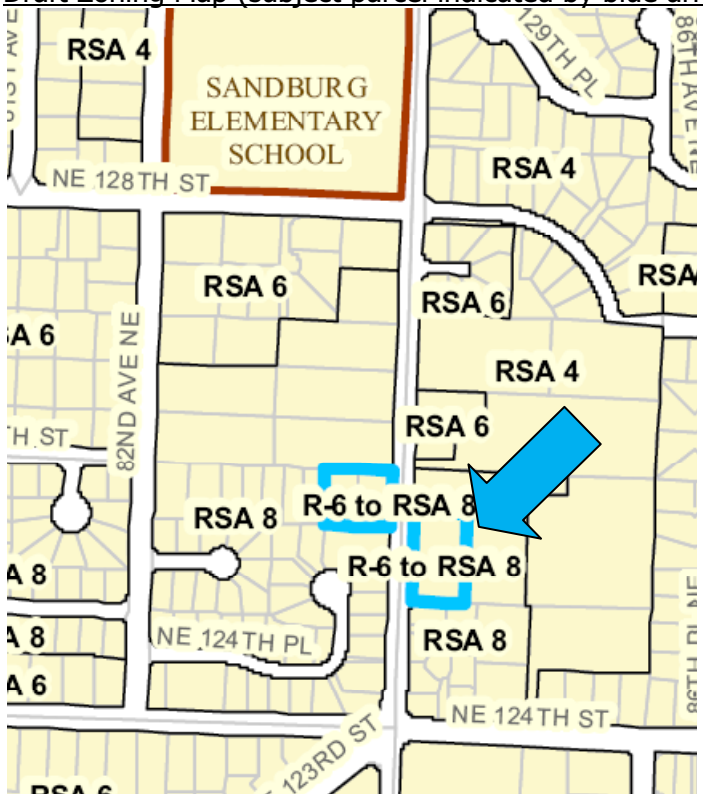
ID #3		
	Neighborhood:	Finn Hill
	PIN:	3026059008
	KC Zoning Designation:	R-6
	KC Land Use Map Designation:	Urban Residential Medium, 4-12 units/acre
	Proposed Kirkland Zoning Designation:	RSA 8
	Proposed Kirkland Land Use Map Designation:	Low Density Residential, 8 units/acre
	Reason for change:	Property 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

ID #4		
	Neighborhood:	Finn Hill
	PIN:	3840700480, 3840700481
	KC Zoning Designation:	R-6
	KC Land Use Map Designation:	Urban Residential Medium, 4-12 units/acre
	Proposed Kirkland Zoning Designation:	RSA 8
	Proposed Kirkland Land Use Map Designation:	Low Density Residential, 8 units/acre
	Reason for change:	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

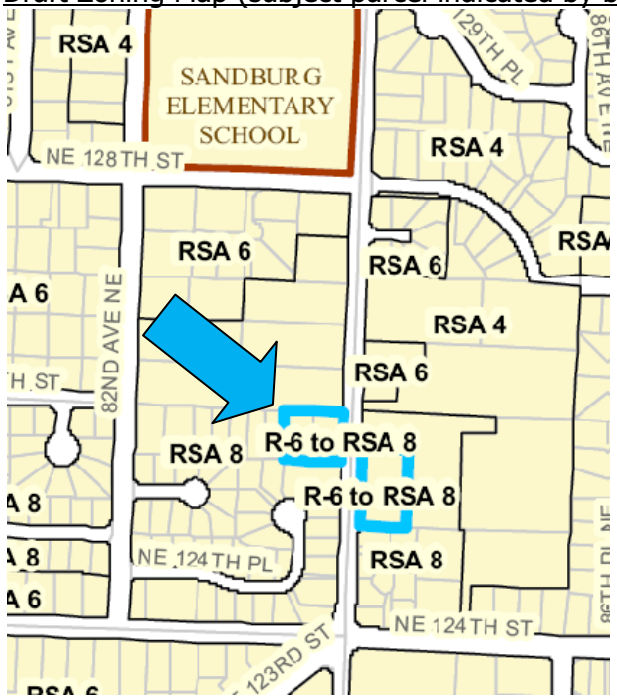
Property name		Plat name	KERRS LAKE WASH ONE ACRE TRACTS	Water system	WATER DISTRICT
Property type	R - RESIDENTIAL	Plat block	9	Sewer system	PUBLIC
Present use	Single Family(Res Use/Zone)	Plat lot	6-7	Access	PUBLIC
Lot area	12,325 sq. ft. (0.28 acres)	Q-S-T-R	NE-25-26-4	Street surface	PAVED

KC Assessor's Information PIN 3840700481:

Parcel description

Property name		Plat name	KERRS LAKE WASH ONE ACRE TRACTS	Water system	WATER DISTRICT
Property type	R - RESIDENTIAL	Plat block	9	Sewer system	PRIVATE
Present use	Single Family(Res Use/Zone)	Plat lot	6-7	Access	PRIVATE
Lot area	12,325 sq. ft. (0.28 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

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

KC Assessor's Information PIN 3840700747:

Parcel description

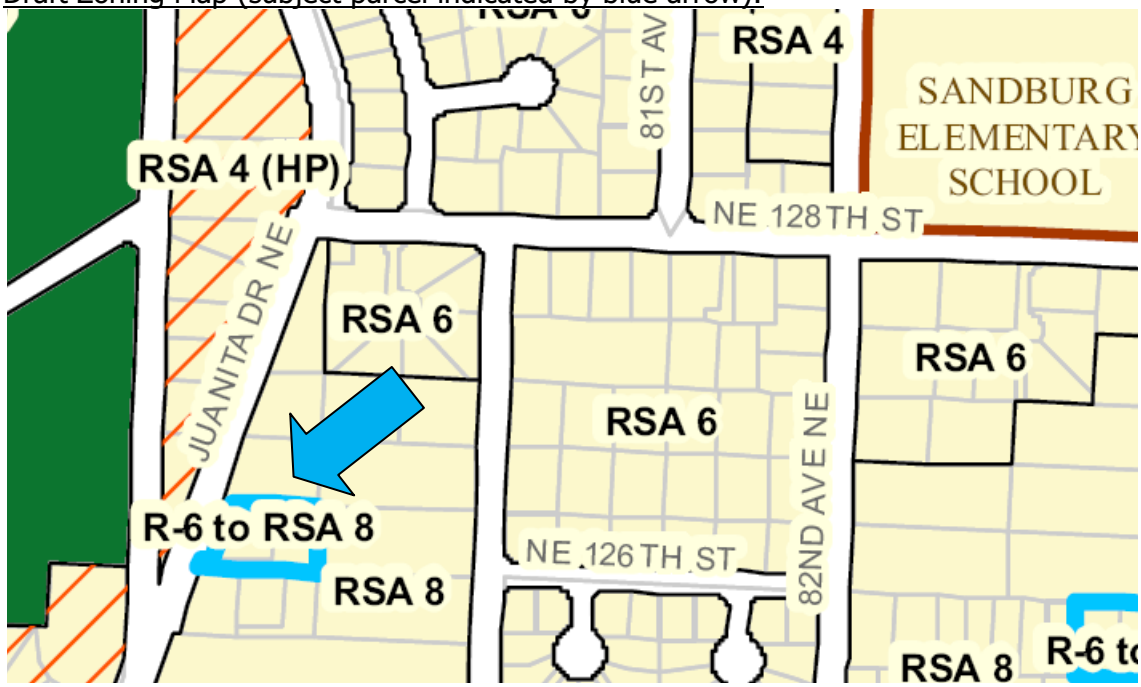
Property name		Plat name	KERRS LAKE WASH ONE ACRE TRACTS	Water system	WATER DISTRICT
Property type	R - RESIDENTIAL	Plat block	14	Sewer system	PUBLIC
Present use	Single Family(Res Use/Zone)	Plat lot	5	Access	PUBLIC
Lot area	10,666 sq. ft. (0.24 acres)	Q-S-T-R	NE-25-26-4	Street surface	PAVED

KC Assessor's Information PIN 3840700746:

Parcel description

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

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

KC Assessor's Information PIN 2426049058:

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	38,760 sq. ft. (0.89 acres)	Q-S-T-R	NE-24-26-4	Street surface	PAVED

KC Assessor's Information PIN 2426049057:

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	7,375 sq. ft. (0.17 acres)	Q-S-T-R	NE-24-26-4	Street surface	PAVED

KC Assessor's Information PIN 3211200470:

Parcel description

Property name		Plat name	HEATHER GLEN	Water system	WATER DISTRICT
Property type	R - RESIDENTIAL	Plat block	2	Sewer system	PUBLIC
Present use	Single Family(Res Use/Zone)	Plat lot	19	Access	PUBLIC
Lot area	9,600 sq. ft. (0.22 acres)	Q-S-T-R	NE-24-26-4	Street surface	PAVED

KC Assessor's Information PIN 2426049177:

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	7,378 sq. ft. (0.17 acres)	Q-S-T-R	NE-24-26-4	Street surface	PAVED

KC Assessor's Information PIN 2426049175:

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

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

ID #7		
	Neighborhood:	Finn Hill
	PIN:	6076500060
	KC Zoning Designation:	R-18
	KC Land Use Map Designation:	Neighborhood Business Center
	Proposed Kirkland Zoning Designation:	BNA
	Proposed Kirkland Land Use Map Designation:	Commercial
	Reason for change:	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

ID #8		
	Neighborhood:	Finn Hill
	PIN:	7504490000
	KC Zoning Designation:	R-8
	KC Land Use Map Designation:	Urban Residential Medium, 4-12 units/acre
	Proposed Kirkland Zoning Designation:	RMA 1.8
	Proposed Kirkland Land Use Map Designation:	High Density Residential, 24 units/acre
	Reason for change:	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	PUBLIC
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

ID #9		
	Neighborhood:	Finn Hill
	PIN:	7796530000
	KC Zoning Designation:	R-4
	KC Land Use Map Designation:	Urban Residential Medium, 4-12 units/acre
	Proposed Kirkland Zoning Designation:	RMA 5.0
	Proposed Kirkland Land Use Map Designation:	Medium Density Residential, 9 units/acre
	Reason for change:	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:

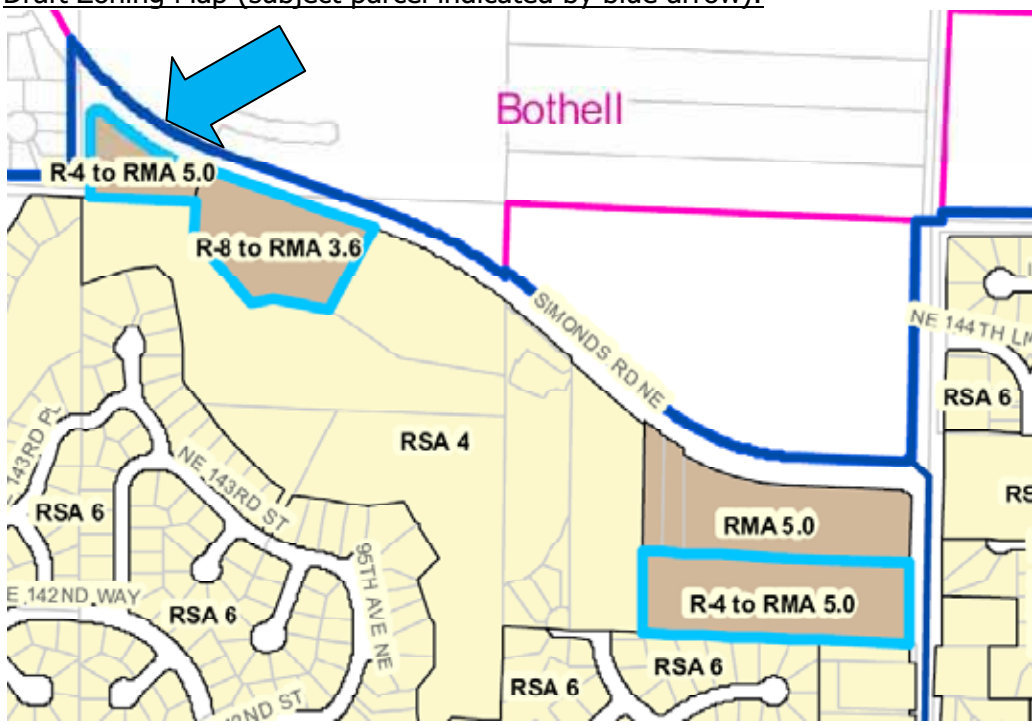
Parcel description

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

Condominium complex description

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

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



ANALYSIS OF PROPOSED CHANGES TO ZONING OR LAND USE MAPS

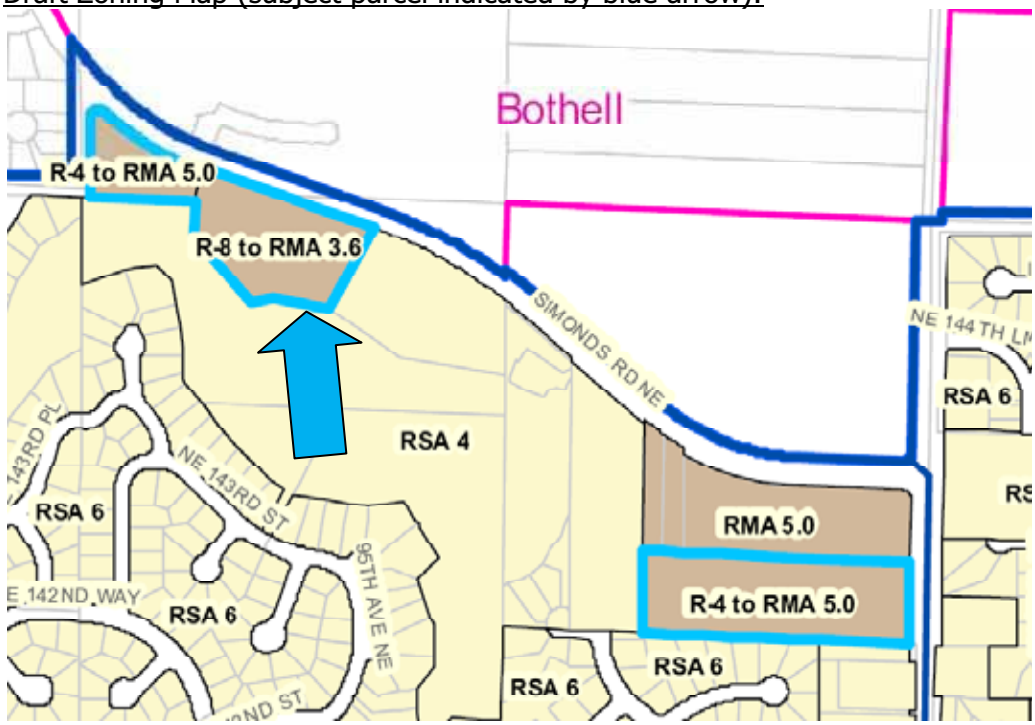
ID #10		
	Neighborhood:	Finn Hill
	PIN:	1926059204
	KC Zoning Designation:	R-8
	KC Land Use Map Designation:	Urban Residential Medium, 4-12 units/acre
	Proposed Kirkland Zoning Designation:	RMA 3.6
	Proposed Kirkland Land Use Map Designation:	Medium Density Residential, 12 units/acre
	Reason for change:	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

ID #11		
	Neighborhood:	Finn Hill
	PIN:	5089680000
	KC Zoning Designation:	R-4
	KC Land Use Map Designation:	Urban Residential Medium, 4-12 units/acre
	Proposed Kirkland Zoning Designation:	RMA 5.0
	Proposed Kirkland Land Use Map Designation:	Medium Density Residential, 9 units/acre
	Reason for change:	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:

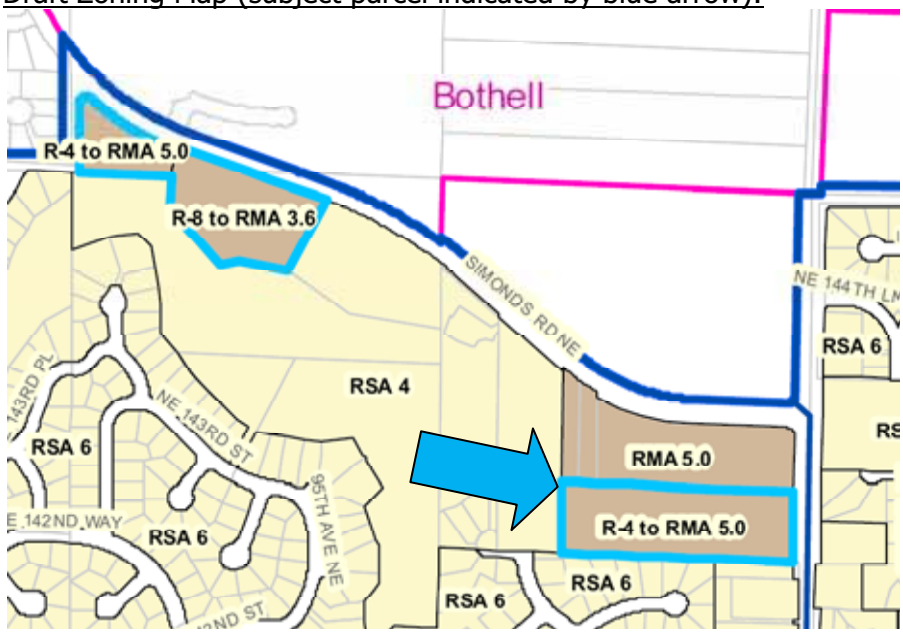
Parcel description

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

ID #12		
	Neighborhood:	Finn Hill
	PIN:	1926059126, 1926059058
	KC Zoning Designation:	R-6
	KC Land Use Map Designation:	Urban Residential Medium, 4-12 units/acre
	Proposed Kirkland Zoning Designation:	RMA 5.0
	Proposed Kirkland Land Use Map Designation:	Medium density residential, 9 units/acre
	Reason for change:	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 100th 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

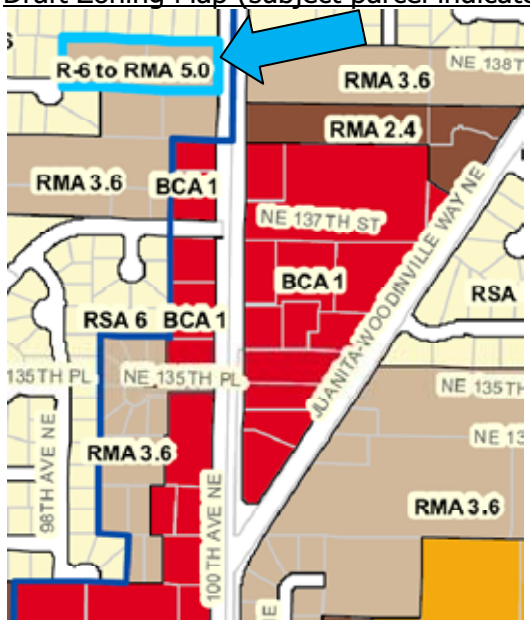
Property name		Plat name		Water system	WATER DISTRICT
Property type	R - RESIDENTIAL	Plat block		Sewer system	PUBLIC
Present use	Single Family(Res Use/Zone)	Plat lot		Access	PUBLIC
Lot area	53,382 sq. ft. (1.23 acres)	Q-S-T-R	SE-19-26-5	Street surface	PAVED

KC Assessor's Information PIN 1926059058:

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	33,069 sq. ft. (0.76 acres)	Q-S-T-R	SE-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

ID #13		
	Neighborhood:	Kingsgate
	PIN:	2126059144
	KC Zoning Designation:	R-8
	KC Land Use Map Designation:	Urban Residential Medium, 4-12 units/acre
	Proposed Kirkland Zoning Designation:	RMA 3.6
	Proposed Kirkland Land Use Map Designation:	Medium Density Residential, 12 units/acre
	Reason for change:	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

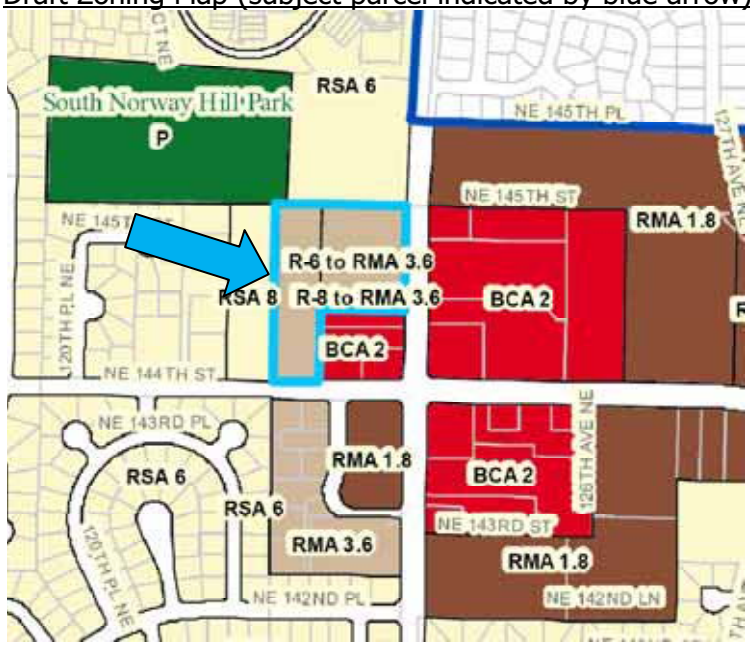
Commercial building description

Building	1 of 1	Building description	CEDARWOOD
Year built	1982	Precominant 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	14413 123RD LN NE 98034	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

ID #14		
	Neighborhood:	Kingsgate
	PIN:	6387700000
	KC Zoning Designation:	R-6
	KC Land Use Map Designation:	Urban Residential Medium, 4-12 units/acre
	Proposed Kirkland Zoning Designation:	RMA 3.6
	Proposed Kirkland Land Use Map Designation:	Medium Density Residential, 12 units/acre
	Reason for change:	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:

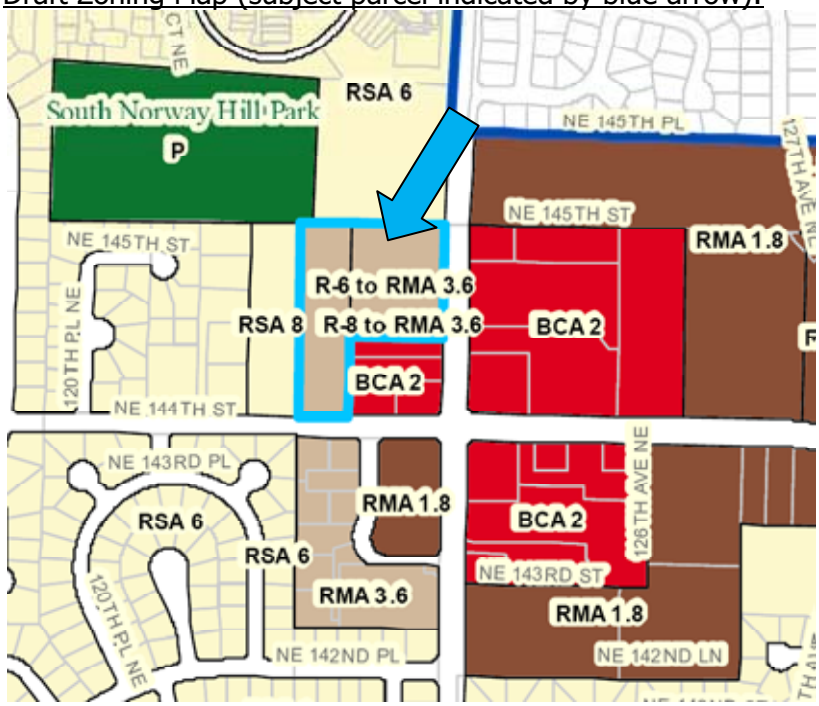
Parcel description

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

ID #15		
	Neighborhood:	Kingsgate
	PIN:	2726059012, 2726059080
	KC Zoning Designation:	Industrial
	KC Land Use Map Designation:	Industrial
	Proposed Kirkland Zoning Designation:	TL 6A (a commercial zone)
	Proposed Kirkland Land Use Map Designation:	Commercial
	Reason for change:	Kirkland's current zoning for the south side of NE 124th 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 124th 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 (528)
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:

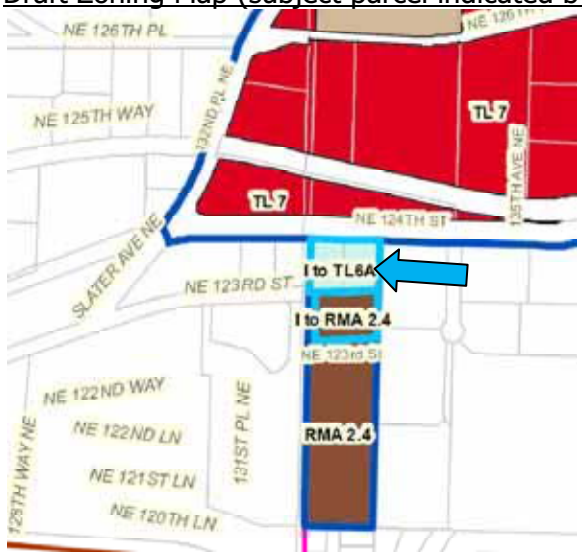
Parcel description

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 (528)
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

ID #16		
	Neighborhood:	Kingsgate
	PIN:	2726059084
	KC Zoning Designation:	Industrial
	KC Land Use Map Designation:	Industrial
	Proposed Kirkland Zoning Designation:	RMA 2.4
	Proposed Kirkland Land Use Map Designation:	High Density Residential, 18 units/acre
	Reason for change:	Kirkland's current zoning for the south side of NE 123rd St. is RM 2.4 and properties south of 123rd 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	**PUGET POWER SUB-STATION**	Plat name		Water system	**WATER DISTRICT**
Property type	**C - COMMERCIAL**	Plat block		Sewer system	**PUBLIC**
Present use	**Utility, Public**	Plat lot		Access	**PUBLIC**
Lot area	**56,363 sq. ft. (1.29 acres)**	Q-S-T-R	**SW-27-26-5**	Street surface	**NONE OR UNKNOWN**

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

ORDINANCE 4196

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING AND LAND USE AND PREPARING ZONING REGULATIONS FOR THE FINN HILL, KINGSGATE AND NORTH JUANITA ANNEXATION AREA; ADOPTING ZONING CODE AMENDMENTS; ADOPTING KIRKLAND MUNICIPAL CODE, TITLE 22, AMENDMENTS; ADOPTING AN ANNEXATION ZONING MAP; ADOPTING AN ANNEXATION COMPREHENSIVE PLAN LAND USE MAP; ADOPTING A STREAMS AND WETLANDS MAP; ADOPTING A LANDSLIDE AND SEISMIC HAZARD MAP; AND APPROVING A SUMMARY ORDINANCE FOR PUBLICATION, FILE NO. ANN09-00001.

WHEREAS, on April 7, 2009, the City Council adopted Resolution R-4751 which directed the City Clerk to file a notice of intent to annex the Finn Hill, Kingsgate and North Juanita Annexation Area with the King County Boundary Review Board; and

WHEREAS, Resolution R-4751 stated the intent of the City Council to establish zoning regulations for the Finn Hill, Kingsgate and North Juanita Annexation Area; and

WHEREAS, in accordance with the State Environmental Policy Act (SEPA), the City issued a SEPA Determination of Nonsignificance on May 8, 2009, for the proposed zoning regulations; and

WHEREAS, the proposed zoning regulations are designed to encourage the most appropriate use of land use throughout the Finn Hill, Kingsgate and North Juanita Annexation Area, to provide adequate light and air, to prevent overcrowding of land, to promote a coordinated development of the unbuilt areas, and to avoid undue concentration of population; and

WHEREAS, the proposed zoning regulations are designed to encourage the formation of neighborhood or community units, secure an appropriate allotment of land area in new developments for all the requirements of community life, and conserve and restore natural beauty and other natural resources; and

WHEREAS, on June 2 and July 7, 2009, the City Council held public hearings and considered the proposed zoning, Comprehensive Plan and land use maps for the Finn Hill, Kingsgate and North Juanita Annexation Area.

NOW THEREFORE, the City Council of the City of Kirkland do ordain as follows:

Section 1. Zoning Code Amendments. The following specified Zoning Code Amendments for the Finn Hill, Kingsgate and North Juanita Annexation Area are adopted as set forth in Exhibit A attached to this ordinance and incorporated by reference.

Section 2. Kirkland Municipal Code Amendments. The following specified amendments to sections of Kirkland Municipal Code, Title 22, "Subdivisions," for the Finn Hill, Kingsgate and North Juanita Annexation Area are adopted as set forth in Exhibit B attached to this ordinance and incorporated by reference.

Section 3. Annexation Zoning Map. The Annexation Zoning Map for the Finn Hill, Kingsgate and North Juanita Annexation Area is adopted as set forth in Exhibit C attached to this ordinance and incorporated by reference.

Section 4. Annexation Comprehensive Plan Land Use Map. The Annexation Comprehensive Plan Land Use Map for the Finn Hill, Kingsgate and North Juanita Annexation Area is adopted as set forth in Exhibit D attached to this ordinance and incorporated by reference.

Section 5. Streams and Wetlands Map. The Streams and Wetlands Map for the Finn Hill, Kingsgate and North Juanita Annexation Area is adopted as set forth in Exhibit E attached to this ordinance and incorporated by reference.

Section 6. Landslide and Seismic Hazard Areas Map. The Landslide and Seismic Hazard Areas Map for the Finn Hill, Kingsgate and North Juanita Annexation Area is adopted as set forth in Exhibit F attached to this ordinance and incorporated by reference.

Section 7. Severability. If any section, subsection, sentence, clause, phrase, part or portion of this ordinance, including those parts adopted by reference, is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 8. Effective Date. If the annexation of the Finn Hill, Kingsgate and North Juanita Annexation Area is approved by the voters at the November 3, 2009, general election, this ordinance shall be in effect on the same date as the effective date determined by the City Council for the annexation.

Section 9. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication pursuant to Section 1.08.017, Kirkland Municipal Code in the summary form attached to the original of this ordinance and by this reference approved by the City Council.

Passed by majority vote of the Kirkland City Council in open meeting this _____ day of _____, 2009.

Signed in authentication thereof this _____ day of _____, 2009.

_____
MAYOR

Attest:

_____
City Clerk

Approved as to Form:

_____
City Attorney

Exhibit A (July 7, 2009)

ZONING CODE AMENDMENTS FOR PROPOSED ANNEXATION AREA OF KINGSGATE, JUANITA, AND FINN HILL

File No. ANN09-00001

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.

TABLE OF CONTENTS

Chapter 1 – 15 *(no changes)*
Chapter 17 – Single-Family Residential X~~Annexation~~ (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 X~~Annexation~~ (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

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. Pending development permits for which complete applications have been filed prior to annexation 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.

3. Short plats and subdivisions that have been approved by King County, but not recorded prior to annexation shall be recorded within the time period provided for under King County subdivision regulations in effect at the time of the approval of the short plat or subdivision. Notwithstanding the foregoing, development of the individual lots in the short plat or 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.

4. Individual lots in short plats and subdivisions that have been approved by King County and recorded prior to annexation 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:

Zoning Category	Symbol
1. Single-family Residential Zones	RS and RSX (followed by a designation indicating minimum lot size per dwelling unit)

	and RSA (followed by designation indicating maximum units per acre.)
2. Multifamily Residential Zones	RM and RMA (followed by a designation indicating minimum lot size per dwelling unit)
3. Professional Office Zones	PR and PRA (followed by a designation indicating minimum lot size per dwelling unit)
4. through 6. no change	
7. Neighborhood Business	BN and BNA
8. Community Business	BC, BCA 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 rezones 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:

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

Chapter 25 – PR/PRA Zone

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

Chapter 40 – BN/BNA Zone

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

Chapter 47 – BC/BC 1/BC 2 Zone

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

Chapter 70 – Holmes Point Overlay Zone (HP)

New Chapter. See Exhibit 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:

   MAXIMUM DWELLING UNIT POTENTIAL = (BUILDABLE AREA/THE PRESCRIBED MINIMUM LOT AREA PER UNIT OR MAXIMUM UNITS PER ACRE) + [(BUFFER AREA/THE PRESCRIBED MINIMUM LOT AREA PER UNIT OR MAXIMUM UNITS PER ACRE) X (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'
	Cottage	**Carriage**	**Two/Three-Unit Home**
Lot coverage (all impervious surfaces)[1]	50%	Must be included in a cottage project.	50%
Height Dwelling Units Accessory Structures	25' (RS Zones) and 27' (RSA and RSX Zones) 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.		

[1] Lot coverage is calculated using the entire development site. Lot coverage for individual lots may vary.

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Chapter 115 – Miscellaneous Use Development and Performance Standards

115.20 Animals in Residential Zones

TYPE OF ANIMAL ↓ / REGULATIONS ↓	Required Review Process	MAXIMUM	MINIMUMS		Special Regulations
		Number of Adult Animals	Lot Size	Setback	
Household Pets	None	Per Dwelling Unit Dogs: 3 Cats: 3 Dogs and Cats: A total of 4 animals Rabbits: 4 Other: No maximum	As required for a dwelling unit in the zone in which the subject property is located.	Structures and pens must be at least 5' from each property line.	1. Household pets, excluding dogs, cats, and rabbits, must be housed within the dwelling unit. If housed outside of the dwelling units, household pets, excluding dogs, cats, and rabbits, will be regulated as small domestic animals.
Small Domestic Animals	None	20 per 35,000 sq. ft. of lot area and 1 per each additional 500 sq. ft. of lot area. Maximum of 3 fowl on lots less than 35,000 sq. ft. in RSA zones.	35,000 sq. ft. per dwelling unit. No minimum lot size for fowl in RSA zones.	Structures and pens used to house animals must be at least 40' from each property line.	1. The City may limit the number of animals allowed to less than the maximum considering: a. Proximity to dwelling units both on and off the subject property; and b. Lot size and isolation; and c. Compatibility with surrounding uses; and d. Potential noise impacts. 2. The applicant must provide a suitable structure or pen to house the animals, and must maintain that structure or pen in a clean condition.

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 ~~150~~ 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).

Chapter 180 – Plates

New Plate X illustrating Heron Habitat Overlay Area. See Exhibit A-7

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.

Section 18.10	USE ⇩ / REGULATIONS ⇨	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			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.	1. Maximum units per acre is as follows: a. In RSA 1 zone, the maximum units per acre is one dwelling unit. b. In RSA 4 zones, the maximum units per acre is four dwelling units. c. In RSA 6 zones, the maximum units per acre is six dwelling units. d. In RSA 8 zones, the maximum units per acre is eight dwelling units. 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. 2. Minimum lot size per dwelling unit 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. 3. 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. 4. Floor Area Ratio (F.A.R.) allowed for the subject property is as follows: a. In RSA 1 zone, F.A.R. is 20 percent of lot size. b. In RSA 4 zones, F.A.R. is 50 percent of lot size. c. In RSA 6 zones, F.A.R. is 50 percent of lot size. d. 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. 5. 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. 6. Garages shall comply with the requirements of KZC 115.43, including required front yard.

Section 18.10	USE ⇩ / REGULATIONS ⇨	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			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.

Section 18.10	USE ⇩ / REGULATIONS ⇨	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			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	1. Moorage must be for the exclusive use of residents of the subject property. Renting moorage space is not permitted. 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. 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. 4. May not treat moorage structure with creosote, oil base or toxic substances. 5. Must provide at least one covered and secured waste receptacle. 6. All utility lines must be below the pier deck and, where feasible, underground. 7. Piers must be adequately lit; the source of the light must not be visible from neighboring properties. 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. 9. Covered moorage is not permitted. 10.Aircraft moorage is not permitted. 11. Two or more adjoining waterfront lots may share a mooring facility. If this occurs, the following regulations apply: a. All lots will be taken together as the subject property to determine compliance with the requirements of this use. b. The moorage structure may be built to accommodate two boats for each residential unit on the subject property. 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. 12. No moorage structure may be within either 25’ of a public park; or 25’ of another moorage structure not on the subject property.

Section 18.10	USE ⇩ / REGULATIONS ⇨	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			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.	As established on the Zoning Map. 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.	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 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 location, land uses within the Master Plan area, parking location, buffering, and landscaping. 2. 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. 3. The property must be served by a collector or arterial street. 4. No parking is required for day-care or school ancillary to the use.
.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: 50′	50′ on each side	50′	70% except 30% for RSA 1 zone. See Gen. Reg. 3 See Gen. Reg. 4 for Holmes	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.	1. May locate on the subject property only if: a. It will not be materially detrimental to the character of the neighborhood in which it is located; or b. Site and building design minimizes adverse impacts on surrounding residential neighborhoods. c. The property is served by a collector or arterial street. 2. 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 150 KZC.
				If this use can accommodate 13 to 49 students or children, then:								

Section 18.10	USE ⇩ / REGULATIONS ⇨	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			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

Section 18.10	USE ⇩ / REGULATIONS ⇨	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Units per Acre or Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
												may be required to reduce traffic impacts on nearby residential uses. 8. The location of parking and passenger loading areas shall be designed to reduce impacts on nearby residential uses. 9. 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. 10. May include accessory living facilities for staff persons. 11. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388). 12. Electrical signs shall not be permitted.

Section 18.10	USE ⇩ / REGULATIONS ⇨	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS											
		Required Review Process	MINIMUMS					MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			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.	1. May locate on the subject property if: a. It will not be materially detrimental to the character of the neighborhood in which it is located. b. Site design must minimize adverse impacts on surrounding residential neighborhoods. 2. 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. 3. A six-foot-high fence is required along the property line adjacent to the outside play areas. 4. Hours of operation and the maximum number of attendees may be limited by the City to reduce impacts on nearby residential uses. REGULATIONS CONTINUED ON NEXT PAGE

Section 18.10	USE ⇩ / REGULATIONS ⇨	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			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

Section 18.10	USE ⇩ / REGULATIONS ⇨	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			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)*

Section 20.08	**Section 20.08 – GENERAL REGULATIONS** The following regulations apply to all uses in this zone unless otherwise noted:
	1. Refer to Chapter 1 KZC to determine what other provisions of this code may apply to the subject property.
	2. If any portion of a structure is adjoining a low density zone or a low density use in PLA 17, then either: a. The height of that portion of the structure shall not exceed 15 feet above average building elevation; or b. The horizontal length of any facade of that portion of the structure which is parallel to the boundary of the low density zone shall not exceed 50 feet. See KZC 115.30, Distance Between Structures/Adjacency to Institutional Use, for further details. (Does not apply to General Moorage Facility and Detached Dwelling Units uses).
	3. If the subject property is located east of JBD 2 and west of 100th Avenue NE, the following regulation applies: Must provide a public pedestrian access easement if the Planning Official determines that it will furnish a pedestrian connection or part of a connection between 98th Avenue NE and 100th Avenue NE. Pathway improvements will also be required if the easement will be used immediately. No more than two complete connections shall be required. (Does not apply to General Moorage Facility uses).
	4. If the subject property is located within the North Rose Hill neighborhood, east of Slater Avenue NE and north of NE 116th Street, the minimum required front yard is 10 feet. Ground floor canopies and similar entry features may encroach into the front yard; provided, the total horizontal dimension of such elements may not exceed 25 percent of the length of the structure. No parking may encroach into the required 10-foot front yard.
	5. Any required yard abutting Lake Washington Boulevard or Lake Street South must be increased two feet for each one foot the structure exceeds 25 feet above average building elevation. (Does not apply to General Moorage Facility and Public Park uses).
	6. If the subject property is located between Juanita Drive and Lake Washington or 98th Avenue NE and Lake Washington, the following regulations apply: a. Must provide a required yard of 15 feet or 15 percent of average parcel depth, measured from the high waterline. To the extent that this provision is inconsistent with other required yard dimensions identified in this chapter, this provision shall govern. b. Must provide public pedestrian access from the right-of-way to and along the entire waterfront of the subject property within the high waterline yard. Access to the waterfront may be waived by the City if public access along the waterfront

	of the subject property can be reached from adjoining property. In addition, the City may require that part or all of the high waterline yard be developed as a public use area. The City shall require signs designating the public pedestrian access and public use areas. c. A view corridor must be maintained across 30 percent of the average parcel width. The view corridor must be in one contiguous piece. Within the view corridor, structures, parking areas, and landscaping will be allowed, provided they do not obscure the view from Juanita Drive or 98th Avenue NE to and beyond Lake Washington. This corridor must be adjacent to either of the side property lines, whichever will result in the widest view corridor given development on adjacent properties. (Does not apply to General Moorage Facility, Detached Dwelling Units and Public Park uses).
	7. If the property is located in the NE 85th Street Subarea, the following shall apply: a. If the subject property is located south of NE 85th Street between 124th Avenue 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. 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 105.19(3) to connect an east-west pedestrian pathway designated in the Comprehensive Plan between 124th Avenue NE and 120th Avenue NE. (See Plate 34K).
	8. May not use lands waterward of the high waterline to determine lot size or to calculate allowable density.
	9. May also be regulated under the Shoreline Master Program, KMC Title 24.

Section 20.10 — Zone RM — USE ZONE CHART

Section 20.10	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	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)
		DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
.010	Detached Dwelling Units	None	5,000 sq. ft. in an RM 5.0. Otherwise, 3,600 sq. ft. and RMA	20′	5′	10′	60% RM Zone:	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. RMA Zone: 35' above average building elevation	E	A	2.0 per unit.	1. For this use, only one dwelling unit may be on each lot regardless of the size of the lot. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.020	Detached, Attached or Stacked Dwelling Units Stacked Dwelling Units are not permitted in RM 5.0. and RMA	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. RM Zone:		5′ for detached units. For attached or stacked units, 5′, but 2 side yards must equal at least 15′. See Spec. Reg. 6. RMA Zone: 5'	10′ See Spec. Reg. 7.			D See Spec. Regs. 4 and 9.		1.7 per unit. and RMA *(after all zones)*	1. Minimum amount of lot area per dwelling unit is as follows: a. In RM 5.0 zones, the minimum lot area per unit is 5,000 sq. ft. b. In RM 3.6 zones, the minimum lot area per unit is 3,600 sq. ft. c. In RM 2.4 zones, the minimum lot area per unit is 2,400 sq. ft. d. In RM 1.8 zones, the minimum lot area per unit is 1,800 sq. ft. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 3. Chapter 115 KZC contains regulations regarding common recreational space requirements for this use. 4. 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. 5. 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: a. Each development shall incorporate at least two acres; and b. Significant vegetation that provides protection from I-405 shall be retained to the maximum extent feasible. 6. 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. 7. 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. REGULATIONS CONTINUED ON NEXT PAGE

Section 20.10 Zone RM **USE ZONE CHART**

Section 20.10	USE ⇩ / REGULATIONS ⇨	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED 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 Subarea, 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 Zone RM USE ZONE CHART

Section 20.10	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115): Front	North Property Line	South Property Line	High Water Line	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)
		DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS											
.040	General Moorage Facility	Process IIA, Chapter 150 KZC.	None, but must have at least 100′ of frontage on Lake Washington.	30′ See also Spec. Reg. 4.	Landward of the high waterline 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.	1. Moorage may only be used by residents of the dwelling units on the subject property, or their guests. 2. 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. 3. 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. 4. 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: a. 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 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. 5. 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. 6. 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. REGULATIONS CONTINUED ON NEXT PAGE
				Waterward of the high waterline:	--	10′	10′	--					
				No moorage structure may be: a. Within 100′ of a public park; or b. Closer to a public park than a line that starts where the high waterline of the park intersects with the side property line of the park closest to the moorage structure at the 45-degree angle from that side property line. This setback applies whether or not the subject property abuts the park, but does not extend beyond any intervening over water structure; or									
				REGULATIONS CONTINUED ON NEXT PAGE									

Section 20.10 USE ⇩ REGULATIONS ⇨		DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS											
		Required Review Process	MINIMUMS					MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED 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 Zone RM USE ZONE CHART

Section 20.10	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: 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)
		DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
.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 each side	50′	~~70%~~ RM Zone:	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. RMA Zone: 35' above average building elevation	D	B	See KZC 105.25.	1. May locate on the subject property only if: a. It will not be materially detrimental to the character of the neighborhood in which it is located. b. Site and building design must minimize adverse impacts on surrounding residential neighborhoods. 2. A six-foot-high fence is required only along the property line adjacent to the outside play areas. 3. Structured play areas must be set back from all property lines as follows: a. Twenty feet if this use can accommodate 50 or more students or children. b. Ten feet if this use can accommodate 13 to 49 students or children. 4. An on-site passenger loading area must be provided. The City shall determine the appropriate size of the loading area on a case-by-case basis, depending on the number of attendees and the extent of the abutting right-of-way improvements. Carpooling, staggered loading/unloading time, right-of-way improvements or other means may be required to reduce traffic impacts on nearby residential uses. 5. May include accessory living facilities for staff persons. 6. To reduce impacts on nearby residential uses, hours of operation of the use may be limited and parking and passenger loading areas relocated. 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; 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.*
				If this use can accommodate 13 to 49 students or children, then: 20′	20′ on each side	20′						

Section 20.10	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115): Front	MINIMUMS: REQUIRED YARDS (See Ch. 115): Side	MINIMUMS: REQUIRED YARDS (See Ch. 115): Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: 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)
		DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
.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.	1. This use may be permitted only if it is specifically consistent with the Comprehensive Plan in the proposed location. 2. May only be permitted if placement, orientation, and scale indicate this use is primarily intended to serve the immediate residential area. 3. Must be located on a collector arterial or higher volume right-of-way. 4. Placement and scale must indicate pedestrian orientation. 5. Must mitigate traffic impacts on residential neighborhood. 6. Gross floor area may not exceed 3,000 square feet. 7. May not be located above the ground floor of a structure. 8. Hours of operation may be limited to reduce impacts on nearby residential uses. 9. This use is not permitted in an RM zone located within the NE 85th Street Subarea.
.070	Mini-School or Mini-Day-Care	Within the NE 85th Street Subarea, D.R., Chapter 142 KZC. Otherwise, none.	3,600 sq. ft.						D	B	See KZC 105.25.	1. May locate on the subject property if: a. It will not be materially detrimental to the character of the neighborhood in which it is located. b. Site design must minimize adverse impacts on surrounding residential neighborhoods. 2. A six-foot-high fence is required along the property line adjacent to the outside play areas. 3. Structured play areas must be set back from all property lines by five feet. 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. 5. To reduce impacts on nearby residential uses, hours of operation of the use may be limited and parking and passenger loading areas relocated. 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).

RM Zone:

RMA Zone: 35' above average building elevation

Section 20.10 Zone RM USE ZONE CHART

Section 20.10	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	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)
		DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
.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. RM Zone:	20′	5′ but 2 side yards must equal at least 15′. RMA Zone: 5'	10′ RM Zone:	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.	1. A facility that provides both independent dwelling units and assisted living units shall be processed as an assisted living facility. 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. 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: a. Project is of superior design, and b. Project will not create impacts that are substantially different than would be created by a permitted multifamily development. 4. The assisted living facility shall provide usable recreation space of at least 100 square feet per unit, in the aggregate, for both assisted living units and independent dwelling units, with a minimum of 50 square feet of usable recreation space per unit located outside. 5. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use. 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.
.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.	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. 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.

Section 20.10 Zone RM **USE ZONE CHART**

Section 20.10	USE ⇩ / REGULATIONS ⇨	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED 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.	1. Site design must minimize adverse impacts on surrounding residential neighborhoods. 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. 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.
.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 [illegible] hapter 49 KZC for required review process.										

RM Zone:

RMA Zone: 35' above average building elevation

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.~~

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Section 25.10	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	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)
		DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
.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 RSA or RSX, then 25′ above average building elevation. See Spec. Reg. 6. Otherwise, for PR zones, 30′ above average building elevation and for PRA zones, 35 feet above average building elevation. See General Reg. 5.	E	A	2.0 per dwelling unit.	1. For this use, only one dwelling unit may be on each lot regardless of lot size. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.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.		For PR zones: 5' each for detached units and 5' but 2 side yards must equal at least 15' for attached and stacked Units. For PRA zones: 5' each side See Spec. Reg. 4.	10′ See Spec. Reg. 5.			D		1.7 per unit.	1. 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 sq. ft. b. In PR 5.0 zones, the minimum lot area per unit is 5,000 sq. ft. c. In PR 3.6 zones, the minimum lot area per unit is 3,600 sq. ft. d. In PR 2.4 zones, the minimum lot area per unit is 2,400 sq. ft. e. In PR 1.8 and PRA 1.8 zones, the minimum lot area per unit is 1,800 sq. ft. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 3. Chapter 115 KZC contains regulations regarding common recreational space requirements for this use. 4. 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. 5. 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. 6. 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.

Section 25.10	USE ⇩ / REGULATIONS ⇨	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED 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′	For PR zones: 5′ but 2 side yards must equal at least 15' For PRA zones: 5' each in the PRA zones.	10′	70%	If adjoining a low density zone other than RSA or RSX, then 25′ above average building elevation. Otherwise, for PR zones, 30′ above average building elevation and for PRA zones, 35 feet above average building elevation. See General Reg. 5.	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.	1. The following regulations apply to veterinary offices only: a. May only treat small animals on the subject property. b. Outside runs and other outside facilities for the animals are not permitted. c. Site must be designed so 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. 2. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The ancillary assembled or manufactured goods are subordinate to and dependent on this use. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.

Section 25.10	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	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)
		DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
.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′	For PR zones: 5′ but 2 side yards must equal at least 15′ For PRA zones: 5′ each in the PRA zones.	10′	70%	If adjoining a low density zone other than RSA or RSX, then 25′ above average building elevation. See Spec. Reg. 5. Otherwise, for PR zones, 30′ above average building elevation and for PRA zones, 35 feet above average building elevation. See General Reg. 5.	C	D	See KZC 105.25.	1. A veterinary office is not permitted in any development containing dwelling units. 2. 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 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. 3. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 4. Chapter 115 KZC contains regulations regarding common recreational space requirements for this use. 5. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The ancillary assembled or manufactured goods are subordinate to and dependent on this use. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses. 6. 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.
.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 RSA or RSX, then 25′ above average	B	E	1 per each 100 sq. ft. floor area.	1. This use is not permitted in a PR 3.6 zone located in the NE 85th Street Subarea. 2. Drive-in or drive-through facilities are prohibited.

Section 25.10	USE ⇩ / REGULATIONS ⇨	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED 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, for PR zones, 30′ above average building elevation and for PRA zones, 35' above average building elevation. See General Reg. 5.			1 per each 300 sq. ft. floor area.	1. This use is not permitted in a PR 3.6 zone located in the NE 85th Street Subarea. 2. May not be located above the ground floor of a structure. 3. Gross floor area cannot exceed 3,000 square feet.
.070	Funeral Home or Mortuary				20′ on each side.	20′			C	B		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′ If this use can accommodate 13 to 49 students or children, then:	50′ on each side	50′	70%	If adjoining a low density zone other than RSA or RSX, then 25′ above average building elevation. Otherwise, for PR zones,	D	B	See KZC 105.25.	1. A six-foot-high fence is required only along the property lines adjacent to the outside play areas. 2. Structured play areas must be set back from all property lines as follows: a. Twenty feet if this use can accommodate 50 or more students or children. b. Ten feet if this use can accommodate 13 to 49 students or children. 3. 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.

Section 25.10	USE ⇩ / REGULATIONS ⇨	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED 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 PRA zones, 35' above average building elevation. See General Reg. 5 and See Spec. Reg. 7.				Carpooling, staggered loading/unloading time, right-of-way improvements or other means may be required to reduce traffic impacts on nearby residential uses. 4. May include accessory living facilities for staff persons. 5. To reduce impacts on nearby residential uses, hours of operation of the use may be limited and parking and passenger loading areas relocated. 6. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388). 7. For school use, structure height may be increased, up to 35 feet in PR zones 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.* 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. 9. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388).

Section 25.10	USE ⇩ / REGULATIONS ⇨		DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
			Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
				Lot Size	REQUIRED 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′	For PR zones: 5′ but 2 side yards must equal at least 15 For PRA zones: 5' each in the PRA zones.	10′	70%	If adjoining a low density zone other than RSA or RSX, then 25′ above average building elevation. Otherwise, for PR zones, 30′ above average building elevation and for PRA zones, 35' above average building elevation. See General Reg. 5.	E	B	See KZC 105.25.	1. A six-foot-high fence is required along the property lines adjacent to the outside play areas. 2. Structured play areas must be set back from all property lines by five feet. 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. 4. To reduce impacts on nearby residential uses, hours of operation of the use may be limited and parking and passenger loading areas relocated. 5. Electrical signs shall not be permitted. Size of signs may be limited to be compatible with 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).

Section 25.10	USE ⇩ / REGULATIONS ⇨	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.110	Assisted Living Facility							If adjoining a low density zone other than RSA or RSX, then 25′ above average building elevation. Otherwise, for PR zones, 30′ above average building elevation and for PRA zones, 35' above average building elevation. See General Reg. 5.	D	A	1.7 per independent unit. 1 per assisted living unit.	1. A facility that provides both independent dwelling units and assisted living units shall be processed as an assisted living facility. 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. 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: a. Project is of superior design, and b. Project will not create impacts that are substantially different than would be created by a permitted multifamily development. 4. The assisted living facility shall provide usable recreation space of at least 100 square feet per unit, in the aggregate, for both assisted living units and independent dwelling units, with a minimum of 50 square feet of usable recreation space per unit located outside. 5. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use.
.120	Convalescent Center or Nursing Home	Within the NE 85th Street Subarea, D.R., Chapter 142 KZC. Otherwise, Process I, Chapter	8,500 sq. ft. if PR 8.5 zone, otherwise7,200 sq. ft.	20′	10′ on each side	10′	70%	If adjoining a low density zone other than RSA and RSX, then 25′ above average building elevation.	C	B	1 for each bed.	1. If a nursing home use is combined with an assisted living facility use in order to provide a continuum of care for residents, the required review process shall be the less intensive process between the two uses.
.130	Public Utility		None		20′ on each side	20′			A		See KZC 105.25.	

Section 25.10	USE ⇩ / REGULATIONS ⇨	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED 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, for PR zones, 30′ above average building elevation and for PRA zones, 35' above average building elevation. See General. Reg. 5.	C See Spec. Reg. 2.			1. Site design must minimize adverse impacts on surrounding residential neighborhoods. 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.
.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: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	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)
.010	Retail Establishment Selling Groceries and Related Items	None	None	BN zone: 20′ BNA zone: 10′	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 BN zone, 30′ above average building elevation and for BNA zone, 35' above average building elevation.	B	D	1 per each 300 sq. ft. of gross floor area.	1. Except in the BNA zone, ~~G~~gross floor area for this use may not exceed 10,000 square feet. 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 this use, accessory seating if: a. The seating and associated circulation area does not exceed more than 10 percent of the gross floor area of this use; and b. It can be demonstrated to the City that the floor plan is designed to preclude the seating area from being expanded.
.020	Retail Establishment Selling Drugs, Books, Flowers, Liquor, Hardware Supplies, Garden Supplies or Works of Art											
.030	Retail Variety or Department Store											
.040	Retail Establishment Providing Banking and Related Financial Services	.055 Retail Establishment providing entertainment, recreational or cultural activities See special regulation 5.									1 per every 4 fixed seats	1. ~~Except in the BNA zone, G~~gross floor area for this use may not exceed 10,000 square feet. 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. Ancillary assembly and manufactured goods on the premises of this use are permitted only if: a. The assembled or manufactured goods are directly related to and are dependent upon this use, and are available for purchase and removal from the premises. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other retail uses. 4. For restaurants with drive-in or drive-through facilities, one outdoor waste receptacle shall be provided for every eight parking stalls.
.050	Retail Establishment Providing Laundry, Dry Cleaning, Barber, Beauty or Shoe Repair Services											
.060	Restaurant or Tavern										1 per each 100 sq. ft. of gross floor area.	5. Retail Establishment providing entertainment, recreational or cultural activities only allowed in BNA zone.

for Retail Establishments Selling Groceries and Related Items

Section 40.10	USE ⇩ / REGULATIONS ⇨	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure				
				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 RSX or RSA, then 25′ above average building elevation. Otherwise, for BN zone, 30′ above average building elevation and for BNA zone, 35' above average building elevation.	A	D	See KZC 105.25.	1. Hours of operation may be limited to reduce impact on residential areas. 2. May not be more than two vehicle service stations at any intersection. 3. 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.
.090	Office Use	None	None	BN zone: 20′ BNA zone: 10′	5′, but 2 side yards must equal at least 15′.	10′			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.	1. The following regulations apply to veterinary offices only: a. May only treat small animals on the subject property. b. Outside runs and other outside facilities for the animals are not permitted. c. Site must be designed so 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. 2. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The ancillary assembled or manufactured goods are subordinate to and dependent on this use. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses. 3. 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.
.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.	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.

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						
.110	Church	None	None	BN zone: 20′ BNA zone: 10′	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 BN zone, 30′ above average building elevation and for BNA zone, 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.	1. May include accessory living facilities for staff persons. 2. No parking is required for day-care or school ancillary to this use.
.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 BN zone, 30′ above average building	D		See KZC 105.25.	1. A six-foot-high fence is required only along the property lines adjacent to the outside play areas. 2. Hours of operation may be limited to reduce impacts on nearby residential uses. 3. Structured play areas must be setback from all property lines as follows: a. 20 feet if this use can accommodate 50 or more students or children. b. 10 feet if this use can accommodate 13 to 49 students or children. 4. An on-site passenger loading area must be provided. The City shall determine the appropriate size of the loading 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

Section 40.10	USE ⇩ / REGULATIONS ⇨	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
				20′	20′ on each side	20′		elevation and for BNA zone, 35' above average building elevation. See Spec. Reg. 8.				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. *This special regulation is not effective within the disapproval jurisdiction of the Houghton Community Council.*

Section 40.10	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	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)
		DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
.130	Mini-School or Mini-Day-Care	None	None	BN zone: 20′ BNA zone: 10′	5′, but 2 side yards must equal at least 15′.	10′	80%	If adjoining a low density zone other than RSX and RSA, then 25′ above average building elevation. Otherwise, for BN zone, 30′ above average building elevation and for BNA zone, 35′ above average building elevation.	D	B	See KZC 105.25.	1. A six-foot-high fence is required along the property lines adjacent to the outside play areas. 2. Hours of operation may be limited by the City to reduce impacts on nearby residential uses. 3. Structured play areas must be setback from all property lines by five feet. 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. 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).
.140	Assisted Living Facility See Spec. Reg. 3.			Same as the regulations for the ground floor use. See Spec. Reg. 3.						A	1.7 per independent unit. 1 per assisted living unit.	1. A facility that provides both independent dwelling units and assisted living units shall be processed as an assisted living facility. 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. 3. With the exception of the lobby, this use may not be located on the ground floor of a structure. 4. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use.
.150	Convalescent Center or Nursing Home			BN zone: 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,	C	B	1 for each bed.	1. If a nursing home use is combined with an assisted living facility use in order to provide a continuum of care for residents, the required review process shall be the least intensive process between the two uses.
.160	Public Utility	Process IIA, Chapter 150 KZC		BNA zone: 10′	20′ on each side	20′			A		See KZC 105.25.	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.

Section 40.10	USE ⇩ / REGULATIONS ⇨	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED 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 and for BNA zone, 35' above average building elevation.	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

Zone BC

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.

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 Zone BC

U S E Z O N E C H A R T

Section 45.10	USE ⇩ / REGULATIONS ⇨	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED 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%	~~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	A	E	See KZC 105.25.	1. May not be more than two vehicle service stations at any intersection. 2. 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.
				See Special Regulation 2.								
.020	A Retail Establishment providing vehicle or boat sales or vehicle or boat service or repair. See Spec. Reg. 2.	None	None	BC: 20′ BC 1 & BC 2: 10′	0′ See Gen. Regs. 3 & 4	0′ See Gen. Regs.3 & 4						1. 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. 2. Vehicle and boat rental are allowed as part of this use.
.030	Restaurant or Tavern								B		1 per each 100 sq. ft. of gross floor area.	1. For restaurants with drive-in or drive-through facilities: a. One outdoor waste receptacle shall be provided for every eight parking stalls. b. 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. c. Landscape Category A shall apply.
.050	A Retail Establishment providing storage services. see also spec. Regs. 1. & 2								A		See KZC 105.25.	1. May include accessory living facilities for resident security manager. 2. This use not permitted in BC 1 & 2 zones.

Section 45.10 Zone BC **USE ZONE CHART**

Section 45.10	USE ⇩ / REGULATIONS ⇨	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED 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′ BC 1 & BC 2: 10′	0′ See Gen. Regs. 3 & 4	0′ See Gen. Regs.3 & 4	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	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: a. The assembled or manufactured goods are directly related to and are dependent upon this use, and are available for purchase and removal from the premises. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other retail uses. 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: 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.
.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: a. May only treat small animals on the subject property. b. Outside runs and other outside facilities for the animals are not permitted. c. Site must be designed so 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. 2. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The ancillary assembled or manufactured goods are subordinate to and dependent on this use. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.

Section 45.10 Zone BC **U S E Z O N E C H A R T**

Section 45.10	USE ⇩ / REGULATIONS ⇨	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.080	Hotel or Motel	None	None	BC: 20′ BC 1 & BC 2: 10’	0′ See Gen. Regs. 3 & 4	0′ See Gen. Regs.3 & 4	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.	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										1 per every 4 fixed seats.	
.100	Private Lodge or Club								C	B	1 per each 300 sq. ft. of gross floor area.	
.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′ BC 1 & BC 2: 10’	0′ See Gen. Regs. 3 & 4	0′ See Gen. Regs.3 & 4	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.

Section 45.10 Zone BC **U S E Z O N E C H A R T**

Section 45.10	USE ⇩ / REGULATIONS ⇨	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED 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%	~~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	D	B	See KZC 105.25.	1. A six-foot-high fence is required only along the property lines adjacent to the outside play areas. 2. Hours of operation may be limited to reduce impacts on nearby residential uses. 3. Structured play areas must be setback from all property lines as follows: a. 20 feet if this use can accommodate 50 or more students or children. b. 10 feet if this use can accommodate 13 to 49 students or children. 4. An on-site passenger loading area must be provided. The City shall determine the appropriate size of the loading 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. 5. May include accessory living facilities for staff persons. 6. The location of parking and passenger loading areas shall be designed to reduce impacts on nearby residential uses. 7. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388).

Section 45.10 Zone BC **U S E Z O N E C H A R T**

Section 45.10	USE ⇩ / REGULATIONS ⇨	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.140	Mini-School or Mini-Day-Care											1. A six-foot-high fence is required along the property lines adjacent to the outside play areas. 2. Hours of operation may be limited by the City to reduce impacts on nearby residential uses. 3. Structured play areas must be setback from all property lines by five feet. 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. 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).
.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.	1. A facility that provides both independent dwelling units and assisted living units shall be processed as an assisted living facility. 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. 3. This use may not be located on the ground floor of a structure. 4. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use. 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.

Section 45.10 Zone BC **U S E Z O N E C H A R T**

Section 45.10	USE ⇩ / REGULATIONS ⇨	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.160	Convalescent Center or Nursing Home			BC: 20′ BC 1 & BC 2: 10’	0′ See Gen. Regs. 3 & 4	0′ See Gen. Regs.3 & 4	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.	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.
.170	Public Utility			BC: 20′ BC 1 & BC 2: 10’					A		See KZC 105.25.	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.
.180	Government Facility Community Facility								C See Spec. Reg. 1			
.190	Public Park	Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.										

Chapter 70 – Holmes Point Overlay Zone (new)

Sections:

70.05 Purpose
70.15 Standards
70.25 Variations from Standards

70.05

Purpose

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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 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 July 6, 1999, 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 coveragewithin 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:

Lot Size	**Maximum Lot Coverage**
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 Chapter 95; 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 July 6, 1999, 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.

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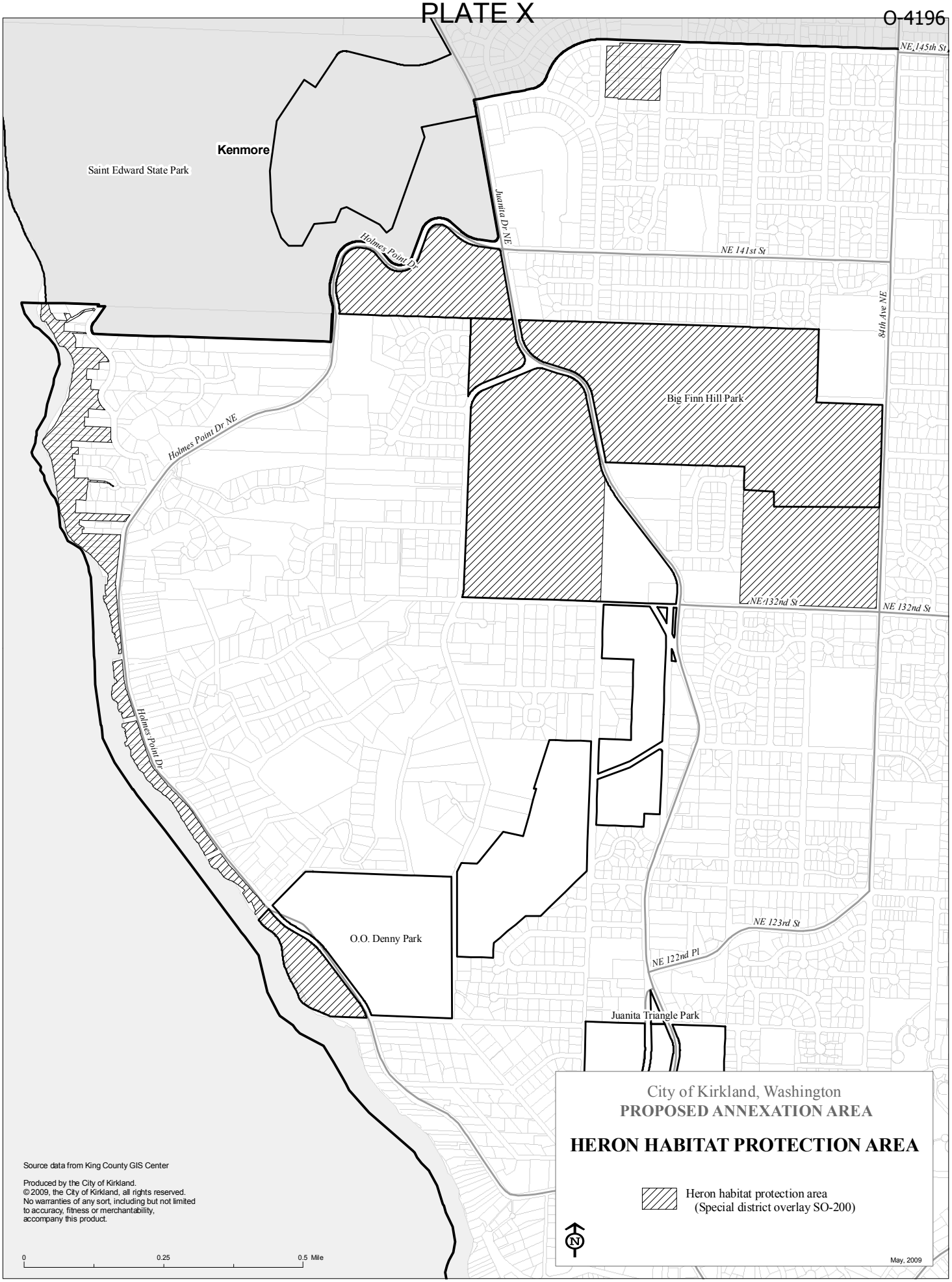
Kenmore
Saint Edward State Park
Juanita Dr NE
Holmes Point Dr
NE 145th St
NE 141st St
84th Ave NE
Big Finn Hill Park
Holmes Point Dr NE
NE 132nd St
NE 132nd St
Holmes Point Dr
O.O. Denny Park
NE 123rd St
NE 122nd Pl
Juanita Triangle Park
City of Kirkland, Washington
PROPOSED ANNEXATION AREA
HERON HABITAT PROTECTION AREA
Heron habitat protection area
(Special district overlay SO-200)
N
May, 2009
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.
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EXHIBIT B

KIRKLAND MUNICIPAL CODE AMENDMENTS, TITLE 22 (SUBDIVISIONS) FOR PROPOSED ANNEXATION AREA OF KINGSGATE, JUANITA, AND FINN HILL

File No. ANN09-00001

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.

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 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)

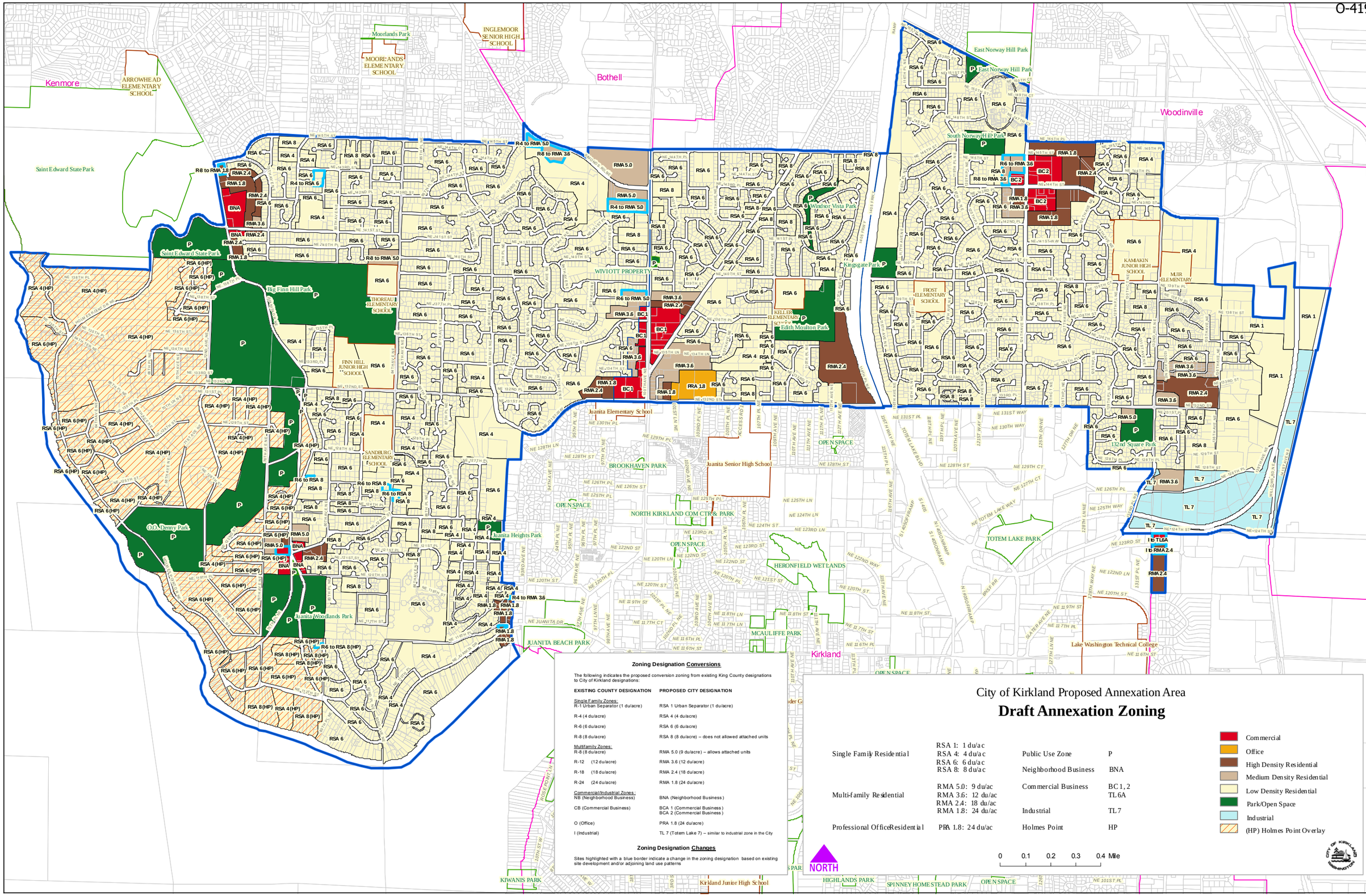
22.28.080 Access—Required. *(change easement computation to reflect RSA zoning allowances)*

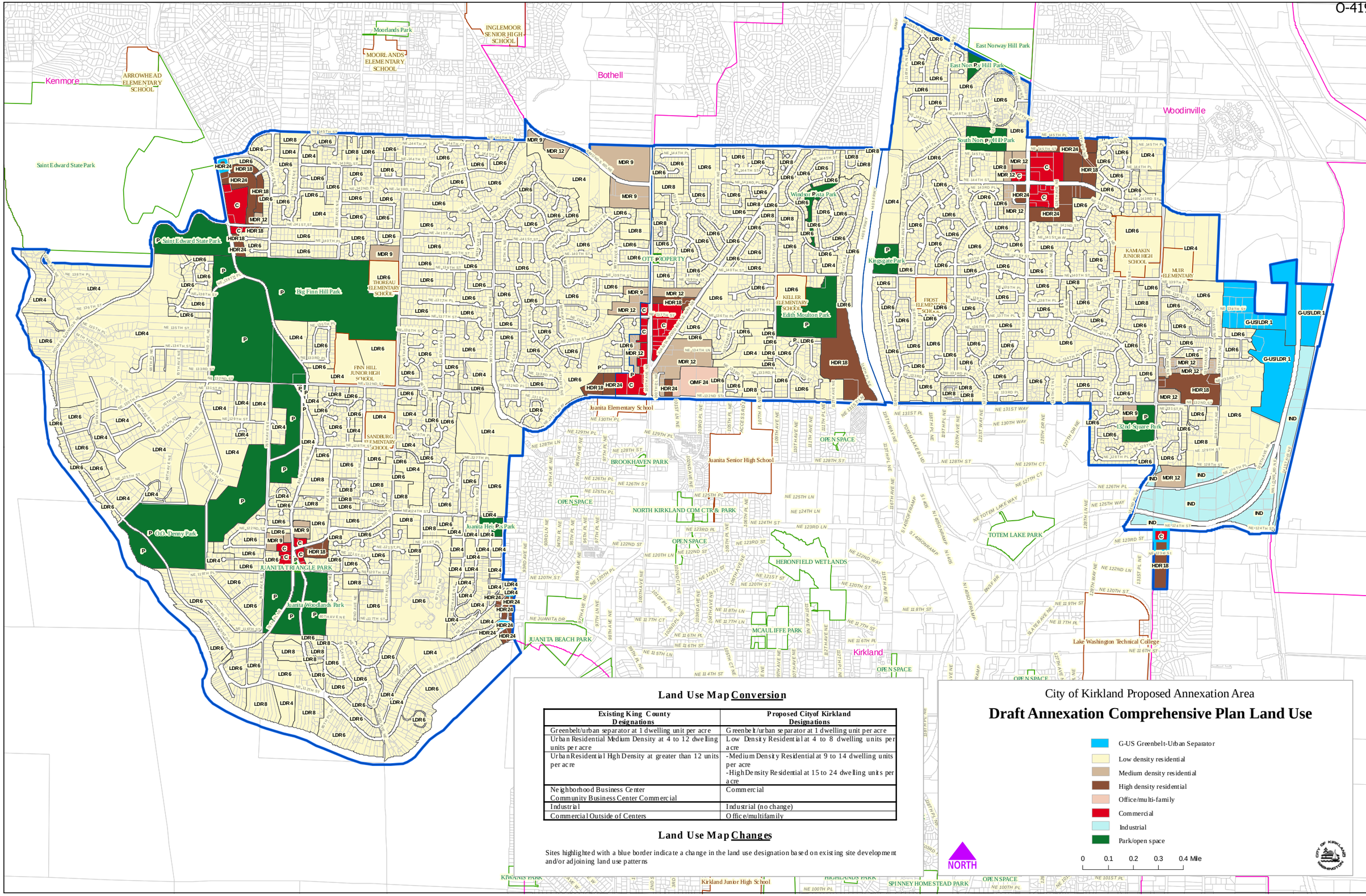
(a) All lots must have direct legal access as required by the zoning code, including Section 115.80, Legal Building Site, and Section 105.10, Vehicular Access Easement or Tract Standards, of Title 23 of this code. The city will determine whether access will be by right-of-way or vehicular-access easement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

(b) Unless otherwise provided in the Kirkland Zoning Code, ~~T~~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:

(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)


Kenmore
Bothell
Woodinville
Kirkland
Saint Edward State Park
Big Finn Hill Park
O.O. Denny Park
Juanita Woodlands Park
Juanita Heights Park
Juanita Beach Park
Kingsgate Park
Windsor Vista Park
Edith Moulton Park
East Norway Hill Park
South Norway Hill Park
132nd Square Park
Totem Lake Park
Heronfield Wetlands
McAuliffe Park
Brookhaven Park
North Kirkland Com Ctr & Park
Kiwanis Park
Highlands Park
Spinney Homestead Park
Moorlands Park
Arrowhead Elementary School
Inglemoor Senior High School
Moorlands Elementary School
Thoreau Elementary School
Finn Hill Junior High School
Sandburg Elementary School
Juanita Elementary School
Juanita Senior High School
Kirkland Junior High School
Keller Elementary School
Frost Elementary School
Kamakin Junior High School
Muir Elementary
Lake Washington Technical College
Wivitott Property
Open Space
City of Kirkland Proposed Annexation Area
Draft Annexation Zoning
Single Family Residential
RSA 1: 1 du/ac
RSA 4: 4 du/ac
RSA 6: 6 du/ac
RSA 8: 8 du/ac
Multi-family Residential
RMA 5.0: 9 du/ac
RMA 3.6: 12 du/ac
RMA 2.4: 18 du/ac
RMA 1.8: 24 du/ac
Professional Office Residential
PRA 1.8: 24 du/ac
Public Use Zone P
Neighborhood Business BNA
Commercial Business BC 1, 2 TL6A
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
0 0.1 0.2 0.3 0.4 Mile
NORTH
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
Single Family Zones:
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 allowed attached units
Multifamily Zones:
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)
Commercial/Industrial Zones:
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



Land Use Map Conversion

Existing King County Designations	Proposed Cityof 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 Community Business Center Commercial	Commercial
Industrial	Industrial (no change)
Commercial Outside of Centers	Office/multifamily

Land Use Map Changes

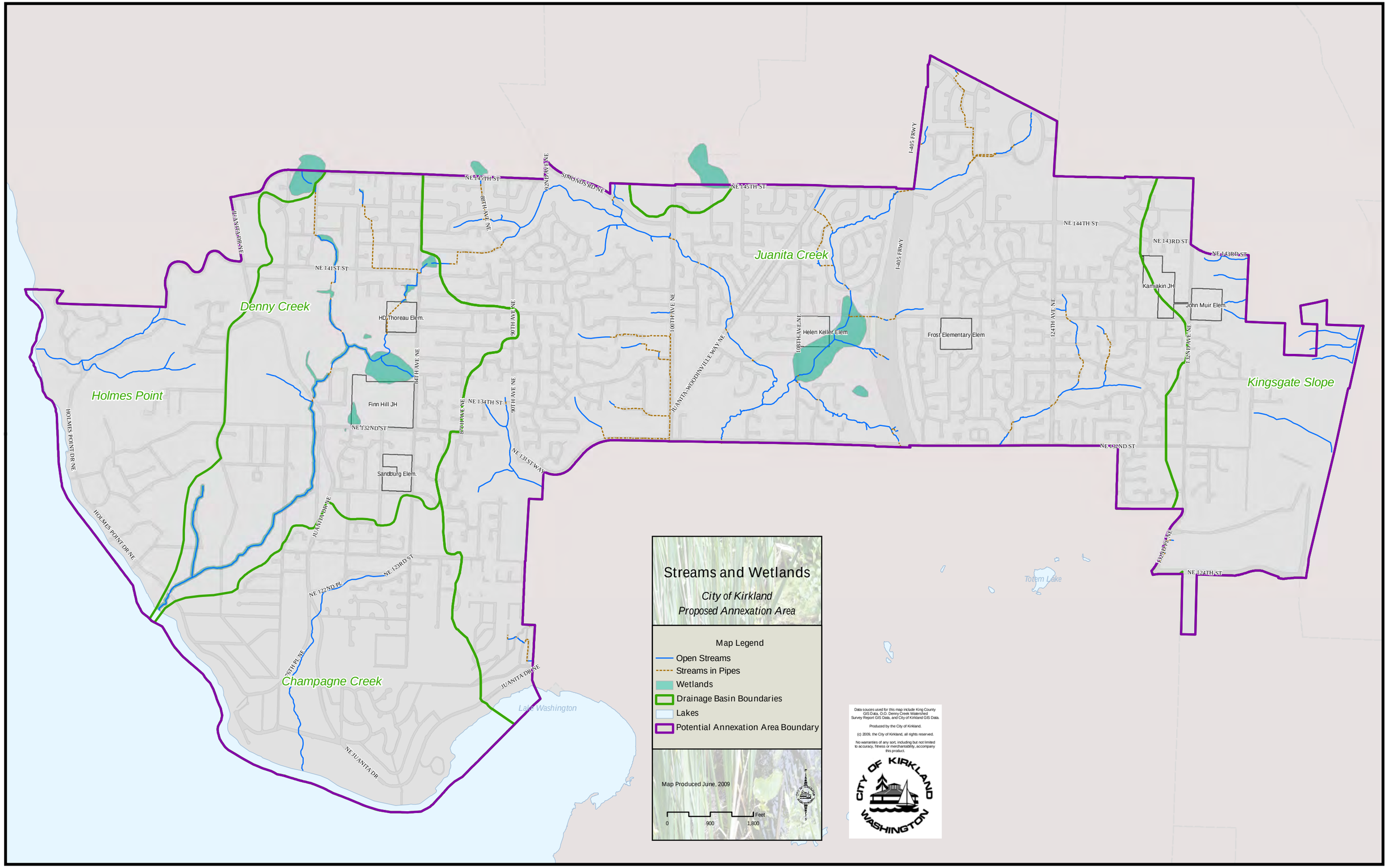
Sites highlighted with a blue border indicate a change in the land use designation based on existing site development and/or adjoining land use patterns

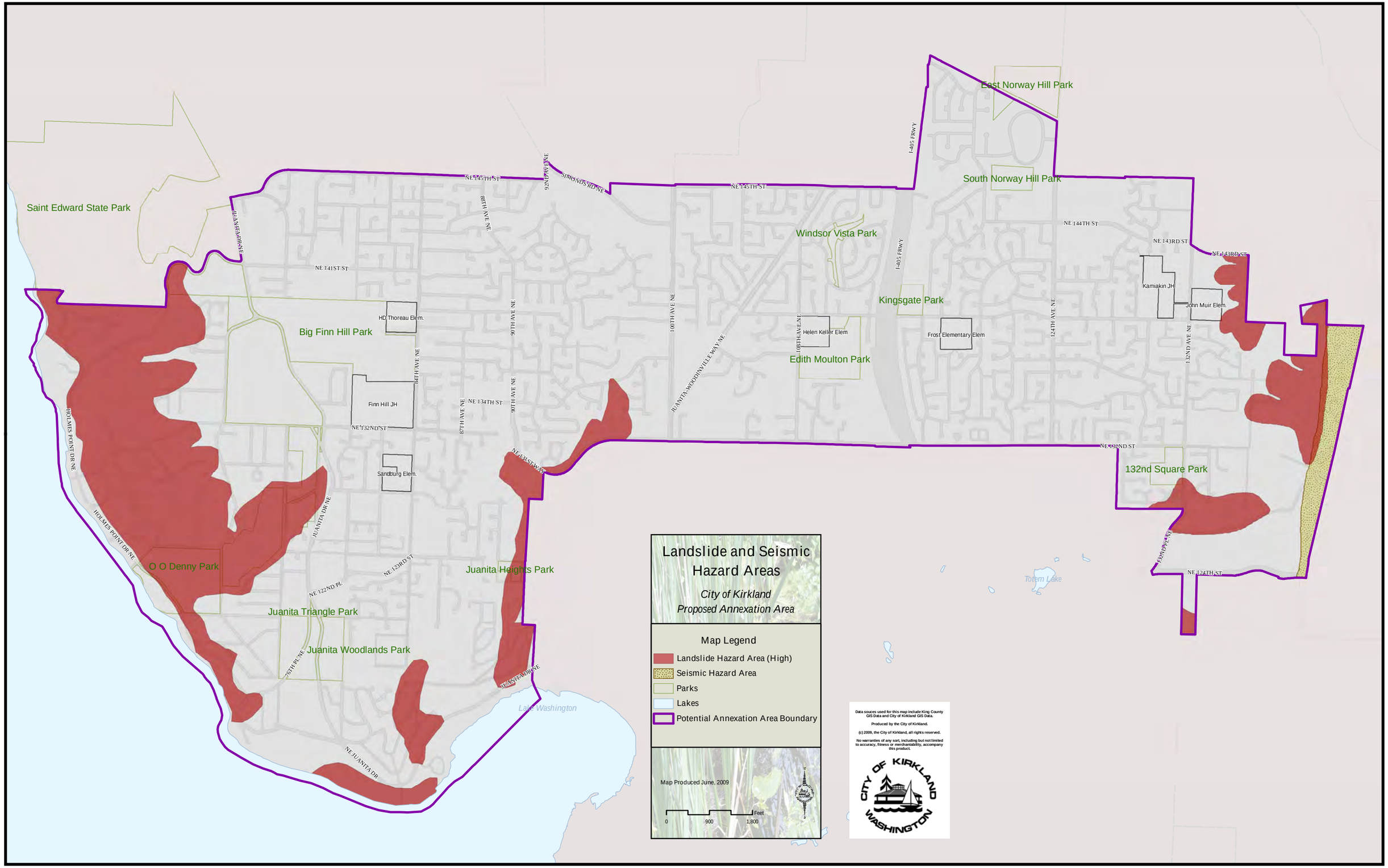
City of Kirkland Proposed Annexation Area

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


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 June, 2009
0
900
1,800
Feet
Data souces used for this map include King County GIS Data, O.O. Denny Creek Watershed Survey Report GIS Data, and City of Kirkland GIS Data.
Produced by the City of Kirkland.
(c) 2009, the City of Kirkland, all rights reserved.
No warranties of any sort, including but not limited to accuracy, fitness or merchantability, accompany this product.
CITY OF KIRKLAND WASHINGTON
Juanita Creek
Denny Creek
Holmes Point
Kingsgate Slope
Champagne Creek
Totem Lake
Lake Washington
I-405 FRWY
NE 145TH ST
SIMONDS RD NE
NE 144TH ST
NE 143RD ST
NE 141ST ST
NE 134TH ST
NE 132ND ST
NE 131ST WAY
NE 124TH ST
NE 123RD ST
NE 122ND PL
JUANITA DR NE
JUANITA-WOODINVILLE WAY NE
HOLMES POINT DR NE
100TH AVE NE
98TH AVE NE
92ND AVE NE
90TH AVE NE
88TH AVE NE
84TH AVE NE
124TH AVE NE
132ND AVE NE
128TH AVE NE
HD Thoreau Elem.
Finn Hill JH
Sandburg Elem.
Helen Keller Elem
Frost Elementary Elem
Kamiakin JH
John Muir Elem.


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 June, 2009
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Feet
Data souces used for this map include King County GIS Data and City of Kirkland GIS Data.
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CITY OF KIRKLAND WASHINGTON
Saint Edward State Park
East Norway Hill Park
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O O Denny Park
Juanita Heights Park
Juanita Triangle Park
Juanita Woodlands Park
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NE 145TH ST
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NE 144TH ST
NE 143RD ST
NE 141ST ST
NE 134TH ST
NE 132ND ST
NE 132ND ST
NE 124TH ST
NE 123RD ST
NE 122ND PL
NE JUANITA DR
JUANITA DR NE
JUANITA-WOODINVILLE WAY NE
HOLMES POINT DR NE
LAKEVIEW DRIVE
88TH AVE NE
90TH AVE NE
100TH AVE NE
108TH AVE NE
124TH AVE NE
132ND AVE NE
84TH AVE NE
87TH AVE NE
78TH PL NE

PUBLICATION SUMMARY
OF ORDINANCE NO. 4196

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING AND LAND USE AND PREPARING ZONING REGULATIONS FOR THE FINN HILL, KINGSGATE AND NORTH JUANITA ANNEXATION AREA; ADOPTING ZONING CODE AMENDMENTS; ADOPTING KIRKLAND MUNICIPAL CODE, TITLE 22, AMENDMENTS; ADOPTING AN ANNEXATION ZONING MAP; ADOPTING AN ANNEXATION COMPREHENSIVE PLAN LAND USE MAP; ADOPTING A STREAMS AND WETLANDS MAP; ADOPTING A LANDSLIDE AND SEISMIC HAZARD MAP; AND APPROVING A SUMMARY ORDINANCE FOR PUBLICATION, FILE NO. ANN09-00001.

SECTION 1. Adopts the Zoning Code amendments for the Finn Hill, Kingsgate and North Juanita Annexation Area.

SECTION 2. Adopts specified amendments to sections of Kirkland Municipal Code, Title 22, "Subdivisions," for the Finn Hill, Kingsgate and North Juanita Annexation Area.

SECTION 3. Adopts the Annexation Zoning Map for the Finn Hill, Kingsgate and North Juanita Annexation Area.

SECTION 4. Adopts the Annexation Comprehensive Plan Land Use Map for the Finn Hill, Kingsgate and North Juanita Annexation Area.

SECTION 5. Adopts the Streams and Wetlands Map for the Finn Hill, Kingsgate and North Juanita Annexation Area.

SECTION 6. Adopts the Landslide and Seismic Hazard Areas Map for the Finn Hill, Kingsgate and North Juanita Annexation Area.

SECTION 7. Provides a severability clause for the ordinance.

SECTION 8. Provides an effective date for the ordinance.

SECTION 9. Authorizes 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 five days after publication of summary.

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the _____ day of _____, 2009.

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

_____
City Clerk