

50.33 User Guide – CBD 5 zones.

The charts in KZC 50.35 contain the basic zoning regulations that apply in the CBD 5 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 50.34



Section 50.34 – 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 No portion of a structure above the elevation of Kirkland Way as measured at the midpoint of the frontage of the subject property on Kirkland Way may exceed the following:
 - a Within 20 feet of Kirkland Way, 2 stories;
 - b Within 40 feet of Kirkland Way, 4 stories;
 - c Within 50 feet of Kirkland Way, 5 stories
- 3 The minimum required yard abutting Peter Kirk Park is 10 feet. The required front yard is zero feet for those portions of buildings with continuous retail or restaurant uses at street level. Kirkland Way shall be considered a pedestrian-oriented street if the front yard is less than 20 feet.
- 4 No portion of a structure within 100 feet of Peter Kirk Park shall exceed three stories above average building elevation.
- 5 Ground floor porches and similar entry features may encroach into the required front yard, provided the total horizontal dimensions of such elements may not exceed 25 percent of the length of the facade of the structure (does not apply to Public Park uses).
- 6 The following requirement applies to property adjoining Peter Kirk Park: The existing easement adjacent to Peter Kirk Park that connects Parkplace and Kirkland Way must be increased to a minimum 38' width and improved to include:
 1. Two minimum 11 foot wide drive lanes,
 2. Two minimum 8' wide sidewalks (one on each side of the easement) with street trees and landscaping,
 3. Easement design must be approved by the Planning and Building Department and Public Works Department..

[link to Section 5035 table](#)

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 50.35	USE ↓ REGULATIONS ↓	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.010	Restaurant or Tavern	D.R., Chapter 142 KZC.	None	20'	0'	0'	80%	67' above average building elevation.	D See Spec. Reg. 1. B	E	One per each 125 sq. ft. of gross floor area.	1. Landscape Category B is required if the subject property is adjacent to 6th Street or Kirkland Avenue. 2. For restaurants with drive-in or drive-through facilities: 1 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 if the subject property is adjacent to 6th Street or Kirkland Avenue.
.030	Entertainment, Cultural and/or Cultural Recreational Facility	D.R., Chapter 142 KZC.	None	20'	0'	0'	80%	67' above average building elevation.	D See Spec. Reg. 2. B	E	See KZC 50.60 and 105.25.	1. The parking requirements for hotel or motel use do not include parking requirements for ancillary meetings and convention facilities. Additional parking requirements for ancillary uses shall be determined on a case-by-case basis. 2. Landscape Category B is required if the subject property is adjacent to 6th Street or Kirkland Avenue.
.040	Hotel or Motel								One per each room. See Spec. Reg. 1.			
.050	Any Retail Establishment, other than those specifically listed, limited, or prohibited in the zone, selling goods, or providing services including banking and related financial services	D.R., Chapter 142 KZC.	None	20'	0'	0'	80%	67' above average building elevation.	D See Spec. Reg. 4. B	E	One per each 350 sq. ft. of gross floor area.	1. The following uses are not permitted in this zone: a. Vehicle service stations. b. The sale, service and/or rental of motor vehicles, sailboats, motor boats, and recreational trailers; provided, that motorcycle sales, service, or rental is permitted if conducted indoors. 2. Access for drive-through facilities must be approved by the Public Works Department. 3. 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 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. Landscape Category B is required if subject property is adjacent to 6th Street or Kirkland Avenue.
.060	Private Lodge or Club								D See Spec. Reg. 1. C		B	See KZC 105.25.

Section 50.35

Zone
CBD-5

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 50.35	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						
.070	Office Use	D.R., Chapter 142 KZC.	None	20'	0'	0'	80%	67' above average building elevation. (see spec. reg. 3 for office use)	D See Spec. Reg. 3. C	D	One per each 350 sq. ft. of gross floor area.	1. Ancillary assembly and manufacture of goods on premises may be permitted as part of an office use if: <ol style="list-style-type: none"> The ancillary assembled or manufactured goods are subordinate to and dependent on this office use; and The outward appearance and impacts of this office use with ancillary assembly and manufacturing activities must be no different from other office uses. 2. The following regulations apply to veterinary office only: <ol style="list-style-type: none"> May only treat small animals on the subject property. Outside runs and other outside facilities for the animals are not permitted. 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 D.R. and building permit applications. A veterinary office is not permitted if the subject property contains dwelling units. 3. Landscape Category C is required if subject property is adjacent to 6th Street or Kirkland Avenue.
.080	Church	Proposed wording for Special Regulation #3 is shown on next page.							D See Spec. Reg. 2. C		One per every four people based on maximum occupancy of any area of worship.	1. No parking is required for daycare or school ancillary to the use. 2. Landscape Category C is required if subject property is adjacent to 6th Street or Kirkland Avenue.
.090	School, Day-Care Center, or Mini-School or Day-Care Center								D		See KZC 105.25.	1. A six-foot-high fence is required along all property lines adjacent to outside play areas. 2. Hours of operation may be limited by the City to reduce impacts on nearby residential uses. 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.

Special Regulation 3 for Office Use

3. For property adjoining Peter Kirk Park, 80' above average building elevation, if following is provided:

a. At least 50% of gross floor area is office use.

b. A minimum 54' wide improved easement street from Parkplace to Kirkland Way which meets the requirements for the Park Promenade in the Parkplace Master Plan. The design must be approved by the Planning & Building Department and the Public Works Department.

c. The street level of all buildings shall be limited to one or more of the following uses: Retail; Restaurant or Tavern; Banking and Related Financial Services; Entertainment, Cultural and/or Recreational Facility; Parks; Government Facility; or Community Facility. At least one of the street level tenant spaces must be a minimum area of 9000 square feet. The required uses shall have a minimum depth of 20 feet and an average depth of at least 30 feet (as measured from the face of the building on the Park Promenade).

The Design Review Board (or Planning Director if not subject to D.R. may approve a minor reduction in the depth requirements if the applicant demonstrates that the requirement is not feasible given the configuration of existing or proposed improvements and that the design of the retail frontage will maximize visual interest. Lobbies for office uses may be allowed within this space subject to applicable design guidelines.

d. A minimum 2000 square foot public plaza that relates to Kirkland Way, the Kirkland Performance Center and Peter Kirk Park. The design must be approved by the Design Review Board.

e. Public art on site valued at a minimum of \$10,000. The art must be reviewed and approved by the Kirkland Cultural Arts Commission.

f. The project must be built to LEED silver or comparable standard.

Section 50.35		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
USE	REGULATIONS		Front	Side	Rear							
USE REGULATIONS	.100 Assisted Living Facility See Spec. Reg. 4. 3	D.R., Chapter 142 KZC.	None	20'	0'	0'	80%	67' above average building elevation.	D See Spec. Reg. 3. C	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. A nursing home use may be permitted as part of an assisted living facility use in order to provide a continuum of care for residents. If a nursing home use is included, the following parking standard shall apply to the nursing home portion of the facility: a. One parking stall shall be provided for each bed. 3. Landscape Category C is required if subject property is adjacent to 6th Street or Kirkland Avenue. 4. This use only allowed: 3 3 a. On properties with frontage on Second Avenue. b. Within 170 feet of Peter Kirk Park provided that the gross floor area of this use does not exceed 12.5% of the total gross floor area for the subject property.
	.110 Stacked or Attached Dwelling Units See Spec. Reg. 1								D See Spec. Reg. 1. C		1.2 per studio unit. 1.3 per 1 bedroom unit. 1.6 per 2 bedroom unit. 1.8 per 3 or more bedroom unit. See KZC 105.20 for visitor parking requirements.	1. Landscape Category C is required if the subject property is adjacent to 6th Street or Kirkland Avenue. 2. This use only allowed: a. On properties with frontage on Second Avenue. 1 1 b. Within 170 feet of Peter Kirk Park provided that the gross floor area of this use does not exceed 12.5% of the total gross floor area for the subject property.
	.120 Public Utility, Government Facility, or Community Facility								C See Spec. Reg. 1 1	B	See KZC 105.25.	1. Landscape Category C is required if the subject property is adjacent to 6th Street or Kirkland Avenue. 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 nearby uses. 2. Site design must include installation of pedestrian linkages consistent with the major pedestrian routes in the Downtown Plan chapter of the Comprehensive Plan, between public sidewalks and building entrances, and between walkways on the subject property and existing or planned walkways on abutting properties.
.130 Public Park	Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.											

Proposed wording for Special Regulation 3.b is shown on next page.

Proposed wording for Special Regulation 1.b is shown on next page.

Special Regulation 3.b for Assisted Living and Special Regulation 1.b for Stacked or Attached Dwelling Units.

For property adjoining Peter Kirk Park, if the following are provided:

- 1). A minimum 54' wide improved easement street from Parkplace to Kirkland Way which meets the requirements for the Park Promenade in the Parkplace Master Plan. The design must be approved by the Planning and Building Department & the Public Works Department.
- 2). The street level of all buildings shall be limited to one or more of the following uses: Retail; Restaurant or Tavern; Banking and Related Financial Services; Entertainment, Cultural and/or Recreational Facility; Parks; Government Facility; or Community Facility. At least one of the street level tenant spaces must be a minimum of 9000 square feet. The required uses shall have a minimum depth of 20 feet and an average depth of at least 30 feet (as measured from the face of the building on the Park Promenade).

The Design Review Board (or Planning Director if not subject to D.R.) may approve a minor reduction in the depth requirements if the applicant demonstrates that the requirement is not feasible given the configuration of existing or proposed improvements and that the design of the retail frontage will maximize visual interest. Lobbies for residential uses may be allowed within this space subject to applicable design guidelines.
- 3). A minimum 2000 square foot public plaza that relates to Kirkland Way, the Kirkland Performance Center and Peter Kirk Park. The design must be approved by the Design Review Board.
- 4). Developments creating four or more new dwelling units shall provide at least 10 percent of the units as affordable housing units as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing incentives and requirements.
- 5). Public art on site valued at a minimum of \$10,000. The art must be reviewed and approved by the Kirkland Cultural Arts Commission.
- 6). The project must be built to LEED silver or comparable standard.