



MEMORANDUM

DATE: May 14, 2013

To: Planning Commission

FROM: Jeremy McMahan, Planning Supervisor

SUBJECT: Commercial Codes Phase 2, Kirkland Zoning Code Amendments, File No. CAM13-00185

RECOMMENDATION

- Conduct public hearing to receive public testimony on the proposed amendments.
- Deliberate and make a recommendation on the amendments that will be transmitted to the City Council for their consideration.

BACKGROUND

In 2011-2012, the Planning Commission worked through a number of amendments to the Kirkland Zoning Code related to commercial zones. A number of amendments were deferred to this later phase of the project. The adopted 2013-2014 Planning Work Program shows completion of the commercial codes project (Phase 2).

The Planning Commission has conducted two study sessions to scope the amendments and provide direction on draft codes for Phase 2. The meeting packets, recordings, and minutes are available on the City's Planning Commission webpage and are entered into the hearing record.

- March 28 meeting packet:
www.kirklandwa.gov/Assets/Planning/Planning+PDFs/Planning+Commission/Commercial+Codes+PC+03282013.pdf
- February 14 meeting packet:
www.kirklandwa.gov/Assets/Planning/Planning+PDFs/Planning+Commission/Commercial+Codes+02142013.pdf

The proposed changes that fall within the jurisdiction of the Houghton Community Council (HCC) were reviewed by the HCC at their April 22, 2013 meeting. The HCC agreed that they did not wish to hold a public hearing on the proposed amendments. Once adopted by City Council, the amendments will be reviewed by the HCC under their disapproval jurisdiction.

- April 22 meeting packet:
www.kirklandwa.gov/Assets/Planning/Planning+PDFs/Houghton+Community+Council/Commercial+Codes+KZC+Amends+HCC+04222013+Print+Web.pdf

Proposed KZC Amendments

Proposed draft Kirkland Zoning Code amendments are included as Attachment 1. The amendments are summarized below, the affected zones are listed, and a brief analysis of the rationale for the change is outlined.

1. **Revise method of how much ground floor commercial is required.**
 - a. Replace requirement for 75% commercial on ground floor with minimum commercial frontage requirements
 - b. Allow residential use on ground floor behind commercial frontage and limited residential lobbies within commercial frontage
 - d. Require a minimum height for ground floor commercial and allow increase in building height in MSC 3 zone if needed to accommodate ground floor commercial

(See Attachment 1, pages 5-18).

Zones: Market Street Corridor 3, North Rose Hill Business District 1A, North Rose Hill Business District 1B

Issue: Within the zones noted above, the KZC currently requires 75% of the ground floor of all structures to be commercial use and prohibits residential use on the ground floor. 2011 amendments to other zones recognized that this method of measuring ground floor commercial is flawed because: the amount of commercial is dictated solely based on the size of the structure being built, it may force more commercial space than the market will bear or the neighborhood desires, and it does not adequately address other ground floor uses such as parking and residential. The replacement method would require that new mixed-use development provide a minimum depth of commercial frontage along the streets and would allow residential and parking to be located behind the minimum commercial frontage.

2. **Make land use buffers and required yards consistent.** Make office and retail land use buffers and required yards consistent in the mixed use zones noted below to accommodate use changes in tenant spaces over time (See Attachment 1, multiple pages).

Zones: Market Street Corridor 1, Market Street Corridor 3, Market Street Corridor 4, Rose Hill 3, Yarrow Bay Business District 1, Yarrow Bay Business District 2, Yarrow Bay Business District 3, Totem Lake 4A, Totem Lake 4B, Totem Lake 4C, Totem Lake 5, Totem Lake 6A, Totem Lake 6B, Totem Lake 10A, Totem Lake 10C

Issue: The current regulations in these zones establish different side yards setbacks and/or land use buffers for office uses than for retail uses. The unintended result is that a new commercial building could get built with ground floor office uses and space could not be converted to a retail use in the future due to the different setbacks and/or buffers. Attachment

2 provides the matrix from KZC 95.42 showing how the landscape categories apply depending on the adjoining use.

3. **Eliminate Process IIA Height Increases.** Eliminate General Regulation allowing additional height to be approved by Hearing Examiner through Process IIA (See Attachment 1, pages 1-2).

Zones: Community Business, Community Business X, Light Industrial Technology, Planned Area 6G

Issue: The Process IIA provision, although seldom used, allows unspecified height increases (driven only by the increased front setbacks) subject to criteria that are not particularly stringent. The Planning Commission requested the amendment because they questioned whether it is appropriate to allow that level of uncertainty about building heights - for either developers or the neighborhood. They agreed that any additional height in these zones should be the result of deliberative neighborhood planning efforts.

4. **Codify CBD 7 retail Interpretation 13-1.** Clarify that retail is not required on 4th Avenue (See Attachment 1, page 2).

Zones: Central Business District 7

Issue: The current requirements for ground floor retail in CBD 7 did not take into account the limited frontage of 4th Avenue South. This small dead-end street is residential in character, facing the PLA 7B zone to the north, and not appropriate for active retail storefronts. The intent was primarily to orient retail to Central Way along the south boundary of the CBD 7 zone. This revision codifies the standing interpretation (See Attachment 3) for clarity.

5. **Make regulations for ground floor assisted living uses consistent.** Generally, regulations for assisted living uses should be consistent with regulations for other residential uses (See Attachment 1, multiple pages).

Zones: Market Street Corridor 3, North Rose Hill 1A, North Rose Hill 1B, Rose Hill 3, Totem Lake 2

Issue: In general, the Zoning Code treats "Assisted Living" uses similar to other residential uses. In a few cases, these amendments correct the remaining, unintended, inconsistencies that were not corrected in phase 1 of the commercial codes project.

6. **Revise Required Yards for School and Daycare Uses.** Make setbacks for school and daycare uses consistent with setbacks for other uses (See Attachment 1, multiple pages).

Zones: Professional Office Residential, Professional Office Residential A, Professional Office, Market Street Corridor 1, Market Street Corridor 2, Market Street Corridor 3, Market Street Corridor 4, Rose Hill Business District 4, Totem Lake 10B, Planned Areas 5C, Planned Area 6B, Neighborhood Business, Yarrow Bay Business District 1

Issue: In many commercial and office zones, schools and daycare centers have the same setbacks as other uses in the zone. However, in the zones listed above, schools and daycare centers have 20' or 50' setbacks (like those more typically found in residential zones). Attachment 2 shows the existing variability of school/daycare setbacks among various commercial zones – both for building setbacks and structured play area setbacks (discussed below). The larger setback requirements have the effect of precluding otherwise desirable school/daycare uses from inclusion in mixed use buildings or areas. For example, if a daycare center wanted to move into an existing retail or office space in most zones, the change in use would not be an issue (provided the use is allowed). However, in the zones listed above, the change in use may not be allowed unless the existing building happened to have exceptionally wide setbacks. An existing Kirkland daycare operation has highlighted this problem to the City and Chamber of Commerce as they are having a difficult time finding a space to relocate in Kirkland due to these regulations.

Staff has reviewed regulations in neighboring jurisdictions confirmed that Kirkland is unique in these setbacks. Setbacks for daycare operations in Bellevue, Bothell, Kenmore, Woodinville, Redmond, and King County are the same as other uses in the applicable zone.

7. **Remove Special Regulation for “Structured Play Area” setbacks.** Eliminate inconsistent setbacks and allow existing setback and land use buffer rules to govern.

Zones: Multiple commercial, office, light industrial zones (see Attachment 1 for complete list)

Issue: Since there are existing provisions in the KZC governing what is allowed and not allowed in a setback, and there are existing provisions for land use buffers between uses, the rules for daycares would be more consistent if all zones were subject to those existing standards.

8. **Codify Interpretation 09-2 allowing schools in LIT zone** (See Attachment 1, page 25).

Zones: Light Industrial Technology

Issue: The LIT zone allows “Community Facility” uses and schools are generally within the scope of the definition of community facilities. This revision codifies the standing interpretation (See Attachment 4) for clarity.

9. **Delete references to State statutes for schools and daycares.** Delete special regulations for mini-schools and mini-daycares that reference out of date statutes.

Zones: Multiple commercial, office, light industrial zones (see Attachment 1 for complete list)

Issue: The State moved the referenced WAC regulations a number of years ago, so the current KZC reference is incorrect. The special regulation is being deleted as the City amends the applicable charts because the reference is wrong and because there is no need to have a local regulation requiring compliance with a State regulation.

10. **Codify provisions for encroachment of structural columns in parking spaces in garages** (See Attachment 1, page 2).

Code Section: 105.60

Issue: This clarification would make the City's parking design standards more explicit to architects and developers and avoid potentially costly design errors. The approach as drafted is a simple clarification of existing administrative practice. Staff has occasionally allowed limited encroachments if it has been demonstrated that access to the stalls is not impeded and door swing areas are clear. Polling Kirkland planning and transportation staff indicates that staff is fairly strict in not approving encroachments, largely because the KZC already allows 50% compact stalls and the current drive aisle width requirements make turn movements into stalls somewhat tight.

Discussions with Bellevue and Redmond staff indicate that their codes are silent on encroachments but they may allow encroachments on a common sense, case-by-case basis. Factors include keeping the door swing area clear, making sure cars can turn in to the stall, and not reducing below the width of a compact stall (8' typical). Edmond's code specifically prohibits column encroachments. Staff found very few examples of codes that specifically allowed encroachments. Examples from Seattle (Bainbridge Island is similar) and Vancouver, BC (see Attachment 5) take the approach of allowing column encroachment subject to specific standards as follows:

- Vancouver: Maximum 6" encroachment allowed on either side, but not on single stall module. Columns must be setback from the drive aisle by 2' to facilitate the turn in to the stalls.
- Seattle (SMC 23.54.030): Maximum 6" encroachment allowed on either side, but 8' in the center of the parking stall must be kept clear for door swings.

11. **Clarify Hearing Examiner appeal authority in KZC 142.** Specify applicable Comprehensive Plan provisions for consideration on appeal (See Attachment 1, pages 2-3).

Code Section: 142.40.11.a

Issue: The authority of the Design Review Board is specified in KZC 142.35.3 as reviewing projects for consistency with the following:

- a. Design guidelines for pedestrian-oriented business districts, as adopted in Chapter 3.30 KMC.
- b. Design Guidelines for the Rose Hill Business District (RHBD) and the Totem Lake Neighborhood (TLN) as adopted in Chapter 3.30 KMC.
- c. The Design Principles for Residential Development contained in Appendix C of the Comprehensive Plan for review of attached and stacked dwelling units located within the NE 85th Street Subarea, the PLA 5C zone, and the Market Street Corridor.
- d. The Parkplace Master Plan and Design Guidelines for CBD 5A as adopted in Chapter 3.30 KMC

The authority of the Hearing Examiner on appeal of a DRB decision needs to be clarified to correspond to the authority noted in 142.35.3, where the only Comprehensive Plan reference is to Appendix C.

Public Notice

Pursuant to KZC 160.40, notice of the hearing was published in the official City newspaper, posted on office notice boards, and posted on the City website. In addition, the notice was sent to all owners of property affected by the proposed change to height rules in the BC, BCX, LIT, and PLA 6G zones, the Kirkland Alliance of Neighborhoods, all neighborhood associations, and the Chamber of Commerce.

At the request of the Planning Commission, in April an early notice of the hearing and a summary of the proposed amendments was sent out to the Kirkland Alliance of Neighborhood (for further distribution) and to the Kirkland Neighborhood News E-Bulletin (1,171 subscribers).

The City has also created a project webpage for the process at [http://www.kirklandwa.gov/depart/planning/Code_Updates/Commercial_Code_Amendments - Phase 2.htm](http://www.kirklandwa.gov/depart/planning/Code_Updates/Commercial_Code_Amendments_-_Phase_2.htm) and the City has directed interested parties to visit that page for detailed information.

Public Comment

Attachment 6 provides copies of all public comment received related to the proposed amendments.

Attachments

1. Draft KZC Amendments
2. Existing School/Daycare Setbacks
3. Interpretation 13-1
4. Interpretation 09-2
5. Seattle & Vancouver Parking Dimensions
6. Public Comment

**KZC Text Amendments
File No. CAM13-00185**

45.08 (BC Zone), General Regulation 9:

9. 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:~~
 - ~~1) It will not block local or territorial views designated in the Comprehensive Plan;~~
 - ~~2) The increased height is not specifically inconsistent with the applicable neighborhood plan provisions of the Comprehensive Plan; and~~
 - ~~3) 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:
 - 1) At least 50 percent of the floor area is residential;
 - 2) Parking is located away from the street by placing it behind buildings, to the side of buildings, or in a parking structure;
 - 3) The ground floor is a minimum 15 feet in height for all retail, restaurant, or office uses (except parking garages); and
 - 4) 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).

47.08 (BCX Zone), General Regulation 4:

- ~~4. Except if adjoining a low density zone, structure height may be increased above 33 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 and Automotive Service Center uses).~~

(Renumber general regulations accordingly)

48.10 (LIT Zone), General Regulation 3:

- ~~3. Except if adjoining a low density zone, structure height may be increased above 35 feet in height through a Process IIA, Chapter 150 KZC, if:~~
- ~~a. It will not block local or territorial views designated in the Comprehensive Plan;~~
 - ~~b. The increased height is not specifically inconsistent with the applicable neighborhood plan provisions of the Comprehensive Plan; and~~
 - ~~c. The required yard of any portion of the structure may be increased up to a maximum of one foot for each foot that any portion of the structure exceeds 35 feet above average building elevation. The need for additional setback yards will be determined as part of the review of any request to increase structure height.~~
- ~~(Does not apply to Hazardous Waste Treatment and Storage Facilities and Public Parks uses).~~

(Renumber general regulations accordingly)

60.85 (PLA 6G Zone), General Regulation 5:

~~5. Except if adjoining a low density zone, structure height may be increased above 35 feet in height through a Process IIA, Chapter 150 KZC, if:~~

- ~~a. It will not block local or territorial views designated in the Comprehensive Plan;~~
- ~~b. The increased height is not specifically inconsistent with the applicable neighborhood plan provisions of the Comprehensive Plan; and~~
- ~~c. The need for additional setback yards to compensate for the added height and bulk will be determined as part of the review of any request to increase structure height.~~

~~(Does not apply to Detached, Attached or Stacked Dwelling Units, Assisted Living Facility and Public Park uses).~~

(Renumber general regulations accordingly)

50.47.120 (CBD 7 Zone), Special Regulation 1:

50.47.125 (CBD 7 Zone), Special Regulation 1:

1. This use may be located on the street level floor of a building only if there is a retail space extending a minimum of 30 feet of the building depth between this use and the abutting right-of-way. The Planning Director may approve a reduction to the depth requirement for the retail space if the applicant demonstrates that the proposed configuration of the retail use provides an adequate dimension for a viable retail tenant and provides equivalent or superior visual interest and potential foot traffic as would compliance with the required dimension. This special regulation shall not apply on Fourth Avenue.

105.60 Parking Area Design – General

1. The minimum dimensions for parking spaces and parking areas are displayed in plates in Chapter 180 KZC. The specified minimum dimensions shall be kept free of columns and other encroachments. These plates apply to parking for all uses except detached dwelling units.
2. Driveways which are not driving aisles within a parking area shall be a minimum width of 20 feet.
3. Parking areas must be constructed so that car wheels are kept at least two (2) feet from pedestrian and landscape areas; provided, that parking areas may be constructed in a manner which allows vehicles to overhang a pedestrian or landscape area by up to two (2) feet if the pedestrian or landscape area within the area of vehicle overhang is not required by this or any other code (see Figure 105.60.A).
4. Shared parking lot entrances and driveways between properties shall be installed whenever feasible as determined by the Planning Official.
5. Parking areas must have adequate lighting. Lights in parking lots must be nonglare and must be mounted no more than 20 feet above the ground.

142.40 Appeals of Design Review Board Decisions

11. Decision on the Appeal
 - a. Criteria – Unless substantial relevant information is presented which was not considered by the Design Review Board, the decision of the Design Review Board shall be accorded substantial weight. The decision may be reversed or modified if, after considering all of the evidence in light of the authority of the Design Review Board pursuant to 142.35.3 design regulations, design guidelines, and Comprehensive Plan, the hearing body or officer determines that a mistake has been made. Specific allowances established by the applicable use zone charts may not be appealed unless the Design Review Board has approved exceptions to those allowances.

- b. General – The hearing body or officer shall consider all information and material within the scope of the appeal submitted by the appellant. The hearing body or officer shall adopt findings and conclusions and either:
- 1) Affirm the decision being appealed; or
 - 2) Reverse the decision being appealed; or
 - 3) Modify the decision being appealed.
- c. Issuance of Written Decision – Within eight (8) calendar days after the public hearing, the hearing body or officer shall issue a written decision on the appeal. Within four (4) business days after it is issued, the hearing body or officer shall distribute the decision by mail to the appellant and the applicant.
- d. Effect – If the appeal hearing is combined with an open record hearing for a related development permit, the decision on the appeal shall become part of the decision on the related development permit. The final decision of the City on the appeal of the Design Review Board decision shall occur at the same stage as the final decision of the City on the related development permit. Any appeal or challenge of the action of the hearing body or officer on the appeal of the Design Review Board decision shall be limited to the scope of the initial appeal.

Various Zones/Code Sections. School and Daycare Revisions. Setbacks for Structured Play Areas and Incorrect References to State Statutes:

Delete the following Special Regulations and renumber remaining special regulations and references accordingly:

Zone – Code Section	Special Regulation Number
BC, BC 1, BC 2 – 45.10.130 & .140	#3
BCX – 47.10.130 & .140	#3
CBD 1A, 1B – 50.12.090	#2
CBD 2, 50.17.050	#3
CBD 3, 50.27.100	#3
CBD 4, 50.32.090	#3
CBD 5, 50.35.090	#2 & #5
CBD 6, 50.42.090	#5 & #8
CBD 7, 50.47.100	#2
CBD 8, 50.52.090	#3
JBD 1, 52.12.140 & .150	#2
JBD 2, 52.17.130 & .140	#2
JBD 3, 52.22.040 & .050	#2 & #5
JBD 4, 52.27.110 & .120	#2
JBD 5, 52.32.100 & .110	#2
JBD 6, 52.42.090 & .100	#2
RH 1A, 53.06.110	#2
RH 1B, 53.12.060	#2 & #6
RH 2A, 2B, 2C, 53.24.120	#2
RH 5A, 5B, 53.54.110	#2
RH 7, 53.74.100	#2
RH 8, 53.84.080	#2
NRH 2, 54.18.050 & .060	#3 & #7
NRH 5, 54.36.050	#3 & #7
NRH 6, 54.36.050	#3 & #7

TL 1A, 55.09.060	#3
TL 1B, 55.15.070	#5
TL 7, 55.51.220	#3
TL 8, 55.57.100	#2
TL 9A, 55.61.130 & .140	#4
TL 10D, 55.87.110	#4
PLA 6G, 60.87.100	#3 & #6
PLA 6G, 60.87.110	#3 & #7
PLA 17A, 60.192.060	#2 & #6

51.25 User Guide. The charts in KZC 51.30 contain the basic zoning regulations that apply in the MSC 3 zone of the City. Use these charts by reading down the left hand column entitled Use. Once you locate the use in which you are interested, read across to find the regulations that apply to that use.

Section 51.28

Zone
MSC 3

Section 51.28 – 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 maximum horizontal facade shall not exceed 50 feet in width.
 See KZC 115.30, Distance Between Structures/Adjacency to Institutional Use, for further details.
3. Some development standards or design regulations may be modified as part of the design review process. See Chapters 92 and 142 KZC for requirements.
- ~~4. 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.~~

4. The following commercial frontage requirements shall apply to all development that includes dwelling units or assisted living uses:
 - a. The street level floor of all buildings shall be limited to one or more of the following uses: Retail; Restaurant or Tavern; Hotel or Motel; Entertainment, Cultural and/or Recreational Facility; or Office. These uses shall be oriented toward Market Street and have a minimum depth of 20 feet and an average depth of at least 30 feet (as measured from the face of the building along the street).
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 commercial frontage will maximize visual interest. The Design Review Board (or Planning Director if not subject to D.R.) may modify the frontage requirement where the property abuts residential zones in order to create a more effective transition between uses.
 - b. The commercial floor shall be a minimum of 13 feet in height. The height of the structure may exceed the maximum height of structure by three feet for a three story building with the required 13 foot commercial floor.
 - c. Other uses allowed in this zone and parking shall not be located on the street level floor unless an intervening commercial frontage is provided between the street and those other uses or parking subject to the standards above. Lobbies for residential or assisted living uses may be allowed within the commercial frontage provided they do not exceed 20 percent of the building's linear commercial frontage along the street.
5. Surface parking areas shall not be located between the street and building unless no feasible alternative exists. Parking areas located to the side of the building are allowed provided that the parking area and vehicular access occupies less than 30 percent of the property frontage and design techniques adequately minimize the visibility of the parking.

Section 51.30

Zone
MSC 3

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 51.30	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	0'	0'	0'	80%	30' above average building elevation. See Gen. Reg. 4.b	B C. See Spec. Reg. 4	E	1 per each 100 sq. ft. of gross floor area.	<ol style="list-style-type: none"> This use is limited to 4,000 sq. ft. maximum. Drive-in or drive-through facilities are not permitted. Prior to issuance of a development permit, documentation must be provided by a qualified acoustical consultant, for approval by the Planning Official, verifying that the expected noise to be emanating from the site adjoining any residentially zoned property complies with the standards set forth in WAC 173-60-040(1) for a Class B source property and a Class A receiving property.
											4. Any outdoor seating areas are subject to Landscape Category B	

Section 51.30

Zone
MSC 3

USE ZONE CHART

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

Section 51.30	USE ↓ REGULATIONS ↑	Required Review Process	MINIMUMS			MAXIMUMS		Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARDS (See Ch. 115)									
				Front	Side	Rear							
.020	Any retail establishment other than those specifically listed in this zone, selling goods, or providing services including banking and related financial services	D.R., Chapter 142 KZC.	None	0'	0'	0'	80%	30' above average building elevation. See Gen. Reg. 4.b	B C	E	1 per each 300 sq ft. of gross floor area.	<ol style="list-style-type: none"> Gross floor area for this use may not exceed 4,000 square feet maximum. The following uses are not permitted in this zone: <ol style="list-style-type: none"> Vehicle service stations. Automotive service centers. Uses with drive-in facilities or drive-through facilities. Retail establishments providing storage services unless accessory to another permitted use. Retail establishments involving the sale, service or repair of boats, recreational vehicles, heavy equipment and similar vehicles except those existing as of June 15, 2007. Storage and operation of heavy equipment, except delivery vehicles associated with retail uses. Storage of parts unless conducted entirely within an enclosed structure. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: <ol style="list-style-type: none"> 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. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other retail uses. A delicatessen, bakery, or other similar use may include, as part of the use, accessory seating if: <ol style="list-style-type: none"> The seating and associated circulation area does not exceed more than 10 percent of the gross floor area of the use; and It can be demonstrated to the City that the floor plan is designed to preclude the seating area from being expanded. Prior to issuance of a development permit, documentation must be provided by a qualified acoustical consultant, for approval by the Planning Official, verifying that the expected noise to be emanating from the site adjoining any residentially zoned property complies with the standards set forth in WAC 173-60-040(1) for a Class B source property and a Class A receiving property. 	

Section 51.30

Zone
MSC 3

USE ZONE CHART

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

Section 51.30	USE ↓ REGULATIONS ↑	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.030	Office Use	D.R., Chapter 142 KZC.	None	0'	0'	0'	80%	30' above average building elevation. See Gen. Reg. 4.b	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.	<ol style="list-style-type: none"> The following regulations apply to veterinary offices 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. Prior to issuance of a development permit, documentation must be provided by a qualified acoustical consultant, for approval by the Planning Official, verifying that the expected noise to be emanating from the site adjoining any residentially zoned property complies with the standards set forth in WAC 173-60-040(1) for a Class B source property and a Class A receiving property. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: <ol style="list-style-type: none"> The ancillary assembled or manufactured goods are subordinate to and dependent on this use. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.

Section 51.30

Zone
MSC 3

USE ZONE CHART

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

Section 51.30	USE REGULATIONS ↓ ↑	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.040	Hotel or Motel	D.R., Chapter 142 KZC.	None	0'	0'	0'	80%	30' above average building elevation. See Gen. Reg. 4.b	B C	E	1 per each room. See also Spec. Reg. 2.	<ol style="list-style-type: none"> May include ancillary meeting and convention facilities. 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. Prior to issuance of a development permit, documentation must be provided by a qualified acoustical consultant, for approval by the Planning Official, verifying that the expected noise to be emanating from the site adjoining any residentially zoned property complies with the standards set forth in WAC 173-60-040(1) for a Class B source property and a Class A receiving property.
.050	A Retail Establishment providing entertainment, recreational or cultural activities										1 per every 4 fixed seats.	<ol style="list-style-type: none"> Prior to issuance of a development permit, documentation must be provided by a qualified acoustical consultant, for approval by the Planning Official, verifying that the expected noise to be emanating from the site adjoining any residentially zoned property complies with the standards set forth in WAC 173-60-040(1) for a Class B source property and a Class A receiving property.
.060	Private Lodge or Club								C	B	1 per each 300 sq. ft. of gross floor area.	
.070	Stacked Dwelling Unit. See Special Regulation 1.		Same as the regulations for the ground floor use. See Spec. Reg. 1.							A	1.7 per unit.	<ol style="list-style-type: none"> This use, with the exception of a lobby, may not be located on the ground floor of a structure. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.080	Church			0'	0'	0'	80%	30' above average building elevation. See Gen. Reg. 4.b	C	B	1 for every 4 people based on maximum occupancy load of any area of worship. See also Spec. Reg. 2.	<ol style="list-style-type: none"> May include accessory living facilities for staff persons. No parking is required for day-care or school ancillary to this use.

[1. This use is only allowed on the street level floor subject to the provisions of General Regulation 4](#)

Section 51.30

Zone
MSC 3

USE ZONE CHART

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

Section 51.30	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						
.090	School or Day-Care Center	D.R., Chapter 142 KZC.	None	30' 0'	0'	0'	80%	30' above average building elevation. See Gen. Reg. 4.b	D	B	See KZC 105.25.	<ol style="list-style-type: none"> 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: <ol style="list-style-type: none"> 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).
.100	Mini-School or Mini-Day-Care										<ol style="list-style-type: none"> 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 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. 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). 	

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 51.30	USE ↓ REGULATIONS ↓	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.110	Assisted Living Facility	D.R., Chapter 142 KZC.	None	Same as the regulations for the ground floor use. See Spec. Reg. 3.					A	1.7 per independent unit. 1 per assisted living unit.	<ol style="list-style-type: none"> 1. A facility that provides both independent dwelling units and assisted living units shall be processed as an assisted living facility. 2. For density purposes, two assisted living units shall constitute one dwelling unit. Total dwelling units may not exceed the number of stacked dwelling units allowed on the subject property. Through Process IIB, Chapter 152 KZC, up to 1 1/2 times the number of stacked dwelling units allowed on the property may be approved if the following criteria are met: <ol style="list-style-type: none"> 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. 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. 	
.120	Convalescent Center or Nursing Home			0'	0'	0'	80%	30' above average building elevation.	C	B	1 for each bed.	
.130	Public Utility							See Gen. Reg. 4.b	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.
.140	Government Facility Community Facility								C See Spec. Reg. 1			
.150	Public Park	Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.										

2. This use is only allowed on the street level floor subject to the provisions of General Regulation 4

3.

CHAPTER 54 – NRH BUSINESS DISTRICT (NRHBD) ZONES

54.02 User Guide. The charts in KZC 54.06 contain the basic zoning regulations that apply in the NRHBD 1A zone of the City. Use these charts by reading down the left hand column entitled Use. Once you locate the use in which you are interested, read across to find the regulations that apply to that use.

Section 54.04


Zone
NRH1A

Section 54.04 – 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. In cases where the height of a structure is specified in number of stories, the following applies:
 - a. Height measured at the midpoint of the frontage of the subject property on the abutting right-of-way. If the site abuts more than one right-of-way, the applicant may select the right-of-way from which to measure.
 - b. The following heights per story are allowed:
 - i. Ground floor retail; ground floor restaurant and tavern; ground floor entertainment/cultural and/or recreational facility shall be a minimum of 13 feet in height and a maximum of 15 feet.
 - ii. Office; private club or lodge; church; school; day-care center; public utility, government facility, or community facility; public park, ground floor hotel or motel; retail above the ground floor shall be a maximum of 13 feet.
 - iii. Residential; hotel or motel above the ground floor shall be a maximum of 10 feet.
 - c. To determine the allowed height of a structure, determine the number of stories allowed in the use zone charts and apply the allowed height per story specified in subsection (2)(b) of this section. For example, if three stories are allowed and the proposed use is ground floor retail with two stories of residential above, the allowed height would be 35 feet.
 - d. Height shall be measured above the point of measurement (e.g., above average building elevation, or above right-of-way) as specified in the particular use zone charts. For purposes of measuring building height above the abutting right(s)-of-way, alleys shall be excluded.
 - e. In addition to the height exceptions established by KZC 115.60, the following exceptions to height regulations in NRHBD zones are established:
 - i. Decorative parapets may exceed the height limit by a maximum of four feet; provided, that the average height of the parapet around the perimeter of the structure shall not exceed two feet.
 - ii. For structures with a peaked roof, the peak may extend eight feet above the height limit if the slope of the roof is equal or greater than four feet vertical to 12 feet horizontal.
3. The minimum required front yard is 10 feet, unless otherwise prescribed in the use zone chart. Ground floor canopies and similar entry features may encroach into the front yard; provided, the total horizontal dimension of such elements may not exceed 25 percent of the length of the structure. No parking may encroach into the required 10-foot front yard.
4. A pedestrian connection should be developed to link Slater Avenue NE with NE 116th Street.

5. The following commercial frontage requirements shall apply to all development that includes dwelling units or assisted living uses:

a. The street level floor of all buildings shall be limited to one or more of the following uses: Retail; Restaurant or Tavern; Hotel or Motel; Entertainment, Cultural and/or Recreational Facility; or Office. These uses shall be oriented toward Market Street and have a minimum depth of 20 feet and an average depth of at least 30 feet (as measured from the face of the building along the street).

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 commercial frontage will maximize visual interest.

b. Other uses allowed in this zone and parking shall not be located on the street level floor unless an intervening commercial frontage is provided between the street and those other uses or parking subject to the standards above. Lobbies for residential or assisted living uses may be allowed within the commercial frontage provided they do not exceed 20 percent of the building's linear commercial frontage along the street.

Section 54.06



USE ZONE CHART

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

Section 54.06	USE ↓ REGULATIONS ↑	Required Review Process	Lot Size	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
				REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.080	Private Lodge or Club	D.R., Chapter 142 KZC.	None	10'	0'	0'	80%	2 stories above abutting right-of-way.	C	D	1 per each 300 square feet of gross floor area.	
.090	Stacked Dwelling Unit See Spec. Regs. 1 and 2.			Same as regulations for the ground floor use.				5 stories above abutting right-of-way.	Same as regulations for the ground floor use.	A	See KZC 105.25.	1. This use 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. 1. This use is only allowed on the street level floor subject to the provisions of General Regulation 5
.100	Church See Spec. Reg. 1			10'	0'	0'	80%	30' above average building elevation.	C	B	1 for every four people based on maximum occupancy load of any area of worship. See Spec. 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.
.110	School or Day-Care Center See Spec. Regs. 2, 5, and 7.			10' See Spec. Reg. 3.	0' See Spec. Reg. 3.	0' See Spec. Reg. 3.		2 stories above abutting right-of-way. See Spec. Reg. 1.	D		See KZC 105.25. See Spec. Regs. 4 and 6. 3 and 5.	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. Twenty 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; c. Otherwise, five feet. 3. 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. 4. 5. May include accessory living facilities for staff persons. 5. 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).

(Revised 4/11)

Section 54.06

Zone
NRH1A

USE ZONE CHART

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

Section 54.06	USE ↓ REGULATIONS ↑	Required Review Process	Lot Size	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
				REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.120	Mini-School or Mini-Day-Care See Spec. Regs. 2, 6, and 7.	D.R., Chapter 142 KZC.	None	10' See Spec. Reg. 3.	0' See Spec. Reg. 3.	0' See Spec. Reg. 3.	80%	2 stories above abutting right-of-way. See Spec. Reg. 1.	D	B	See KZC 105.25. See Spec. Regs. 4 and 5. 3 and 5.	<ol style="list-style-type: none"> 1. A six-foot-high fence is required only along the property lines adjacent to the outside play area. 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 by at least 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).
.130	Assisted Living Facility See Spec. Regs. 1 and 2.			Same as regulations for the ground floor use.				5 stories above abutting right-of-way.	B	A	1 per assisted living unit.	<ol style="list-style-type: none"> 1. This use may be located on the street level floor of a building only if there is a commercial space extending a minimum of 30 feet of the building depth between this use and the abutting right-of-way. The Planning Director may approve a reduction to the depth requirement for the commercial space if the applicant demonstrates that the proposed configuration of the commercial use provides an adequate dimension for a viable retail tenant and provides equivalent or superior visual interest and potential foot traffic as would compliance with the required dimension. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.140	Convalescent Center or Nursing Home			10'	0'	0'	80%		C	B	1 for each bed.	
.150	Public Utility							2 stories above abutting right-of-way.	A		See KZC 105.25.	
.160	Government Facility or Community Facility								C See Spec. Reg. 1.			<ol style="list-style-type: none"> 1. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with this use.
.170	Public Park	Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.										

Same as regulations for the ground floor use

1. This use is only allowed on the street level floor subject to the provisions of General Regulation 5

54.08 User Guide. The charts in KZC 54.12 contain the basic zoning regulations that apply in the NRHBD 1B zone of the City. Use these charts by reading down the left hand column entitled Use. Once you locate the use in which you are interested, read across to find the regulations that apply to that use.

Section 54.10

Zone
NRH1B

Section 54.10 – GENERAL REGULATIONS

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

1. Refer to Chapter 1 KZC to determine what other provision of this code may apply to the subject property.
2. In cases where the height of a structure is specified in number of stories, the following applies:
 - a. Height measured at the midpoint of the frontage of the subject property on the abutting right-of-way. If the site abuts more than one right-of-way, the applicant may select the right-of-way from which to measure.
 - b. The following heights per story are allowed:
 - i. Ground floor retail; ground floor restaurant and tavern; ground floor entertainment/cultural and/or recreational facility shall be a minimum of 13 feet in height and a maximum of 15 feet.
 - ii. Office; private club or lodge; church; school; day-care center; public utility, government facility, or community facility; public park, ground floor hotel or motel; retail above the ground floor shall be a maximum of 13 feet.
 - iii. Residential; hotel or motel above the ground floor shall be a maximum of 10 feet.
 - c. To determine the allowed height of a structure, determine the number of stories allowed in the use zone charts and apply the allowed height per story specified in subsection (2)(b) of this section. For example, if three stories are allowed and the proposed use is ground floor retail with two stories of residential above, the allowed height would be 35 feet.
 - d. Height shall be measured above the point of measurement (e.g., above average building elevation, or above right-of-way) as specified in the particular use zone charts. For purposes of measuring building height above the abutting right(s)-of-way, alleys shall be excluded.
 - e. In addition to the height exceptions established by KZC 115.60, the following exceptions to height regulations in NRHBD zones are established:
 - i. Decorative parapets may exceed the height limit by a maximum of four feet; provided, that the average height of the parapet around the perimeter of the structure shall not exceed two feet.
 - ii. For structures with a peaked roof, the peak may extend eight feet above the height limit if the slope of the roof is equal or greater than four feet vertical to 12 feet horizontal.
3. 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 maximum horizontal facade shall not exceed 50 feet in width.

See KZC 115.30, Distance Between Structures/Adjacency to Institutional Use, for further details.
(Does not apply to Detached Dwelling Units uses).
4. The minimum required front yard is 10 feet, unless otherwise prescribed in the use zone chart. Ground floor canopies and similar entry features may encroach into the front yard; provided, the total horizontal dimension of such elements may not exceed 25 percent of the length of the structure. No parking may encroach into the required 10-foot front yard.

5. The following commercial frontage requirements shall apply to all development that includes dwelling units or assisted living uses:

a. The street level floor of all buildings shall be limited to one or more of the following uses: Retail; Restaurant or Tavern; Hotel or Motel; Entertainment, Cultural and/or Recreational Facility; or Office. These uses shall be oriented toward Market Street and have a minimum depth of 20 feet and an average depth of at least 30 feet (as measured from the face of the building along the street).

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 commercial frontage will maximize visual interest.

b. Other uses allowed in this zone and parking shall not be located on the street level floor unless an intervening commercial frontage is provided between the street and those other uses or parking subject to the standards above. Lobbies for residential or assisted living uses may be allowed within the commercial frontage provided they do not exceed 20 percent of the building's linear commercial frontage along the street.

Section 54.12

Zone
NRH1B

USE ZONE CHART

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

Section 54.12	USE ↓ REGULATIONS ↑	Required Review Process	Lot Size	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
				REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.050	Automotive Service Center See Spec. Regs. 1, 2, 3, 5 and 6.	D.R., Chapter 142 KZC.	None	10'	0'	0'	80%	2 stories above abutting right-of-way.	A	D	1 per each 250 sq. ft. of gross floor area. See Spec. Reg. 4.	<ol style="list-style-type: none"> Gross floor area for this use may not exceed 10,000 square feet. This use specifically excludes new or used vehicle or boat sales or rentals, and any vehicle or boat body work. No openings (i.e., doors, windows which open, etc.) shall be permitted in any facade of the building adjoining a residential use. Windows are permitted if they are triple-paned and unable to be opened. Ten percent of the required parking spaces on site must have a minimum dimension of 10 feet wide by 30 feet long for motor home/travel trailer use. Storage of used parts and tires must be conducted entirely within an enclosed structure. Outdoor vehicle parking or storage areas must be buffered as required for a parking area in KZC 95.45. See KZC 115.105, Outdoor Use, Activity and Storage, for additional regulations. Site must be designed so noise from this use adjoining to any residential use complies with the standards set forth in WAC 173-60-040(1) for a Class B source property and a Class A receiving property. A certification to this effect, stamped by an Acoustical Engineer, must be submitted with the development permit application.
.060	Private Lodge or Club See Spec. Reg. 1.							B		1 per each 300 sq. ft. of gross floor area.	<ol style="list-style-type: none"> Gross floor area for this use may not exceed 10,000 square feet. 	
.070	Stacked Dwelling Unit See Spec. Regs. 1 and 2.			Same as regulations for the ground floor use.				5 stories above abutting right-of-way.	Same as regulations for the ground floor use.	A	See KZC 105.25.	<ol style="list-style-type: none"> This use may not be located on the ground floor of a structure. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. <div style="border: 1px solid red; padding: 5px; margin-top: 5px;"> <p>1. This use is only allowed on the street level floor subject to the provisions of General Regulation 5</p> </div>
.080	Church See Spec. Reg. 1.			10'	0'	0'	80%	30' above average building elevation.	C	B	1 for every four people based on maximum occupancy load of any area of worship. See Spec. Reg. 2.	<ol style="list-style-type: none"> May include accessory living facilities for staff persons. No parking is required for day-care or school ancillary to this use.

(Revised 4/11)

Section 54.12



USE ZONE CHART

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

Section 54.12	USE ↓ REGULATIONS ↑	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.090	School or Day-Care Center See Spec. Regs. 2, 5, and 7.	D.R., Chapter 142 KZC.	None	10' See Spec. Reg. 3.	0' See Spec. Reg. 3.	0' See Spec. Reg. 3.	80%	2 stories above abutting right-of-way. See Spec. Reg. 1.	D	B	See KZC 105.25. See Spec. Regs. 4 and 6. 3 and 5.	<ol style="list-style-type: none"> 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: <ol style="list-style-type: none"> a. Twenty 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. c. Otherwise, five feet. 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).
.100	Mini-School or Mini-Day-Care See Spec. Regs. 2, 6, and 7.										See KZC 105.25. See Spec. Regs. 4 and 5. 3 and 5.	<ol style="list-style-type: none"> 1. A six-foot-high fence is required only along the property lines adjacent to the outside play area. 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 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 any 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 54.12

Zone
NRH1B

USE ZONE CHART

Section 54.12		DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS													
		Required Review Process	Lot Size	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)			
				REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure							
USE ↓	REGULATIONS ↑		Front	Side	Rear										
.110	Assisted Living Facility See Spec. Regs. 1 and 2.	D.R., Chapter 142 KZC.	None	Same as regulations for the ground floor use.			80%	5 stories above abutting right-of-way.	Same as regulations for the ground floor use.	A	1 per assisted living unit.	1. This use may be located on the street level floor of a building only if there is a commercial space extending a minimum of 30 feet of the building depth between this use and the abutting right-of-way. The Planning Director may approve a reduction to the depth requirement for the commercial space if the applicant demonstrates that the proposed configuration of the commercial use provides an adequate dimension for a viable retail tenant and provides equivalent or superior visual interest and potential foot traffic as would compliance with the required dimension. 2. 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			10'	0'	0'		5 stories above abutting right-of-way.					C	B	1 for each bed.
.130	Public Utility			2 stories above abutting right-of-way.	A	B		See KZC 105.25.							
.140	Government Facility or Community Facility			C See Spec. Reg. 1.	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.										
.150	Public Park	Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.													

1. This use is only allowed on the street level floor subject to the provisions of General Regulation 5

Section 25.10

Zone
PR, PRA

USE ZONE CHART

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

Section 25.10	USE ↓ REGULATIONS ↑	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.100	School or Day-Care Center	<p>Within the NE 85th Street Sub-area, D.R., Chapter 142 KZC. Otherwise, none.</p> <p>If this use is adjoining a low density zone, then Process I, Chapter 145 KZC.</p>	<p>8,500 sq. ft. if PR 8.5 zone, otherwise 7,200 sq. ft.</p>	<p>If this use can accommodate 50 or more students or children, then:</p> <p>50' 50' on each side 50'</p> <p>If this use can accommodate 13 to 49 students or children, then:</p> <p>20' 20' on each side 20'</p>	<p>70%</p>	<p>If adjoining a low density zone other than RSA or RSX, then 25' above average building elevation.</p> <p>Otherwise, for PR zones, 30' above average building elevation and for PRA zones, 35' above average building elevation.</p> <p>See Gen. Reg. 5 and Spec. Reg. 5</p>	D	B	See KZC 105.25.	<ol style="list-style-type: none"> 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: <ol style="list-style-type: none"> 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. 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: <ol style="list-style-type: none"> 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. <i>This special regulation is not effective within the disapproval jurisdiction of the Houghton Community Council.</i> 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). 		

(Revised 2/12)

Section 25.10

Zone
PR, PRA

USE ZONE CHART

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

Section 25.10	USE ↓ REGULATIONS ↑	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.110	Mini-School or Mini-Day-Care	Within the NE 85th Street Sub-area, 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.	E	B	See KZC 105.25.	<ol style="list-style-type: none"> 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).
.120	Assisted Living Facility								D	A	1.7 per independent unit. 1 per assisted living unit.	<ol style="list-style-type: none"> 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: <ol style="list-style-type: none"> 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.

Section 27.10



USE ZONE CHART

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

Section 27.10	USE ↓ REGULATIONS ↓	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.060	Church	None	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. See Spec. Reg. 8.	C	B	1 for every 4 people based on maximum occupant load of any area of worship. See Spec. Reg. 1.	1. No parking is required for day-care or school ancillary to the use.
.070	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: 20' 20' on each side 20' 20' 5' but two side yards must equal at least 15'. 10'			70%	6	D	See KZC 105.25.	3 4 5 6	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 any 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 any nearby residential uses. 7. These uses are subject to the requirements established by the Department of Social 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 27.10

Zone
PO

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 27.10	USE ↓ REGULATIONS ↘	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.080	Mini-School or Mini-Day-Care	None	None	20'	5', but 2 side yards must equal at least 15'.	10'	70%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above average building elevation.	E	B	See KZC 105.25. 3 4 5	<ol style="list-style-type: none"> 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).
.090	Convalescent Center or Nursing Home	Process I, Chapter 145 KZC.			10' on each side	20'			C		1 for each bed.	
.100	Hospital Facility	Process IIA, Chapter 150 KZC.	One Acre						B		See KZC 105.25.	
.110	Public Utility	Process I, Chapter 145 KZC.	None						A			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.
.120	Government Facility Community Facility								C See Spec. Reg. 1.			

Section 40.10

Zone
BN, BNA

USE ZONE CHART

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

Section 40.10	USE ↓ REGULATIONS ↓	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.120	School or Day-Care Center	D.R., Chapter 142 KZC	None	<p>If this use can accommodate 50 or more students or children, then:</p> <p>50' 50' on each side 50'</p> <p>If this use can accommodate 13 to 49 students or children, then:</p> <p>20' 20' on each side 20'</p>	80	<p>If adjoining a low density zone other than RSX or RSA, then 25' above average building elevation.</p> <p>Otherwise, for BN zone, 30' above average building elevation and for BNA zone, 35' above average building elevation.</p> <p>See Spec. Reg. 7- 6.</p> <p>See Gen. Reg. 4.b.</p>	B See Gen. Reg. 7.	B	See KZC 105.25.	<ol style="list-style-type: none"> 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: <ol style="list-style-type: none"> 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. 3. 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. 4. 5. The location of parking and passenger loading areas shall be designed to reduce impacts on nearby residential uses. 5. 6. May include accessory living facilities for staff persons. 6. 7. For school use, structure height may be increased, up to 35 feet, if: <ol style="list-style-type: none"> 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. <p><i>This special regulation is not effective within the disapproval jurisdiction of the Houghton Community Council.</i></p> 		
			<p>BN zone: 0'</p> <p>BNA zone: 10'</p>	<p>10' on each side</p> <p>10'</p>								

Section 40.10

Zone
BN, BNA

USE ZONE CHART

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

Section 40.10	USE ↓ REGULATIONS ↓	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.130	Mini-School or Mini-Day-Care	D.R., Chapter 142 KZC	None	BN zone: 20' 0' BNA zone: 10'	10' on each side	10'	80%	If adjoining a low density zone other than RSX and RSA, then 25' average building elevation. Otherwise, for BN zone, 30' above average building elevation and for BNA zone, 35' above average building elevation. See Gen. Reg. 4.b.	B See Gen. Reg. 7.	B	See KZC 105.25.	<ol style="list-style-type: none"> 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.
.140	Assisted Living Facility See Spec. Regs. 3, 4 and 5.			Same as the regulations for the ground floor use.					A	1.7 per independent unit. 1 per assisted living unit.	<ol style="list-style-type: none"> 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 is only allowed on the street level floor subject to the provisions of General Regulation 4. 4. In the BNA zone, the gross floor area of this use shall not exceed 50 percent of the total gross floor area on the subject property. 5. 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. 6. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use. 	

Section 48.15

Zone
LIT

USE ZONE CHART

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

Section 48.15	USE ⇓ REGULATIONS ⇓	Required Review Process	MINIMUMS			MAXIMUMS		Landscaping 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	Day-Care Center See Spec. Reg. 1.	Within the NE 85th Street Subarea, D.R., Chapter 142 KZC. Otherwise, none.	None	20'	0'	0'	80%	If adjoining a low density zone other than RSX, then 25' above average building elevation (does not apply to institutional uses in low density zones). Otherwise, 35' above average building elevation.	D	B	See KZC 105.25.	<ol style="list-style-type: none"> 1. This use is permitted if accessory to a primary use, and: <ol style="list-style-type: none"> a. It will not exceed 20 percent of the gross floor area of the building; b. The use is integrated into the design of the building. 2. A six-foot-high fence is required along the property lines adjacent to the outside play areas. 3. Hours of operation may be limited to reduce impacts on nearby residential uses. 4. Structured play areas must be set back from all property lines as follows: <ol style="list-style-type: none"> 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. 5. An on-site passenger loading area may 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 any nearby residential uses. 6. May include accessory living facilities for staff persons. 7. The location of parking and passenger loading areas shall be designed to reduce impacts on any nearby residential uses.

School or

Section 48.15

Zone
LIT

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS													
Section 48.15	USE ↓ REGULATIONS ↘	Required Review Process	MINIMUMS			MAXIMUMS		Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARDS (See Ch. 115)									
				Front	Side	Rear							
.140	Mini-Day-Care See Spec. Reg. 1.	Within the NE 85th Street Subarea, D.R., Chapter 142 KZC. Otherwise, none.	None	20'	0'	0'	80%	If adjoining a low density zone other than RSX, then 25' above average building elevation (does not apply to institutional uses in low density zones). Otherwise, 35' above average building elevation.	D	B	See KZC 105.25.	<ol style="list-style-type: none"> 1. This use is permitted if accessory to a primary use, and: <ol style="list-style-type: none"> a. It will not exceed 20 percent of the gross floor area of the building; b. The use is integrated into the design of the building. 2. A six-foot-high fence is required along the property lines adjacent to the outside play areas. 3. To reduce impacts on nearby residential uses, hours of operation of the use may be limited and parking and passenger loading areas relocated. 4. Structured play areas must be set back from all property lines by five feet. 5. 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. 6. The location of parking and passenger loading areas shall be designed to reduce impacts on nearby residential uses. 7. May include accessory living facilities for staff persons. 	
.150	Recycling Center	Within the NE 85th Street Subarea, D.R., Chapter 142 KZC.	None	20'	0'	0'	80%	If adjoining a low density zone other than RSX, then 25' above average building elevation (does not apply to institutional uses in low density zones). Otherwise, 35' above average building elevation.	A	C	See KZC 105.25.	<ol style="list-style-type: none"> 1. May deal in metal cans, glass, and paper. Other materials may be recycled if the Planning Director determines that the impacts are no greater than those associated with recycling metal cans, glass, or paper. The individual will have the burden of proof in demonstrating similar impacts. 	
.160	Public Utility	Otherwise, none.							C See Spec. Reg. 1.	B		<ol style="list-style-type: none"> 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. 	
.170	Government Facility Community Facility	Otherwise, none.											

Section 51.10

Zone
MSC 1, 4

USE ZONE CHART

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

Section 51.10	USE ↓ REGULATIONS ↑	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.040	Restaurant or Tavern	D.R., Chapter 142 KZC.	None	10' in MSC 4, otherwise 20'	5' but 2 side yards must equal at least 15'	10'	70%	If adjoining a low density zone, then 25' above average building elevation. Otherwise, 30' above average building elevation.	B <u>C.</u> <u>See Spec. Reg. 4</u>	E	1 per each 100 sq. ft. floor area.	<ol style="list-style-type: none"> 1. This use is limited to 2,000 sq. ft. maximum. 2. Drive-in or drive-through facilities are not permitted. 3. Prior to issuance of a development permit, documentation must be provided by a qualified acoustical consultant, for approval by the Planning Official, verifying that the expected noise to be emanating from the site adjoining any residentially zoned property complies with the standards set forth in WAC 173-60-040(1) for a Class B source property and a Class A receiving property. <p><u>4. Any outdoor seating areas are subject to Landscape Category B</u></p>

Section 51.10

Zone
MSC 1, 4

USE ZONE CHART

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

Section 51.10	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						
.050	Any Retail Establishment, other than those specifically listed, limited or prohibited in this zone, selling goods or providing services, including banking and related financial services.	D.R., Chapter 142 KZC.	None	10' in MSC 4, otherwise 20'	5' but 2 side yards must equal at least 15'.	10'	70%	If adjoining a low density zone, then 25' above average building elevation. Otherwise, 30' above average building elevation.	B <div style="border: 1px solid black; padding: 2px; display: inline-block;">C</div>	E	1 per each 300 sq. ft. floor area.	<ol style="list-style-type: none"> The following uses are not permitted in this zone: <ol style="list-style-type: none"> Vehicle service stations. Automotive service centers. Uses with drive-in facilities or drive-through facilities. Retail establishments providing storage services unless accessory to another permitted use. Retail establishments involving the sale, service or repair of automobiles, trucks, boats, motorcycles, recreational vehicles, heavy equipment and similar vehicles. Storage and operation of heavy equipment, except delivery vehicles associated with retail uses. Storage of parts unless conducted entirely within an enclosed structure. Prior to issuance of a development permit, documentation must be provided by a qualified acoustical consultant, for approval by the Planning Official, verifying that the expected noise to be emanating from the site adjoining any residentially zoned property complies with the standards set forth in WAC 173-60-040(1) for a Class B source property and a Class A receiving property. Gross floor area cannot exceed 2,000 square feet. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: <ol style="list-style-type: none"> 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. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other retail uses.
.060	Church			20' on each side.		20'			C	B	1 for every 4 people based on maximum occupancy load of any area of worship. See Spec. Reg. 1.	<ol style="list-style-type: none"> No parking is required for day-care or school ancillary to this use.

Section 51.10

Zone
MSC 1, 4

USE ZONE CHART

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

Section 51.10	USE ↓ REGULATIONS ↑	Required Review Process	Lot Size	MINIMUMS			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)
				REQUIRED YARDS (See Ch. 115)								
				Front	Side	Rear						
.070	School or Day-Care Center	D.R., Chapter 142 KZC.	7,200 sq. ft.	<p>If this use can accommodate 50 or more students or children, then:</p> <p>50' 50' on 50' each side</p> <p>If this use can accommodate 13 to 49 students or children, then:</p> <p>10' in 20' on 20' MSC 4, each other side wise 20'</p>	5' but two side yards must equal at least 15'	10'	70%	If adjoining a low density zone, then 25' above average building elevation. Otherwise, 30' above average building elevation. See Spec. Reg. 7. 5.	D	B	See KZC 105.25.	<ol style="list-style-type: none"> 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: <ol style="list-style-type: none"> 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. 2. 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. Carpooling, staggered loading/unloading time, right-of-way improvements or other means may be required to reduce traffic impacts on nearby residential uses. 3. 4. May include accessory living facilities for staff persons. 4. 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). 5. 7. For school use, structure height may be increased, up to 35 feet, if: <ol style="list-style-type: none"> 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. 8. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388).

Section 51.10

Zone
MSC 1, 4

USE ZONE CHART

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

Section 51.10	USE ↓ REGULATIONS ↑	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.080	Mini-School or Mini-Day-Care	D.R., Chapter 142 KZC.	3,600 sq. ft.	10' in MSC 4, otherwise 20'	5' but 2 side yards must equal at least 15'	10'	70%	If adjoining a low density zone, then 25' above average building elevation. Otherwise, 30' above average building elevation.	E	B	See KZC 105.25.	<ol style="list-style-type: none"> 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. 2. 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. 3. 4. To reduce impacts on nearby residential uses, hours of operation of the use may be limited and parking and passenger loading areas relocated. 4. 5. Electrical signs shall not be permitted. Size of signs may be limited to be compatible with nearby residential uses. 5. 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).
.090	Assisted Living Facility								D	A	1.7 per independent unit. 1 per assisted living unit.	<ol style="list-style-type: none"> 1. A facility that provides both independent dwelling units and assisted living units shall be processed as an assisted living facility. 2. For density purposes, two assisted living units shall constitute one dwelling unit. Total dwelling units may not exceed the number of stacked dwelling units allowed on the subject property. Through Process IIB, Chapter 152 KZC, up to 1 1/2 times the number of stacked dwelling units allowed on the property may be approved if the following criteria are met: <ol style="list-style-type: none"> 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. 3. 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. 3. 4. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use.

(Revised 9/07)

Section 51.20

Zone
MSC 2

USE ZONE CHART

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

Section 51.20	USE ↓ REGULATIONS ↑	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.060	Church	D.R., Chapter 142 KZC.	None	20'	10' on each side	10'	80%	If adjoining a low density zone, then 25' above average building elevation. Otherwise, 30' above average building elevation.	C	B	1 for every 4 people based on maximum occupancy load of any area of worship. See also Spec. Reg. 2.	<ol style="list-style-type: none"> May include accessory living facilities for staff persons. No parking is required for day-care or school ancillary to this use.
.070	School or Day-Care Center		<p>If this use can accommodate 50 or more students or children, then:</p> <p>50' 50' on each side 50'</p> <p>If this use can accommodate 13 to 49 students or children, then:</p> <p>0' along Market Street, otherwise 20'</p> <p>20' on each side 40'</p> <p>0' on Market Street, otherwise 20'</p> <p>10' on each side 10'</p>	<p>If adjoining a low density zone, then 25' above average building elevation. Otherwise, 30' above average building elevation. See Spec. Reg. 7. 6.</p>	B See Gen. Reg. 6.	See KZC 105.25.	<ol style="list-style-type: none"> A six-foot-high fence is required only along the property lines adjacent to the outside play areas. Hours of operation may be limited to reduce impacts on nearby residential uses. Structured play areas must be setback from all property lines as follows: <ol style="list-style-type: none"> 20 feet if this use can accommodate 50 or more students or children. 10 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 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. 4. The location of parking and passenger loading areas shall be designed to reduce impacts on nearby residential uses. 5. May include accessory living facilities for staff persons. 6. For school use, structure height may be increased, up to 35 feet, if: <ol style="list-style-type: none"> The school can accommodate 200 or more students; and 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 The increased height is not specifically inconsistent with the applicable neighborhood plan provisions of the Comprehensive Plan. The increased height will not result in a structure that is incompatible with surrounding uses or improvements. 					

(Revised 2/13)

Section 51.20

Zone
MSC 2

USE ZONE CHART

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

Section 51.20	USE ↓ REGULATIONS ↑	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.080	Mini-School or Mini-Day-Care	D.R., Chapter 142 KZC.	None	0' along Market Street, otherwise 20'	10' on each side	10'	80%	If adjoining a low density zone, then 25' above average building elevation. Otherwise, 30' above average building elevation.	B See Gen. Reg. 6.	B	See KZC 105.25.	<ol style="list-style-type: none"> 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 set back from all property lines by five feet. 3. 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. 4. 5. The location of parking and passenger loading areas shall be designed to reduce impacts on nearby residential uses. 5. 6. May include accessory living facilities for staff persons.
.090	Assisted Living Facility See Gen. Reg. 4.		Same as the regulations for the ground floor use.						A	1.7 per independent unit. 1 per assisted living unit.	<ol style="list-style-type: none"> 1. A facility that provides both independent dwelling units and assisted living units shall be processed as an assisted living facility. 2. For density purposes, two assisted living units shall constitute one dwelling unit. Total dwelling units may not exceed the number of attached or stacked dwelling units allowed on the subject property. 3. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use. 	
.100	Convalescent Center or Nursing Home		20'	10' on each side	10'	80%	If adjoining a low density zone, then 25' above average building elevation. Otherwise, 30' above average building elevation.	C	B	1 for each bed.		
.110	Public Utility			20' on each side	20'			A		See KZC 105.25.	<ol style="list-style-type: none"> 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. 	
.120	Government Facility Community Facility			10' on each side	10'			C See Spec. Reg. 1				
.130	Public Park	Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.										

Section 53.34

Zone
RH 3

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 53.34	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	Development containing: retail establishments selling goods, or providing services including banking and other financial services, restaurants, taverns	D.R., Chapter 142 KZC. See Spec. Regs. 1 and 2.	More than 6 acres See Spec. Reg. 7	As established with design review process.			80%	45' – 67' above average building elevation along the north end of the zone with a maximum of 45' measured above NE 85th Street. See Spec. Regs. 5 and 7.	See Spec. Reg. 3- 2.	See Spec. Reg. 4.	As established in the CMP.	<ol style="list-style-type: none"> 1. May also include one or more of the other uses allowed in this zone. Development regulations of this section apply to all uses developed within a Conceptual Master Plan (CMP). 2. Development must be part of a Conceptual Master Plan (CMP) for the entire subject property. The proposed CMP shall be reviewed using the Design Review process provisions of KZC 142.35. Subsequent development proposals shall follow DR or ADR as set forth in the Notice of Approval for the Conceptual Master Plan. The Conceptual Master Plan shall incorporate the design guidelines contained in the Design Guidelines for the Rose Hill Business District pertaining to the RH 3 zone. 3. Location of drive-through facilities will not compromise the pedestrian orientation of the development. See KZC 105.96 for other requirements. 4. Signs for a development approved under this provision must be proposed within a Master Sign Plan application pursuant to KZC 100.80 for all signs within the project. 5. Building height shall be 45 feet measured above the midpoint of the frontage of the subject property along NE 85th Street, or if the subject property does not front on NE 85th Street, at the midpoint of the property frontage along any other public right-of-way. If the property abuts more than one public right-of-way, the applicant may select the right-of-way from which to measure. 6. At least 10 percent of the units provided in new residential developments of four units or greater shall be affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives. 7. Maximum building height for a development including residential use is 67 feet above average building elevation. However, the equivalent of the additional gross floor area constructed above 45 feet over ABE must be dedicated to residential use. Residential use may be located anywhere in the building above the ground floor. 8. Parcels smaller than six acres may be added to a previously approved Conceptual Master Plan (CMP) if the applicable criteria set forth in the Notice of Approval from the approved CMP are met.

(Revised 9/11)

Section 53.34

Zone
RH 3

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS														
Section 53.34	USE ↓ REGULATIONS ↑	Required Review Process	Lot Size	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)		
				REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure						
				Front	Side	Rear								
.020	Vehicle Service Station	D.R., Chapter 142 KZC.	Less than 6 acres.	20'	0'	0'	80%	35' above average building elevation.	A	E	See KZC 105.25.	1. Gas pump islands must be set back at least 20 feet from all property lines. 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. 2. See KZC 95.40 through 95.45, required landscaping, for further regulations.		
.030	Automotive Service Center See Spec. Reg. 1.			10'	0'	0'							1 per each 250 sq. ft. of gross floor area. See Spec. Reg. 1.	1. Ten percent of the required parking spaces on site must have a minimum dimension of 10 feet wide by 30 feet long for motor home/travel trailer use. 2. Parts and tires must be stored entirely within an enclosed structure. 3. Outdoor vehicle parking or storage must be buffered as required for a parking area in KZC 95.45. See KZC 115.105, Outdoor Use, Activity and Storage, for additional regulations.
.040	Restaurant or Tavern													
.050	Any Retail Establishment other than those specifically listed, limited or prohibited in this zone, selling goods or providing services, including banking and related financial services.												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. 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.

REGULATIONS CONTINUED ON NEXT PAGE

Section 53.34

Zone
RH 3

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 53.34	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						
.050	Any Retail Establishment other than those specifically listed, limited or prohibited in this zone, selling goods or providing services, including banking and related financial services. (continued)										REGULATIONS CONTINUED FROM PREVIOUS PAGE 3. For a retail establishment involving the sale, lease, repair or service of automobiles, trucks, boats, motorcycles, recreational vehicles, heavy equipment, and similar vehicles, the following shall apply: a. For the number of required parking stalls see KZC 105.25. b. Parts must be stored entirely within an enclosed structure. c. See KZC 95.40 through 95.45, required landscaping, for further regulations.	
.060	Hotel or Motel	D.R., Chapter 142 KZC.	Less than 6 acres.	10'	0'	0'	80%	35' above average building elevation.	B C	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.
.070	Entertainment, Cultural and/or Recreational Facility										See KZC 105.25.	
.080	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. 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 53.34

Zone
RH 3

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 53.34	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						
.090	Private Lodge or Club	D.R., Chapter 142 KZC.	Less than 6 acres.	10'	0'	0'	80%	35' above average building elevation.	C	B	1 per each 300 sq. ft. of gross floor area.	
.100	Church			1 per every 4 people based on maximum occupancy load of any area of worship. See Spec. Reg. 2.	1. May include accessory living facilities for staff persons. 2. No parking is required for day-care or school ancillary to the use.							
.110	School, Day-Care Center, Mini-School or Mini-Day-Care Center			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. c. Five feet for a Mini-School or Mini-Day-Care Center. 3. 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. 4. May include accessory living facilities for staff persons. 5. Hours of operation of the use may be limited and parking and passenger loading areas shall be located to reduce impacts on nearby residential uses.							
.120	Stacked Dwelling Units										1.7 per unit. 1 per assisted living unit	1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.

2.

dwelling or independent

3.

4.

Assisted Living Facility

Section 53.34

Zone
RH 3

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 53.34	USE ↓ REGULATIONS ↑	Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.130	Assisted Living Facility, Convalescent Center or Nursing Home	D.R., Chapter 142 KZC.	Less than 6 acres.	10'	0'	0'	80%	35' above average building elevation.	A Conva- lescent Center or Nursing Home: C	A Conva- lescent Center or Nursing Home: B	Independent units: 1.7 per unit. Assisted Living Facility: 1 per unit. Convalescent Center or Nurs- ing Home: 1 per each bed.	1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.140	Public Utility								A	B	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.
.150	Government Facility Community Facility								C See Spec. Reg. 1.			
.160	Public Park	Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.										

Section 53.44



USE ZONE CHART

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

Section 53.44	USE ↓ REGULATIONS ↓	Required Review Process	Lot Size	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
				REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure					
				Front	Side	Rear							
.100	School or Day-Care Center	D.R., Chapter 142 KZC.	7,200 sq. ft.	50'	50' on each side	50'	70%	30' above average building elevation.	D	B	See KZC 105.25.	<ol style="list-style-type: none"> 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: <ol style="list-style-type: none"> 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 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. 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. Electrical signs shall not be permitted for mini-school or mini-day-care uses. Size of signs may be limited to be compatible with nearby residential uses. 	
.110	Mini-School or Mini-Day-Care		3,600 sq. ft.	20'	5' but 2 side yards must equal to least 15'.	10'							E
.120	Public Utility		None		20' on each side.	20'							A
.130	Government Facility Community Facility			10' on each side.	10'	C See Spec. Reg. 2.							
.140	Public Park	Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.											

Section 56.20

Zone
YBD 2,
YBD 3

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 56.20	USE ↓ REGULATIONS ↓	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.010	Vehicle Service Station	D.R., Chapter 142 KZC	2,250 sq. ft.	40'	15' on each side. See also Spec. Reg. 3.	15'	80%	In YBD 2, 55' above average building elevation. In YBD 3, 60' above average building elevation.	A	E	See KZC 105.25.	<ol style="list-style-type: none"> The following uses and activities are prohibited: <ol style="list-style-type: none"> The outdoor storage, sale, service and/or rental of motor vehicles, sailboats, motor boats, and recreational trailers. There may not be more than two vehicle service stations at any intersection. This use is only allowed if the subject property abuts Lake Washington Boulevard or Northup Way. 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.
.020	Restaurant or Tavern	D.R., Chapter 142 KZC	None	0' adjacent to NE 38th Place and Northup Way.	0'	0'	80%	In YBD 2, 55' above average building elevation. In YBD 3, 60' above average building elevation.	B	D	1 per each 100 sq. ft. of gross floor area.	<ol style="list-style-type: none"> The following uses and activities are prohibited: <ol style="list-style-type: none"> Drive-in or drive-through facilities. The gross floor area of individual retail establishments may not exceed 15,000 square feet except within a mixed use development in which the floor area of other uses exceeds the floor area of retail establishments.
.030	Office Use		Otherwise, 20'.	C	<ol style="list-style-type: none"> The following regulations apply to veterinary offices 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 development permit application. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: <ol style="list-style-type: none"> The ancillary assembled or manufactured goods are subordinate to and dependent on this use. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses. 							

Section 56.20



USE ZONE CHART

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

Section 56.20	USE ↓ REGULATIONS →	Required Review Process	Lot Size	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)		
				REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure						
				Front	Side	Rear								
.040	Hotel or Motel	D.R., Chapter 142 KZC	None	0' adjacent to NE 38th Place and Northup Way. Otherwise, 20'.	0'	0'	80%	In YBD 2, 55' above average building elevation.	B C	E	1 per each room. See also Spec. Reg. 2. 1 per each 300 sq. ft. of gross floor area.	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.		
.050	A Retail Establishment other than those specifically listed, limited, or prohibited in the zone, selling goods, or providing services including banking and related financial services											In YBD 3, 60' above average building elevation.	1. The following uses and activities are prohibited: a. The outdoor storage, sale, service and/or rental of motor vehicles, sailboats, motor boats, and recreational trailers. b. Vehicle repair. c. Retail establishment providing storage services unless accessory to another permitted use. d. Storage and operation of heavy equipment, except delivery vehicles associated with retail uses. e. Storage of parts unless conducted entirely within an enclosed structure. f. Drive-in or drive-through facilities. 2. The gross floor area of individual retail establishments may not exceed 15,000 square feet except within a mixed use development in which the floor area of other uses exceeds the floor area of retail establishments. 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 do 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.	
.060	Stacked Dwelling Units								D			A	1.7 per unit.	1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.070	Assisted Living Facility, Convalescent Center or Nursing Home								C				Independent unit: 1.7 per unit. Assisted living unit: 1 per unit. Convalescent center or nursing home: 1 per each bed.	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.

Section 56.20

Zone
YBD 2,
YBD 3

USE ZONE CHART

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

Section 56.20	USE ↓ REGULATIONS →	Required Review Process	Lot Size	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
				REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.120	School or Day-Care Center	D.R., Chapter 142 KZC	None	0' adjacent to NE 38th Place and Northup Way. Otherwise, 20'.	0'	0'	80%	In YBD 2, 55' above average building elevation. In YBD 3, 60' above average building elevation.	D E	B	See KZC 105.25.	<ol style="list-style-type: none"> 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. May include accessory living facilities for staff persons. 5. Electrical signs shall be permitted at junior high/middle schools and high schools. One pedestal sign with a readerboard having electronic programming is allowed per site only if: <ol style="list-style-type: none"> a. It is a pedestal sign (see Plate 12) having a maximum 40 square feet of sign area per sign face; b. The electronic readerboard is no more than 50 percent of the sign area; c. Moving graphics and text or video are not part of the sign; d. The electronic readerboard does not change text and/or images at a rate less than one every seven seconds and shall be readily legible given the text size and the speed limit of the adjacent right-of-way; e. The electronic readerboard displays messages regarding public service announcements or school events only; f. The intensity of the display shall not produce glare that extends to adjacent properties and the signs shall be equipped with a device which automatically dims the intensity of the lights during hours of darkness; g. The electronic readerboard is turned off between 10:00 p.m. and 6:00 a.m.; h. The school is located on a collector or arterial street. <p>The City shall review and approve the location of the sign on the site. The sign shall be located to have the least impact on surrounding residential properties. If it is determined that a proposed electronic readerboard would constitute a traffic hazard the Planning Director may impose restrictions or deny the readerboard.</p>
.130	Mini-School or Mini-Day-Care											

Section 56.10

Zone
YBD 1

USE ZONE CHART

Section 56.10		DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS									
		Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage				
USE ↓	REGULATIONS ↑		Front	Side	Rear						
.010	Attached or Stacked Dwelling Units (continued)										REGULATIONS CONTINUED FROM PREVIOUS PAGE 16. Development shall be designed, built and certified to achieve or exceed the following green building standards: a. Evergreen Standard or Built Green 4 star certified for all housing units. b. For the parking garage and nonresidential uses, either a LEED Silver CS (Core and Shell) certified or LEED CS checklist with a third party independent verification and inspection to meet the LEED CS Silver Standard. 17. This use must be part of a development that includes an increase in the number of parking stalls available exclusively to users of the Park and Ride facility. 18. Parking stalls to serve the use must be in addition to those provided as part of the expansion of capacity for the Park and Ride facility.
.020	Office Uses	D.R., Chapter 142 KZC	None	20'	5', but 2 side yards must equal at least 15'.	10'	70%	30' above average building elevation.	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.
.030	Restaurant or Tavern				10' on each side	20'			B C	E	One per each 100 sq. ft. of gross floor area. 1. Drive-in or drive-through facilities are prohibited.
.040	Funeral Home or Mortuary				20' on each side	20'			C	B	One per each 300 sq. ft. of gross floor area.

5', but two side yards must equal at least 15'

(Revised 9/11)

Kirkland Zoning Code
328.80

Section 56.10

Zone
YBD 1

USE ZONE CHART

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

Section 56.10	USE ↓ REGULATIONS →	Required Review Process	Lot Size	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
				REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.050	Grocery Store, Drug Store, Laundromat, Dry Cleaners, Barber Shop, or Shoe Repair Shop	D.R., Chapter 142 KZC	None	20'	10' on each side	20'	70%	30' above average building elevation.	B C	E	1 per each 300 sq. ft. of gross floor area.	1. May not be located above the ground floor of a structure. 2. Gross floor area cannot exceed 3,000 sq. ft.
.060	Retail Establishment providing banking or related financial service				5', but two side yards must equal at							1. May not be located above the ground floor of a structure.
.070	Church				20' on each side				C	B	1 for every 4 people based on maximum occupant load of any area of worship. See Spec. Reg. 1.	1. No parking is required for day-care or school ancillary to the use.

Section 56.10

Zone
YBD 1

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 56.10	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 YARD (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.080	School or Day-Care Center	D.R., Chapter 142 KZC	None	<p>If this use can accommodate 50 or more students or children, then:</p> <p>50' 50' on 50' each side</p> <p>If this use can accommodate 13 to 49 students or children, then:</p> <p>20' 20' on 20' each side</p>	70%	30' above average building elevation. See Spec. Reg. 8.	D	B	See KZC 105.25.	<ol style="list-style-type: none"> 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 set back from all property lines as follows: <ol style="list-style-type: none"> 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 any 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 any nearby residential uses. 7. These uses are subject to the requirements established by the Department of Social Health Services (WAC Title 388). 8. For school use, structure height may be increased, up to 35 feet, if: <ol style="list-style-type: none"> 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. <p><i>This special regulation is not effective within the disapproval jurisdiction of the Houghton Community Council.</i></p>		

20' 5', but two side yards must equal at least 15' 10'

Section 56.10

Zone
YBD 1

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 56.10	USE ↓ REGULATIONS ↑	Required Review Process	Lot Size	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
				REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.090	Mini-School or Mini-Day-Care	D.R., Chapter 142 KZC	None	20'	5', but 2 side yards must equal at least 15'.	10'	70%	30' above average building elevation.	E	B	See KZC 105.25.	<ol style="list-style-type: none"> 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 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. 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).
.100	Convalescent Center or Nursing Home		One Acre	20'	10' on each side	20'	70%	30' above average building elevation.	C	B	One for each bed.	
.110	Hospital Facility								B		See KZC 105.25.	
.120	Public Utility								A			
.130	Government Facility Community Facility								C See Spec. Reg. 1.			
.140	Public Park	Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.										

Section 55.81

Zone
TL 10C

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 55.81	USE ↓ REGULATIONS →	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.070	A Retail Establishment providing banking and related financial services	D.R., Chapter 142 KZC. See Gen. Reg. 5.	None	10'	0'	0'	80%	Same as primary use.	B 	E	1 per each 300 sq. ft. of gross floor area.	1. This use is permitted if accessory to a primary use, and: a. It will not exceed 20 percent of the gross floor area of the building; b. It will not be located in a separate structure from the primary use; c. It will not exceed 50 percent of the ground floor area of the building; d. The use is integrated into the design of the building; and e. There is no vehicle drive-in or drive-through.
.080	Office Use						Where adjoining a low density zone, then 30' above average building elevation. Otherwise, 45' above average building elevation. See also Spec. Regs. 2 and 3.	C See also Spec. Reg. 1(a).	D	If 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 only to veterinary offices: a. If there are outdoor runs or other outdoor facilities for the animals, then use must comply with Landscape Category A. b. Outside runs and other outside facilities for the animals must be set back at least 10 feet from each property line and must be surrounded by a fence or wall sufficient to enclose the animals. See KZC 115.105, Outdoor Use, Activity and Storage, for further regulations. 2. When three stories of this use are developed in a mixed-use project with attached or stacked dwelling units, building height may be increased by 10 feet per floor of residential use, not to exceed 65 feet above average building elevation. 3. No portion of a structure may exceed the following heights above the elevation of NE 116th Street, as measured at the midpoint of the frontage of the subject property on NE 116th Street: a. Within 20 feet of NE 116th Street, 35 feet. b. Within 30 feet of NE 116th Street, 45 feet. c. Within 40 feet of NE 116th Street, 55 feet.	

Section 55.81

Zone
TL 10C

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 55.81	USE ↓ REGULATIONS →	Required Review Process	Lot Size	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
				REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.100	School, Day-Care Center, Mini-School or Mini-Day-Care Center See Spec. Reg. 1.	D.R., Chapter 142 KZC. See Gen. Reg. 5.	None	10' See Spec. Reg. 4.	0'	0'	80%	Same as primary use.	D	B	See KZC 105.25.	<ol style="list-style-type: none"> This use is permitted if accessory to a primary use, and: <ol style="list-style-type: none"> It will not exceed 20 percent of the gross floor area of the building; The use is integrated into the design of the building. A six-foot-high fence is required along the property lines adjacent to the outside play areas. Hours of operation may be limited to reduce impacts on nearby residential uses. Structured play areas must be set back from all property lines as follows: <ol style="list-style-type: none"> Twenty feet if this use can accommodate 50 or more students or children; Ten feet if this use can accommodate 13 to 49 students or children; Five feet for a mini school or day care center. An on-site passenger loading area may 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 any nearby residential uses. May include accessory living facilities for staff persons.
.110	Public Utility			10'				Where adjoining a low density zone, then 30' above average building elevation. Otherwise, 45' above average building elevation. See also Spec. Regs. 2 and 3.	C See Spec. Reg. 1.			<ol style="list-style-type: none"> 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. When three stories of this use are developed in a mixed-use project with attached or stacked dwelling units, building height may be increased by 10 feet per floor of residential use, not to exceed 65 feet above average building elevation. No portion of a structure may exceed the following heights above the elevation of NE 116th Street, as measured at the midpoint of the frontage of the subject property on NE 116th Street: <ol style="list-style-type: none"> Within 20 feet of NE 116th Street, 35 feet. Within 30 feet of NE 116th Street, 45 feet. Within 40 feet of NE 116th Street, 55 feet.
.120	Government Facility Community Facility											
.130	Vehicle or Boat Sales, Repair, Services, Washing or Rental See Spec. Reg. 1.								A	E		<ol style="list-style-type: none"> Vehicle or boat sales or rental uses are only permitted if the property abuts NE 116th Street. Outdoor vehicle or boat parking or storage areas must be buffered as required for a parking area in KZC 95.45. See KZC 115.105, Outdoor Use, Activity and Storage, for additional regulations.

(Revised 8/12)

Section 55.81

Zone
TL 10C

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS													
Section 55.81	USE ↓ REGULATIONS →	Required Review Process	MINIMUMS			MAXIMUMS		Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)									
				Front	Side	Rear							
.140	Restaurant or Tavern See Spec. Reg. 1.	D.R., Chapter 142 KZC. See Gen. Reg. 5.	None	10'	0'	0'	80%	Same as primary use.	B C	E	1 per each 100 sq. ft. of gross floor area.	1. This use is permitted if accessory to a primary use, and: a. It will not exceed 20 percent of the gross floor area of the building; b. It is not located in a separate structure from the primary use; c. The use is integrated into the design of the building; d. There is no vehicle drive-in or drive-through.	
.150	Public Park	Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.											
.160	Entertainment, Cultural and/or Recreational Facility	D.R., Chapter 142 KZC. See Gen. Reg. 5.	None	20'	0'	0'	80%	Where adjoining a low density zone, 30' above average building elevation. Otherwise, 35' above average building elevation.	A	E	See KZC 105.25.	1. The use shall be conducted within a wholly enclosed building. 2. The structure containing the use shall have been in existence on June 1, 2004, and shall not be altered, changed, or otherwise modified to accommodate the use if the cost of such alteration, change, or modification exceeds 30 percent of the replacement cost of that building. 3. The use must be discontinued when there is an alteration, change, or other work in a consecutive 12-month period to the space in which the use is located, and the cost of the alteration, change or other work exceeds 30 percent of the replacement cost of that space.	

Section 55.75

Zone
TL 10B

USE ZONE CHART

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

Section 55.75	USE ↓ REGULATIONS ↑	Required Review Process	Lot Size	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
				REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.090	High Technology	D.R., Chapter 142 KZC. See Gen. Reg. 5.	None	10'	0'	0'	70%	55' above average building elevation.	C See Spec. Reg. 3.	D If manufacturing, then 1 per each 1,000 sq. ft. of gross floor area. If office, then 1 per 300 sq. ft. of gross floor area. Otherwise, see KZC 105.25.	<ol style="list-style-type: none"> 1. This use may include research and development, testing, assembly, repair or manufacturing or offices that support businesses involved in the pharmaceutical and biotechnology, communications and information technology, electronics and instrumentation, computers and software sectors. 2. Refer to KZC 115.105 for provisions regarding outside use, activity and storage. 3. Any outdoor storage area shall be buffered according to Landscape Category A. 	
.095	Vehicle or Boat Repair, Services, Washing or Rental See Spec. Reg. 1.								E	See KZC 105.25.	<ol style="list-style-type: none"> 1. The use is permitted only on parcels that abut 120th Avenue NE. 2. Outdoor vehicle or boat parking or storage areas must be buffered as required for a parking area in KZC 95.45. See KZC 115.105, Outdoor Use, Activity and Storage, for additional regulations. 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. 	
.100	Mini-Day-Care See Spec. Reg. 6 5.								D	B	<ol style="list-style-type: none"> 1. A six-foot-high fence is required along the property lines adjacent to the outside play area. 2. Hours of operation may be limited to reduce impacts on nearby residential uses. 3. Structured play areas must be set back from all property lines by five feet. 3. 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. 4. 5. The location of parking and passenger loading areas shall be designed to reduce impacts on nearby residential uses. 5. 6. May include accessory living facilities for staff persons. 6. 7. This use is permitted if accessory to a primary use, and: <ol style="list-style-type: none"> a. It will not exceed 20 percent of the gross floor area of the building; and b. The use is integrated into the design of the building. 	

Section 55.75

Zone
TL 10B

USE ZONE CHART

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

Section 55.75	USE ↓ REGULATIONS ↓	Required Review Process	Lot Size	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
				REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.160	School or Day-Care Center	D.R., Chapter 142 KZC. See Gen. Reg. 5.	None	<p>If this use can accommodate 50 or more students or children, then:</p> <p>50' 50' on 50' each side</p> <p>If this use can accommodate 13 to 49 students or children, then:</p> <p>20' 20' on 20' each side</p> <p>Otherwise:</p> <p>20' 5' but 2 40' side yards must equal at least 15'</p>	70%	55' above average building elevation.	C	B	See KZC 105.25.	<ol style="list-style-type: none"> 1. 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. 2. Hours of operation and maximum number of attendees at one time may be limited to reduce impacts on nearby residential uses. 3. Structured play areas must be set back from all property lines as follows: <ol style="list-style-type: none"> 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. c. Otherwise, five feet. 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. The location of parking and passenger loading areas shall be designed to reduce impacts on any nearby residential uses. 6. Electrical signs shall not be permitted. 7. May include accessory living facilities for staff persons. 		
				10'	0'	0'						

Section 55.69

Zone
TL 10A

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 55.69	USE ↓ REGULATIONS ↑	Required Review Process	Lot Size	MINIMUMS			Lot Coverage	MAXIMUMS	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
				REQUIRED YARD (See Ch. 115)								
				Front	Side	Rear						
.020	Office Use High Technology	D.R., Chapter 142 KZC. See Gen. Reg. 5.	None	10'	5' but 2 side yards must equal at least 15'	10'	80%	See Spec. Reg. 2.	C See Spec. Reg. 3.	D	If manufacturing, then 1 per each 1,000 sq. ft. of gross floor area. If office, then 1 per each 300 sq. ft. of gross floor area. If a medical, dental, or veterinary office, then 1 per each 200 sq. ft. of gross floor area. Otherwise, see KZC 105.25.	<ol style="list-style-type: none"> Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: <ol style="list-style-type: none"> The ancillary assembled or manufactured goods are subordinate to and dependent on this use. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses. Maximum building height for this use is as follows: <ol style="list-style-type: none"> If adjoining a residential zone other than TL 11, then 25 feet above average building elevation. South of either NE 120th Street or NE 118th Street, 35 feet above average building elevation. Elsewhere in this zone, 55 feet above average building elevation. Outdoor storage is prohibited. The following regulations apply only to veterinary offices: <ol style="list-style-type: none"> If there are outdoor runs or other outdoor facilities for the animals, then use must comply with Landscape Category A. Outdoor runs and other outdoor facilities for the animals must be set back at least 10 feet from each property line and must be surrounded by a fence or wall sufficient to enclose the animals. See KZC 115.105, Outdoor Use, Activity and Storage, for further regulations.
.030	Restaurant or Tavern See Spec. Reg. 1.				0' 0'		55' above average building elevation.	B C	E	1 per 100 sq. ft. of gross floor area.	<ol style="list-style-type: none"> This use is only allowed on parcels with frontage on NE 124th Street, unless the restaurant existed prior to December 31, 2005, as an accessory use to a permitted primary use. For restaurants with drive-in or drive-through facilities: <ol style="list-style-type: none"> One outdoor waste receptacle shall be provided for every eight parking stalls. 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. 	

Section 55.69

Zone
TL 10A

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 55.69	USE ↓ REGULATIONS →	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.040	Any Retail Establishment other than those specifically listed in this zone, selling goods, or providing services including banking and related financial services. See Spec. Regs. 1 and 2.	D.R., Chapter 142 KZC. See Gen. Reg. 5.	None	10'	0'	0'	80%	55' above average building elevation.	B C	E	1 per each 300 sq. ft. of gross floor area.	<ol style="list-style-type: none"> This use is only allowed on parcels with frontage on NE 124th Street. The following uses and activities are prohibited: <ol style="list-style-type: none"> The sale, service, and/or rental of motor vehicles, sailboats, motor boats, and recreational trailers are not permitted; provided, that motorcycle sales, service, or rental is permitted if conducted indoors. Retail establishments providing storage services unless accessory to another permitted use. Storage and operation of heavy equipment except normal delivery vehicles associated with retail uses. Outdoor storage of bulk commodities unless the square footage of the storage area is less than 10 percent of the retail structure. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: <ol style="list-style-type: none"> The assembled or manufactured goods are subordinate to and dependent upon this use, and are available for purchase and removal from the premises. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other retail uses.
.050	Hotel or Motel										1 per each room. See also Spec. Reg. 3.	<ol style="list-style-type: none"> This use is only allowed on parcels with frontage on NE 124th Street. May include ancillary meeting and convention facilities. 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.
.060	Convalescent Center or Nursing Home										See Spec. Reg. 2.	A

Section 55.69

Zone
TL 10A

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 55.69	USE ↓ REGULATIONS ↓	Required Review Process	Lot Size	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
				REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.070	School, Day-Care Center, Mini-School or Mini-Day-Care Center	D.R., Chapter 142 KZC. See Gen. Reg. 5.	None	10'	0'	0'	80%	See Spec. Reg. 6. 5.	D	B	See KZC 105.25.	<ol style="list-style-type: none"> 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: <ol style="list-style-type: none"> 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. c. Five feet for a mini-school or mini-day care center. 2. 3. 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 any nearby residential uses. 3. 4. May include accessory living facilities for staff persons. 4. 5. The location of parking and passenger loading areas shall be designed to reduce impacts on any nearby residential uses. 5. 6. Maximum building height for this use is as follows: <ol style="list-style-type: none"> a. If adjoining a residential zone other than TL 11, then 25 feet above average building elevation. b. South of either NE 120th Street or NE 118th Street, 35 feet above average building elevation. c. Elsewhere in this zone, 55 feet above average building elevation.
.080	Church				5' but 2 side yards must equal at least 15'.	10'		See Spec. Reg. 2.	C	1 for every 4 people based on maximum occupancy load of any area of worship. See Spec. Reg. 1.	<ol style="list-style-type: none"> 1. No parking is required for day-care or school ancillary to the use. 2. Maximum building height for this use is as follows: <ol style="list-style-type: none"> a. If adjoining a residential zone other than TL 11, then 25 feet above average building elevation. b. South of either NE 120th Street or NE 118th Street, 35 feet above average building elevation. c. Elsewhere in this zone, 55 feet above average building elevation. 	

Section 55.45

Zone
TL 6A,
6B

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 55.45	USE ↓ REGULATIONS →	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.050	Any Retail Establishment, other than those specifically listed in this zone, selling goods or providing services, including banking and related financial services	D.R., Chapter 142 KZC. See Gen. Reg. 6.	None	10'	0'	0'	80%	45' above average building elevation. See Gen. Reg. 11.	B C	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.
.060	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. d. A veterinary office is not permitted in any development containing dwelling units. 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.
.070	Hotel or Motel								B C	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.
.080	Entertainment, Cultural and/or Recreational Facility										1 per every 4 fixed seats.	

Section 55.45

Zone
TL 6A,
6B

USE ZONE CHART

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

Section 55.45	USE ↓ REGULATIONS ↓	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.120	Church	D.R., Chapter 142 KZC. See Gen. Reg. 6.	None	10'	5' on each side	10'	80%	45' above average building elevation. See Gen. Reg. 11.	C	B	1 for every 4 people based on maximum occupancy load of any area of worship. See also Spec. Reg. 2.	<ol style="list-style-type: none"> 1. May include accessory living facilities for staff persons. 2. No parking is required for day-care or school ancillary to this use.
.130	School, Day-Care Center, Mini-School or Mini-Day-Care Center				0'	0'			D	B	See KZC 105.25.	<ol style="list-style-type: none"> 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 set back from all property lines as follows: <ol style="list-style-type: none"> 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. c. Five feet for a mini-school or mini-day-care center. 3. 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. 4. 5. May include accessory living facilities for staff persons. 5. 6. The location of parking and passenger loading areas shall be designed to reduce impacts on nearby residential uses.

Section 55.39

Zone
TL 5

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS													
Section 55.39	USE ↓ REGULATIONS ↓	Required Review Process	MINIMUMS			MAXIMUMS		Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)									
				Front	Side	Rear							
.020	Vehicle Service Station	D.R., Chapter 142 KZC.	22,500 sq. ft.	40'	15' on each side	15'	80%	35' above average building elevation.	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.	
.030	A Retail Establishment providing vehicle or boat sales or vehicle or boat service or repair. See Spec. Reg. 1.		None	10'	0'	0'						1. Vehicle and boat rental and used vehicles or boat sales are allowed as part of this use. 2. Outdoor vehicle or boat parking or storage areas must be buffered as required for a parking area in KZC 95.45. See KZC 115.105, Outdoor Use, Activity and Storage, for additional regulations.	
.040	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.	
.050	A Retail Establishment providing storage services. See also Spec. Reg. 1.								C		See KZC 105.25.	1. May include accessory living facilities for resident security manager.	

Section 55.39

Zone
TL 5

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 55.39	USE ↓ REGULATIONS →	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.060	Any Retail Establishment other than those specifically listed in this zone, selling goods, or providing services including banking and related financial services	D.R., Chapter 142 KZC.	None	10'	0'	0'	80%	35' above average building elevation.	B C	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.
.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.
.080	Hotel or Motel								B C	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	Entertainment, Cultural and/or Recreational Facility										1 per every 4 fixed seats.	
.100	Private Lodge or Club								C	B	1 per each 300 sq. ft. of gross floor area.	

(Revised 11/12)

Section 55.39

Zone
TL 5

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 55.39	USE ↓ REGULATIONS →	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.130	School, Day-Care Center, Mini-School or Mini-Day-Care Center	D.R., Chapter 142 KZC.	None	10'	0'	0'	80%	35' above average building elevation.	D	B	See KZC 105.25.	<ol style="list-style-type: none"> 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 set back from all property lines as follows: <ol style="list-style-type: none"> a. Twenty feet if this use can accommodate 50 or more students or children. b. Ten feet if this use can accommodate 13 to 40 students or children. c. Five feet for a mini school or mini day care center. 3. 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. 4. 5. May include accessory living facilities for staff persons. 5. 6. The location of parking and passenger loading areas shall be designed to reduce impacts on nearby residential uses.
.140	Assisted Living Facility Convalescent Center Nursing Home See Spec. Reg. 1.								A	A	Assisted Living: 1.7 per independent unit. 1 per assisted living unit. Convalescent Center or Nursing Home: 1 per bed.	<ol style="list-style-type: none"> 1. Development must include commercial use with gross floor area on the ground floor equal to or greater than 20 percent of the parcel size of the subject property. Minor reductions may be approved by the Planning Official if the applicant demonstrates that meeting the requirement is not feasible given the configuration of existing or proposed improvements and that the commercial space is configured to maximize its visibility and pedestrian orientation. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use.
.150	Public Utility									B	See KZC 105.25.	<ol style="list-style-type: none"> 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.
.160	Government Facility Community Facility								C See Spec. Reg. 1			
.170	Public Park	Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.										

Section 55.33



USE ZONE CHART

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

Section 55.33	USE ↓ REGULATIONS →	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.010	Vehicle Service Station	D.R., Chapter 142 KZC	22,500 sq. ft.	40'	15' on each side	15'	80%	30' average building elevation.	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 Spec. Reg. 2.								
.020	A Retail Establishment providing storage services. See also Spec. Reg. 1.		None	10'	0'	0'		65' above average building elevation.			1. May include accessory living facilities for resident security manager.	
.030	A Retail Establishment providing vehicle or boat sales or vehicle or boat service or repair. See Spec. Reg. 2.										1. Outdoor vehicle or boat parking or storage areas must be buffered as required for a parking area in KZC 95.45. See KZC 115.105, Outdoor Use, Activity and Storage, for additional regulations. 2. Vehicle and boat rental and used vehicles or boat sales are allowed as part of this use.	
.040	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.	
.050	Any Retail Establishment, other than those specifically listed in this zone, selling goods, or providing services including banking and related financial services									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.	

Section 55.33

Zone
TL 4A, 4B,
4C

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 55.33	USE ↓ REGULATIONS ↓	Required Review Process	Lot Size	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
				REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.060	Office Use	D.R., Chapter 142 KZC	None	10'	0'	0'	80%	65' above average building elevation.	C	D	If a medical, dental or veterinary office, then 1 per each 200 sq. ft. of gross floor area. Otherwise, 1 per each 300 sq. ft. of gross floor area.	1. The following regulations apply to veterinary offices only: <ol style="list-style-type: none"> 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 development permit application. A veterinary office is not permitted in any development containing dwelling units. 2. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: <ol style="list-style-type: none"> The ancillary assembled or manufactured goods are subordinate to and dependent on this use. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.
.070	Hotel or Motel								B C	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.
.080	Entertainment, Cultural and/or Recreational Facility										1 per every 4 fixed seats.	
.090	Private Lodge or Club								C	B	1 per each 300 sq. ft. of gross floor area.	

Section 55.33

Zone
TL 4A, 4B,
4C

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 55.33	USE ↓ REGULATIONS ↓	Required Review Process	Lot Size	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
				REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.120	School, Day-Care Center, Mini-School or Mini-Day-Care Center	D.R., Chapter 142 KZC	None	10' See Spec. Reg. 3.	0'	0'	80%	65' above average building elevation.	D	B	See KZC 105.25.	<ol style="list-style-type: none"> A six-foot high fence is required only along the property lines adjacent to the outside play areas. Hours of operation may be limited to reduce impacts on nearby residential uses. Structured play areas must be set back from all property lines as follows: <ol style="list-style-type: none"> Twenty feet if this use can accommodate 50 or more students or children. Ten feet if this use can accommodate 13 to 49 students or children. Five feet for a mini-school or mini-day care center. 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. May include accessory living facilities for staff persons. The location of parking and passenger loading areas shall be designed to reduce impacts on nearby residential uses.
.130	Assisted Living Facility Convalescent Center Nursing Home See Spec. Reg. 1.			10'					A	A	Assisted Living: 1.7 per independent unit. 1 per assisted living unit. Convalescent Center or Nursing Home: 1 per bed.	<ol style="list-style-type: none"> Development must include commercial use on the ground floor with gross floor area equal to or greater than 20 percent of the area of the subject property. Minor floor area reductions may be approved by the Planning Official if the applicant demonstrates that meeting the requirement is not feasible given the configuration of existing or proposed improvements and that the commercial space is configured to maximize its visibility and pedestrian orientation. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use.
.140	Public Utility								A	B	See KZC 105.25.	<ol style="list-style-type: none"> 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	Government Facility or Community Facility								C See Spec. Reg. 1.			

Section 55.21

Zone
TL 2

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 55.21	USE ↓ REGULATIONS ↓	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.100	School, Day-Care Center or Mini-School or Mini-Day-Care	D.R., Chapter 142 KZC.	Less than 1.5 acres.	10' See Spec. Reg. 4.	0' See Spec. Reg. 4.	0' See Spec. Reg. 4.	80%	30' above average building elevation.	D	B	See KZC 105.25. See Spec. Reg. 5. 4.	<ol style="list-style-type: none"> 1. Must be developed to be compatible with the approved Conceptual Master Plan for adjacent properties, with respect to signs, parking and pedestrian and vehicular access. 2. A six-foot high fence is required along property lines adjacent to outside play areas. 3. Hours of operation may be limited by the City to reduce impacts on nearby residential uses. 4. Structured play areas must be set back from all property lines by at least five feet. 5. An on-site passenger loading area may be required depending on the number of attendees and the extent of the abutting r-o-w improvements.
.110	Assisted Living Facility			0'	0'	0'			B D	A	1 per assisted living unit.	<ol style="list-style-type: none"> 1. Must be developed to be compatible with the approved Conceptual Master Plan for adjacent properties, with respect to signs, parking and pedestrian and vehicular access. 2. This use may not be located on the ground floor of a structure. 3. The development must be designed to limit potential impacts from surrounding commercial uses on residents of the subject property. 4. 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								C	B	1 for each bed.	<ol style="list-style-type: none"> 1. Must be developed to be compatible with the approved Conceptual Master Plan for adjacent properties, with respect to signs, parking and pedestrian and vehicular access. 2. This use may not be located on the ground floor of a structure.
.130	Public Utility, Government Facility and Community Facility								D See Spec. Reg. 2.	B	See KZC 105.25.	<ol style="list-style-type: none"> 1. Must be developed to be compatible with the approved Conceptual Master Plan for adjacent properties, with respect to signs, parking and pedestrian and vehicular access. 2. Landscape Category B or C may be required depending on the type of use on the subject property and the impacts associated with this use.
.140	Public Park	Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.										

, except for lobbies, which shall not exceed 10% of the ground floor of the structure.

(Revised 8/12)

Section 60.62

Zone
PLA6B

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 60.62	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	School or Day-Care Center	None	7,200 sq ft.	<p>If this use can accommodate 50 or more students or children, then:</p> <p>50' 50' on each side 50'</p> <p>If this use can accommodate 13 to 49 students or children, then:</p> <p>20' 20' on each side 20'</p> <p>20' 5', but two side yards must equal at least 15' 10'</p>	70%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above building elevation. See Spec. Reg. 6.	D	B	See KZC 105.25.	<ol style="list-style-type: none"> 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: <ol style="list-style-type: none"> 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 any 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 any nearby residential uses. 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: <ol style="list-style-type: none"> 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. 		

(Revised 4/07)

Section 60.62

Zone
PLA6B

USE ZONE CHART

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

Section 60.62	USE ↓ REGULATIONS ↓	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.080	Mini-School or Mini-Day-Care	None	3,600 sq. ft.	20'	5', but 2 side yards must equal at least 15'.	10'	70%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above building elevation.	E	B	See KZC 105.25.	<ol style="list-style-type: none"> Hours of operation may be limited by the City to reduce impacts on nearby residential uses. Structured play areas must be setback from all property lines by five feet. 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. The location of parking and passenger loading areas shall be designed to reduce impacts on any nearby residential uses. May include accessory living facilities for staff persons. A six-foot-high fence is required only along the property lines adjacent to the outside play areas. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388).
.090	Assisted Living Facility								D	A	1.7 per independent unit. 1 per assisted living unit.	<ol style="list-style-type: none"> A facility that provides both independent dwelling units and assisted living units shall be processed as an assisted living facility. 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. 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, up to 1 1/2 times the number of Stacked Dwelling Units allowed on the subject property may be approved if the following criteria are met: <ol style="list-style-type: none"> Project is of superior design, and Project will not create impacts that are substantially different than would be created by a permitted multifamily development. The assisted living facility shall provide usable recreational 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 recreational space per unit located outside. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use.

Section 60.42

Zone
PLA5C

USE ZONE CHART

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

Section 60.42	USE ↓ REGULATIONS →	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.060	School or Day-Care Center	D.R., Chapter 142 KZC.	7,200 sq. ft.	<p>If this use can accommodate 50 or more students or children, then:</p> <p>40' 50' on each side 50'</p> <p>If this use can accommodate 13 to 49 students or children, then:</p> <p>10' 20' on each side 20'</p>	70%	60' above average building elevation, except for properties within 325' of the PLA 5C eastern boundary, then 40' above average building elevation.	D	B	See KZC 105.25.	<ol style="list-style-type: none"> 1. The City may limit access points onto 6th Street and require traffic control devices and right-of-way realignment. 2. May locate on the subject property only if: <ol style="list-style-type: none"> a. It will serve the immediate neighborhood in which it is located; or b. It will not be detrimental to the character of the neighborhood in which it is located. 3. A six-foot-high fence is required only along the property lines adjacent to the outside play areas. 4. Hours of operation may be limited to reduce impacts on nearby residential uses. 5. Structured play areas must be setback from all property lines as follows: <ol style="list-style-type: none"> 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. 6. 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 any nearby residential uses. 7. May include accessory living facilities for staff persons. 8. The location of parking and passenger loading areas shall be designed to reduce impacts on any nearby residential uses. 9. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388). 10. For properties abutting PLA 5D, any portion of a building exceeding 30 feet above ABE shall be no closer than 50 feet to the easterly edge of PLA 5C. 		

5'. but 2 side yards must equal at least 15'. From easterly edge of PLA 5C - 15'.

5.

6.

7.

8.

Section 60.42

Zone
PLA5C

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 60.42	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	Mini-School or Mini-Day-Care	D.R., Chapter 142 KZC.	3,600 sq. ft.	10'	5', but 2 side yards must equal at least 15'. From easterly edge of PLA 5C – 15'.	10'	70%	<ul style="list-style-type: none"> If the development contains at least 1 acre, 60' above average building elevation, except for properties within 325' of the PLA 5C eastern boundary, then 40' above average building elevation. If the development is south of 4th Avenue and within 180' east of 6th Street, and contains at least 0.8 acres, 52' above average building elevation. If the development is south of 4th Avenue and within 180 feet east of 6th Street, and contains at least 0.4 acres, 40' above average building elevation. Otherwise, 30' above average building elevation. 	E	B	See KZC 105.25.	<ol style="list-style-type: none"> The City may limit access points onto 6th Street and require traffic control devices and right-of-way realignment. A six-foot-high fence is required along the property lines adjacent to the outside play areas. Hours of operation may be limited by the City to reduce impacts on nearby residential uses. Structured play areas must be setback from all property lines by 5 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 any nearby residential uses. 6. May include accessory living facilities for staff persons. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388). 7. For properties abutting PLA 5D, any portion of a building exceeding 30 feet above ABE shall be no closer than 50 feet to the easterly edge of PLA 5C.

	Commercial Zone	Building setback <i>(if blank, same as other uses in zone)</i>		Structured play area setback			
		13-49 students	50+ students	13-49 students	50+ students		
Zones with greater setbacks	PR*, PRA	20'	50'	10'	20'	Office Zones	
	PO	20'	50'	10'	20'		
	MSC 1 & 4	20'	50'	10'	20'		
	RH 4	20'	50'	10'	20'		
	TL 10B	20'	50'	10'	20'		
	PLA 5C	20'	50'	10'	20'		
	PLA 6B	20'	50'	10'	20'		
	BN	20'	50'	10'	20'		Commercial Zones
	MSC 2	20'	50'	10'	20'		
	MSC 3	30' (front only)	30' (front only)	10'	20'		
YBD 1*	20'	50'	10'	20'	TOD Zone		
LIT	Not allowed				Industrial Zones		
Zones with basic setbacks	BC*, BC 1, BC 2			10'	20'		
	BCX			10'	20'		
	CBD			5'	5'		
	JBD			10'	20'		
	RH 1A, 1B, 2A, 2B, 2C, 3			10'	20'		
	RH 5A, 5B			10'	20'		
	RH 7			10'	20'		
	RH 8			10'	20'		
	NRH 1A, 1B, 2, 3, 4, 5, 6			10'	20'		
	TL 1A, 1B, 2, 3A, 3B, 3C, 3D			5'	5'		
	TL 4A, 4B, 4C, 5, 6A, 6B, 7, 8, 9A, 10A, 10C, 10D			10'	20'		
	YBD* 2, 3			5'	5'		
	PLA 6G			10'	20'		
	PLA 17A			10'	20'		

* HCC Jurisdiction



CITY OF KIRKLAND
 Planning and Community Development Department
 123 Fifth Avenue, Kirkland, WA 98033
www.kirklandwa.gov – 425.587.3225

To: Interpretation No. 13-1
From: Eric R. Shields, AICP, Planning Director
Date: February 25, 2013
Subject: KZC 50.47 – Intervening Retail Space Requirement in CBD 7

ISSUE

There are several types of uses in the CBD 7 zoning district which require an intervening retail space if located on the street level floor of a building. They are private lodges or clubs, churches, office uses, assisted living, stacked or attached dwelling units, and residential suites. At question is whether these uses should be allowed without an intervening retail space on the street level floor of a building where property does not front a pedestrian-oriented street.

INTERPRETATION

The CBD 7 special regulation requiring an intervening retail use does not apply along 4th Avenue.

APPLICABLE CODE SECTIONS

The following CBD 7 uses in Kirkland Zoning Code (KZC) 50.47 have a special regulation requiring an intervening retail space: private lodge or club, church, office, assisted living, stacked or attached dwelling units, and residential suites. The special regulation for each use states:

This use may be located on the street level floor of a building only if there is a retail space extending a minimum of 30 feet of the building depth between this use and the abutting right-of-way. The Planning Director may approve a reduction to the depth requirement for the retail space if the applicant demonstrates that the proposed configuration of the retail use provides an adequate dimension for a viable retail tenant and provides equivalent or superior visual interest and potential foot traffic as would compliance with the required dimension.

The specific code sections are as follows:

KZC 50.47.070 – Private lodge or club, Special Regulation 3

KZC 50.47.080 – Church, Special Regulation 3

KZC 50.47.090 – Office, Special Regulation 4

KZC 50.47.110 – Assisted living, Special Regulation 3

KZC 50.47.120 – Stacked or attached dwelling units, Special Regulation 1

KZC 50.47.125 – Residential suites, Special Regulation 1

ANALYSIS

KZC 170.40(1) states that the Planning Director may issue an interpretation of any of the provisions of the Code. This section requires the Planning Director to base a decision on three criteria which are addressed below.

1. Defined or common meaning of the words of the provision.

The strict meaning of the words contained in the special regulation would require retail use at the street level floor abutting all rights of way within the CBD 7 zone.

2. The general purpose of the provision as expressed in the provision.

The general purpose of this provision is to encourage active retail streetscapes in the Central Business District. This is accomplished by precluding less pedestrian-oriented uses on the street level unless they are located behind a retail storefront. For those properties in CBD 7 fronting on Central Way, the retail requirement is appropriate to create a cohesive retail district and streetscape. The subject of this interpretation is whether the general purpose of the retail provision is to create a retail streetscape along 4th Avenue (see map to right).



The portion of 4th Avenue within CBD 7 is not designated as a Pedestrian-Oriented Street. This street currently serves as vehicular access to the condominium development to the north. Based on the land use patterns and the Comprehensive Plan provisions noted below, this street is not part of the retail district and is not intended to have a retail streetscape. Rather, this area forms the transition and provides access from the Central Business District into a residential development.

3. The logical or likely meaning of the provision viewed in relation to the Comprehensive Plan.

Comprehensive Plan policies regarding 4th Avenue do not indicate the street as having a retail character and streetscape. None of the Downtown Plan maps designate 4th Avenue within CBD

7 as being a ‘major pedestrian route’ (Figure MB-4) or identified as a ‘pedestrian path’ (Figure MB-6).

Further, the Zoning Code designates Pedestrian-Oriented Streets (Plate 34H) and establishes street improvement requirements based on that designation. The requirements include elements such as pedestrian weather protection, minimum requirements for windows and window displays, and wider sidewalks. In all cases, Pedestrian-Oriented Streets are retail streets (Central Way, Park Lane, Lake Street, Kirkland Avenue, etc.). The fact that 4th Avenue is not a designated Pedestrian-Oriented Street further reinforces the conclusion that this street was not intended to be a retail oriented street. If retail were to develop along this street, the absence of the Pedestrian-Oriented Street designation would exempt the street level retail from many of the design requirements that make retail attractive and functional.



CITY OF KIRKLAND
Planning and Community Development Department
123 Fifth Avenue, Kirkland, Washington 98033 425.587.3225
www.ci.kirkland.wa.us

To: Interpretation No. 09-2
From: Eric R. Shields, AICP, Planning Director
Date: October 5, 2009
Subject: **School Uses in LIT Zones**

ISSUE

In the Light Industrial Technology (LIT) Zone, a school is not listed as a permitted use, but Community Facility is. The question here is whether a school is within the scope of a Community Facility use in the LIT zone.

INTERPRETATION

School uses are within the scope of a Community Facility use in the (LIT) Zone.

APPLICABLE CODE SECTIONS

The Zoning Code defines Community Facility as:

“A use which serves the public and is generally of a noncommercial nature. Such use shall include food banks, clothing banks, and other nonprofit social service organizations; nonprofit recreational facilities; and nonprofit performance arts centers.”

ANALYSIS

Zoning Code Section 170.60 states that the Planning Director may issue an interpretation of any of the provisions of the Code. The interpretation shall be based on the following three criteria:

1. Defined or Common Meaning of the Words of the Provision
 A school meets the above definition of Community Facility because it serves the public and is noncommercial in nature. In this respect, schools are similar to other community facility uses such as food banks and social service agencies.
2. General Purpose of the Provision as Expressed in the Provision
 The purpose of not listing schools in the LIT zone is not stated in the Zoning Code.
3. The Logical or Likely Meaning of the Provision Viewed in Relation to the Comprehensive Plan
 The Comprehensive Plan does not explicitly address this issue. Schools are allowed in most

zones in the City – both residential and commercial zones. The intent appears to liberally allow such uses, presumably because of their broad community benefit.

In May, 2009, the City Council reviewed this issue, determined that a school meets the definition of a community facility use and directed that his interpretation be drafted.

CITY OF VANCOUVER, ENGINEERING DEPARTMENT

APPENDIX A
2 OF 3

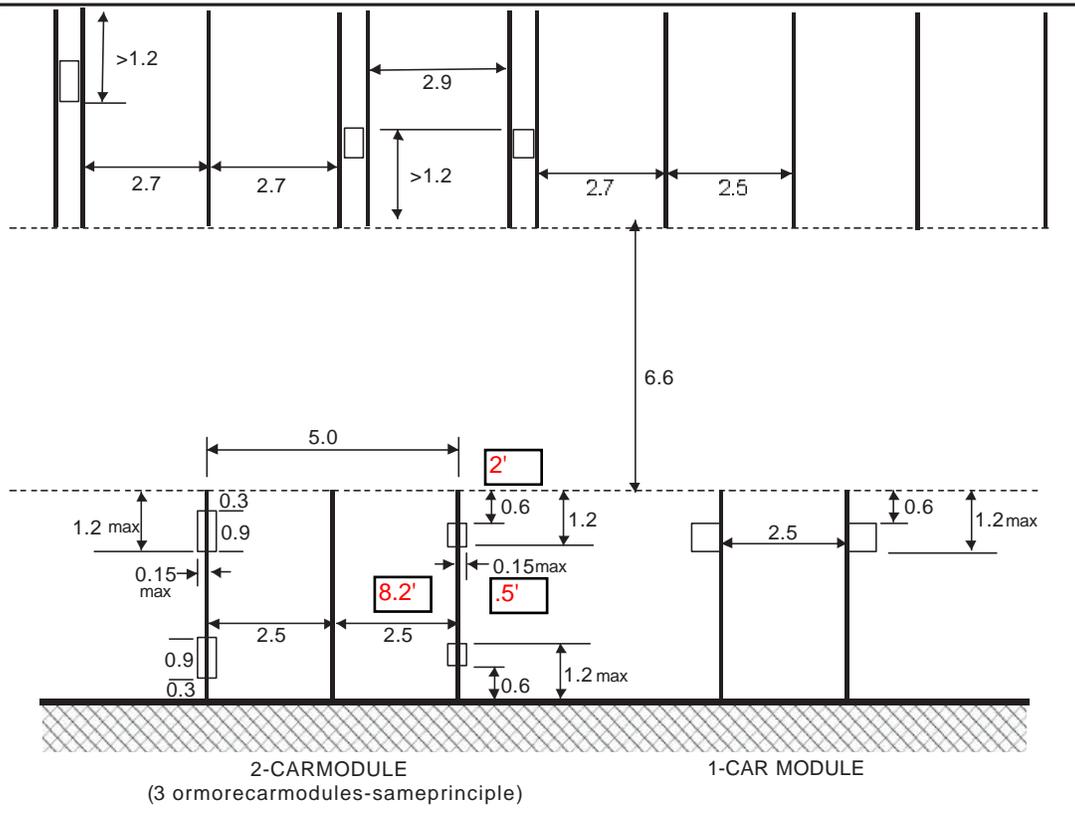
B/GUIDELINES FOR WIDENING STALL WIDTHS TO MINIMIZE AISLE WIDTHS (all dimensions in metres)

Aisle width (AW) may be decreased to a minimum of 6.1 m (20 ft) by increasing stall widths above the minimum requirement. Decreased aisle width can be determined by taking the aisle width for a given minimum stall width and applying to it the factor listed below in the second column. The factor that may be used depends on the size of the increased stall width as listed below in the first column. The six columns on the right are examples of decreased aisle widths that can be obtained using these factors.

VALUES FOR DECREASING AISLE WIDTHS		EXAMPLES OF VARIOUS MINIMUM AISLE WIDTHS APPLIED TO FACTORS					
STALL WIDTH	FACTOR	90 degrees 6.6m**	80 degrees 5.8m**	70 degrees 5.1m**	60 degrees 4.5m**	50 degrees 3.9m**	45 degrees (or less) 3.6m**
2.30-2.54*	1.00	6.60	5.80	5.10	4.50	3.90	3.60
2.55-2.59	.985	6.50	5.71	5.02	4.43	3.84	3.55
2.60-2.64	.970	6.40	5.63	4.95	4.37	3.78	3.49
2.65-2.69	.955	6.30	5.54	4.87	4.30	3.72	3.44
2.70-2.74	.939	6.20	5.45	4.79	4.23	3.66	3.38
2.75+	.924	6.10	5.34	4.71	4.16	3.60	3.35

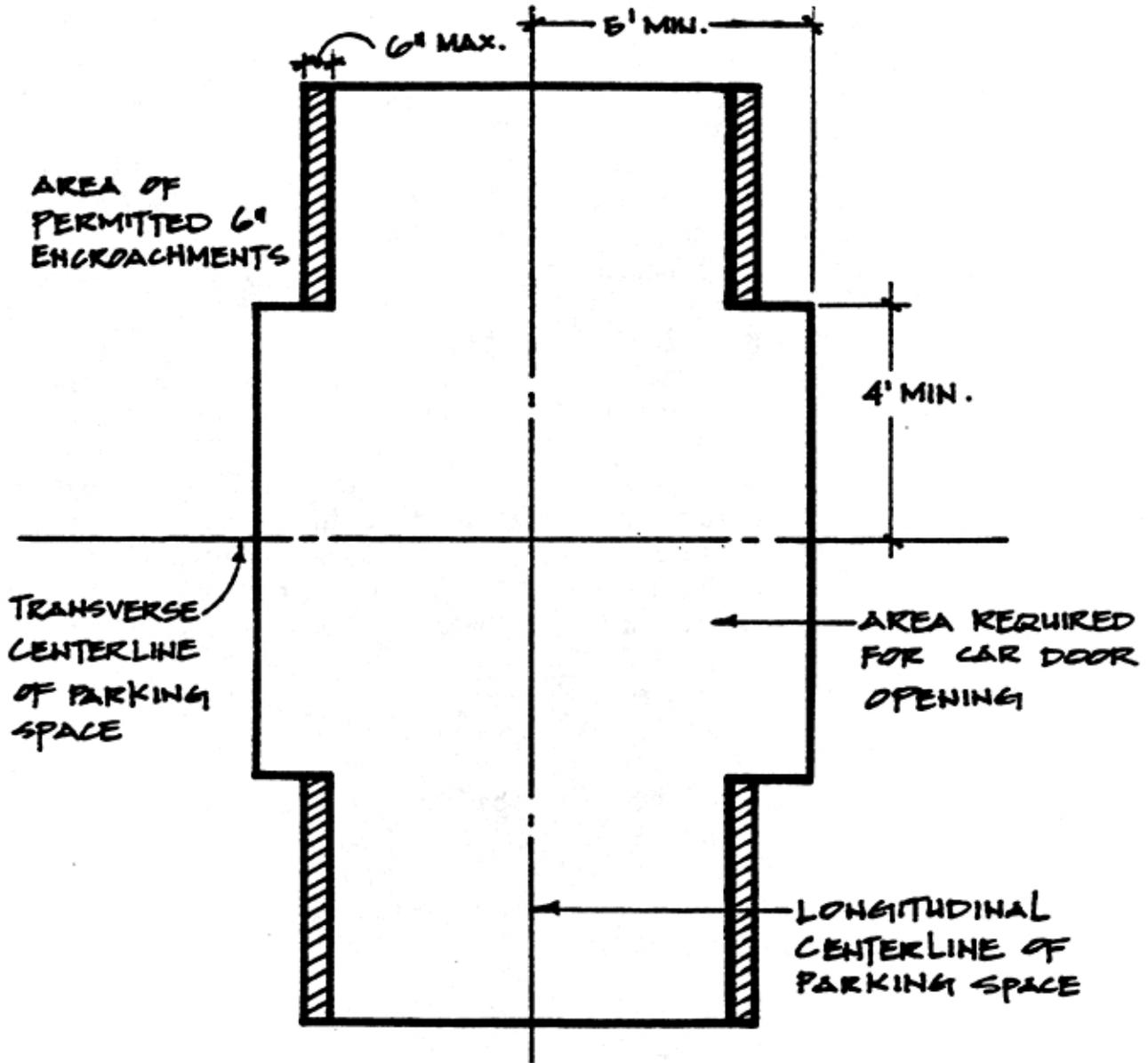
* upto 2.54m is considered to be no increase above minimum stall width.
** minimum aisle width for minimum stall width (2.54m or less)

C/COLUMN ENCROACHMENT REQUIREMENTS (all dimensions in metres)



City of Seattle

Exhibit 23.54.030 A
Encroachments Into Required Parking
Space



From: [Robert Pantley](#)
To: [Jeremy McMahan](#)
Subject: Re: columns in parking stall dimensions
Date: Saturday, May 04, 2013 6:27:43 PM

Hi Jeremy,

Thank you for the parking standards for columns from Edmonds, Vancouver B.C. and Seattle. You can add the City of Redmond who allow columns in their parking dimensions and see how it works at Vision 5. We would invite the Planning Commission to come and "test" an example.

Here are our reasons why we believe it makes sense to have the columns in the "right places" within the parking stalls:

- It works-come see Vision-columns in the right place do not preclude the effectiveness of the stall
- Residential and managed parking stalls are different because the users know their spaces, the cars are matched up to the spaces and they learn how to use them so the standard can be even more flexible for spaces meant for repeat users. Proof of this is at Tudor Manor which is much more tight than Vision 5 because the garage walls allow no openings and people have effectively parked there for two years without problems.
- The effect of excluding column areas requires to pour more concrete and take more surface area. If we want to pour more concrete lets use it for people places like sidewalks. When one contemplates this carefully, the affect of this is to reduce parking because people, like ourselves, will simply put in fewer net effective stalls. Further, more "exceptions" will be requested for less parking because of stall loss-not wise, from our perspective or for those who want more parking created.
- Statistically, cars have gotten smaller yet our standards have stayed the same. Columns, effectively placed work just fine in the parking stall envelope.
- Users like ourselves do not allow Hummers, Suburban and other large vehicles in our residential downtown parking stalls. The exception is we provide for them in our retail and guest parking spaces.

We ask that wisdom prevails here and to allow columns in our parking stall dimensions. It is environmentally superior by reducing total concrete poured, it provides for more parking stalls because each property only has so much space to provide parking and reducing the net useable will reduce the net number of parking stalls created. Parking stalls with columns in the right place work great and there will be more parking created. Perhaps the Planning Commission would like to come to Vision 5 in Redmond and see how columns, thoughtfully placed, work very well. Thank you for your consideration.

Warm Regards,

Robert Pantley

From: Uwkkq@aol.com
To: [Jeremy McMahan](#); [Mike Miller](#); [Jon Pascal](#); [Jay Arnold](#); [Andrew Held](#); [Glenn Peterson](#); [C-Ray Allshouse](#); [Colleen Cullen](#); [Eric Shields](#)
Cc: neighboringproperties@gmail.com; uwkkq@aol.com
Subject: Re: Kirkland Parking Stalls, Retail/Office Uses and Assisted Living
Date: Monday, April 22, 2013 11:12:38 PM
Attachments: [image001.png](#)

Hi all:

Thank you Jeremy for the added information.

I am still concerned, and the other citizens are concerned, about parking. If setbacks are aligned to allow a property to provide either retail, or office, or restaurant/tavern use, the parking required when a building is constructed should support all 3 uses (aka be sufficient to provide for the maximum demand). Not doing this could yield excess cars on city streets (chasing visitors and patrons away). It could also result in a developer who "games" the system claiming to build for the lowest parking demand use, when actually that use is impractical at the site and the developer can simply switch uses (bait and switch).

Karen Levenson
6620 Lake Washington Blvd NE
Kirkland, Wa 98033

In a message dated 4/22/2013 10:09:16 A.M. Pacific Daylight Time, JMcmahan@kirklandwa.gov writes:

Hi Karen,

Thanks for the early input. Regarding the setbacks and land use buffers, different zones approach the buffers differently. I'm sure you have seen this chart, but I wanted to give you the "cheat sheet" from the Code (below) so when you see the draft you can quickly see the differences in landscape categories relative to adjoining uses.

Regarding the potential changes to the assisted living use regulations, there are a number of zones where we are looking at changes. However, the YBD 1 zone in the Lakeview Neighborhood is the only one that simply does not allow it right now. We are taking the list of amendments to the Houghton Community Council tonight for early review and are asking them if the omission was intentional.

Do let me know if you have any other thoughts or questions.

ADJOINING PROPERTY → LANDSCAPING CATEGORY ↓	*Public park or low density residential use or if no permitted use exists on the adjoining property then a low density zone.	Medium or high density residential use or if no permitted use exists on the adjoining property then a medium density or high density zone.	Institutional or office use or if no permitted use exists on the adjoining property then an institutional or office zone.	A commercial use or an industrial use or if no permitted use exists on the adjoining property then a commercial or industrial zone.
A	Must comply with subsection (1) (Buffering Standard 1)	Must comply with subsection (1) (Buffering Standard 1)	Must comply with subsection (2) (Buffering Standard 2)	
B	Must comply with subsection (1) (Buffering Standard 1)	Must comply with subsection (1) (Buffering Standard 1)		
C	Must comply with subsection (1) (Buffering Standard 1)	Must comply with subsection (2) (Buffering Standard 2)		
D	Must comply with subsection (2) (Buffering Standard 2)			
E				
Footnotes:	*If the adjoining property is zoned Central Business District, Juanita Business District, North Rose Hill Business District, Rose Hill Business District, Totem Center or is located in TL 5, this section KZC 95.42 does not apply.			

Jeremy McMahan

Planning Supervisor

City of Kirkland

jmcman@kirklandwa.gov

425.587.3229

-----Original Message-----

From: uwkkg@aol.com [mailto:uwkkg@aol.com]

Sent: Saturday, April 20, 2013 7:36 AM

To: Mike Miller; Jon Pascal; Jay Arnold; Andrew Held; Glenn Peterson; C Ray

Allshouse; Colleen Cullen; Jeremy McMahan; Eric Shields

Cc: uwkkg@aol.com; neighboringproperties@gmail.com

Subject: Kirkland Parking Stalls, Retail/Office Uses and Assisted Living

Good morning Planning Commissioners, Eric and Jeremy:

A) Thank you for the clarification in code that you are making to provide clarity around parking stalls. This seems well thought out and will achieve the goal of assisting developers and architects understand the intentions of Kirkland's policy makers.

"Codify requirement that structural columns are not allowed to encroach into minimum dimensions for parking stalls."

B) Please give some thought to the two considerations for regarding this item "Make setbacks and landscape buffers consistent between office and retail uses in mixed use zones."

1) The 15 foot setback provides better separation, transition and room for vegetation. If a mixed use zone is next to a residential zone, this is very helpful. Consistency is good but numerous citizens would prefer the consistency to be with the 15 foot setback and not 5 or 10 feet.

2) If we want a structure to be flexible between office or retail use, we must require the larger amount of parking when a structure is built.

Otherwise the system could have a developer "gaming" the system by building with a "claimed" intention for office then quickly changing to retail or restaurant. Numerous neighbors are not interested in having developers build projects with insufficient parking that contributes to consumption of street parking. This discourages guests to the residential structures and challenges retail and restaurants who need parking for patrons.

C) About this item "Make regulations for assisted living uses consistent with other

residential uses." It appears that the only zone where this is changing is in Lakeview (HCC Jurisdiction). Please make sure this was inadvertent. It might have been done intentionally - not sure - Check with Houghton Community Council before you evaluate this on your own. If it was unintentional omission then it would be worth having you evaluate this change. If, however, HCC has a reason for this treatment of assisted living uses, please honor the decision that they made.

Thanks for your time and for your work on these and other items.

Best,

Karen Levenson

From: uwkkg@aol.com
To: [Mike Miller](#); [Jon Pascal](#); [Jay Arnold](#); [Andrew Held](#); [Glenn Peterson](#); [C Ray Allshouse](#); [Colleen Cullen](#); [Jeremy McMahan](#); [Eric Shields](#)
Cc: uwkkg@aol.com; neighboringproperties@gmail.com
Subject: Kirkland Parking Stalls, Retail/Office Uses and Assisted Living
Date: Saturday, April 20, 2013 7:36:11 AM

Good morning Planning Commissioners, Eric and Jeremy:

A) Thank you for the clarification in code that you are making to provide clarity around parking stalls. This seems well thought out and will achieve the goal of assisting developers and architects understand the intentions of Kirkland's policy makers.

"Codify requirement that structural columns are not allowed to encroach into minimum dimensions for parking stalls."

B) Please give some thought to the two considerations for regarding this item "Make setbacks and landscape buffers consistent between office and retail uses in mixed use zones."

1) The 15 foot setback provides better separation, transition and room for vegetation. If a mixed use zone is next to a residential zone, this is very helpful. Consistency is good but numerous citizens would prefer the consistency to be with the 15 foot setback and not 5 or 10 feet.

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Thanks for your time and for your work on these and other items.

Best,
Karen Levenson

From: [Margaret Bull](#)
To: [Jeremy McMahan](#)
Subject: day care
Date: Friday, April 19, 2013 10:02:41 AM

Hi Jeremy,

I haven't read all the info related to the updates that will be discussed at the meeting on May 23. I hope to be there but I don't get back from vacation until May 22nd.

I noticed that you are looking at Day Care regulations. I am glad that you are doing this because I would like to see more daycare facilities provided in mixed use buildings. When I hear people talking about how we might be all living without a car in Kirkland (thus less parking is being required of developers) they aren't thinking about families. If you have to get a kid from day care or school, you usually need a car. One concern that I have is lumping different types of day care together. I had my own home day care and it was licensed by the state and I also had a City of Kirkland business license. I think if you are looking a regulations for bigger daycares you should also look at the licensing requirements for home day cares just to make sure there aren't conflicting regulations. We need more home day cares and I think that whatever the city can do that makes it easier for people to obey the law and get licensed would be a step forward. Also, by looking at state requirements for all daycares you can make sure your regulations are in harmony by making sure there is a way to put in play equipment etc into a multiuse development. Just a thought.

Margaret Bull

From: uwkkg@aol.com
To: [Mike Miller](#); [Jon Pascal](#); [Jay Arnold](#); [C Ray Allshouse](#); [Glenn Peterson](#); [Andrew Held](#); [Colleen Cullen](#)
Cc: Ehields@kirklandwa.gov; [Jeremy McMahan](#); uwkkg@aol.com; neighboringproperties@gmail.com; atisfreimanis@yahoo.com
Subject: Crazy new look at parking stall widths without support posts
Date: Monday, April 15, 2013 7:21:10 PM
Attachments: [Kirkland Letter to applicant re Parking Stall Widths.doc](#)

Good evening Atis:

Good evening Planning Commissioners, Eric Shields, Jeremy McMahan:

In your last packet, several neighbors noticed a comment about discussion of parking stall widths and posts. There was no documentation about what was to be discussed and it never came up. When neighbors inquired we were told something about not really knowing why it was in the packet but then we were told something about posts sometimes being allowed in the stall.

In fact citizen research has shown that this seems to be pretty standard with the widths being spelled out routinely and with posts or other obstructions not allowed in the stall width.

We are unclear why this would be an issue and we are not interested in having the city allow posts to be within the regularly required stall widths. The other items that are routinely spelled out in a consistent fashion is the required width of driving lanes and an upper limit on the percentage of compact vehicle stalls.

I have to say that we are very confused as to why this is coming forward as Eric commented that it might come forward as early as May. There is so much that needs to be done we hope that you don't get sidetracked by something that is a NON-ISSUE. We also hope that you do not make any downward adjustment on the size of stalls or allow posts within the required size, or increase the % of compact stalls. Each of the measures that reduces stall size may have a small economic benefit to a developer (reducing their cost) however we have all seen that little stalls force drivers to consume more than one stall and reduce the actual amount of parking available.

Attached is a "cut and paste" from one of many Kirkland documents advising a developer on the parking stall requirement.

Thank you,
Karen Levenson (and some other neighbors)

For the building permit, you will need to revise the **parking layout**. We have the following comments on the parking lot layout:

- All driving lanes must be a continuous 24' in width. In some locations, the driving lanes are less than 24' wide.
- All stalls must meet the width required in the Zoning Code without any obstructions (support posts).