

Designating Blank Walls

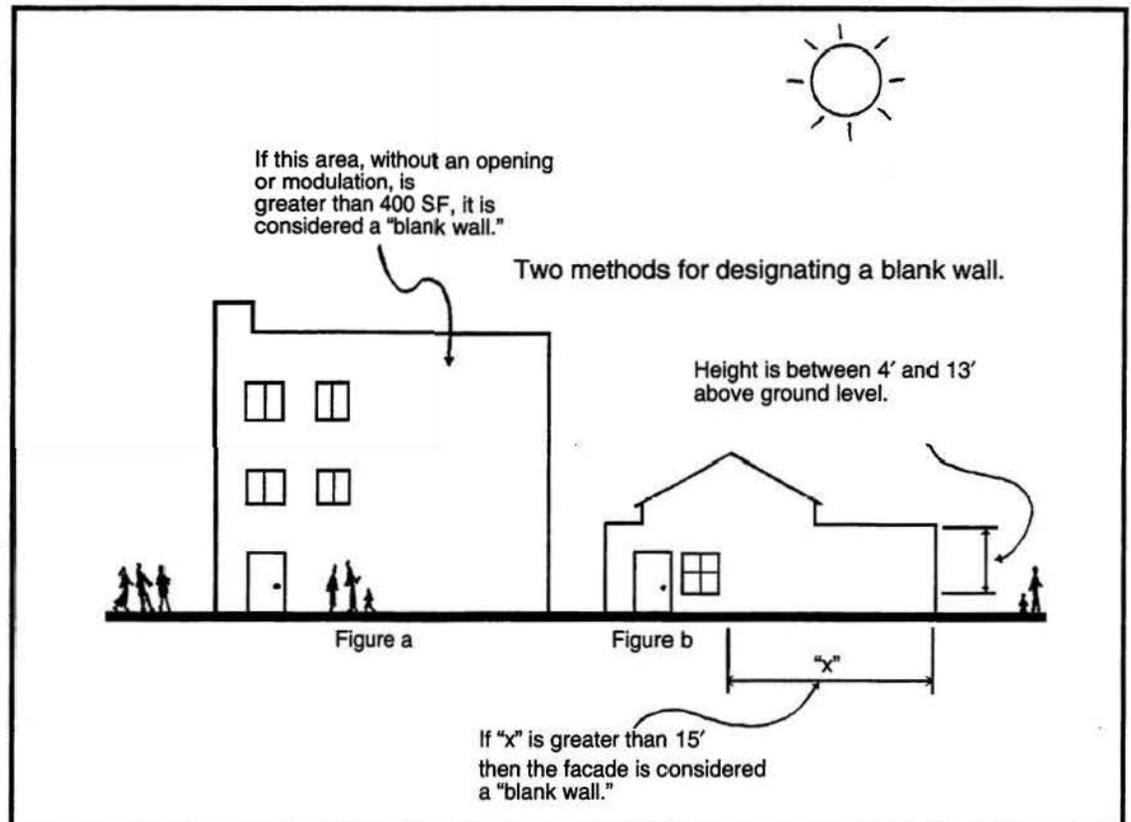


FIGURE 92.15.C

- c. Blank Wall Treatment Standards in All Zones – At least one of the following techniques must be used to treat or screen blank walls:
- 1) By the installation of a vertical trellis with climbing vines or plant material in front of the blank wall.
 - 2) By providing a landscaped planting bed at least five feet wide or a raised planter bed at least two feet high and three feet wide in front of the blank wall and planted with plant materials that will obscure or screen at least 50 percent of the blank wall within two years.
 - 3) By providing artwork, such as mosaics, murals, sculptures or bas-relief on the blank wall.
 - 4) By proposing alternative techniques as part of the Design Review process.
- d. All Zones – Modifications – The provisions of this subsection (3) may be modified or eliminated as part of the Design Review decision if they conflict with the International Building Code.

Pedestrian-Friendly Building Facade Requirements

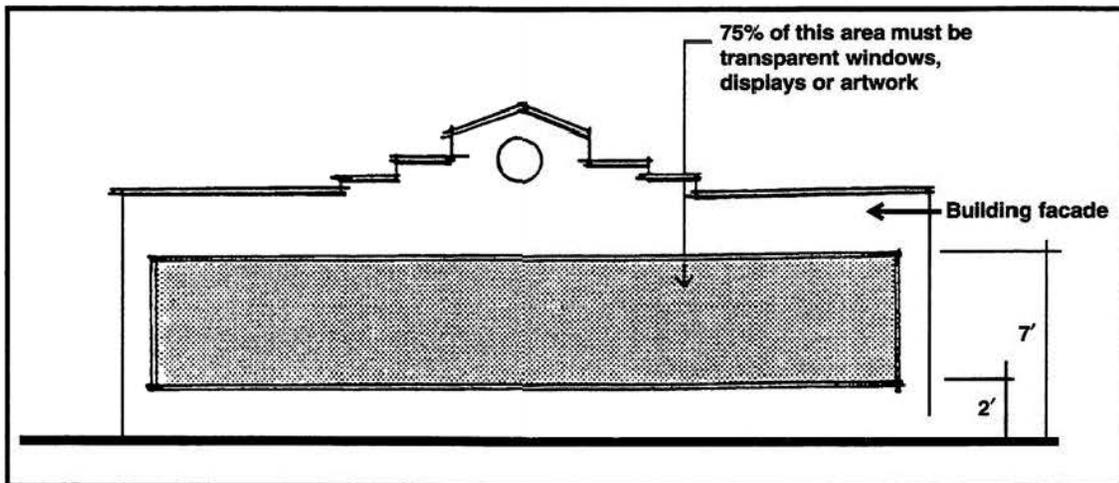


FIGURE 92.15.D

e. Treatment of Building Facades in CBD – In the CBD, each facade of a building facing a pedestrian-oriented street or public park must contain or be treated with at least one of the following elements:

- 1) It must contain transparent windows or window displays comprising at least 75 percent of the area of the facade between two feet and seven feet above ground level (see Figure 92.15.D).
- 2) It must contain sculptural, mosaic or bas-relief artwork comprising at least 75 percent of the area of the facade between two feet and seven feet above ground level (see Figure 92.15.D).
- 3) The area next to the facade must be developed such that for every 10 linear feet of the facade, at least 20 square feet of this area must be developed with landscaping consistent with subsection (3)(c)(1) or (2) of this section, depending on the location, dimensions, and size of the area.

4. Parking Garages

a. All Zones – Each facade of a garage or a building containing ground floor parking must either:

- 1) Provide and maintain a ground floor area of the garage or building extending along the entire facade of the garage or building (excluding vehicle access points) which is developed as and made available for pedestrian-oriented businesses (see Figure 92.15.E); or

Providing Space for Pedestrian-Oriented Business

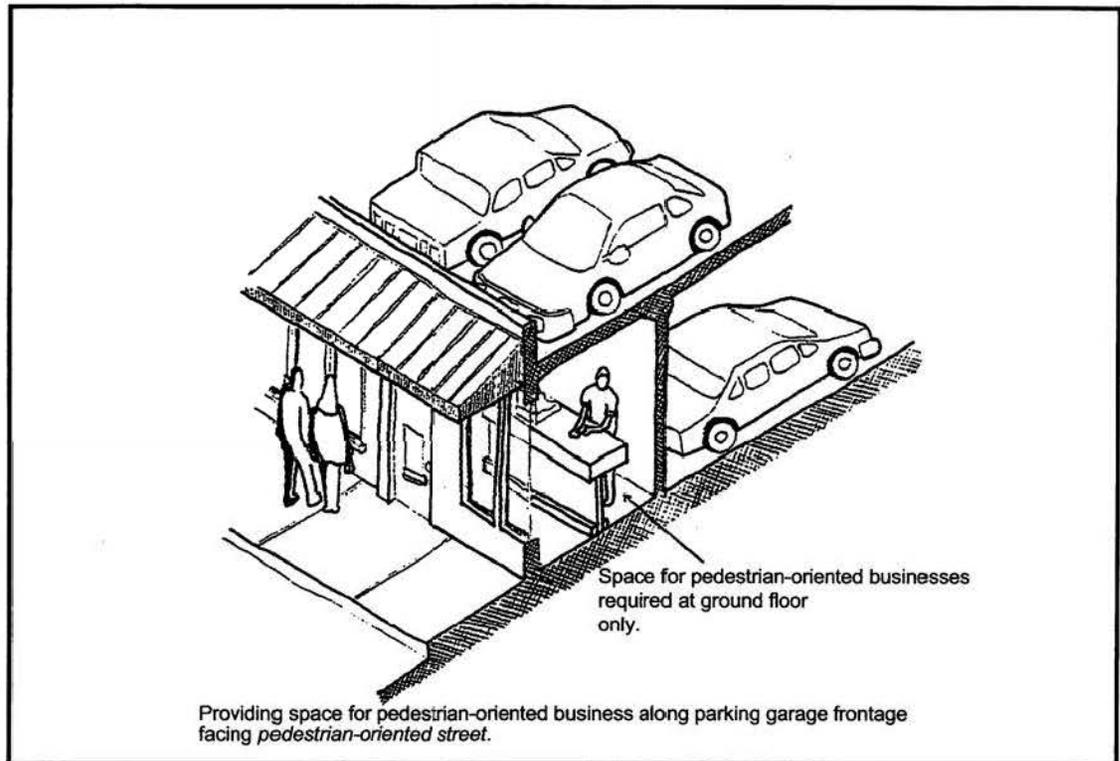


FIGURE 92.15.E

- 2) Provide and maintain a pedestrian-oriented space, at least 10 feet in depth and extending along the entire facade of the garage or building (excluding vehicle access points); or
 - 3) Treat the facade consistent with subsection (3)(e)(1), (2) or (3) of this section, treatment of building facades; or
 - 4) A combination of methods described above.
- b. All Zones – There must be architectural screening or other treatment of openings above the ground level for the facades of parking garages along the Market Street Corridor, pedestrian-oriented streets, through-block pathways and major pedestrian sidewalks.
- c. RHBD and TLBD Zones – Structures containing parking on the ground floor:
- 1) Parking structures on designated pedestrian-oriented streets shall provide space for ground-floor commercial uses along street frontages at a minimum of 75 percent of the frontage width. The entire facade facing a pedestrian-oriented street must feature a pedestrian-oriented facade.
 - 2) Parking structures adjacent to non-pedestrian-oriented streets may be located adjacent to a sidewalk where they provide space for ground-floor commercial uses along street frontages at a minimum of 75 percent of the frontage width and include a pedestrian-oriented facade along the applicable frontage.
 - 3) Parking structures adjacent to non-pedestrian-oriented streets and not featuring a pedestrian-oriented facade shall be set back at least 10 feet from the sidewalk and fea-

ture substantial landscaping between the sidewalk and the structure. This includes a combination of evergreen and deciduous trees (one (1) per 20 lineal feet), shrubs (one (1) per 20 square feet), and ground cover (sufficient to cover 90 percent of the area within three (3) years). Other treatments will be considered in the Design Review process.

- 4) Parking garage entries shall be designed and sited to complement, not subordinate, the pedestrian entry. If possible, locate the parking entry away from the primary street, to either the side or rear of the building.
- 5) The design of structured parking at finished grade under a building shall minimize the apparent width of garage entries.
- 6) Parking within the building shall be enclosed or screened through any combination of walls, decorative grilles, or trellis work with landscaping.
- 7) Parking garages shall be designed to be complementary with adjacent buildings. Use similar forms, materials, and/or details to enhance garages.
- 8) Parking structure service and storage functions shall be located away from the street edge and generally not be visible from the street or sidewalks.

(Ord. 4495 § 2, 2015; Ord. 4390 § 1, 2012; Ord. 4107 § 1, 2007; Ord. 4097 § 1, 2007; Ord. 4037 § 1, 2006; Ord. 4030 § 1, 2006; Ord. 3972 § 1, 2004; Ord. 3833 § 1, 2002)

92.30 ARCHITECTURAL AND HUMAN SCALE

1. Techniques To Moderate Bulk and Mass in the CBD

- a. General – This section establishes required techniques to be used in the design and construction of building facades in specific areas of the CBD. The applicant shall comply with the techniques listed below in order to reduce the perceived bulk and mass of large structures by dividing the building mass into smaller-scale components. As an alternative, the City may approve other techniques, elements, or methods if consistent with the following criteria:
 - 1) The alternative is generally consistent with the downtown plan provisions of the Comprehensive Plan and the design guidelines.
 - 2) The alternative clearly provides superior moderation of the architectural bulk and mass than would result from strict application of the required techniques.
- b. Vertical Definition – The applicant shall comply with the following requirements to moderate the horizontal scale of buildings:
 - 1) All CBD Zones – The maximum length of any facade facing a street is 70 feet without vertical definition. Vertical definition may be in the form of changes in color and materials, modulations of sufficient width and depth to define the vertical element, or some combination of these techniques. This vertical element should carry through all floors of the building.
 - 2) CBD 4, CBD 6, CBD 8 – Along First Street, Second Street South, First Avenue South, and Fifth Street, the maximum length of a facade is 120 feet. Any facade that exceeds 120 feet along the right-of-way shall comply with the following requirements (see Figure 92.30.A):

- a) Shall be divided by a 30-foot-wide modulation of the exterior wall so the maximum length of the facade is 120 feet without this modulation.
- b) The modulation shall be 20 feet in depth and shall start at finished grade and extend through all floors.
- c) Decks and roof overhangs may encroach up to three (3) feet (per side) into the modulation.

Vertical Definition: CBD 4, 6, and 8

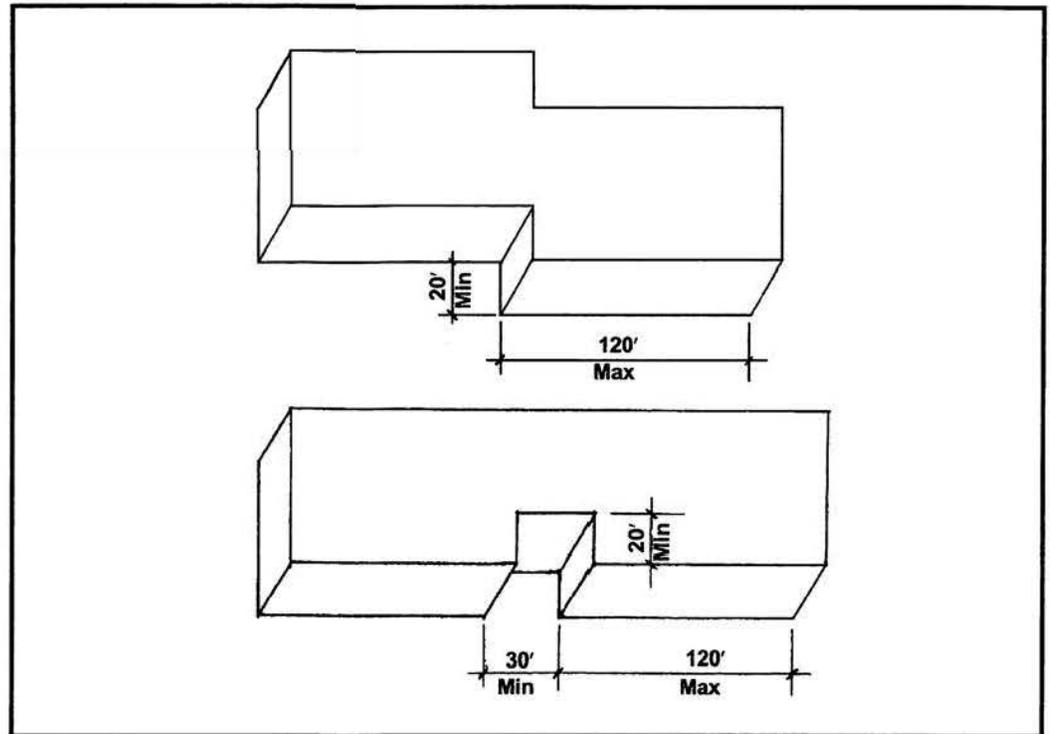


FIGURE 92.30.A

- 3) **CBD 6, CBD 8:** Along the axes of all buildings which are predominantly east-west and/or most closely parallel to Central Way, Third Avenue, Fourth Avenue, or Sixth Avenue, the maximum length of a building is 120 feet. The following exceptions apply (see Figure 92.30.B):
 - a) Portions of buildings which are below the elevation of Third Avenue, Fourth Avenue, or Sixth Avenue, as measured at the midpoint of the frontage of the subject property on the applicable right-of-way, may exceed the 120-foot limitation.
 - b) Portions of the building above Third Avenue, Fourth Avenue, or Sixth Avenue shall be divided into two (2) or more distinct building masses with a maximum length of 120 feet separated by at least 20 feet in width.
 - c) Decks, bay windows, roof overhangs, and chimneys may encroach up to three (3) feet (per side) into the separation.

Vertical Definition: CBD 6 and 8

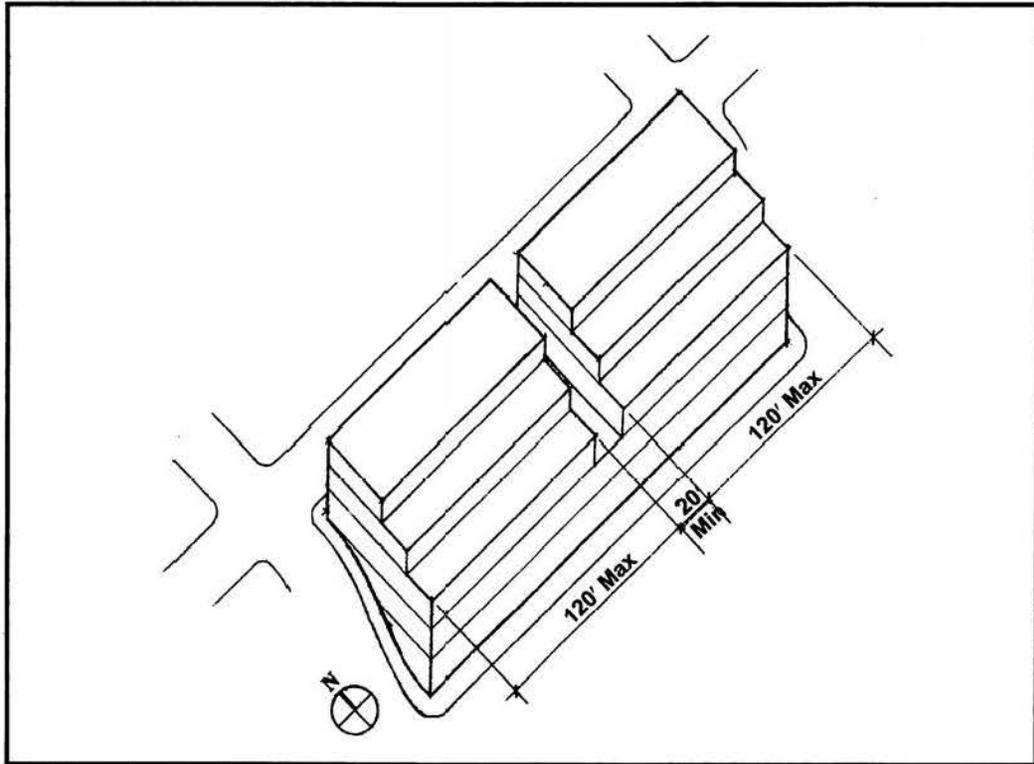
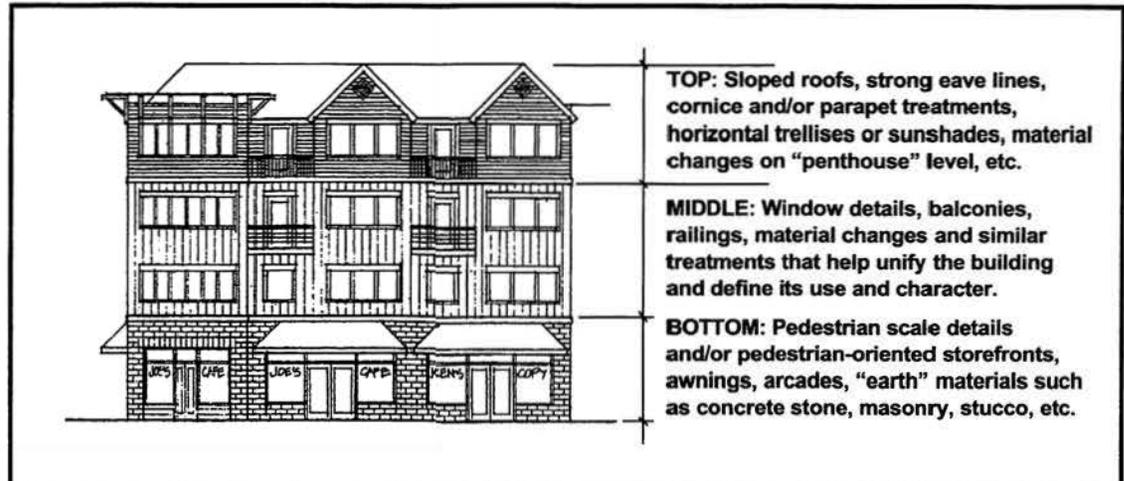


FIGURE 92.30.B

2. **Horizontal Definition in All Zones** – The applicant shall comply with the following requirements to moderate the vertical scale of buildings. All buildings shall include design techniques which clearly define the building's top, middle, and bottom (see Figure 92.30.C). The following techniques are suggested methods of achieving vertical articulation:
- Top:** Sloped roofs, strong eave lines, cornice treatments, horizontal trellises, or sunshades, etc.
 - Middle:** Windows, balconies, material changes, railings, and similar treatments that unify the building design.
 - Bottom:** Pedestrian-oriented storefronts, pedestrian-scale building details, awnings, arcades, "earth" materials such as concrete stone, stucco, etc.

Where appropriate, the applicant should coordinate the horizontal elements (i.e., cornices, window lines, arcades, etc.) in a pattern and height to reflect similar elements on neighboring buildings.

Horizontal Definition: Articulation of Buildings' Top, Middle and Bottom**FIGURE 92.30.C****3. Techniques To Moderate Bulk and Mass in the RHBD and TLBD Zones**

a. Along all streets, through-block pathways, and public open spaces, the maximum length of a facade is 120 feet. Any facade that exceeds 120 feet along the right-of-way shall comply with the following requirements (see Figure 92.30.A):

- 1) Shall be divided by a 30-foot-wide modulation of the exterior wall so the maximum length of the facade is 120 feet without this modulation.
- 2) The modulation shall be 20 feet in depth and shall start at finished grade and extend through all floors.
- 3) Decks and roof overhangs may encroach up to three (3) feet (per side) into the modulation.

4. **Techniques To Achieve Architectural Scale in All Zones** – The applicant shall use at least two (2) of the following elements and features in the design and construction of all buildings that are three (3) or more stories or have a building footprint of more than 10,000 square feet. As an alternative, the applicant may propose slight variations from the required dimensions noted in the following techniques, or other methods to comply with the requirements of this subsection. The City may approve the proposal if it is consistent with the design guidelines and the Comprehensive Plan.

a. All stories above the second story must be set back at least 10 feet from the ground floor facade along at least two (2) facades of the building.

b. **Horizontal Building Modulation** – On all building facades visible from a street or public park, provide horizontal modulation consistent with all of the following standards:

- 1) The maximum allowable horizontal dimension of the facade between modulations is 70 feet;
- 2) The minimum depth of each modulation, except balconies, is 10 feet; and
- 3) The minimum width of each modulation, except balconies, is 15 feet.

- c. On all building facades visible from a street or public park, provide balconies which are consistent with the following standards:
 - 1) Balconies must be placed on at least every other floor above the ground floor;
 - 2) The maximum distance between balconies, measured horizontally, is 100 feet; and
 - 3) The minimum amount of floor area for each balcony is 100 square feet.
- d. Change in Roofline – Provide vertical modulation of the roof line of all facades of the building adjoining a street or public park. For buildings with flat, gabled, hipped or similar roofs, the maximum length of any continuous roof line, with a slope of less than three (3) feet vertical to 12 feet horizontal, is 50 feet without being modulated. If modulation is necessary, at least one (1) of the following methods must be used (see Figure 92.30.D):
 - 1) The height of the visible roof line must change at least eight (8) feet if the adjacent roof segments are less than 50 feet in length.
 - 2) The height of the visible roof line must change at least 12 feet if the adjacent roof segments are greater than 50 feet in length.

Flat Roof Modulation Options

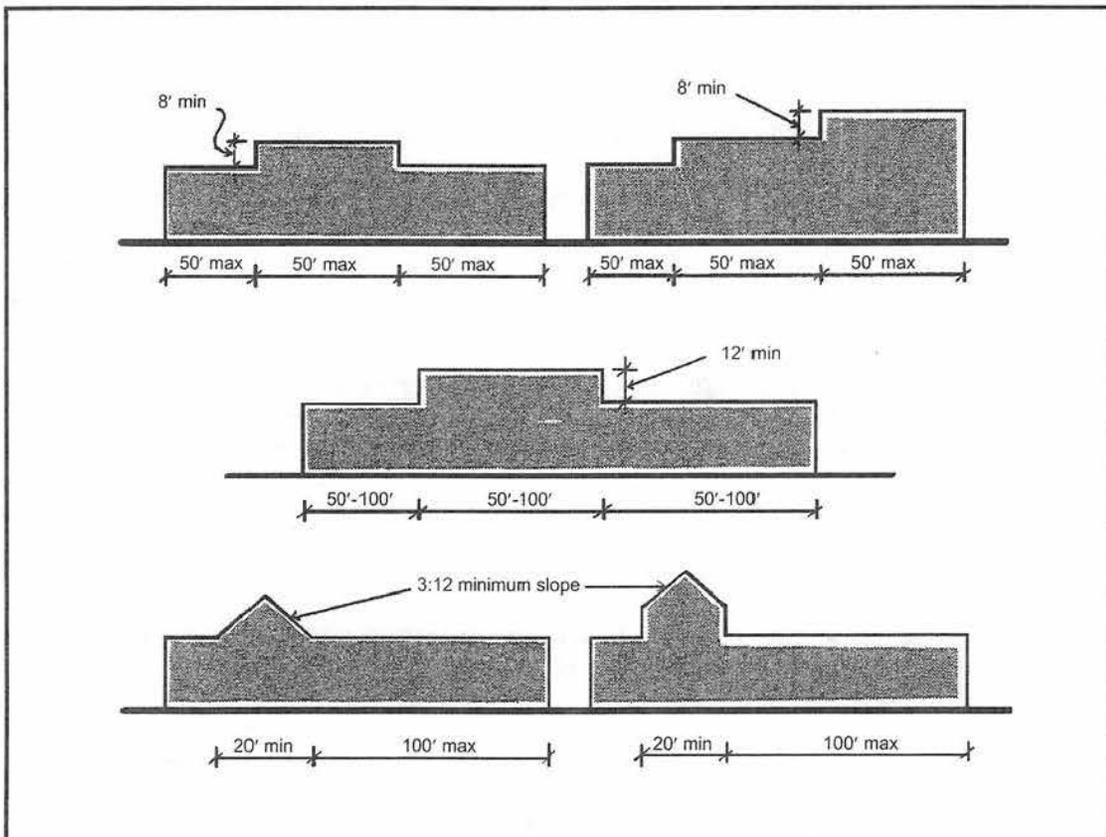


FIGURE 92.30.D

- 3) The length of a sloped or gabled roof line segment must be at least 20 feet. The minimum slope of the roof segment is three (3) feet vertical to 12 feet horizontal.

- e. Buildings with other roof forms, such as arched, gabled, vaulted, dormered or sawtooth, must have a significant change in slope or significant change in roof line at least every 100 feet.

5. Techniques To Achieve Architectural Scale in the RHBD and the TLBD Zones

- a. The following standards supplement the required techniques described in subsection (4) of this section. Where there are similar techniques, the standards in this section shall apply. All buildings in the RHBD and TLBD zones shall include at least three (3) of the following modulation techniques at the articulation intervals described in subsection (5)(b) of this section along all facades containing the primary building entries (alley facades are exempt):
 - 1) Repeating distinctive window patterns at intervals less than the articulation interval;
 - 2) Horizontal Building Modulation – Minimum depth of modulation is two (2) feet and minimum width for each modulation is four (4) feet if tied to a change in color or building material and roof line modulation as defined below. Otherwise, minimum depth of modulation is 10 feet (except balconies) and minimum width for each modulation is 15 feet;
 - 3) Providing a separate covered entry or separate weather protection feature for each articulation interval;
 - 4) Change of Roofline – To qualify for this measure, the maximum length of any continuous roofline shall not be less than the articulation interval and comply with the treatments below (see Figure 92.30.E):
 - a) For segments less than 50 feet in horizontal width, the height of visible roofline must change at least four (4) feet if tied to horizontal building modulation and at least eight (8) feet in other cases.
 - b) For segments more than 50 feet in horizontal width, the height of visible roofline must change at least six (6) feet if tied to horizontal building modulation and at least 12 feet in other cases.
 - c) The length of sloped or gabled roof line segments must be at least 20 feet. The minimum slope of the roof segment is three (3) feet vertical to 12 feet horizontal;
 - 5) Change in building material or siding style coordinated with horizontal building modulation and/or change in building color where appropriate;
 - 6) Providing lighting fixtures, trellis, tree, or other landscape feature within each interval;
 - 7) Alternative methods that achieve the desired architectural scale as approved by the City.
- b. Articulation Intervals – Modulation and/or articulation shall be provided at the following intervals:
 - 1) No more than 30 feet for buildings containing residential uses on all floors above the ground floor;
 - 2) No more than 70 feet for nonresidential buildings (within RHBD, this applies to the Regional Center);

- 3) RHBD – No more than 50 feet for nonresidential buildings in the Neighborhood Center;
- 4) RHBD – No more than 30 feet for nonresidential buildings in the East End.

Building Articulation and Modulation Techniques

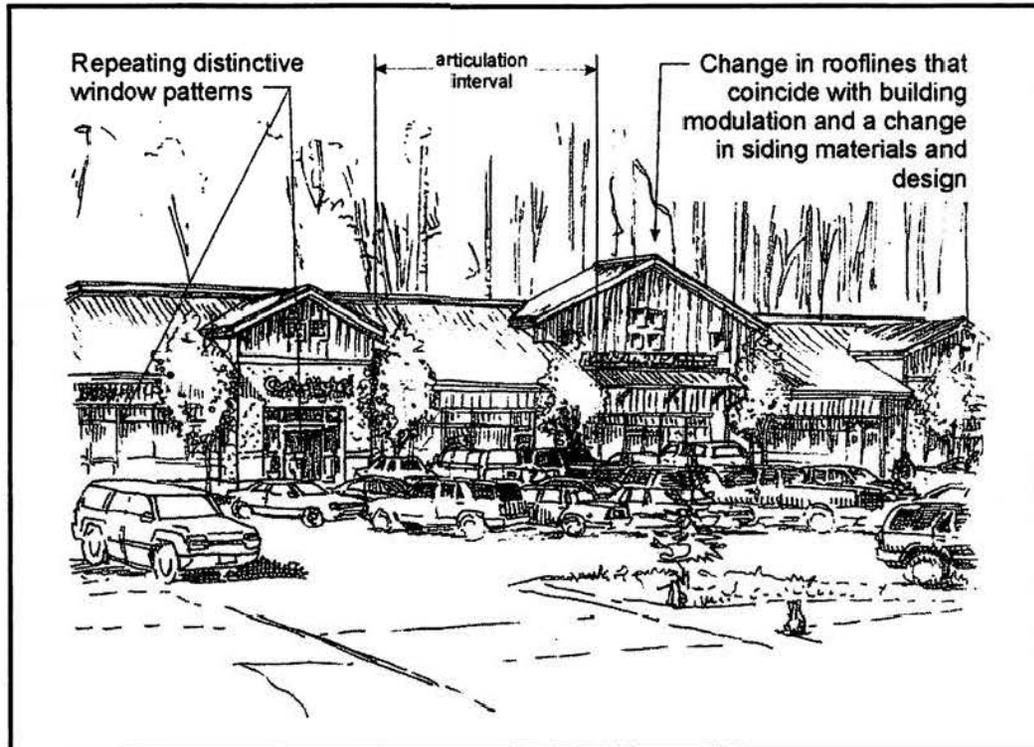


FIGURE 92.30.E

- c. Techniques To Achieve Architectural Scale for Office Buildings in the RHBD and in the TLBD Outside of Business District Core
 - 1) Office Building Design Standards for the TLBD and the RHBD's Regional Center – These standards are intended to supplement other building design standards that apply to the Totem Lake Business District and to the Regional Center. Where there is a conflict between standards, these standards shall apply as they are specific to office buildings.
 - a) Buildings must use design techniques to break up long continuous building walls, reduce the architectural scale of the building, and add visual interest. Specifically, any building facade longer than 120 feet in width must employ design techniques to limit the length of individual facades. To meet this requirement, buildings must utilize a combination of horizontal building modulation with a change in building materials or finishes, a clear change in building articulation and/or a change in fenestration technique (see Figure 92.30.F).

This building uses an angled window wall over the primary building entry to break up the width of the facade:

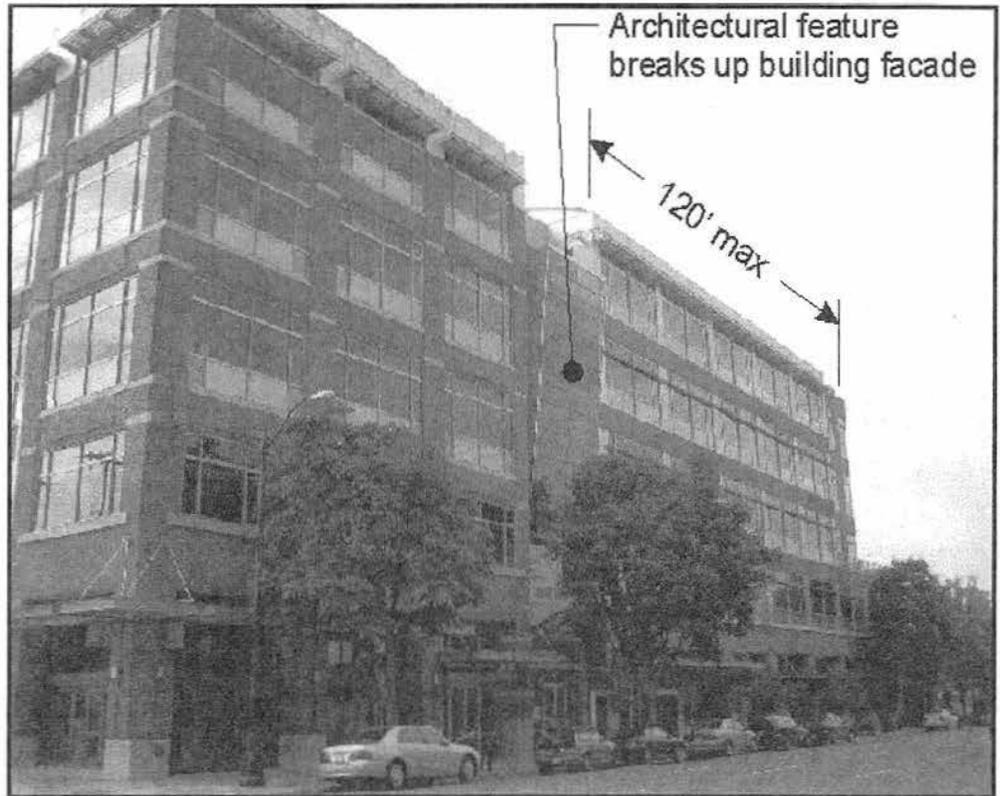


FIGURE 92.30.F

- b) Buildings must employ design techniques to divide windows into units that give the building an identifiable scale (see Figure 92.30.G). Specifically:
- 1) Windows must be broken into units of 35 square feet or less with each window unit separated by a visible mullion or other element.
 - 2) Multi-paned windows separated by mullions shall not exceed 20 feet in width and shall not exceed the height of individual floors.
 - 3) Horizontal groupings of windows shall not exceed 30 feet in width. At least one (1) vertical architectural feature at least six (6) inches wide shall be used within the grouping to break up individual multi-paned windows. Architectural features at least two (2) feet in width shall separate such horizontal groupings of windows.
 - 4) Siding material at least two (2) feet in height shall separate windows on each floor.
 - 5) Building facades shall employ techniques to recess or project windows at least two (2) inches from the facade (see Figure 92.30.H).

Standards to divide windows into units that will give buildings an identifiable sense of scale.

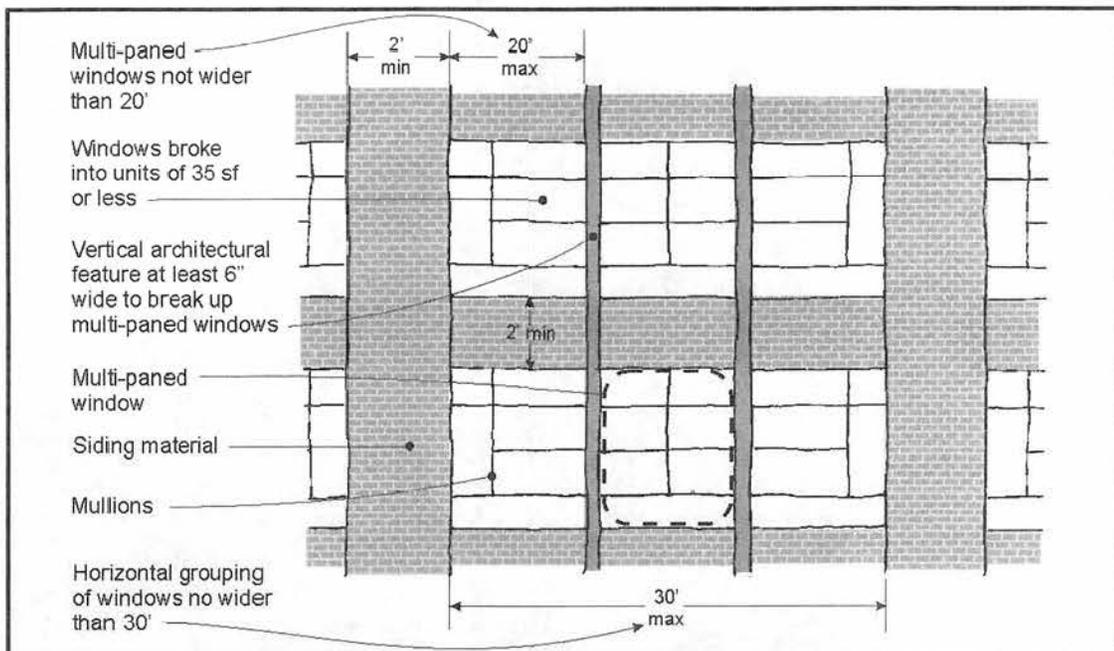


FIGURE 92.30.G

Some or all of these standards may be relaxed through the Design Review process where other methods can be effectively used to divide windows into units and give the building an identifiable scale.

- c) Continuous window walls are prohibited, except where used as an accent facade element to break up long continuous building walls and/or emphasize a building entry. Such window walls should be modulated horizontally, by at least two (2) feet, and should not exceed 20 feet in width.
- d) Mirrored glass and other highly reflective materials are prohibited (see Figure 92.30.I).

Recessed windows, mullions and trim



FIGURE 92.30.H

Continuous window walls are prohibited unless used as an accent, such as in this building:



FIGURE 92.30.I

6. Achieving Human Scale in All Zonesa. General

- 1) CBD – Except as provided in subsection (6)(a)(3) of this section, the applicant shall use at least two (2) of the elements or techniques listed in subsection (6)(b) of this section in the design and construction of each facade of a building facing a street or public park.
- 2) BN, JBD, NRHBD, RHBD, MSC, BDC, YBD and TLBD – Except as provided in subsection (6)(a)(3) of this section, the applicant shall use at least one (1) of the elements or techniques listed in subsection (6)(b) of this section in the design and construction of each facade of a 1-story building facing a street or through-block pathway, and at least two (2) of the elements or techniques for a 2-story building facing a street or through-block pathway (see Plate 34 in Chapter 180 KZC).
- 3) All Zones – The applicant shall use at least three (3) of the elements or techniques listed in subsection (6)(b) of this section in the design and construction of any facade of a building facing a street, through-block pathway or public park, if:
 - a) The facade has a height of three (3) or more stories; or
 - b) The facade is more than 100 feet long.

b. Techniques To Achieve Human Scale in All Zones – The techniques to be used in the design and construction of building facades under subsection (6)(a) of this section are listed below. As an alternative, the applicant may propose other techniques, elements or methods which provide human scale to the building and are consistent with the applicable design guidelines and the Comprehensive Plan.

- 1) On each story above the ground floor, provide balconies or decks, at least six (6) feet wide and six (6) feet deep.
- 2) On each story above the ground floor, provide bay windows that extend out at least one (1) foot, measured horizontally, from each facade of the building.
- 3) Provide at least 150 square feet of pedestrian-oriented space in front of each facade (see KZC 92.15(2)(c)(2)).
- 4) Provide at least one-half (1/2) of the window area above the ground floor of each facade consistent with all of the following criteria (see Figure 92.30.J):
 - a) The windows must have glazed areas with dimensions less than five (5) feet by seven (7) feet.
 - b) The windows must be surrounded by trim, molding and/or sill at least two (2) inches wide.
 - c) Individual window units must be separated from adjacent window units by at least six (6) inches of siding or other exterior finish material of the building.
- 5) Provide at least one-half (1/2) of the window area above the ground floor of each facade facing a street or public park in panes with dimensions less than two (2) feet by three (3) feet and with individual panes separated by window mullions (see Figure 92.30.K).

Individual Windows Option

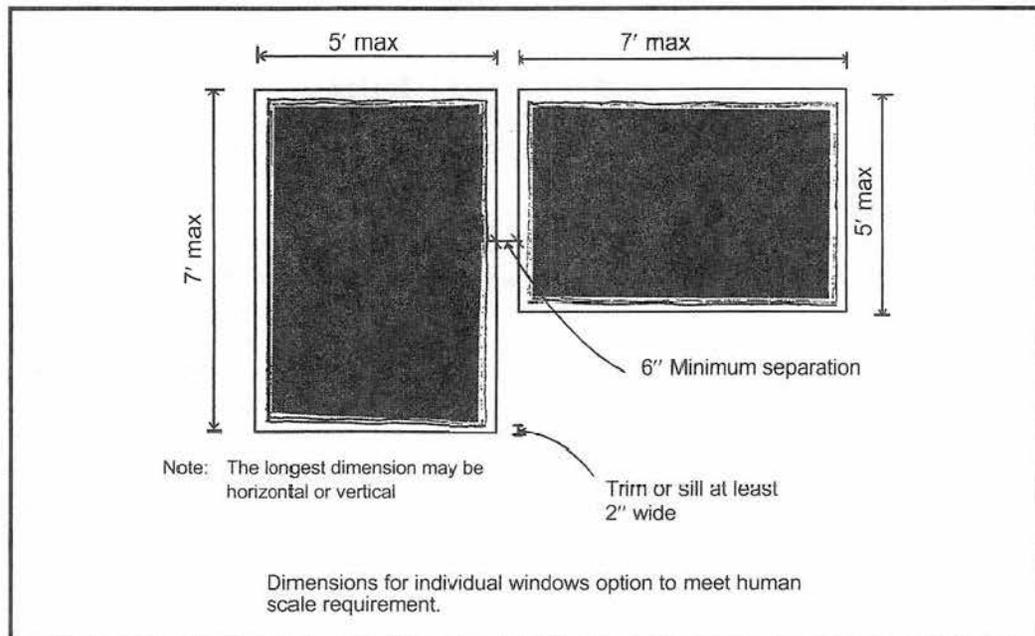


FIGURE 92.30.J

Multiple-Paned Fenestration Option

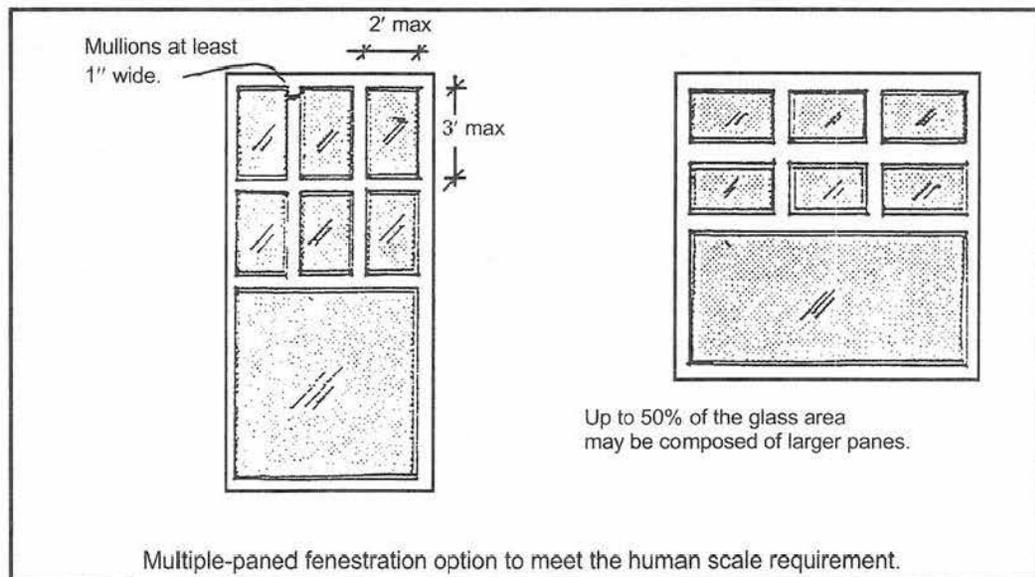


FIGURE 92.30.K

- 6) Provide a hipped or gable roof which covers at least one-half (1/2) of the building footprint and has a slope equal to or greater than three (3) feet vertical to 12 feet horizontal. To meet this requirement, the ridge width of a continuous roofline shall not extend more than 100 feet without modulation. This includes a gabled or other sloped roofline segment at least 20 feet in width.
- 7) If the main entrance of the building is on the facade of the building facing a street, through-block pathway, or public park, provide a covered porch or entry on the subject property at the building's main entrance. Pedestrian weather protection required under

KZC 105.18 may not be used to meet this requirement unless the required pedestrian weather protection covers an area at least 15 feet long by 15 feet wide and is available for outdoor display or outdoor vendors or contains pedestrian-oriented improvements or amenities beyond what is otherwise required.

- 8) Provide one (1) or more stories above the ground floor setback at least six (6) feet from the ground floor facade facing the street, through-block pathway, or a public park.
 - 9) Compose smaller building elements near the entry of a large building (see Figure 92.30.L).
- c. Techniques To Achieve Human Scale in RHBD and TLBD – In addition to the requirements of subsection (6)(b) of this section, Techniques to Achieve Human Scale in All Zones, nonresidential uses (office, retail, industrial, etc.) in the RHBD and TLBD with over 40,000 square feet of floor area shall incorporate the following human scale features on the facade featuring the primary building entry:
- 1) Provide pedestrian-oriented space near the building entry. The minimum size of the area shall be no less than one (1) percent of the floor area of the use (see Figure 92.15.A). This must include a covered area at least 15 feet long by 15 feet wide and is available for outdoor display or outdoor vendors; and
 - 2) Compose smaller building elements near the entry (see Figure 92.30.L).
 - 3) As an alternative, the applicant may propose other mechanisms for providing human scale to such buildings, consistent with the design guidelines.

Composing Smaller Building Elements Near the Entry

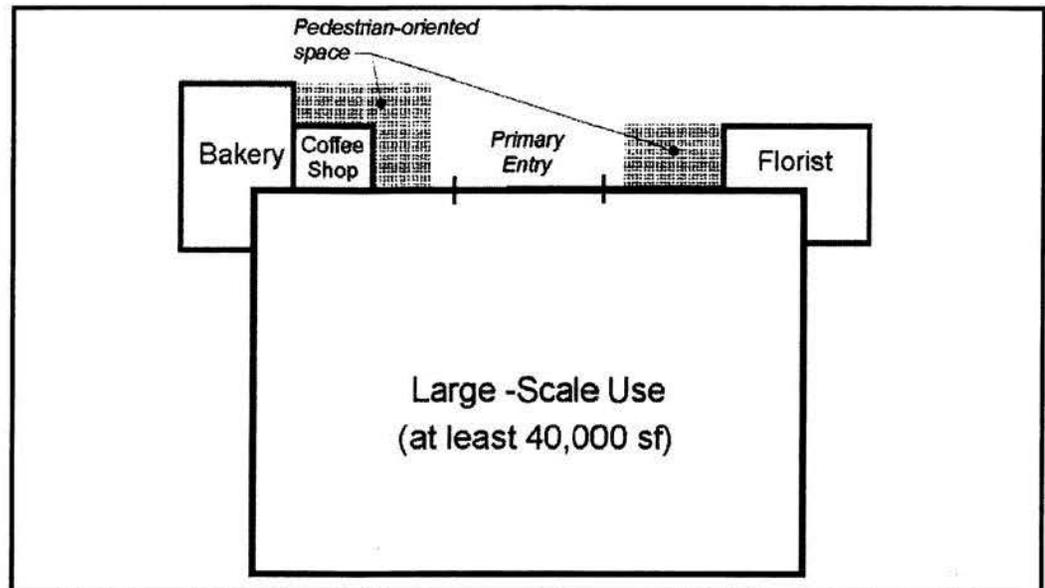


FIGURE 92.30.L

(Ord. 4495 § 2, 2015; Ord. 4390 § 1, 2012; Ord. 4333 § 1, 2011; Ord. 4107 § 1, 2007; Ord. 4097 § 1, 2007; Ord. 4037 § 1, 2006; Ord. 4030 § 1, 2006; Ord. 3972 § 1, 2004; Ord. 3889 § 2, 2003; Ord. 3833 § 1, 2002)

92.35 BUILDING MATERIAL, COLOR AND DETAIL

1. **Required Elements in All Zones** – The applicant shall incorporate at least three (3) of the following elements on each facade of a building that faces a street, through-block pathway, pedestrian-oriented space or a public park. As an alternative, the applicant may propose other mechanisms for providing interesting visual detail to buildings, consistent with the design guidelines.
 - a. Decorative roof lines, including ornamental molding, frieze or other roof line devices visible from the ground. Linear features must be at least eight (8) inches wide, measured vertically.
 - b. Decorative molding or framing details around all ground floor doors and windows. The molding or trim may have a traditional, contemporary, geometric or sculptural design.
 - c. Decorative glazing on all ground floor doors and windows, including stained glass, crystal cut glass, etched glass or similar individualized and permanent treatment, but excluding single-colored glass, opaque glass or plastic. On all ground floor windows, this decorative glazing must have a surface area of at least 30 square feet.
 - d. Railings, grill work, landscape guards or other similar elements including materials, design, configuration, embellishment or workmanship that exceeds the normal functional requirements for the element.
 - e. Trellises or arbors having an area of at least 100 square feet and planted consistent with the requirements of KZC 95.41 to achieve at least 30 percent coverage of the trellis or arbor with plant material within three (3) years.
 - f. Decorative light fixture or fixtures, either one (1) if one-of-a-kind or custom-built or one (1) every 30 feet along the facade of the building if not one-of-a-kind or custom-built, that meet either of the following criteria:
 - 1) Includes a diffuse, visible light source, such as a globe.
 - 2) Contains a shade or mounting that includes some use of material, configuration, shape, embellishment or detail that exceeds the normal functional requirement for the shade or mounting.
 - g. Use of any of the following decorative materials:
 - 1) Any of the following decorative masonry elements:
 - a) Decorative masonry patterns, other than running bond pattern.
 - b) Bricks, tile, stone, cast stone or other masonry units of at least two (2) colors installed in layers or tiers to form a geometric pattern.
 - c) Decorative bands of masonry, such as a soldier course of brick or multicolored ceramic tile band, in conjunction with another exterior surface material.
 - 2) Individualized wood patterns or continuous wood details, such as fancy butt shingles in a geometric pattern, decorative moldings, brackets, eave trim or lattice work.
 - 3) Ceramic tile, stone, glass blocks, camera glass or other similar materials incorporated into other compatible surface materials and used to form or create, or in conjunction with, a geometric pattern, distinctive shape, unusual surface treatment, special lighting or other decorative or textural element.

- 4) Other materials with decorative or textural qualities, as demonstrated by architectural drawings and material samples, approved by the City as part of Design Review.
 - h. Decorative unit paving, including at least 50 square feet of multicolored tile, paver blocks, brick or other paving material in a decorative pattern, installed in a pedestrian-circulation area adjacent to the facade.
 - i. Artwork in the form of a mosaic mural, bas-relief sculpture, light sculpture, water sculpture, fountain, freestanding sculpture, art in pavement, murals, graphics or other forms, either freestanding in front of the facade or attached to the facade.
2. Prohibited Materials – All Zones – The following materials may not be used on any exterior surface which is visible from any area beyond the subject property:
 - a. Mirrored glass and other highly reflective materials.
 - b. Corrugated fiberglass.
 - c. Chain link fencing, except for temporary purposes, such as during construction.
 3. Metal Siding – All Zones – Corner and edge trim must be used to cover exposed edges of metal siding. If metal siding covers more than 25 percent of a building's facade, the following regulations apply:
 - a. The siding must have a matted finish.
 - b. The siding must be in a neutral, earth tone or dulled color such as buff, grey, beige, tan, creme, white, barn-red, blue-grey, burgundy or ocher.
 - c. The facade must have visible window and door trim painted or finished in a color which is complementary to the siding color.
 4. Concrete Block – All Zones – Any concrete block, masonry unit or cinder block wall which is visible from a street or public park must contain one or more of the following features or elements:
 - a. Use of textured blocks with surfaces such as split-faced or grooved.
 - b. Use of colored mortar complementary to the color of the blocks.
 - c. Use of other surface material such as bricks, glass blocks or tile as a significant feature of the wall.
 5. Awnings – All Zones – (See Chapter 105 for other pedestrian water protection requirements.)
 - a. The design of awnings should complement the architecture of the building. Steel and glass, fabric, and other materials of a more permanent nature are encouraged. Vinyl or plastic awnings and awnings used predominantly for advertising are discouraged.
 - b. Translucent awnings shall not be backlit. Lights directed downward mounted from internal awning frames are permitted. Lights mounted above awnings and directed downward are permitted.
 6. Covering of Existing Facades – All Zones – Existing brick or cast stone masonry facades may not be covered with metal siding, metal screening, plastic siding, fiberglass siding, plywood siding, or wood siding materials. Other existing facades may be covered if consistent with the pro-

visions of this subsection (6). As part of Design Review for remodels, the City may require the removal of coverings.

7. Building Cornerstone or Plaque – All Zones – All commercial buildings designed for use by more than one tenant must have a building cornerstone or plaque, placed in a prominent location, consistent with the following standards:
 - a. Building cornerstones must be constructed in carved stone, cast stone, carved masonry, terra cotta or other vandal-resistant material.
 - b. Building plaques must be mounted no lower than two feet and no higher than 10 feet above ground and must be made of bronze, brass, anodized aluminum, porcelain enamel-covered steel or aluminum or other corrosion-resistant material.
 - c. Building cornerstones and plaques must indicate the name of the building and, if known, the date of construction and architect.
 - d. Building cornerstones and plaques may include the owner's name and other historical information.
8. Required On-Site Improvements – All Zones – Water spigots shall be provided on all building facades along sidewalks for cleaning and plant watering.

2. Standards. The applicant shall provide the following at a minimum:
- a. Living plant material which will cover 80 percent of the area to be landscaped within two (2) years. If the material to be used does not spread over time, the applicant shall re-plant the entire area involved immediately. Any area that will not be covered with living plant material must be covered with nonliving groundcover.
 - b. One (1) tree for each 1,000 square feet of area to be landscaped. At the time of planting, deciduous trees must be at least two (2) inches in caliper and coniferous trees must be at least five (5) feet in height.
 - c. If a development requires approval through Process I, IIA or IIB as described in Chapters 145, 150 and 152 KZC, respectively, the City may require additional vegetation to be planted along a building facade if:
 - 1) The building facade is more than 25 feet high or more than 50 feet long; or
 - 2) Additional landscaping is necessary to provide a visual break in the facade.
 - d. In RHBD varieties of rose shrubs or ground cover along with other plant materials shall be included in the on-site landscaping.
 - e. If development is subject to Design Review as described in Chapter 142 KZC, the City will review plant choice and specific plant location as part of the Design Review approval. The City may also require or permit modification to the required plant size as part of Design Review approval.

(Ord. 4238 § 2, 2010)

95.42 Minimum Land Use Buffer Requirements

The applicant shall comply with the provisions specified in the following chart and with all other applicable provisions of this chapter. Land use buffer requirements may apply to the subject property, depending on what permitted use exists on the adjoining property or, if no permitted use exists, depending on the zone that the adjoining property is in.

| 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, Business District Core or is located in TL 5, this section KZC 95.42 does not apply. ↑ Houghton Everest Neighborhood Center | | | |

This chart establishes which buffering standard applies in a particular case. The following subsections establish the specific requirement for each standard:

1. For standard 1, the applicant shall provide a 15-foot-wide landscaped strip with a 6-foot-high solid screening fence or wall. Except for public utilities, the fence or wall must be placed on the outside edge of the land use buffer or on the property line when adjacent to private property. For public utilities, the fence or wall may be placed either on the outside or inside edge of the landscaping strip. A fence or wall is not required when the land use buffer is adjacent and parallel to a public right-of-way that is improved for vehicular use. See KZC 115.40 for additional fence standards. The land use buffer must be planted as follows:
 - a. Trees planted at the rate of one (1) tree per 20 linear feet of land use buffer, with deciduous trees of two and one-half (2-1/2) inch caliper, minimum, and/or coniferous trees eight (8) feet in height, minimum. At least 70 percent of trees shall be evergreen. The trees shall be distributed evenly throughout the buffer, spaced no more than 20 feet apart on center.
 - b. Large shrubs or a mix of shrubs planted to attain coverage of at least 60 percent of the land use buffer area within two (2) years, planted at the following sizes and spacing, depending on type:
 - 1) Low shrub – (mature size under three (3) feet tall), 1- or 2-gallon pot or balled and burlapped equivalent;
 - 2) Medium shrub – (mature size from three (3) to six (6) feet tall), 2- or 3-gallon pot or balled and burlapped equivalent;
 - 3) Large shrub – (mature size over six (6) feet tall), 5-gallon pot or balled and burlapped equivalent.

- c. Living ground covers planted from either 4-inch pot with 12-inch spacing or 1-gallon pot with 18-inch spacing to cover within two (2) years 60 percent of the land use buffer not needed for viability of the shrubs or trees.
2. For standard 2, the applicant shall provide a 5-foot-wide landscaped strip with a 6-foot-high solid screening fence or wall. Except for public utilities, the fence or wall must be placed on the outside edge of the land use buffer or on the property line when adjacent to private property. For public utilities, the fence or wall may be placed either on the outside or inside edge of the landscaping strip. A fence or wall is not required when the land use buffer is adjacent and parallel to a public right-of-way that is improved for vehicular use. See KZC 115.40 for additional fence standards. The landscaped strip must be planted as follows:
 - a. One (1) row of trees planted no more than 10 feet apart on center along the entire length of the buffer, with deciduous trees of 2-inch caliper, minimum, and/or coniferous trees at least six (6) feet in height, minimum. At least 50 percent of the required trees shall be ever-green.
 - b. Living ground covers planted from either 4-inch pot with 12-inch spacing or 1-gallon pot with 18-inch spacing to cover within two (2) years 60 percent of the land use buffer not needed for viability of the trees.
3. Plant Standards. All plant materials used shall meet the most recent American Association of Nurserymen Standards for nursery stock: ANSI Z60.1.
4. Location of the Land Use Buffer. The applicant shall provide the required buffer along the entire common border between the subject property and the adjoining property.
5. Multiple Buffering Requirement. If the subject property borders more than one (1) adjoining property along the same property line, the applicant shall provide a gradual transition between different land use buffers. This transition must occur totally within the area which has the less stringent buffering requirement. The specific design of the transition must be approved by the City.
6. Adjoining Property Containing Several Uses. If the adjoining property contains several permitted uses, the applicant may provide the least stringent land use buffer required for any of these uses.
7. Subject Property Containing Several Uses. If the subject property contains more than one (1) use, the applicant shall comply with the land use buffering requirement that pertains to the use within the most stringent landscaping category that abuts the property to be buffered.
8. Subject Property Containing School. If the subject property is occupied by a school, land use buffers are not required along property lines adjacent to a street.
9. Encroachment into Land Use Buffer. Typical incidental extensions of structures such as chimneys, bay windows, greenhouse windows, cornices, eaves, awnings, and canopies may be permitted in land use buffers as set forth in KZC 115.115(3)(d); provided, that:
 - a. Buffer planting standards are met; and
 - b. Required plantings will be able to attain full size and form typical to their species.

(Ord. 4495 § 2, 2015; Ord. 4238 § 2, 2010)

- i. Nonconforming access easements and tracts which were legally created shall not be required to comply with the dimensional standards of subsection (1) of this section.

(Ord. 4491 §§ 3, 4, 2015; Ord. 4350 § 1, 2012; Ord. 4072 § 1, 2007; Ord. 3954 § 1, 2004; Ord. 3852 § 1, 2002; Ord. 3814 § 1, 2001)

105.12 Maximum Allowable Grade

The slope of vehicular access easements and tracts, and the slope of entrance and exit driveways, except driveways for detached single-family residences, shall not exceed six (6) percent for the first 20 feet from the face of the abutting right-of-way curb. Thereafter, the slope shall not exceed 15 percent. The Departments of Public Works and Fire are authorized to modify the standards for maximum allowable grade on a case-by-case basis.

105.15 Exception in Design Districts

If the subject property is within a Design District, the requirements contained within the applicable use zone charts, Chapter 92 or 110 KZC supersede any conflicting provisions of this chapter. The provisions of this chapter that do not conflict with the Design District chapters and Chapter 92 KZC apply to properties in their respective zones.

(Ord. 4320 § 1, 2011; Ord. 4097 § 1, 2007; Ord. 4037 § 1, 2006; Ord. 4030 § 1, 2006; Ord. 3944 § 1, 2004; Ord. 3833 § 1, 2002)

105.17 Site Plan Review

Before commencing any development activity on a new parking area or any alteration or improvement to an existing parking area (except routine maintenance), the applicant must submit a site plan for approval by the Planning and Building Department. Parking areas must comply with the Zoning Code. The site plan must be drawn to scale and show the following items:

1. All buildings on the subject property.
2. All parking and driving areas and pedestrian and bicycle facilities on the subject property.
3. All landscaping and buffering on the subject property.
4. The nature of the use of all adjoining properties.
5. All adjoining rights-of-way.
6. All transit stops and/or facilities on abutting rights-of-way.

(Ord. 4491 § 3, 2015)

105.18 Pedestrian Access

1. General – Promoting an interconnected network of pedestrian routes within neighborhoods is an important goal within the City. Providing pedestrian access from buildings to abutting rights-of-way, walkways and other uses on the subject property, and connections between properties help meet the objectives of nonmotorized transportation policies. Installing pedestrian connections and other pedestrian improvements with new development reduces the reliance on vehicles, reduces traffic congestion and promotes nonmotorized travel options and provides health benefits. This section establishes regulations for pedestrian access that primarily serves users of the subject property and for which dedication of public access rights is not required. KZC 105.19 establishes regulations for public pedestrian access for which dedication of public access is required.

2. Pedestrian Access – Location – All new development, except detached single-family and duplex uses, shall comply with the following pedestrian access requirements pursuant to the standards in subsection (3) of this section:
 - a. From Buildings to Sidewalks and Transit Facilities – Provide pedestrian walkways designed to minimize walking distance from the primary entrances to all buildings to the abutting right-of-way, pedestrian walkway and transit facilities pursuant to the applicable standard in subsection (3) of this section.
 - b. Between Uses on Subject Property – Provide pedestrian walkways between the primary entrances to all businesses, uses, and/or buildings on the subject property pursuant to the applicable standard in subsection (3) of this section.
 - c. Along Building Facades Not Adjacent to a Sidewalk in the Rose Hill Business District (RHBD) and Totem Lake Business District (TLBD) Design Districts – In RHBD and TLBD Design Districts, for buildings that do not front on a public sidewalk, a pedestrian walkway shall be provided along the entire facade of all building facades containing the primary entrance (see Figure 105.18.A). The walkway shall meet the through-block pedestrian pathway standards in KZC 105.19(2)(b) (see also Figure 105.19.A) except public dedication will typically not be required. Exceptions may be approved as part of Design Review in the following circumstances: where new development is less than 2,000 square feet of gross floor area, features a landscaped front yard area and parking is located to the side or rear, only direct pedestrian access shall be provided from the abutting sidewalk to the primary entrance to the buildings.
 - d. Between Properties – Provide pedestrian walkways connecting to adjacent properties pursuant to the applicable standards in subsection (3) of this section. Exceptions: Pedestrian connections to industrial uses are not required. The location for the access points at property edges and to adjacent lots shall be coordinated with existing and planned development to provide convenient pedestrian links between developments. Where there are topographic changes in elevation between properties, stairs or ramps shall be provided to make the pedestrian connection.
 - e. Through Parking Areas – All parking lots which contain more than 25 stalls must include pedestrian walkways through the parking lot to the main building entrance or a central location. The walkways must meet the development standards pursuant to subsection (3) of this section (see Figures 105.18.B and C).
 - f. Through Parking Garages – Provide marked pedestrian routes through parking garages from the parking area to the abutting public right-of-way and to the pedestrian entrance of the building. Install walkways pursuant to standards in subsection (3) of this section.
3. Pedestrian Access – Required Improvements
 - a. Pedestrian Walkway Standards – General – The applicant shall install pedestrian walkways pursuant to the following standards:
 - 1) Must be at least five (5) feet wide;
 - 2) Must be distinguishable from traffic lanes by painted markings, pavement material, texture, or raised in elevation;
 - 3) Must have adequate lighting for security and safety. Lights must be nonglare and mounted no more than 20 feet above the ground;
 - 4) Must be centrally located on the subject property;

- 5) Must be accessible;
 - 6) Barriers which limit future pedestrian access between the subject property and adjacent properties are not permitted;
 - 7) Easements to provide rights of access between adjacent properties shall be recorded prior to project occupancy.
- b. Overhead Weather Protection – Location – The applicant shall provide pedestrian overhead weather protection in the following locations:
- 1) Along any portion of the building which is adjacent to a pedestrian walkway or sidewalk;
 - 2) Over the primary exterior entrance to all buildings including residential units.
 - 3) Exceptions in Design Districts:
 - In CBD Zones: Along at least 80 percent of the frontage of the subject property on each pedestrian-oriented street.
 - In RHBD, BN, BNA, MSC 2 and TLBD Zones: Along at least 75 percent of a pedestrian-oriented building facade.
 - In JBD Zones: Along 100 percent of a building facade abutting a street or through-block pathway.

For more information regarding designated pedestrian-oriented streets see Plate 34 in Chapter 180 KZC, and pedestrian-oriented facades in Chapter 92 KZC.
- c. Overhead Weather Protection – Configuration – The overhead weather protection may be composed of awnings, marquees, canopies, building overhangs, covered porches, recessed entries or other similar features. The overhead weather protection must cover at least five (5) feet of the width of the adjacent walkway and must be at least eight (8) feet above the ground immediately below it.

If development is subject to Design Review, the City will specifically review and approve the color, material and configuration of all overhead weather protection and the material and configuration of all pedestrian walkways as part of the Design Review decision.

Pedestrian Walkway Along Building Facade

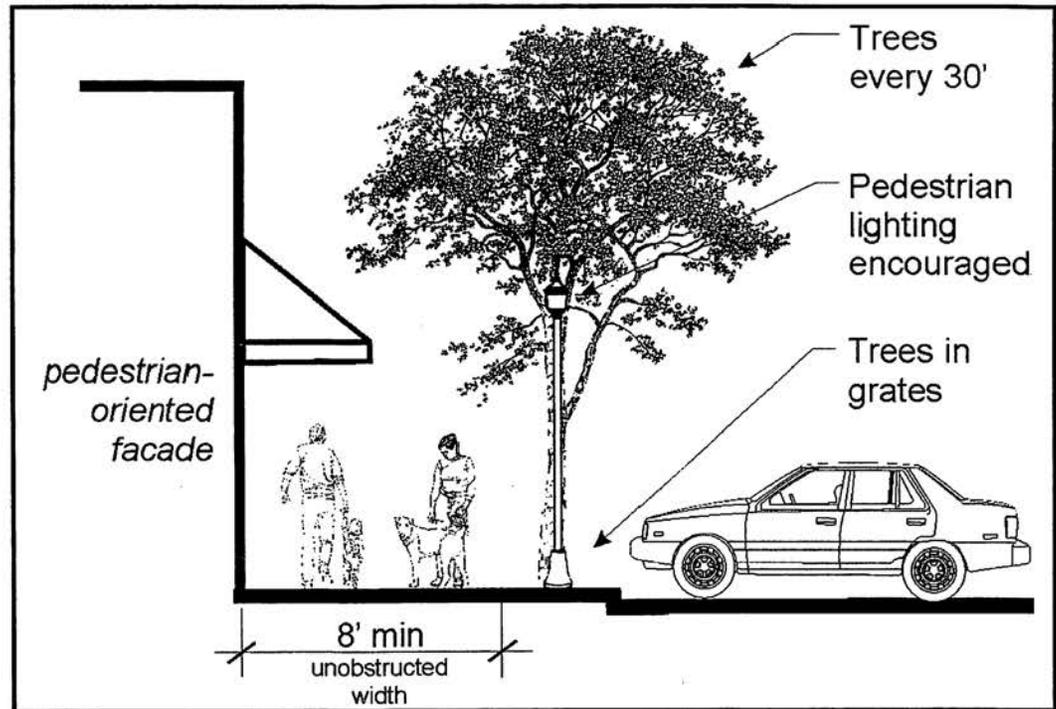


FIGURE 105.18.A

- d. Pedestrian Walkways Through Parking Areas and Parking Garage Standards – The applicant shall install pedestrian walkways through parking areas and parking garages pursuant to the following standards (see Figure 105.18.B):
- 1) Must be installed pursuant to the standards described in subsection (3)(a) of this section;
 - 2) Walkway shall not use vehicle entrance or exit driveways from the parking area to a public right-of-way;
 - 3) Must connect from the parking spaces to the pedestrian entrance of the building served by the parking.

Pedestrian Access From Street or Pedestrian Walkway to Building Entrance

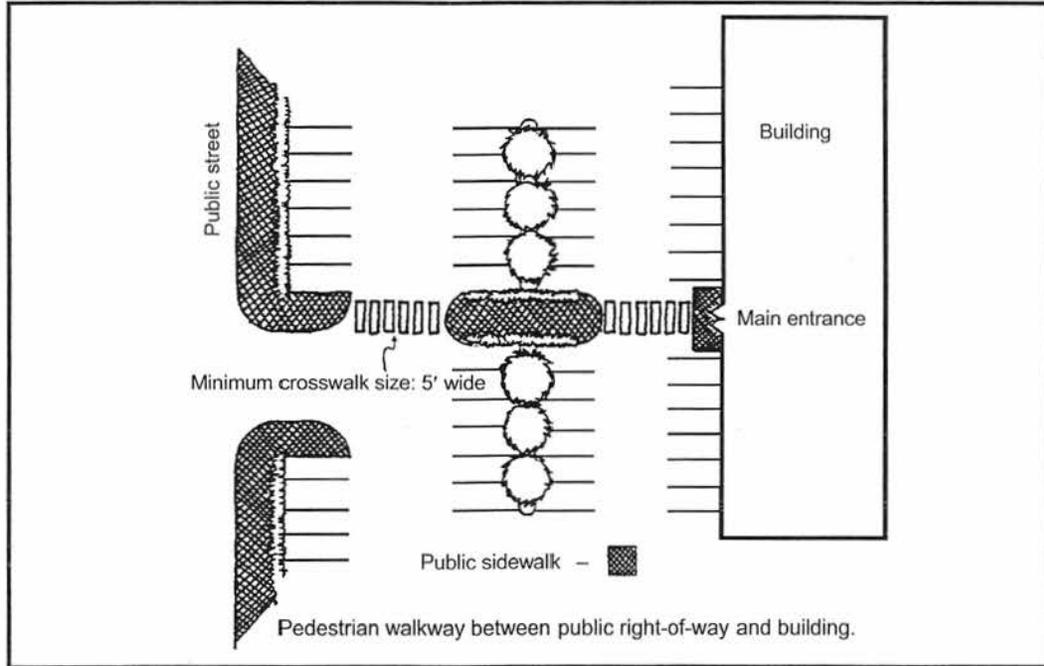


FIGURE 105.18.B

- 4) All parking lots that contain more than 25,000 square feet of paved area, including access lanes and driveways, must include clearly identified pedestrian routes from the parking stalls to the main building entrance or central location (see Figure 105.18.C). At a minimum, walkways must be provided for every three (3) driving aisles or at a distance of not more than 150-foot intervals, whichever is less, and meet the standards of subsection (3)(a) of this section.

Pathways must be provided through parking areas.

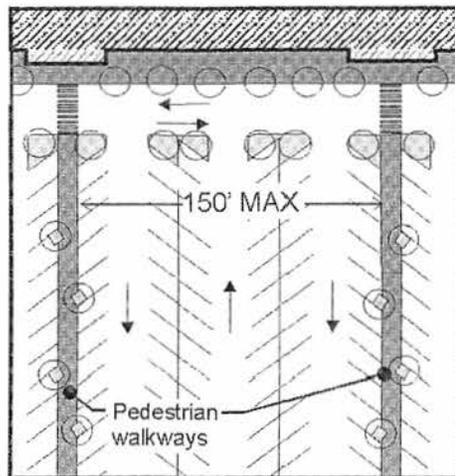


FIGURE 105.18.C

(Ord. 4495 § 2, 2015; Ord. 4390 § 1, 2012; Ord. 4350 § 1, 2012; Ord. 4320 § 1, 2011; Ord. 4121 § 1, 2008; Ord. 4097 § 1, 2007)

105.50 Location of Parking Areas – Adjoining Low Density Zones

The applicant shall locate a parking area for a use other than a detached dwelling unit as far as possible from any adjoining low density zone, or existing low density permitted use.

105.55 Location of Parking Areas – Required Setback Yards

For regulations on parking areas in required setback yards, see Chapter 115 KZC.

105.58 Location of Parking Areas Specific to Design Districts

If the subject property is located in a Design District, the applicant shall locate parking areas on the subject property according to the following requirements:

1. Location of Parking Areas in the CBD, BDC (TL 1, TL 2, TL 3) Zones

- a. Parking areas shall not be located between a pedestrian-oriented street and a building unless specified in a Conceptual Master Plan in TL 2. (See Plate 34 in Chapter 180 KZC and Chapters 92 and 110 KZC for additional requirements regarding pedestrian-oriented streets).
- b. On all other streets, parking lots shall not be located between the street and the building on the subject property unless no other feasible alternative exists.

2. Location of Parking Areas in the JBD 2, NRHBD and YBD Zones – Parking areas shall not be located between the street and the building unless no other feasible alternative exists on the subject property.3. Location of Parking Areas in Certain TLBD and RHBD Zones – Parking areas and vehicular access may not occupy more than 50 percent of the street frontage in the following zones (see Figure 105.58.A):

- a. TL 4, only properties fronting on 120th Avenue NE;
- b. TL 5;
- c. TL 6A, only properties fronting on 124th Avenue NE. Auto dealers in this zone are exempt from this requirement;
- d. TL 6B, only properties fronting on NE 124th Street;
- e. TL 10E.

Alternative configurations may be considered through the Design Review process, if the project meets the objectives of the KMC Design Guidelines for the Totem Lake Business District.

- f. In the Regional Center (RH 1A, RH 2A, RH 3 and RH 5A zones west of 124th Avenue). For parcels over two (2) acres in size, parking lots and vehicular access areas may not occupy more than 50 percent of the NE 85th Street property frontage (see Figure 105.58.A). Alternative configurations will be considered through the Design Review process, if the project meets the intent of the KMC Design Guidelines for the Rose Hill Business District.

110.45 Minor Arterial Streets

The Public Works Director shall determine the extent and nature of other improvements required in minor arterial streets on a case-by-case basis. See also KZC 110.65 through 110.75 for other requirements that apply to improvements in the right-of-way.

(Ord. 4001 § 1, 2005; Ord. 3886 § 1, 2003)

110.50 Principal Arterial Streets

The Public Works Director shall determine the extent and nature of improvements required in principal arterial streets on a case-by-case basis. See also KZC 110.65 through 110.75 for other requirements that apply to improvements in the right-of-way.

(Ord. 4001 § 1, 2005; Ord. 3886 § 1, 2003)

110.52 Sidewalks and Other Public Improvements in Design Districts

1. This section contains regulations that require various sidewalks, pedestrian circulation and pedestrian-oriented improvements on or adjacent to properties located in Design Districts subject to Design Review pursuant to Chapter 142 KZC such as CBD, JBD, TLBD, BDC, RHBD, NRHBD and YBD zones.

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The applicant must comply with the following development standards in accordance with the location and designation of the abutting right-of-way as a pedestrian-oriented street or major pedestrian sidewalk shown in Plate 34 of Chapter 180 KZC. See also Public Works Pre-Approved Plans manual for public improvements for each Design District. If the required sidewalk improvements cannot be accommodated within the existing right-of-way, the difference may be made up with a public easement over private property; provided, that a minimum of five (5) feet from the curb shall be retained as public right-of-way and may not be in an easement. Buildings may cantilever over such easement areas, flush with the property line in accordance with the International Building Code as adopted in KMC Title 21. (See Figure 110.52.A and Plate 34.)

2. Pedestrian-Oriented Street Standards – Unless a different standard is specified in the applicable use zone chart, the applicant shall install a 10-foot-wide sidewalk along the entire frontage of the subject property abutting each pedestrian-oriented street. (See Figure 110.52.A.)

Required Sidewalk on Pedestrian-Oriented Streets and Major Pedestrian Sidewalks

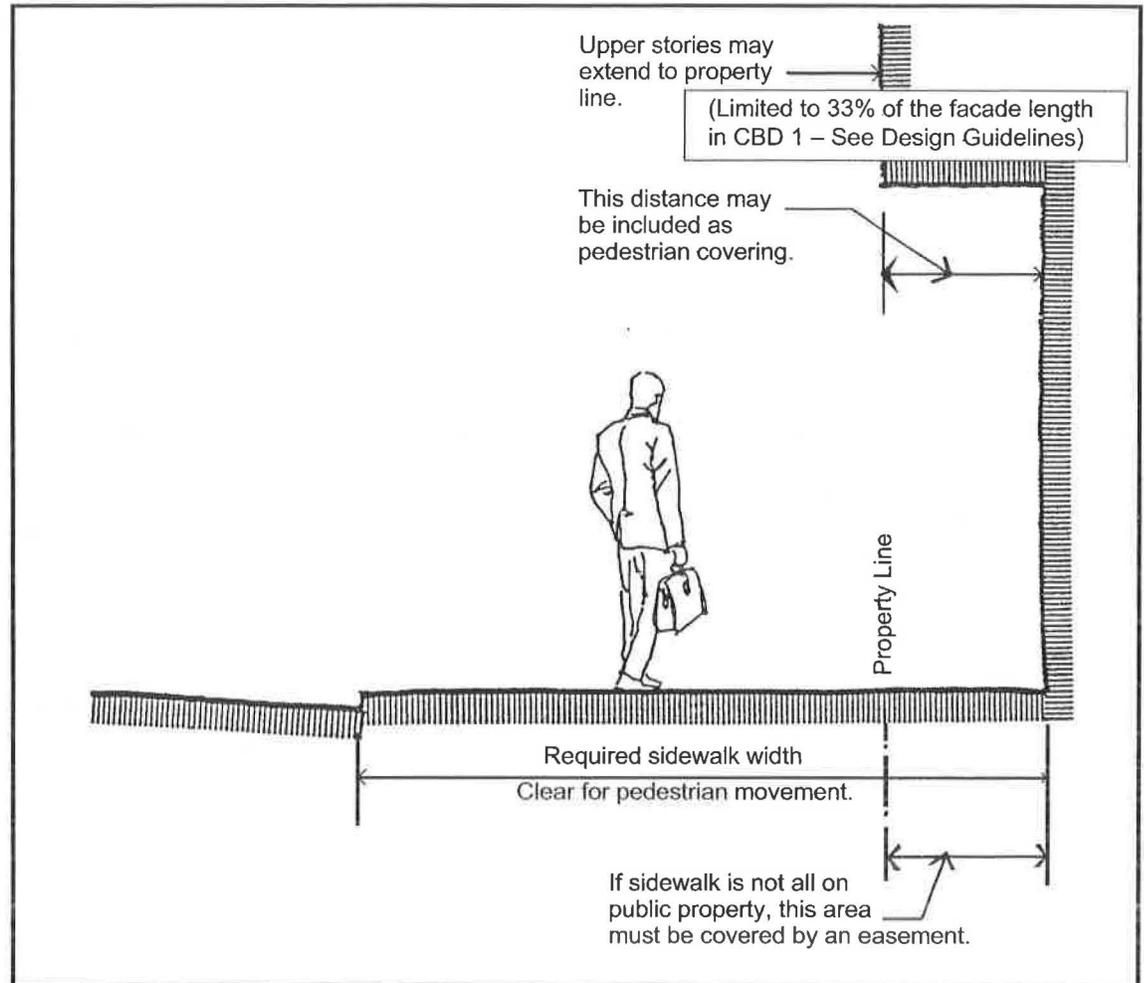


FIGURE 110.52.A

3. **Major Pedestrian Sidewalk Standards** – If the subject property abuts a street designated to contain a major pedestrian sidewalk in Plate 34, Chapter 180 KZC, the applicant shall install that sidewalk on and/or adjacent to the subject property consistent with the following standards:
 - a. Install in the approximate location and make the connections shown in Plate 34;
 - b. A sidewalk width of at least eight (8) feet, unless otherwise noted in Plate 34;
 - c. Have adequate lighting with increased illumination around building entrances and transit stops; and
 - d. If parcels are developed in aggregate, then alternative solutions may be proposed.
4. **Streets in the Totem Lake Business District** – Streets in the Totem Lake Business District designated as major pedestrian sidewalks in Plate 34.E that are also shown to be within the landscaped boulevard alignment or “Circulator” in Plate 34.D in Chapter 180 KZC may have varied or additional requirements, such as wider sidewalks, widened and meandering planting areas,

continuous and clustered tree plantings, special lighting, directional signs, benches, varying pavement textures and public art, as determined by the Director of Public Works.

5. NE 85th Street Sidewalk Standards – If the subject property abuts NE 85th Street, the applicant shall install a minimum 6.5-foot-wide landscape strip planted with street trees located adjacent to the curb and a minimum 7-foot-wide sidewalk along the property frontage. Where the public right-of-way lacks adequate width to meet the previous standard, a 10-foot-wide sidewalk with street trees in tree grates may be permitted or in an easement established over private property.

(Ord. 4495 § 2, 2015; Ord. 4307 § 1, 2011; Ord. 4177 § 2, 2009; Ord. 4097 § 1, 2007)

110.60 Additional Requirements

This section contains a series of requirements that apply to improvements required or proposed to be installed.

1. Dedication of Right-of-Way – If a right-of-way abutting the subject property is not wide enough to contain the required improvements, the applicant shall dedicate as right-of-way a strip of land adjacent to the existing right-of-way wide enough to encompass the required half-street improvements. The Public Works Director may require the applicant to make land available, by dedication, for new rights-of-way and utility infrastructure if this is reasonably necessary as a result of the development activity.
2. Fire Hydrants – The applicant shall install fire hydrants where and in the manner specified by the Fire Department.
3. Incompatible Improvements – If improvements required by this chapter will connect with existing improvements in the same right-of-way that do not conform to this chapter, the following regulations apply:
 - a. If the improvements will connect with existing improvements of a greater dimension, the new improvement must be built at the greater dimension unless the Public Works Director determines that the dimensions of the existing improvement will be decreased in the future.
 - b. If the improvements will connect with existing improvements of a lesser dimension, the following regulations apply:
 - 1) If the Public Works Director determines that the dimensions of the existing improvements will not be increased in the future, the new improvement must be permanently flared or tapered to match the existing improvements.
 - 2) If the Public Works Director determines that the dimensions of the existing improvements will be increased in the future, the applicant shall install the required improvements in the full length of the right-of-way abutting the subject property with temporary flaring or tapering on the existing improvements.
4. Landscape Strip and Street Trees – Landscape strips are typically found between the curb and the sidewalk and are planted with grass and street trees spaced 30 feet on-center. When improving landscape strips, the following regulations apply:
 - a. The applicant shall plant all landscape strips with vegetation approved by the City.
 - b. Trees shall be planted per the details outlined in Public Works Pre-Approved Plans and Policies Notebook.

Chapter 112 – AFFORDABLE HOUSING INCENTIVES – MULTIFAMILY

Sections:

- 112.05 User Guide
- 112.10 Purpose
- 112.15 Affordable Housing Requirement
- 112.20 Basic Affordable Housing Incentives
- 112.25 Additional Affordable Housing Incentives
- 112.30 Alternative Compliance
- 112.35 Affordability Provisions
- 112.40 Regulatory Review and Evaluation

112.05 User Guide

This chapter offers dimensional standard flexibility and density and economic incentives to encourage construction of affordable housing units in commercial zones, high density residential zones, medium density zones and office zones.

If you are interested in proposing four (4) more residential units in commercial zones, high density residential zones, medium density zones or office zones, or you wish to participate in the City's decision on such a project, you should read this chapter.

(Ord. 4392 § 1, 2012; Ord. 4222 § 1, 2009; Ord. 3938 § 1, 2004)

112.10 Purpose

There is a limited stock of land within the City zoned and available for residential development and there is a demonstrated need in the City for housing which is affordable to persons of low and moderate income. Therefore, this chapter provides development incentives in exchange for the public benefit of providing affordable housing units in commercial zones, high density residential zones, medium density zones and office zones.

(Ord. 4392 § 1, 2012; Ord. 4222 § 1, 2009; Ord. 3938 § 1, 2004)

112.15 Affordable Housing Requirement1. Applicability –

- a. Minimum Requirement – All developments creating four (4) or more new dwelling units in commercial, high density residential, medium density and office zones shall provide at least 10 percent of the units as affordable housing units and comply with the provisions of this chapter as established in the General Regulations or the Special Regulations for the specific use in Chapters 15 through 56 KZC. This subsection is not effective within the disapproval jurisdiction of the Houghton Community Council, **except in the HENC zones.**
 - b. Voluntary Use – All other provisions of this chapter are available for use within the disapproval jurisdiction of the Houghton Community Council and in developments where the minimum requirement does not apply; provided, however, the provisions of this chapter are not available for use in developments located within the BN zone.
2. Calculation in Density-Limited Zones – For developments in density-limited zones, the required amount of affordable housing shall be calculated based on the number of dwelling units proposed prior to the addition of any bonus units allowed pursuant to KZC 112.20.

3. Calculation in CBD 5A, RH, TL, and PLA 5C Zones – For developments in the CBD 5A, RH, TL, and PLA 5C Zones, the required amount of affordable housing shall be calculated based on the total number of dwelling units proposed.
4. Rounding and Alternative Compliance – In all zones, the number of affordable housing units required is determined by rounding up to the next whole number of units if the fraction of the whole number is at least 0.66. KZC 112.30 establishes methods for alternative compliance, including payment in lieu of construction for portions of required affordable housing units that are less than 0.66 units.

(Ord. 4476 § 3, 2015; Ord. 4474 § 1, 2015; Ord. 4392 § 1, 2012; Ord. 4390 § 1, 2012; Ord. 4337 § 1, 2011; Ord. 4286 § 1, 2011; Ord. 4222 § 1, 2009; Ord. 3938 § 1, 2004)

112.20 Basic Affordable Housing Incentives

1. Approval Process – The City will use the underlying permit process to review and decide upon an application utilizing the affordable housing incentives identified in this section.
2. Bonus
 - a. Height Bonus. In RH, PLA 5C, and TL use zones where there is no minimum lot size per dwelling unit, additional building height has been granted in exchange for affordable housing, as reflected in each Use Zone Chart for the RH and TL zones and table for the PLA 5C zone.
 - b. Development Capacity Bonus. On lots or portions of lots in the RH 8 use zone located more than 120 feet north of NE 85th Street, between 132nd Avenue NE and parcels abutting 131st Avenue NE, and in the CBD 5A use zone where there is no minimum lot size per dwelling unit, additional residential development capacity has been granted in exchange for affordable housing as reflected in the Use Zone Chart.
 - c. Bonus Units. In use zones where the number of dwelling units allowed on the subject property is determined by dividing the lot size by the required minimum lot area per unit, two (2) additional units (“bonus units”) may be constructed for each affordable housing unit provided. (See Plate 32 for example of bonus unit calculations.)
 - d. Maximum Unit Bonuses. The maximum number of bonus units achieved through a basic affordable housing incentive shall be 25 percent of the number of units allowed based on the underlying zone of the subject property.
 - e. Density Bonus for Assisted Living Facilities. The affordable housing density bonus may be used for assisted living facilities to the extent that the bonus for affordable housing may not exceed 25 percent of the base density of the underlying zone of the subject property.
3. Alternative Affordability Levels – An applicant may propose affordability levels different from those defined in Chapter 5 KZC for the affordable housing units.

- a. In use zones where a density bonus is provided in exchange for affordable housing units, the ratio of bonus units per affordable housing unit for alternative affordability levels will be as follows:

| Affordability Level | Bonus Unit to Affordable Unit Ratio |
|--------------------------------|-------------------------------------|
| Renter-Occupied Housing | |
| 60% of median income | 1.9 to 1 |
| 70% of median income | 1.8 to 1 |
| Owner-Occupied Housing | |
| 90% of median income | 2.1 to 1 |
| 80% of median income | 2.2 to 1 |

- b. In the CBD 5A, RH, TL and PLA 5C use zones, the percent of affordable units required for alternative affordability levels will be as follows:

| Affordability Level | % of Project Units Required to Be Affordable |
|--------------------------------|--|
| Renter-Occupied Housing | |
| 60% of median income | 13% |
| 70% of median income | 17% |
| Owner-Occupied Housing | |
| 70% of median income | 8% |
| 90% of median income | 13% |
| 100% of median income | 21% |

- c. To encourage "pioneer developments" in the Rose Hill and Totem Lake business districts, the definition of affordable housing for projects in the RH and TL zones shall be as provided in the following table. This subsection shall apply only to those projects which meet the affordability requirements on site or off site. This subsection shall not apply to those projects which elect to use a payment in lieu of constructing affordable units as authorized in KZC 112.30(4).

The affordable housing requirements for projects vested on or after the effective date of the ordinance codified in this section must be targeted for households whose incomes do not exceed the following:

| Number of Total Units | | Affordability Level | |
|-----------------------|----------------------|----------------------|-----------------------|
| RH Zones | TL Zones | Renter-Occupied | Owner-Occupied |
| First 50 units | First 150 units | 70% of median income | 100% of median income |
| Second 50 units | Second 150 units | 60% of median income | 90% of median income |
| All subsequent units | All subsequent units | 50% of median income | 80% of median income |

"Number of Total Units" shall mean the total number of housing units (affordable and otherwise) permitted to be constructed within the RH and TL zones where affordable housing units are required and which have not received funding from public sources.

- d. Depending on the level of affordability provided, the affordable housing units may not be eligible for the impact fee waivers described in subsections (5)(a) and (5)(b) of this section.
4. Dimensional Standards Modification – To the extent necessary to accommodate the bonus units allowed under subsection (2)(c) of this section on site, the following requirements of the Kirkland Zoning Code may be modified through the procedures outlined in this subsection. These modifications may not be used to accommodate the units resulting from the base density calculation.
- a. Maximum Lot Coverage. The maximum lot coverage may be increased by up to five (5) percentage points over the maximum lot coverage permitted by the underlying use zone. Maximum lot coverage may not be modified through this provision on properties with streams, wetlands, minor lakes or their buffers. In addition, this modification would require a shoreline variance as set forth in Chapter 141 KZC for properties within jurisdiction of the Shoreline Management Act. See Chapter 83 KZC.
- b. Parking Requirement. The required parking may be reduced to 1.0 space per affordable housing unit. No additional guest parking is required for affordable housing units. If parking is reduced through this provision, the owner of the affordable housing unit shall sign a covenant, in a form acceptable to the City Attorney, restricting the occupants of each affordable housing unit to a maximum of one (1) automobile.
- c. Structure Height. Maximum height for structures containing affordable housing units may be increased by up to six (6) feet for those portions of the structure(s) that are at least 20 feet from all property lines. Maximum structure height may not be modified through this provision for any portion of a structure that is adjoining a low density zone. This modification may be permitted or may require a shoreline variance as set forth in Chapter 141 KZC for properties within jurisdiction of the Shoreline Management Act. See Chapter 83 KZC.
- d. Required Yards. Structures containing affordable housing units may encroach up to five (5) feet into any required yard except that in no case shall a remaining required yard be less than five (5) feet. A modification to the shoreline setback would require a shoreline variance set forth in Chapter 141 KZC for properties within jurisdiction of the Shoreline Management Act. See Chapter 83 KZC.
- e. Common Recreational Space. Common recreational open space per unit, when required, may be reduced by 50 square feet per affordable housing unit.
5. Impact Fee and Permit Fee Calculation
- a. Applicants providing affordable housing units may request an exemption from payment of road impact fees for the affordable housing units as established by KMC 27.04.050.
- b. Applicants providing affordable housing units may request an exemption from payment of park impact fees for the affordable housing units as established by KMC 27.06.050.
- c. Applicants providing affordable housing units are eligible for exemption from various planning, building, plumbing, mechanical and electrical permit fees for the bonus units allowed under subsection (2)(c) of this section as established in KMC 5.74.070 and KMC Title 21.
6. Property Tax Exemption – A property providing affordable housing units may be eligible for a property tax exemption as established in Chapter 5.88 KMC.

(Ord. 4498 § 3, 2015; Ord. 4476 § 3, 2015; Ord. 4474 § 1, 2015; Ord. 4337 § 1, 2011; Ord. 4252 § 1, 2010; Ord. 4222 § 1, 2009; Ord. 3938 § 1, 2004)

112.25 Additional Affordable Housing Incentives

1. Approval Process for Additional Affordable Housing Incentives – An applicant may request that the City grant affordable housing incentives in addition to or in place of the basic affordable housing incentives allowed in KZC 112.20 due to specific site conditions. Such a request shall be reviewed and decided upon as outlined below.
2. Density Bonus – An applicant may propose more than two (2) bonus units for every affordable housing unit or a density bonus exceeding 25 percent of the number of units allowed in the underlying zone of the subject property. However, in no event may a project receive a bonus that would result in a number of bonus units that exceeds 50 percent of the number of units allowed based on the underlying zone of the subject property. Such a request shall be reviewed and decided upon by the Planning Director. The decision of the Planning Director in approving or denying a modification under this subsection may be appealed using the appeal provision, as applicable, of Process I, KZC 145.60 through 145.110.
3. Dimensional Standards Modification – An applicant may request further modification from the dimensional standards listed in KZC 112.20(4). Approval of any further modification of the

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dimensional standards will be based on the applicant's demonstration that the subject property cannot reasonably achieve the permitted density, including the bonus units. Such a request shall be reviewed and decided upon using Process I, described in Chapter 145 KZC. If the development, use, or activity requires approval through Process IIA or IIB, the entire proposal will be decided upon using that other process.

4. Criteria for Approving Additional Affordable Housing Incentives – The City may approve one (1) or more of the additional affordable housing incentives listed in subsection (2) or (3) of this section, in addition to or in place of the basic affordable housing incentives, if one (1) or more of the following requirements are met:
 - a. The additional incentive is necessary to provide sufficient economic incentive to the applicant to offset the cost of providing the affordable housing units.
 - b. The additional incentive is necessary to reasonably achieve the permitted density, including the bonus units.
 - c. The additional incentive is necessary to achieve a greater number of affordable housing units than the affordable housing requirements would prescribe or a greater level of affordability than is defined by the term affordable housing unit.

In making its decision on additional incentives, the City will consider the value of any property tax exemptions available to the project from the City as established in Chapter 5.88 KMC, as well as other fee waivers or reductions as established in the Kirkland Municipal Code.

(Ord. 4286 § 1, 2011; Ord. 4222 § 1, 2009; Ord. 3938 § 1, 2004)

112.30 Alternative Compliance

1. Approval Process for Alternative Compliance – As an alternative to providing some or all of the required affordable housing units on the subject property, the Planning Director may approve a request for alternative compliance. Alternative compliance may include providing affordable housing units at another location within the City of Kirkland, payment to the City in lieu of constructing partial affordable housing units to be used to create affordable housing units, or such other means proposed by the applicant and approved at the discretion of the Planning Director, consistent with the following criteria for alternative compliance.
2. Criteria for Alternative Compliance – The City may approve a request for alternative compliance if both of the following requirements are met:
 - a. The applicant demonstrates that the proposed alternative compliance method achieves an affordable housing benefit to the City equal to or better than providing the affordable housing units on site.
 - b. The affordable housing units provided through the alternative compliance will be based on providing the same type of ownership of units as would have been provided on site.
3. Requirements for Off-Site Alternative Compliance – Off-site affordable housing units are subject to the following requirements:
 - a. The off-site location chosen for the affordable housing units shall not lead to an undue concentration of affordable housing either at the off-site location or in any particular area of the City.
 - b. Any building permits required for off-site affordable housing units shall be submitted prior to submittal of building permits for the subject property. Certificates of occupancy for off-

site affordable housing units shall be issued prior to issuance of the final certificate of occupancy for the subject property.

4. Requirements for Payment in Lieu Alternative Compliance – Payments in lieu of constructing affordable housing units are subject to the following requirements:
 - a. To encourage “pioneer developments” subject to these regulations, payments in lieu are allowed for one (1) whole required affordable housing unit and portions of required affordable housing units that are less than 0.66 units during the five (5) years immediately following the effective date of the ordinance codified in this chapter (until April 1, 2015). After that time period, payments in lieu are allowed only for portions of required affordable housing units that are less than 0.66 units. Rounding up to the next whole number of units and actual construction of the affordable units is required when the calculated number of required affordable units results in a fraction of 0.66 or more.
 - b. Payments in lieu shall be based on the difference between the cost of construction for a prototype affordable housing unit on the subject property, including land costs and development fees, and the revenue generated by an affordable housing unit. The formula for payments shall be established by the Planning Director.
 - c. The payment obligation shall be established prior to issuance of any building permits for the project and shall be due prior to issuance of any certificate of occupancy for the project. Collected payments shall be deposited in the City’s Housing Trust Fund account.

(Ord. 4222 § 1, 2009; Ord. 3938 § 1, 2004)

112.35 Affordability Provisions

1. Approval of Affordable Housing Units – Prior to the issuance of any permit(s), the City shall review and approve the location and unit mix of the affordable housing units consistent with the following standards:
 - a. The affordable housing units shall be intermingled with all other dwelling units in the development.
 - b. The type of ownership of the affordable housing units shall be the same as the type of ownership for the rest of the housing units in the development.
 - c. The affordable housing units shall consist of a range of number of bedrooms that are comparable to units in the overall development.
 - d. The size of the affordable housing units, if smaller than the other units with the same number of bedrooms in the development, must be approved by the Planning Director. In no case shall the affordable housing units be more than 10 percent smaller than the comparable dwelling units in the development, based on number of bedrooms, or less than 500 square feet for a 1-bedroom unit, 700 square feet for a 2-bedroom unit, or 900 square feet for a 3-bedroom unit, whichever is less.
 - e. The affordable housing units shall be available for occupancy in a time frame comparable to the availability of the rest of the dwelling units in the development.
 - f. The exterior design of the affordable housing units must be compatible and comparable with the rest of the dwelling units in the development.
 - g. The interior finish and quality of construction of the affordable housing units shall at a minimum be comparable to entry level rental or ownership housing in the City of Kirkland.