

CHAPTER 56 – YBD 2 and YBD 3 – Draft Revised 7-15-2011

56.15 User Guide.

The charts in KZC 56.20 contain the basic zoning regulations that apply in each YBD 2 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 56.18
YBD 2, YBD 3****Section 56.18 – 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 addition to the height exceptions established by KZC [115.60](#), the following exceptions to height regulations in the YBD 2 and YBD 3 zones are allowed:
 - a. Decorative parapets may exceed the height limit by a maximum of four feet; provided that the average height of the parapets around the perimeter of the structure shall not exceed two feet.
 - b. For structures with a peaked roof, the peak may extend eight feet above the height limit if the slope of the roof is equal to or greater than four feet vertical to 12 feet horizontal.
3. A City entry or gateway feature shall be designed and installed on the subject property adjacent Lake Washington Blvd. between the southern city limit line and NE 38th PI pursuant to the standards in KZC 110.60. The specific location and design of the gateway shall be evaluated with the Design Review Process.
4. Driveways onto Lake Washington Blvd., NE 38th PI. and Northup Way shall be limited to prevent arterial congestion and traffic safety hazards. Shared access points must be utilized where feasible (does not apply to Public Park uses). The Public Works Official shall approve the number, location and design of all driveways.
5. The minimum ground floor story height shall be 13' for retail establishments selling goods or services including banking and financial services, restaurant and tavern, or office.
6. **The upper story setback for all floors above the second story within 40' of the property line abutting NE 38th Place shall average 15'. For the purposed of this regulation, ther term "setback" shall refert to the horizontal distance between the property line and any exterior wall abutting the street prior to any potential right of way dedication. The required upper story setbacks for all floors above the second story shall be calculated as Total Upper Story Setback Area, as shown on Plate 35.**
7. Developments in parts of this zone may be limited by chapter 83 or 90 KZC, regarding development near streams, lakes, and wetlands.

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 YARDS (See Ch. 115)			Height of Structure					
				Front	Side	Rear						
.010	Vehicle Service Station	D.R., Chapter 142 KZC	22,500 sq. ft.	40'	15' on each side. See also Special Regulation 3.	15'	80%	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 Blvd 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 38 th PI and Northup Way otherwise 20'	0'	0'			B		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. <u>The gross floor area of individual retail establishments may not exceed 15,000 gross floor area except within a mixed use development in which the floor area of other uses exceeds the floor area of retail establishments.</u>

												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.
.060	Stacked Dwelling Units	D.R. Chapter 142, KZC	None	0' adjacent to NE 38 th PI and Northup Way otherwise 20'	0'	0'	80%	60' above average building elevation	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			0' adjacent to NE 38 th PI and Northup Way otherwise 20'	0"	0"			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. 3. 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.
.080	Private Lodge or Club	D.R. Chapter 142, KZC	None	0' adjacent to NE 38 th PI and Northup Way otherwise 20'	0'	0'	80%	60' average building elevation	C	B	1 per each 300 sq. ft. of gross floor area	
.90	Hospital Facility	D.R. Chapter 142, KZC	None	0' adjacent to NE 38 th PI and Northup Way otherwise 20'	0'	0'	80%	60' average building elevation	B	B	See KZC 105.25	

.10	Public Utility	D.R. Chapter 142, KZC	None	0' adjacent to NE 38 th Pl and Northup Way otherwise 20'	0'	0'	80%	60' above average building elevation	A	B	See KZC 105.25	
.110	Church								C	B	1 for every 4 people based on maximum occupant load of any area of worship. See Special 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.
.120	School or Day-Care Center	D.R. Chapter 142, KZC	None	0' adjacent to NE 38 th Pl and Northup Way otherwise 20'	0'	0'	80%	60' above average building elevation	D	B	See KZC 105.25.	1. A six-foot-high fence is required only along the property lines adjacent to the outside play areas. 2. Structured play areas must be setback from all property lines by at least five feet. 3. An on-site passenger loading area must be provided 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.
.130	Mini-School or Mini-Day-Care	D.R. Chapter 142, KZC	None	0' adjacent to NE 38 th Pl and Northup Way otherwise 20'	0'	0'	80%	60' above average building elevation	E	B	See KZC 105.25.	1. A six-foot-high fence is required along the property lines adjacent to the outside play areas. 2. Structured play areas must be setback from all property lines by at least five feet. 3. An on-site passenger loading area must be provided 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.
.140	Government Facility 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.										

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 60.17	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	Attached or Stacked Dwelling Unit	Process IIB, Chapter 152 KZC.	35,000 sq. ft. per unit	20'	5', but 2 side yards must equal at least 15'.	10'	60%	25' above average building elevation. See Spec. Reg. 3.	D	A	1.7 per unit.	<ol style="list-style-type: none"> 1. No structure may be waterward of the ordinary high water mark. 2. If the development includes portions of Planned Area 3, the applicant may propose and the City may require that part or all of the density allowed in Planned Area 2 be developed in Planned Area 3. 2. 3. The height of a structure may be increased as long as neither of the following maximums is exceeded: <ol style="list-style-type: none"> a. The structure may not exceed 60 feet above average building elevation. b. The structure may not exceed a plane that starts 3.5 feet above the outside westbound lane of SR 520 and ends at the high waterline of Lake Washington in the zone, excluding the canal. 3. 4. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use. 4. 5. The side yard may be reduced to zero feet if the side of the dwelling unit is attached to a dwelling unit on an adjoining lot. If one side of a dwelling unit is so attached and the opposite side is not, the side that is not attached must provide a minimum side yard of five feet. 5. 6. The rear yard may be reduced to zero feet if the rear of the dwelling unit is attached to a dwelling unit on an adjoining lot.

User Guide. The charts in KZC 60.22 contain the basic zoning regulations that apply in Planned Area 3A, including sub-zones. 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 60.20

**Zone
PLA3A**

*Delete
Section
and
replace
with
new
Y&D
ZONE*

Section 60.20 – 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. Developments in parts of this zone may be limited by Chapter 83 or 90 KZC, regarding development near streams, lakes, and wetlands.
3. The site must be designed to concentrate development away from and to minimize impacts on the wetlands (does not apply to Detached Dwelling Unit, Attached or Stacked Dwelling Unit, Mini-School or Mini-Day-Care and Public Park uses).
4. If the development includes portions of Planned Area 2, the applicant may propose and the City may require that part or all of the density allowed in Planned Area 2 be developed in Planned Area 3 (does not apply to Detached Dwelling Unit, Attached or Stacked Dwelling Unit, Public Utility, Government or Community Facility, and Public Park uses).
5. The height of structures may be increased if:
 - a. The structure does not exceed 60 feet above average building elevation,
 - b. The amount of pervious surface on the subject property in this zone significantly exceeds 50 percent, and
 - c. The site is designed to the maximum extent feasible to provide views through the subject property from Lake Washington Boulevard and Bellevue Way while complying with the General Regulations.
(Does not apply to Detached Dwelling Unit, Attached or Stacked Dwelling Unit, Public Utility, Government or Community Facility, and Public Park uses).
6. May not use lands waterward of the high-waterlineordinary high water mark to determine lot size or to calculate allowable density.
7. The required yard of a structure abutting Lake Washington Boulevard or Lake Street South must be increased two feet for each one foot that structure extends 25 feet above average building elevation.
8. City entryway design must be provided on the subject property adjacent to Lake Washington Boulevard as follows:
 - a. An earthen berm, 12 feet wide and with a uniform height of three feet at the center;
 - b. Lawn covering the berm;
 - c. London Plane at least two inches in diameter, planted 30 feet on center along the berm.
9. Vehicular circulation on the subject property must be designed to minimize traffic impacts on Lake Washington Boulevard and at the SR-520 interchange. The city may limit access points onto Lake Washington Boulevard and Points Drive and require traffic control devices and right-of-way realignment (does not apply to Detached Dwelling Unit, Attached or Stacked Dwelling Unit, Public Utility, Government or Community Facility, and Public Park uses).
10. May also be regulated under the Shoreline Master Program, refer to KZC Chapter 83KMC Title 24.

****New Section 60.19 South Houghton Slope PLA 3C USE ZONE CHART -7-15-2011**

User Guide. The charts in KZC 60.22 contain the basic zoning regulations that apply in the PLA 3A 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 60.20 - GENERAL REGULATIONS

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

1. Refer to Chapter 1 KZC to determine what other provisions of this code may apply to the subject property.
2. If any portion of a structure is adjoining a detached or attached dwelling unit in a low density zone, then either:
 - a. The height of that portion of the structure shall not exceed 15 feet above average building elevation; or
 - b. The maximum horizontal facade shall not exceed 50 feet.
 - c. See KZC [115.30](#), Distance Between Structures/Adjacency to Institutional Use, for further details.
(Does not apply to Detached Dwelling Unit and Mini-School or Mini-Day-Care Center uses).
3. Development shall be subject to the following development standards:
 - a. Structures must be clustered and located so that they will not significantly impact slope stability, drainage patterns, erosion or landslide hazards, and steep ravine areas on the subject property or adjacent property.
 - b. Vegetative cover shall be retained to the maximum extent possible to stabilize slopes.
 - c. Pursuant to the requirements of Chapter 85.15.1-4 KZC, the applicant shall submit a geotechnical report prepared by a qualified geotechnical engineer evaluating the potential geologic hazard areas of the subject and adjacent properties to minimize damage to life and property. Specific structural designs and construction techniques to ensure long term stability shall be considered as part of the analysis. The applicant's geotechnical report and recommendations shall be reviewed by a qualified geotechnical engineer selected and retained by the City at the applicant's expense. The applicant shall comply with the performance standards contained in 85.25 KZC and 85.45 KZC.
 - d. The City may require traffic control devices, shared access points, right of way realignment, or limit development if necessary to further reduce traffic impacts.
 - e. Development must ensure that the City has the ability to access and provide necessary emergency services.
4. May also be regulated under the Shoreline Master Program, refer to KZC Chapter 83.

USE ZONE CHARTS Section 60.22

Use: Detached Dwelling UnitRequired Review Process: NoneMinimums:

Lot Size: 12,500 sq. ft. See Special Regulation 1, 2, and 3

Required Yards:

Front: 20' See Special Regulation 5

Side: Minimum 5' but 2 sides must equal at least 15'.

Rear: 10'

Maximums:

Lot Coverage: 50%.

Height of Structures: 25' above average building elevation.

Landscape Category: ESign Category: ARequired Parking: 2.0 per dwelling unit.Special Regulations:

1. Maximum dwelling units per acre is: 6 dwelling units. Not more than one dwelling unit may be on each lot regardless of the size of the lot.
2. Within a subdivision or short plat the minimum lot size is 5,000 sq. ft.
3. Road dedication and vehicular access easements or tracts may not be included in the density calculation or in the minimum lot size per dwelling unit.
4. For lots containing less than 7,200 sq. ft., the Floor Area Ratio (FAR) requirements of KZC Section 115.42 shall apply. The maximum Floor Area Ratio is 50% of the lot size provided that F.A.R. may be increased to -60% if:
 - a. the primary roof form of all structures on the site is peaked with a minimum pitch of four feet vertical to 12 feet horizontal and
 - ~~4-b.~~ A setback of at least 7.5 feet is provided along each side yard. See KZC 115.42 Floor Area Ratio (FAR) calculation for Detached dwelling Units in Low Density Residential Zones for additional information.
5. On corner lots with two required front yards, one may be reduced to the average of the front yards for the two adjoining properties fronting the same street as the front yard to be reduced. The applicant may select which front yard will be reduced (see Plate 24).
6. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.

Use: Attached Dwelling Units

Required Review Process: Process I, KZC Chapter 145

Minimums:

Lot Size: See Special Regulation 1, 2 and 3

Required Yards:

Front: 20' See Special Regulation 6

Side: 10' See Special Regulation 7

Rear: 10' See Special Regulation 7

Maximums:

Lot Coverage: 50%.

Height of Structures: 25' above average building elevation.

Landscape Category: E

Sign Category: A

Required Parking: 2.0 per dwelling unit.

Special Regulations:

1. Maximum dwelling units per acre is: 6 dwelling units. Not more than one dwelling unit may be on each lot regardless of the size of the lot.
2. Within a subdivision or short plat the minimum lot size is 5,000 sq. ft.
3. Road dedication and vehicular access easements or tracts may not be included in the density calculation or in the minimum lot size per dwelling unit.
4. No more than two units may be attached to each other.
- ~~a-5.~~ For lots containing less than 7,200 sq. ft., the Floor Area Ratio (FAR) requirements of KZC Section 115.42 shall apply. The maximum Floor Area Ratio is 50% of the lot size provided that F.A.R. may be increased to 60% if the primary roof form of all structures on the site is peaked with a minimum pitch of four feet vertical to 12 feet horizontal. See KZC 115.42 Floor Area Ratio (FAR) calculation for Detached dwelling Units in Low Density Residential Zones for additional information.
- ~~2-6.~~ On corner lots with two required front yards, one may be reduced to the average of the front yards for the two adjoining properties fronting the same street as the front yard to be reduced. The applicant may select which front yard will be reduced (see Plate 24).

- 3-7. The side or rear yard may be reduced to zero feet if the side or rear of the dwelling unit is attached to a dwelling unit on an adjoining lot within the short plat or subdivision.
- 4-8. Attached dwelling units must be designed to look like a detached single family house using such techniques as limiting the points of entry on each façade, providing pitched roofs and covered porches.
- 5-9. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.

Section:

Use: Church

Required Review Process: Process IIA, Chapter 150 KZC

Minimums:

Lot Size: 12,500 sq. ft.

Required Yards:

Front: 20'

Side: 20' on each side

Rear: 20'

Maximums:

Lot Coverage: 50%.

Height of Structures: 25' above average building elevation. See General Regulations.

Landscape Category: C

Sign Category: B

Required Parking: 1 for every 4 people based on maximum occupancy load of any area of worship. See Special Reg. 1

Special Regulations:

1. No parking is required for day-care or school ancillary to the use.
2. See General Regulations regarding other development standards.
3. The property must be served by a collector or arterial street.

Section:

Use: School or Daycare Center

Required Review Process: Process IIA, Chapter 150 KZC.

Minimums:

Lot Size: 12,500 sq. ft.

Required Yards:

If this use can accommodate 50 or more students or children, then: 50' front 50' on each side 50' rear

If this use can accommodate 13 to 49 students or children, then: 20' front 20' on each side 20' rear

Maximums:

Lot Coverage: 50%

Height of Structures: 25' above average building elevation. See General Regulations.

Landscape Category: D

Sign Category: B

Required Parking: See KZC 105.25

School Special Regulations:

1. May locate on the subject property only if:
 - a. It will not be materially detrimental to the character of the neighborhood in which it is located.
 - b. Site and building design minimizes adverse impacts on surrounding residential neighborhoods.
 - c. The property is served by a collector or arterial street.
2. 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.
3. Hours of operation and maximum number of attendees at one time may be limited to reduce impacts on nearby residential uses.
4. 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.
5. 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. The location of parking and passenger loading areas shall be designed to reduce impacts on nearby residential uses.
6. Electrical signs shall not be permitted.
7. May include accessory living facilities for staff persons.

Section:

Use: Mini School or Mini Day Care Center

Required Review Process: Process I, Chapter 145 KZC.

Minimums:

Lot Size: 12,500 sq. ft.

Required Yards:

Front: 20'

Side: 5' but 2 side yards must equal at least 15'

Rear: 20'

Maximums:

Lot Coverage: 50%.

Height of Structures: 25' above average building elevation.

Landscape Category: E

Sign Category: B

Required Parking: See KZC 105.25

Special Regulations:

1. May locate on the subject property if:

- a. It will not be materially detrimental to the character of the neighborhood in which it is located.
- b. Site design must minimize adverse impacts on surrounding residential neighborhoods.
2. A six-foot-high fence is required along the property lines adjacent to the outside play areas.
3. Hours of operation and maximum number of attendees may be limited by the City to reduce impacts on nearby residential uses.
4. Structured play areas must be setback 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 designated to reduce impacts on nearby residential uses.
7. Electrical signs shall not be permitted. Size of signs may be limited to be compatible with nearby residential uses.
8. May include accessory living facilities for staff persons.

Section:

Use: Public Utility

Required Review Process: Process IIA, Chapter 150 KZC

Minimums:

Lot Size: None

Required Yards:

Front: 20'

Side: 20' on each side

Rear: 20'

Maximums:

Lot Coverage: 50%.

Height of Structures: 25' above average building elevation. See General Regulations

Landscape Category: A

Sign Category: B

Required Parking: See KZC 105.25

Special Regulations:

1. Site and building design minimizes adverse impacts on surrounding residential neighborhoods.
2. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.

Section:

Use: Government Facility Community Facility

Required Review Process: Process IIA, Chapter 150, KZC

Minimums:

Lot Size: None.

Required Yards:

Front: 20'

Side: 10' on each side

Rear: 10'

Maximums:

Lot Coverage: 50%.

Height of Structures: 25' above average building elevation. See General Regulations

Landscape Category: C See special regulation 2

Sign Category: B

Required Parking: See KZC 105.25

Special Regulations:

1. Site and building design minimizes adverse impacts on surrounding residential neighborhoods.
2. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.

Section:

Use: Public Park

Development standards will be determined on a case-by-case basis. See chapter 49 KZC for required review process.

DRAFT

Chapter 92 – DESIGN REGULATIONS

92.05 **Introduction** 630.5

1. General
2. Applicability
3. Design Review Procedures
4. Relationship to Other Regulations
5. Dedication
6. Design Districts in Rose Hill Business District
7. Design Districts in the Totem Lake Neighborhood

92.10 **Site Design, Building Placement and Pedestrian-Oriented Facades** 630.7

1. Building Placement in JBD
2. Pedestrian-Oriented Facades Defined for RHBD and TLN
3. Building Placement In RHBD and TLN *AND YBD*
4. Multi-Story Buildings on Sites Adjacent to a Low Density Zone in RHBD and TLN
5. Multifamily Buildings Located in TLN
6. Building Location at Street Corners in the RHBD and TLN Zones
7. Building Location at Street Corners in CBD

92.15 **Pedestrian-Oriented Improvements on or Adjacent to the Subject Property** 630.17

1. All Zones – Pedestrian Oriented Space and Plazas in Parking Areas
2. Pedestrian-Oriented Space and Plazas in TC, CBD, NRHBD, RHBD and TLN Zones
3. Blank Wall Treatment
4. Parking Garages

92.30 **Architectural and Human Scale**..... 630.24

1. Techniques To Moderate Bulk and Mass in the CBD
2. Horizontal Definition in All Zones
3. Techniques To Moderate Bulk and Mass in the RHBD and TLN Zones
4. Techniques To Achieve Architectural Scale in All Zones
5. Techniques To Achieve Architectural Scale in the RHBD and the TLN Zones
6. Achieving Human Scale in All Zones

92.35 **Building Material, Color and Detail** 630.36

1. Required Elements
2. Prohibited Materials – All Zones
3. Metal Siding – All Zones
4. Concrete Block – All Zones
5. Awnings – All Zones
6. Covering of Existing Facades – All Zones
7. Building Cornerstone or Plaque – All Zones
8. Required On-Site Improvements – All Zones

92.05 INTRODUCTION

1. General – This chapter establishes the design regulations that apply to development in Design Districts including the Central Business District (CBD), Market Street Corridor (MSC), Juanita Business District (JBD), Rose Hill Business District (RHBD), Totem Lake Neighborhood (TLN), North Rose Hill Business District (NRHBD), Totem Center (TC), and in areas indicated on the use zone charts for PLA 5C. (Yarrow Bay Business Dist (YBI))

Special provisions that apply to a particular Design District are noted in the section headings of the chapter.

2. Applicability – The provisions of this chapter apply to all new development. The provisions of Chapters 142 and 162 KZC regarding Design Review and nonconformance establish which of the regulations of this chapter apply to developed sites. Where provisions of this chapter conflict with provisions in any other section of the code, this chapter prevails. For more information on each Design District refer to the Design Guidelines applicable to that Design District adopted by reference in Chapter 3.30 KMC.
3. Design Review Procedures – The City will use Chapter 142 KZC to apply the regulations of this chapter to development activities that require Design Review approval.
4. Relationship to Other Regulations – Refer to the following chapters of the Zoning Code for additional requirements related to new development on or adjacent to the subject property.
 - a. Landscaping – Chapter 95 KZC describes the installation and maintenance of landscaping requirements on the subject property.
 - b. Installation of Sidewalks, Public Pedestrian Pathways and Public Improvements – Chapter 110 KZC describes the regulations for the installation of public sidewalks, major pedestrian sidewalks, pedestrian-oriented sidewalks, or other public improvements on or adjacent to the subject property in zones subject to Design Review. Plate 34 in Chapter 180 KZC provides the location and designation of the sidewalk, pedestrian walkways, pathways or other required public improvements within each Design District.
 - c. Pedestrian Access to Buildings, Installation of Pedestrian Pathways, Pedestrian Weather Protection – Chapter 105 KZC describes the requirements for pedestrian access to buildings and between properties, through parking areas and requirements for pedestrian weather protection. See also Plate 34 in Chapter 180 KZC.
 - d. Parking Area Location and Design, Pedestrian and Vehicular Access – Chapter 105 KZC describes the requirements for parking lot design, number of driveways, or pedestrian and vehicular access through parking areas.
 - e. Screening of Loading Areas, Outdoor Storage Areas and Garbage Receptacles – Chapter 95 KZC describes the location and screening requirements of outdoor storage. Chapter 115 KZC describes the screening of loading areas, waste storage and garbage disposal facilities.
5. Dedication – The City may require the applicant to dedicate development rights, air space, or an easement to the City to ensure compliance with any of the requirements of this chapter.
6. Design Districts in Rose Hill Business District – Various places in this chapter refer to the three Design Districts in the Rose Hill Business District: Regional Center, Neighborhood Center and East End. Figure 92.05.A below describes where these are located. For a more detailed description of each area, see the Design Guidelines for the Rose Hill Business District adopted by reference in Chapter 3.30 KMC.

92.10 SITE DESIGN, BUILDING PLACEMENT AND PEDESTRIAN-ORIENTED FACADES

This section contains regulations which establish the location of a building on the site in relationship to the adjacent sidewalk, pedestrian pathway or pedestrian-oriented elements on or adjacent to the subject property.

1. Building Placement in JBD – All buildings must front on a right-of-way or through-block pathway (see Plate 34).
2. Pedestrian-Oriented Facades Defined for RHBD and TLN – To meet the definition of a pedestrian-oriented facade (see Figure 92.10.A):
 - a. The building's primary entrance must be located on this facade and facing the street. For purposes of this chapter, "primary entrance" shall be defined as the primary or principle pedestrian entrance of all buildings along that street. The primary entrance is the entrance designed for access by pedestrians from the sidewalk. This is the principal architectural entrance even though customers or residents may use a secondary entrance associated with a garage, parking area, driveway or other vehicular use area more frequently.
 - b. Transparent windows and/or doors must occupy at least 75 percent of the facade area between two and seven feet above the sidewalk.
 - c. Weather protection feature(s) at least five feet wide must be provided over at least 75 percent of the facade. This could include awnings, canopies, marquees, or other permitted treatments that provide functional weather protection.

3. Building Placement In RHBD and TLN *AND YBD*

- a. Building Location Featuring Pedestrian-Oriented Facades in RHBD and TLN Zones – Buildings may be located adjacent to the sidewalk of any street (except west of 124th Avenue NE), if they contain a pedestrian-oriented facade along that street frontage pursuant to the standards in subsection (2) of this section. As part of the Design Review process, required yards, setbacks or other development standards may be modified along the street frontage. Buildings not featuring a pedestrian-oriented facade along a street must provide a building setback of at least 10 feet from any public street (except areas used for pedestrian or vehicular access) landscaped with a combination of trees, shrubs, and ground-cover per the requirements of supplemental landscape standards of KZC 95.41(2).

on RHBD

and in YBD

(except for Lake Washington Blvd and Northrup Way)

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 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) JBD, NRHBD, RHBD, MSC, TC and TLN ^{YBD} – Except as provided in subsection (6)(a)(3) of this section, the applicant shall use at least one of the elements or techniques listed in subsection (6)(b) of this section in the design and construction of each facade of a one-story building facing a street or through-block pathway, and at least two of the elements or techniques for a two-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 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 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 feet wide and six feet deep.
- 2) On each story above the ground floor, provide bay windows that extend out at least one 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 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 feet by seven feet.
 - b) The windows must be surrounded by trim, molding and/or sill at least two inches wide.
 - c) Individual window units must be separated from adjacent window units by at least six inches of siding or other exterior finish material of the building.
- 5) Provide at least one-half of the window area above the ground floor of each facade facing a street or public park in panes with dimensions less than two feet by three feet and with individual panes separated by window mullions (see Figure 92.30.K).

100.50 Designated Corridors

1. General – KZC [100.45](#) contains limitations on sign area along the following designated corridors:
 - a. Market Street between Central Way and N.E. 106th Street.
 - b. State Street, between N.E. 68th Street and 2nd Avenue South.
 - c. Lake Washington Boulevard and Lake Street South between N.E. 38th Street and 3rd Avenue South.
 - d. Lakeview Drive.
2. Electrical Signs Prohibited – Electrical signs shall not be located along designated corridors.

100.52 CBD and JBD – Certain Signs Prohibited

Cabinet signs shall be prohibited in all Central Business District (Chapter [50](#) KZC), ~~and~~ Juanita Business District zones (Chapter [52](#) KZC) and Yarrow Bay Business District (Chapter 56, 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, TC (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, and the 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 the MSC Zones – Parking areas in the MSC zones shall not be located between the street and the building unless the Planning Official determines that the proposed landscape design provides superior visual screening of the parking area.
4. Location of Parking Areas in Certain TLN 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 Neighborhood.

 - f. In the Regional Center (RH 1A, RH 2A, RH 3 and RH 5A zones west of 124th Avenue). For parcels over two 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.

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.

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, TLN, TC, RHBD, and NRHBD zones. YBD

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 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).

Insert: and attached dwelling unit in PLA 3C

115.42 Floor Area Ratio (F.A.R.) Calculation for Detached Dwelling Units in Low Density Residential Zones

Insert: and attached dwelling units in PLA 3C

1. Gross floor area for purposes of calculating F.A.R. and maximum floor area for detached dwelling units in low density residential zones does not include the following:
 - a. Attic area with less than five (5) feet of ceiling height, as measured between the finished floor and the supporting members for the roof.
 - b. Floor area with a ceiling height less than six (6) feet above finished grade. The ceiling height will be measured to the top of the structural members for the floor above. The finished grade will be measured along the outside perimeter of the building (see Plate 23).
 - c. On lots less than 8,500 square feet, the first 500 square feet of an accessory dwelling unit or garage contained in an accessory structure, when such accessory structure is located more than 20 feet from and behind the main structure (see KZC [115.30](#) for additional information on the required distance between structures); provided, that the entire area of an accessory structure, for which a building permit was issued prior to March 6, 2007, shall not be included in the gross floor area used to calculate F.A.R. For purposes of this section, "behind" means located behind an imaginary plane drawn at the back of the main structure at the farthest point from, and parallel to, the street or access easement serving the residence.
 - d. On lots greater than or equal to 8,500 square feet, the first 800 square feet of an accessory dwelling unit or garage contained in an accessory structure, when such accessory structure is located more than 20 feet from and behind the main structure (see KZC [115.30](#) for additional information on the required distance between structures); provided, that the entire area of an accessory structure, for which a building permit was issued prior to March 6, 2007, shall not be included in the gross floor area used to calculate F.A.R.
 - e. Uncovered and covered decks, porches, and walkways.
2. Floor area with a ceiling height greater than 16 feet shall be calculated as follows:
 - a. The first 100 square feet of such floor area, in aggregate, shall be calculated only once toward allowable F.A.R.;
 - b. Floor area in excess of the first 100 square feet shall be calculated at twice the actual floor area toward allowable F.A.R.
3. *This section is not effective within the disapproval jurisdiction of the Houghton Community Council.*

Insert: except for those lots in PLA 3C that are less than 7200 sq. ft. or lots that have less than the minimum lot size created through the small lot provisions of Subdivision 22.28.042.

- 2) Any development in the following zones within the NE 85th Street Subarea: RH 8, PR 3.6, RM, PLA 17A.
 - 3) Any development in the MSC 1, MSC 2, and MSC 4 zones located within the Market Street Corridor.
2. Administrative Design Review (A.D.R.) – All other development activities not requiring D.B.R. review under subsection (1) of this section shall be reviewed through the A.D.R. process pursuant to KZC 142.25.
 3. Exemptions from Design Review – The following development activities shall be exempt from either A.D.R. or D.B.R. and compliance with the design regulations of Chapter 92 KZC:
 - a. Any activity which does not require a building permit; or
 - b. Interior work that does not alter the exterior of the structure; or
 - c. Normal building maintenance including the repair or maintenance of structural members; or
 - d. Any development listed as exempt in the applicable Use Zone Chart.

142.25 Administrative Design Review (A.D.R.) Process

1. Authority – The Planning Official shall conduct A.D.R in conjunction with a related development permit pursuant to this section.

The Planning Official shall review the A.D.R. application for compliance with the design regulations contained in Chapter 92 KZC. In addition, the following guidelines and policies shall be used to interpret how the regulations apply to the subject property:

- a. Design guidelines for pedestrian-oriented business districts, as adopted in KMC 3.30.040.
 - b. Design guidelines for the Rose Hill Business District (RHBD) and the Totem Lake Neighborhood (TLN) as adopted in KMC 3.30.040.
 - c. For review of attached or stacked dwelling units within the NE 85th Street Subarea and the Market Street Corridor, Appendix C, Design Principles for Residential Development contained in the Comprehensive Plan.
- and Yarrow Bay Business District (YBD)*
2. Application – As part of any application for a development permit requiring A.D.R., the applicant shall show compliance with the design regulations in Chapter 92 KZC by submitting an A.D.R. application on a form provided by the Planning Department. The application shall include all documents and exhibits listed on the application form, as well as application materials required as a result of a pre-design conference.
 3. Pre-Design Conference – Before applying for A.D.R. approval, the applicant may schedule a pre-design meeting with the Planning Official. The meeting will be scheduled by the Planning Official upon written request by the applicant. The purpose of this meeting is to provide an opportunity for an applicant to discuss the project concept with the Planning Official and for the Planning Official to designate which design regulations apply to the proposed development based primarily on the location and nature of the proposed development.
 4. A.D.R. Approval
 - a. The Planning Official may grant, deny, or conditionally approve the A.D.R. application. The A.D.R. approval or conditional approval will become conditions of approval for any related

application for the proposed development. No development permit for the subject property requiring D.B.R. approval will be issued until the proposed development is granted D.B.R. approval or conditional approval. The terms of D.B.R. approval or conditional approval will become a condition of approval on each subsequent development permit and no subsequent development permit will be issued unless it is consistent with the D.B.R. approval or conditional approval. The Planning Official shall send written notice of the D.B.R. decision to the applicant and all other parties who participated in the conference(s) within 14 calendar days of the approval. If the D.B.R. is denied, the decision shall specify the reasons for denial. The final D.B.R. decision of the City on the D.B.R. application shall be the date of distribution of the written D.B.R. decision or, if the D.B.R. decision is appealed, the date of the City's final decision on the appeal. Notwithstanding any other provision of this code, if an applicant submits a complete application for a building permit for the approved D.B.R. development within 180 days of the final D.B.R. decision, the date of vesting for the building permit application shall be the date of the final D.B.R. decision.

Additional Approval Provision for TL 2 and TL 5 – The Notice of Approval for a Conceptual Master Plan (CMP) shall set thresholds for subsequent D.B.R. or A.D.R. review of projects following approval of a CMP in TL 2 or TL 5. The Notice of Approval shall also include a phasing plan for all improvements shown or described in the CMP.

Additional Approval Provision for RHBD – The Design Review Board shall determine the thresholds for subsequent D.B.R. or A.D.R. review of projects following approval of a Conceptual Master Plan (CMP) in the RHBD. The Notice of Approval for the CMP will state the thresholds for future review of projects and also include a phasing plan for all improvements shown or described in the CMP.

142.37 Design Departure and Minor Variations

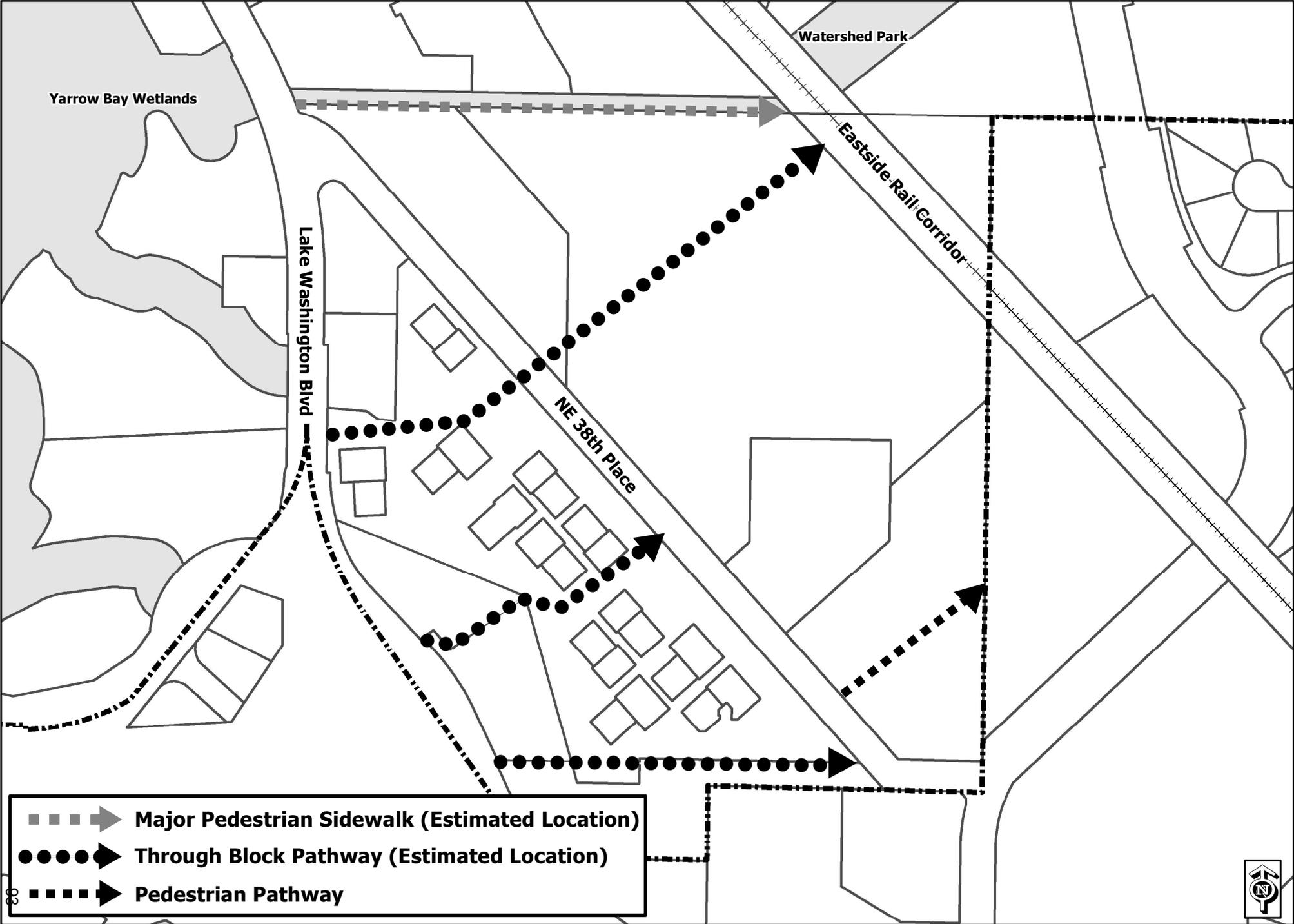
1. General – This section provides a mechanism for obtaining approval to depart from strict adherence to the design regulations or for requesting minor variations from requirements in the following zones:
 - a. In the CBD: minimum required yards; and
 - b. In the Totem Center: minimum required yards, floor plate maximums and building separation requirements; and
 - c. In the RHBD and the TLN: minimum required yards, landscape buffer and horizontal facade requirements; and
 - d. In the MSC 1 and MSC 4 zones of the Market Street Corridor: minimum required front yards and horizontal facade requirements; and
 - e. In the MSC 2 zone of the Market Street Corridor: height (up to an additional five feet), minimum required front yards and horizontal facade requirements; and
 - f. In the MSC 3 zone of the Market Street Corridor: horizontal facade requirements.

This section does not apply when a design regulation permits the applicant to propose an alternate method for complying with it or the use zone chart allows the applicant to request a reduced setback administratively.

2. Process – If a design departure or minor variation is requested, the D.R. decision, including the design departure or minor variation, will be reviewed and decided upon using the D.B.R. process.

Plate 34L: PEDESTRIAN CIRCULATION IN YBD

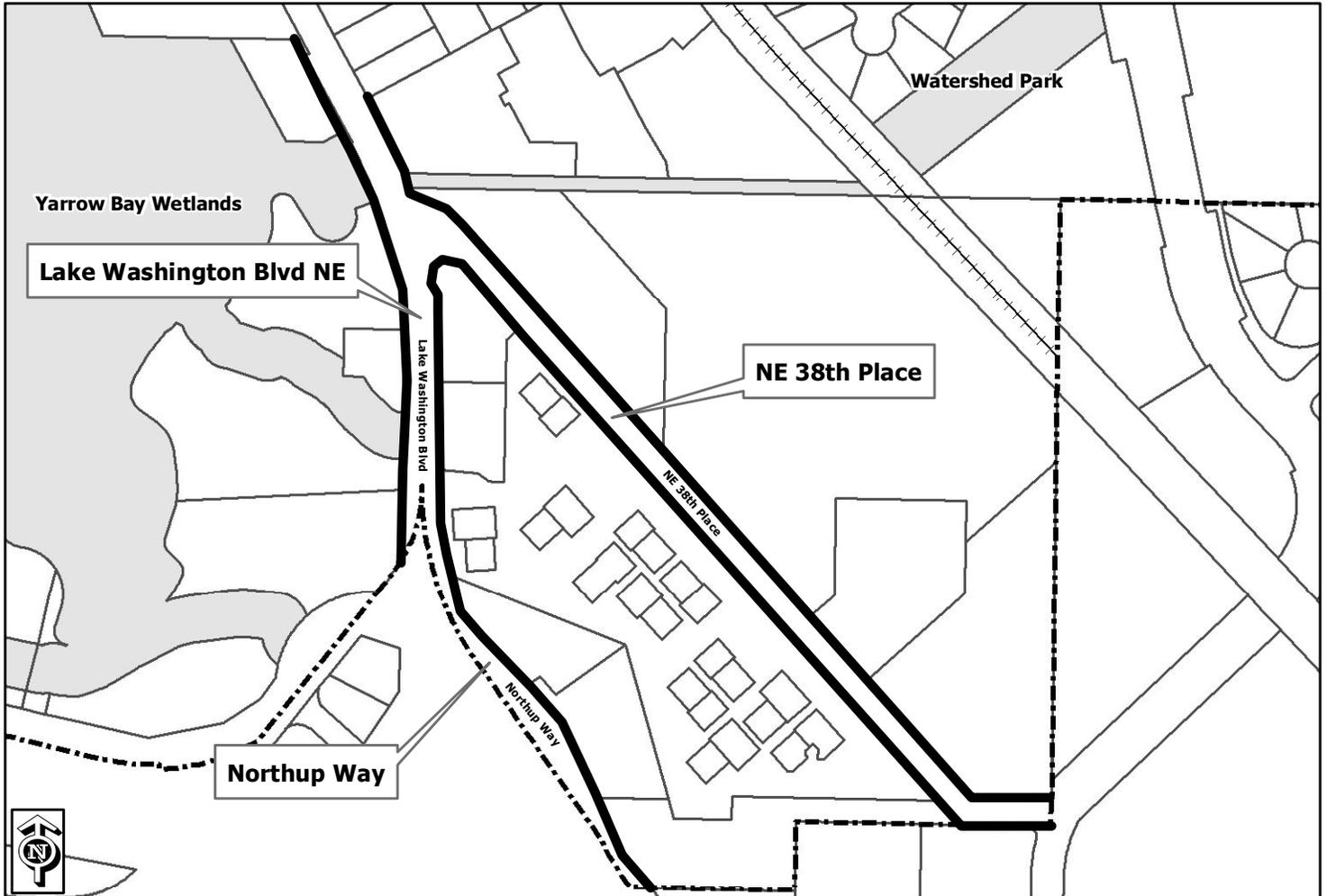
Attachment 4-R



- ■ ■ ■ ➔ Major Pedestrian Sidewalk (Estimated Location)
- ● ● ● ➔ Through Block Pathway (Estimated Location)
- · - · - · ➔ Pedestrian Pathway



Plate 34M: Street Improvements in YBD



Required street improvements for NE 38th Pl, Lake Washington Blvd NE, and Northup Way in the Yarrow Bay Business District:

NE 38th Pl:

70-80 feet of public right of way

10 foot wide sidewalks with street trees in landscape strip or tree grates on both sides of street and decorative street light fixtures

Lake Washington Blvd NE:

60 – 80 feet of public right of way

10 foot wide sidewalks with street trees in landscape strip or tree grates on both sides of street and decorative street light fixtures

Northup Way:

10 foot wide sidewalks with street trees in landscape strip or tree grates on both sides of street and decorative street light fixtures.

Note: The precise right of way specifications may vary and shall be determined by the Public Works Director

22.28.010

Chapter 22.28

DESIGN REQUIREMENTS

Sections:

- 22.28.010 Applicability.
- 22.28.020 Provision for public and semipublic lands.
- 22.28.030 Lots—Size.
- 22.28.040 Lots—Lot averaging.
- 22.28.042 Lots—Small lot single-family.
- 22.28.048 Lots—Historic preservation.
- 22.28.050 Lots—Dimensions.
- 22.28.060 General layout.
- 22.28.070 Blocks—Maximum length.
- 22.28.080 Access—Required.
- 22.28.090 Access—Right-of-way—Adjacent to plat.
- 22.28.100 Access—Right-of-way—Within plats.
- 22.28.110 Access—Vehicular-access easement or tract.
- 22.28.130 Vehicular-access easement or tract—Standards.
- 22.28.140 Vehicular-access easement or tract—Additional requirements.
- 22.28.150 Vehicular-access easement or tract—Engineering standards for vehicular access.
- 22.28.160 Vehicular-access easement or tract—Modifications.
- 22.28.170 Access—Walkways.
- 22.28.180 Preservation of natural features—Compliance with Zoning Code.
- 22.28.190 Preservation of natural features—Land adjacent to Lake Washington.
- 22.28.200 Preservation of natural features—Land adjacent to streams, lakes or wetlands.
- 22.28.210 Preservation of natural features—Significant vegetation.
- 22.28.220 Preservation of natural features—Easements.

22.28.010 Applicability.

The provisions of this chapter apply to each plat and short plat within the city. For the purposes of this chapter, the terms “subdivision” and “plat” also mean “short subdivision” and “short plat.” (Ord. 3705 § 2 (part), 1999)

22.28.020 Provision for public and semipublic lands.

The city may require the applicant to make land available, by dedication, for school sites, parks and open space, rights-of-way, utilities infrastructure, or other public or semipublic uses of land if this is reasonably necessary as a result of the subdivision. (Ord. 3705 § 2 (part), 1999)

22.28.030 Lots—Size.

All lots within a subdivision must meet the minimum size requirements established for the property in the Kirkland Zoning Code or other land use regulatory document. If a property is smaller than that required for subdivision by an amount less than or equal to ten percent of the minimum lot size for the zoning district as shown on the Kirkland zoning map or as indicated in the Kirkland Zoning Code, subdivision may still proceed as long as the shortage of area is spread evenly over all of the lots in the subdivision. In cases where an existing structure or other physical feature (sensitive area, easement, etc.) makes even distribution of the size shortage difficult, an exception to the even distribution may be made.

If a property is smaller than that required for subdivision by an amount greater than ten percent and less than or equal to fifteen percent of the minimum lot size for the zoning district as shown on the Kirkland zoning map or as indicated in the Kirkland Zoning Code, subdivision may also proceed, as long as:

(a) The shortage of area is spread evenly over all of the lots in the subdivision (unless an existing structure or other physical feature such as a sensitive area or easement makes even distribution of the size shortage difficult); and

(b) All lots have a minimum lot width at the back of the required front yard of no less than fifty feet (unless the garage is located at the rear of the lot or the lot is a flag lot); and

(c) In zoning districts for which the Zoning Code establishes a floor area ratio (FAR) limitation, a covenant is signed prior to recording of the plat ensuring that building on the new lots will comply with an FAR restriction at least ten percentage points less than that required by the zoning district as shown on the Kirkland zoning map; and

(d) If any lot is smaller than the minimum lot size for the zoning district by an amount greater than five percent of the minimum lot size, the subdivision shall be reviewed and decided using process IIB described in Chapter 152 of Title 23 of this code. In

addition to meeting the decisional criteria found in Chapter 152 of Title 23 of this code, approval of the application may only be recommended if the new lots are compatible, with regard to size, with other lots in the immediate vicinity of the subdivision.

A covenant must also be signed prior to recording of the plat to ensure that the garage will be located at the rear of the lot in cases where this option is chosen under subsection (b) of this section. (Ord. 4196 § 2 (Exh. B) (part), 2010; Ord. 3705 § 2 (part), 1999)

Insert: or PLA 3C

22.28.040 Lots—Lot averaging.

In multiple lot subdivisions not located in an RSA zone and not subject to Section 22.28.030, the minimum lot area shall be deemed to have been met if the average lot area is not less than the minimum lot area required of the zoning district in which the property is located as identified on the zoning map. Under this provision, either:

(a) Not more than two of lots in a subdivision and one of the lots in a short plat may contain an area less than the prescribed minimum for this zoning district. In no case shall any lots be created which contain an area more than ten percent less than the prescribed minimum for this zoning district; or

(b) Up to seventy-five percent of the number of lots in a subdivision or short plat may contain an area less than the prescribed minimum for this zoning district if the lots which would be created contain an area no more than five percent less than prescribed.

These smaller lots shall be located so as to have the least impact on surrounding properties and public rights-of-way.

Using process IIA, Chapter 150 of Title 23 of this code, and the applicable sections of Chapter 22.12 or 22.20 of this title, additional lot averaging may be achieved. Through process IIA, not more than thirty percent of the number of lots in a subdivision, and two of the lots in a short plat, may contain an area less than the prescribed minimum for this zoning district as long as the average lot area is not less than the minimum lot area required for the zoning district in which the property is located as identified on the zoning map. In no case shall any lots be created through this process which contain an area more than fifteen percent less than the prescribed minimum for this zoning district. The smaller lots shall be located so as to have the least impact on surrounding properties and public rights-of-way. In addition, the plat or short plat must meet the following criteria:

Insert: and Lakeview (except for lots located in the PLA 3C zone and RS 12.5 zone),

705 § 2 (part), 1999)

(1) The averaging is necessary because of special circumstances regarding the size, shape, topography, or location of the subject property, or the location of a preexisting improvement on that subject property; and

(2) The averaging will not be materially detrimental to the property or improvements in the area of the subject property or to the city in part or as a whole; and

(3) Existing significant trees and vegetation will be preserved where feasible to buffer the adjacent properties from the smaller lots in the subject subdivision.

Additional lot averaging may only be addressed and obtained through the provisions of Chapter 125, Planned Unit Development, of Title 23 of this code and the applicable sections of Chapter 22.12 or 22.20 of this title. (Ord. 4196 § 2 (Exh. B) (part), 2010;

22.20.042 Lots—Small lot single-family.

In the Market and Norkirk neighborhoods, as defined in the comprehensive plan, for those subdivisions not subject to the lot size flexibility provisions of Sections 22.28.030 and 22.28.040 and historic preservation provisions of Section 22.28.048, the minimum lot area shall be deemed to be met if at least one-half of the lots created contain no less than the minimum lot size required in the zoning district in which the property is located. The remaining lots may contain less than the minimum required lot size; provided, that such lots meet the following standards:

(a) Within the RS 6.3 and RS 7.2 zones, the lots shall be at least five thousand square feet.

(b) Within the RS 8.5 zone, the lots shall be at least six thousand square feet.

(c) The portion of any flag lot that is less than thirty feet wide, and used for driveway access to the buildable portion of the lot may not be counted in the lot area.

(d) The floor area ratio (FAR) shall not exceed thirty percent of lot size; provided, that FAR may be increased up to thirty-five percent of the lot size if the following criteria are met:

(1) The primary roof form of all structures on the site is peaked, with a minimum pitch of four feet vertical to twelve feet horizontal; and

(2) All structures are set back from side property lines by at least seven and one-half feet.

(e) The FAR restriction shall be recorded on the face of the plat.

(f) Accessory dwelling units are prohibited. This restriction shall be recorded on the face of the plat. (Ord. 4102 § 1(A), 2007)

22.28.048 Lots—Historic preservation.

In the Market and Norkirk neighborhoods, as defined in the comprehensive plan, for those subdivisions not subject to the lot size flexibility provisions of Sections 22.28.030, 22.28.040, and the small lot single-family provisions of Section 22.28.042, the minimum lot area shall be deemed to be met if no more than two lots are created that contain less lot area than the minimum size required in the zoning district in which the property is located, and if an "historic residence" is preserved on one of the lots, pursuant to the process described in Chapter 75 of the Kirkland Zoning Code. The lots containing less than the minimum required lot area shall meet the following standards:

(a) Within the RS 6.3 and RS 7.2 zones, the lots shall be at least five thousand square feet.

(b) Within the RS 8.5 zone, the lots shall be at least six thousand square feet.

(c) Within the WDII zone, the lots shall be at least seven thousand two hundred square feet.

(d) The portion of any flag lot that is less than thirty feet wide, and used for driveway access to the buildable portion of the lot, may not be counted in the lot area.

(e) Accessory dwelling units are prohibited. The restriction shall be recorded on the face of the plat.

Lots containing historic residences shall also meet the following standards:

(f) If a historic residence is destroyed, damaged, relocated, or altered inconsistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties (Rehabilitation) (Code of Federal Regulations, 36 CFR Part 68), the replacement structure shall be reconstructed in accordance with the criteria established in Section 75.105 of the Kirkland Zoning Code. The replacement restriction shall be recorded on the face of the plat.

(g) As part of subdivision approval, the city may allow the following modifications to regulations in the Kirkland Zoning Code regarding minimum required yards, maximum lot coverage, and floor area ratio on the lot containing the historic residence if the modifications are necessary to accommodate the historic residence.

(1) Required yards may be two feet less than required by the zoning district as shown on the Kirkland zoning map.

(2) Floor area ratio may be five percentage points more than allowed by the zoning district as shown on the Kirkland zoning map.

(3) Lot coverage may be five percentage points more than allowed by the zoning district as shown on the Kirkland zoning map.

(h) At the time of recording the plat, a notice of applicable restrictions for the lot containing the designated historic residence shall be recorded. (Ord. 4102 § 1(B), 2007)

22.28.050 Lots—Dimensions.

Lots must be of a shape so that reasonable use and development may be made of the lot. Generally, the depth of the lot should not be more than twice the width of the lot. In no case shall a lot be less than fifteen feet in width where it abuts the right-of-way, vehicular-access easement or tract providing vehicular access to the subject lot. For lots smaller than five thousand square feet in size located in "low density zones" as defined in the Zoning Code, the lot width at the back of the required front yard shall not be less than fifty feet unless the garage is located at the rear of the lot or the lot is a flag lot. A covenant shall be signed prior to the recording of the plat to ensure that the garage will be located at the rear of the lot if this option is chosen. (Ord. 4122 § 1 (part), 2008; Ord. 3705 § 2 (part), 1999)

22.28.060 General layout.

The plat must be designed to allow for reasonable subdivision and use of adjoining properties. While the plat should generally conform to the grid pattern, innovative layouts will be considered based on the general requirements of this chapter. (Ord. 3705 § 2 (part), 1999)

22.28.070 Blocks—Maximum length.

Generally, blocks should not exceed five hundred feet in length. Blocks that are more than seven hundred fifty feet in length should allow for midblock pedestrian access pursuant to Section 22.28.170 of this chapter. (Ord. 3705 § 2 (part), 1999)

22.28.080 Access—Required.

(a) All lots must have direct legal access as required by the Zoning Code, including Section 115.80, Legal Building Site, and Section 105.10,

Chapter 3.30

DESIGN REVIEW BOARD

Sections:

- 3.30.010 Membership—Appointment—Compensation—Removal.**
- 3.30.020 Qualifications.**
- 3.30.030 Powers and duties.**
- 3.30.040 Design guidelines adopted by reference.**
- 3.30.050 Conflict of interest.**

3.30.010 Membership—Appointment—Compensation—Removal.

The design review board shall be composed of seven appointed members. In addition, the director of planning and community development shall sit on the design review board (“DRB”) as a nonvoting member for purposes of advising the board on regulatory and urban design issues. Members shall be appointed by a majority vote of the city council, without regard to political affiliation. The members of the DRB shall serve without compensation. Each member shall be appointed to a four-year term; provided, that as to the two positions added in 2003, one new member’s initial term shall expire March 31, 2005, and the other new member’s initial term shall expire March 31, 2007. Any vacancy shall be filled for the remainder of the unexpired term of the vacant position. When a member misses three or more consecutive meetings not excused by a majority vote of the DRB, the DRB will consider recommending removal of that member. The board shall recommend removal if the absences have negatively affected the board’s abilities to perform its duties. The recommendation will be forwarded to city council. Members finding themselves unable to attend regular meetings are expected to tender their resignations. A member may be removed by a majority vote of the city council. (Ord. 3901 § 1, 2003; Ord. 3683A § 1 (part), 1999)

3.30.020 Qualifications.

Members of the design review board shall include design professionals and building/construction experts, and residents of Kirkland capable of reading and understanding architectural plans and knowledgeable in matters of building and design. The board shall at all times have a majority composition of professionals from architecture, landscape architecture, urban design/planning, or similar disciplines. In selecting members, professionals who are residents and/or whose place of business is within Kirkland will be preferred. (Ord. 3683A § 1 (part), 1999)

3.30.030 Powers and duties.

The design review board shall have the responsibilities designated in the Zoning Code. In addition, the design review board shall perform such advisory functions related to design issues as designated by the city council. (Ord. 3683A § 1 (part), 1999)

3.30.040 Design guidelines adopted by reference.

The design review board in combination with the authority set forth in Chapter 142 of the Zoning Code shall use the following design guidelines documents to review development permits:

(1) The document entitled “Design Guidelines for Pedestrian Oriented Business Districts” bearing the signature of the mayor and the director of the department of planning and community development dated August 3, 2004, is adopted by reference as though fully set forth herein. The city council shall consult with the planning commission prior to amending this document.

(2) The document entitled “Design Guidelines for the Rose Hill Business District” bearing the signature of the mayor and the director of the department of planning and community development dated January 3, 2006, is adopted by reference as though fully set forth herein. The city council shall consult with the planning commission prior to amending this document.

(3) The document entitled "Design Guidelines for the Totem Lake Neighborhood" bearing the signature of the mayor and the director of the department of planning and community development dated June 6, 2006, is adopted by reference as though fully set forth herein. The city council shall consult with the planning commission prior to amending this document.

(4) The document entitled "Kirkland Parkplace Mixed Use Development Master Plan and Design Guidelines" bearing the signature of the mayor and the director of the department of planning and community development, dated December 16, 2008, is adopted by reference as though fully set forth herein. The city council shall consult with the planning commission prior to amending this document.

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(5) The document entitled "Design Guidelines for the Yarrow Bay Business District ~~X~~ Zone" bearing the signature of the mayor and the director of the department of planning and community development dated X, is adopted by reference as though fully set forth herein. The city council shall consult with the planning commission and the Houghton community council prior to amending this document.

(5) Text Amended. The following specific portions of the text of the design guidelines are amended as set forth in Attachment A attached to Ordinance 4106 and incorporated by reference. (Ord. 4172 § 1, 2008: Ord. 4106 § 1, 2007; Ord. 4052 § 1, 2006: Ord. 4038 § 1, 2006: Ord. 4031 § 1, 2006)

3.30.050 Conflict of interest.

If a member of the design review board is an applicant or a paid or unpaid advocate, agent, or representative for an applicant on a design review application, the member shall not participate in a decision on that design review application. (Ord. 3683A § 1 (part), 1999)