

Response to Design Guidelines for Pedestrian-Oriented Business Districts

OVERALL OBJECTIVE	OBJECTIVE/GUIDELINE	RESPONSE
PURPOSE OF THE DESIGN GUIDELINES FOR THE TOTEM LAKE BUSINESS DISTRICT CORE		
Design considerations specific to the Mixed-Use Area (TL-1)	Break up the mass of larger buildings through techniques such as towers over podiums, to create a varied building footprint and the perception of a smaller overall building mass.	The project specifically addresses this guideline through its massing with a break-up into the following: <ul style="list-style-type: none"> - Base comprised of the exposed parking areas and the commercial office areas; - Podium (residential), stepped back from the base and bringing down the scale at the street wall; - South tower (residential) responding to the lower adjacent zoning height; - North tower (residential) responding to the taller adjacent zoning height.
	Incorporate features that create distinctive roof forms, to contribute to a skyline that is visually interesting throughout the district.	Together with the stepped massing, each of the towers has projecting roof overhangs to mark the towers. At each of these overhangs, the undersides are treated with a warm colored material as each is in proximity to occupants and is visible from the street below.
	Ensure appropriate transitions from lower density uses north of the Business District Core through providing residentially scaled facades and centered building masses in development along NE 132nd Street.	While not along NE 132nd Street, the project uses a variety of devices to mediate the scale change from the lower, commercial district to the south to the taller mixed-use projects anticipated in the zoning code, including individual and combined balconies and changes in facade modulation (from commercial uses at the base to residential-scaled treatments at the podium and towers).
APPLICABLE GUIDELINE	OBJECTIVE/GUIDELINE	RESPONSE
PEDESTRIAN-ORIENTED ELEMENTS		
Sidewalk Width - Movement Zone	A sidewalk should support a variety and concentration of activity yet avoid overcrowding and congestion. The average sidewalk width should be between 10' and 18'. New buildings on pedestrian-oriented streets should be set back a sufficient distance to provide at least 10' of sidewalk. If outdoor dining, seating, vending, or displays are desired, an additional setback is necessary.	The provided movement zone of the sidewalk is a minimum of 10'-0" along NE128th Street. At 120th Avenue NE, the sidewalk is a minimum of 10'-0" and is comprised of a 6'-0" clear zone and a 4'-0" amenity zone. This sidewalk width matches the request provided in the Pre-Submittal Conference and has been extensively discussed and confirmed with CoK Departments of Public Works and Planning and Building as the most appropriate given the extreme steepness of the site, the car-focused nature of the street, the presence of the newly constructed Hillside Park opposite and the narrowness of the site and its impact on required below-grade parking. In response, the project is proposing a number of upgrades to create and exceptional pedestrian experience including: vertical trellises with plants integrated, planting beds where possible, artwork and decorative concrete treatments to enliven the adjacent facade. Additionally, at the mid-point along 120th, a substantial amount of open space is provided as a respite mid-hill climb. See pages 20-24, 33, 40, 48 and 49.
Sidewalk Width - Curb Zone	— Street elements trees, parking meters, signs should be organized in the curb zone to reduce congestion. During busy periods, pedestrians may use the curb zone for walking. Where pedestrian traffic is the heaviest, sidewalk bulbs can be constructed to accommodate bike racks, waste receptacles, and newspaper racks. Corner bulbs also increase pedestrian visibility.	Except as required to transition the on-street bike lane along NE 128th to the inboard bike lane at 120th, a minimum 4'-6" curb zone is provided. No parking is provided adjacent to the project along either street. See page 40.
Sidewalk Width - The Storefront Activity Zone	New buildings should be set back a sufficient distance from the front property line a minimum of 10' to allow enough room for pedestrian movement. Wider setbacks should be considered to accommodate other sidewalk uses that would benefit their businesses and the pedestrian environment. Lighting and special paving of the storefront activity zone are also beneficial.	The extreme steepness of 120th means that storefront retail would invariably suffer and result in vacant storefronts. Additionally, the presence of large amounts of high ground water makes providing the required parking entirely below grade impossible. The intention of the activity zone is support space for window shopping and other associated activities. The project proposes a multi-fold approach to activating the sidewalk along 120th: <ul style="list-style-type: none"> - At the amenity zone of the sidewalk, street trees and benches are provided; - At the northern portion of 120th, vertical trellises with plants integrated, artwork and decorative concrete treatments are used to enliven the adjacent facade; - Mid-block, a substantial open space with built-in planters and benches provides respite; - At the southern portion of 120th, planting beds and trees soften the adjacent facade while also aligning the sidewalk and bike lane to the existing properties to the south. See pages 20-24, 33, 40 and 48.
Pedestrian Coverings	Awnings or canopies should be required on facades facing pedestrian-oriented sidewalks. A variety of styles and colors should be encouraged on pedestrian-oriented streets, and a more continuous, uniform style encouraged for large developments on entry arterial streets.	The extreme steepness of 120th and the lack of storefronts along that street front suggest that an alternate approach to the typical pedestrian experience is appropriate. Given the steepness of the slope, canopies would need to be stepping in a way that would result in a visually jumbled experience as pedestrian work their way up and down the slope. See responses to Storefront Activity Zone for the project's approach to the pedestrian realm.
"Pedestrian-Friendly" Building Fronts	All building fronts should have pedestrian-friendly features as listed: Recess the wall with niches that invite people to stop, sit, and lean. Allow street vendors. Install trellises with climbing vines or plant materials. Provide a planting bed with plant material that screens at least 50 percent of the surface. Provide artwork on the surface.	In lieu of a retail-focused response to the pedestrian realm, the project proposes a specific set of responses to the project's context. The project uses vertical trellises with plants integrated, planting beds where possible, artwork and decorative concrete treatments to enliven the facade. See pages 20-24, 33, 40, 48 and 49.
Upper Level Activities Overlooking the Street	All buildings on pedestrian-oriented streets should be encouraged to have upper-story activities overlooking the street, as well as balconies and roof decks with direct access from living spaces. Planting trellises and architectural elements are encouraged in conjunction with decks and bay windows. Upper-story commercial activities are also encouraged.	
Lighting from Buildings	All building entries should be well lit. Building facades in pedestrian areas should provide lighting to walkways and sidewalks through building-mounted lights, canopy- or awning-mounted lights, and display window lights. Encourage variety in the use of light fixtures to give visual variety from one building facade to the next. Back-lit or internally-lit translucent awnings should be prohibited.	See pages 15-16, 20, 22-25 and 42. The project will meet the requirements to provide lighting with sufficient light levels while also creating safe and interesting spaces.
Pedestrian-Oriented Plazas	Successful pedestrian-oriented plazas are generally located in sunny areas along a well-traveled pedestrian route. Plazas must provide plenty of sitting areas and amenities and give people a sense of enclosure and safety.	See pages 20-23 and 48. Three pedestrian-oriented plazas are provided at carefully placed positions around the project - at the northern main residential entry, at the southeastern commercial and residential entry and at the mid-point of the frontage of 120th. As required in TL-1, the mid-block open space along 120th is visually linked to the recently-constructed park on the opposite side of the street. Each are accessible and are designed with planters, seating and lighting and expand the public realm into the space of the project.
Pedestrian Connections	Commercial developments should have well defined, safe pedestrian walkways that minimize distances from the public sidewalk, the Cross Kirkland Corridor and Eastside Rail Corridor, and transit facilities to the internal pedestrian system and building entrances.	While not specifically applicable, the project uses the open spaces in front of the two main entrances and carefully placed vehicular entries to provide safe pedestrian connections to the building.
Blank Walls	Blank walls should be avoided near sidewalks, parks, the Cross Kirkland Corridor and Eastside Rail Corridor, and pedestrian areas. Where unavoidable, blank walls should be treated with landscaping, art, or other architectural treatments.	See response to "Pedestrian-Friendly" Building Fronts. See pages 20-24, 33 and 40.

PUBLIC IMPROVEMENTS AND SITE FEATURES

Not applicable. Does not apply to private property. Applies to projects requiring *major pedestrian pathways* - Property owners are encouraged to utilize the standards in private development where they are appropriate.

Pathway Width	Design all major pedestrian pathways to be at least 8' wide. Other pathways with less activity can be 6' wide.	Sidewalks are at least 6' wide. As confirmed with the Departments of Planning and Building and Public Works, the 10' setback is measured from the existing property line with ROW improvements on both current private property and areas of easement over private property. See pages 20-21, 23-24 and 40.
Pedestrian Paths and Amenities	None Listed	ROW improvements are provided in the form of planters, benches and lighting. See pages 20-21, 23-24 and 40.
Street Trees	The City should prepare a comprehensive street tree planting plan recommending species and generalized locations.	Street trees are provided on the project. The proposed scope of trees have been confirmed with the Departments of Planning and Building and Public Works as part of the confirmation of the street improvements along with existing utilities. Spacing along both fronts has been confirmed with the Department of Public Works. See page See pages 20-21, 23-24 and 41.
Public Improvements and Site Features	The Planning and Building Department, along with other City departments, should develop a set of public improvement and site feature standards for use in pedestrian-oriented business districts. The standards can be the same or unique for each district. A master plan for public spaces within a district should be adopted to coordinate placement of the features and otherwise carry out the Comprehensive Plan.	
Entry Gateway Features	Construct entry gateway features at locations noted in the Comprehensive Plan. Gateways may be constructed in conjunction with commercial development. Emphasis should be placed on framing the view into the district.	N/A.
Public Art	Kirkland should continue its tradition of encouraging public art pieces.	N/A.

PARKING LOT LOCATION AND DESIGN

Parking Location and Entrances	Minimize the number of driveways by restricting curb cuts and by encouraging property and business owners to combine parking lot entrances and coordinate parking areas. Encourage side and rear yard parking areas by restricting parking in front yards. Require extensive screening where there is front yard parking.	One curb cut is provided to the ROW. A driveway is provided at the NW corner providing access along NE 128th. Vehicular access to the project at the south is via an easement over the neighboring property. See page 36.
Circulation Within Parking Lots	N/A	The internal parking garage is logically organized and will have clear lighting and signage to assist pedestrians.
Parking Lot Landscaping	N/A	All new parking is located inside structured parking.
Parking Garages	The intrusive qualities of parking garages must be mitigated. In pedestrian areas, ground-level retail uses or appropriate pedestrian spaces should be required. Also, extensive landscaping should be required near residential areas and in highvisibility locations. On hillsides and near residential areas the stepping back or terracing of upper stories should be considered to reduce scale.	See response to "Pedestrian-Friendly" Building Fronts. See pages 20-24, 33 and 40. Landscaping to conceal the garage is provided. See pages 23, 24 and 41. The bulk of the building is set back above the defined base to mitigate the scale of the building. See pages 10-15 and 24.

SCALE

Fenestration Patterns	Varied window treatments should be encouraged. Ground floor uses should have large windows that showcase storefront displays to increase pedestrian interest. Architectural detailing at all window jambs, sills, and heads should be emphasized.	Differing window treatments are provided throughout the project to scale the larger building masses and signal the uses of the building. At street level, larger expanses of glazing are provided at entries to aid in wayfinding and connect the life of the street to the interior. See pages 16, 20 and 23. At the podium, the commercial office portion of the project includes glazing scaled at an urban level, particularly at the southeast corner and its relationship to 120th Avenue NE as it bends to the south. The smaller-scaled portions of glazing include canted metal panels adjacent to the glazing as a way to suggest a modern approach to deeper-set individual windows. See pages 13 and 14. The glazing at the residential units of the tower is broken up to mediate the scales of the individual unit and the overall tower. Balconies with adjacent metal accent panels help to change the scale of the glazing. See page 18.
Architectural Elements: Decks, Bay Windows, Arcades, Porches	Architectural building elements such as arcades, balconies, bay windows, roof decks, trellises, landscaping, awnings, cornices, friezes, art concepts, and courtyards should be encouraged.	The project utilizes a number of devices to reduce the scale of the building to a more human scale. These include the following: - Arcades - highlighted by expressive columns. See page 22; - Balconies - grouped balconies near the pedestrian realm, individual at the tower. See page 18; - Courtyards - connected by the arcade. See page 25; - Roof decks. See page 17 and 18; - Art - at the arcade (lights) and along the upper portion of NE 120th. See page 22; - Trellises - with landscaping at the upper portion of NE 120th. See page 24; - Landscaping - along the perimeter and highlighted at the steps near the mid-block pass-thru. See page 22.
Building Modulation: Vertical	Vertical building modulation should be used to add variety and to make large buildings appear to be an aggregation of smaller buildings.	At the urban scale, the project's massing is used to create urban-scaled vertical and horizontal modulation. The project is composed of a base - the commercial office volume at the southern end of the site and a portion of the parking garage that emerges from the slope at the northern portion of the site. These create the street wall up to a height that is consistent with the scale of existing developments to the south. Set back from this base are the residential portions of the project: the lower southern tower and the taller northern tower. Between these is the podium bridging between the two. These various volumes break up the overall mass of the project as a series of smaller scaled- buildings. At the architectural scale, significant common balconies emphasize the horizontality of portions of the project (podium bridge) and further set this volume apart from the adjacent towers. The scale of the tower portions are reduced via a number of individual balconies that harken to the murmurations of the building's namesake, the Swift. Paired with these balconies are a colored metal panel that effectively acts as the shadow of the balconies providing further interest. See pages 8 and 9 for modifications aimed at providing a more generous response to the neighboring building. The project follows the precise approach outlined in the guidelines with a pair of taller towers set back from a podium that relates to the scale of the adjacent buildings to the south. Open spaces are provided as noted in response to 'Pedestrian-Oriented Plazas. See also page 36 for the overall approach to open space.
Building Modulation: Horizontal	Design treatments used in the upper portion of a building can promote visual interest and variety in the Totem Lake Business District Core skyline. Treatments that sculpt the facades of a building, provide for variety in materials, texture, pattern or color, or provide a specific architectural rooftop element can contribute to the creation of a varied skyline.	The project utilizes a number of devices to create significant horizontal modulation: - Setbacks above the base to maximize solar at street level; - Significant grouped balconies to provide an intermediate scale between the overall podium mass and the detail scale. These also create significant social connections between the units and the life of the street below; - Overhanging roof forms at the tops of the towers.

BUILDING MATERIAL, COLOR, AND DETAIL

Ornament and Applied Art		<ul style="list-style-type: none"> – Artwork is used to enliven a portion of the wall concealing the above-grade parking at 120th. See page 24. – At the mid-point along 120th, a mid-hill respite is provided across the street from the park. Artwork and lighting enliven the adjacent, covered pass-through and provide a form of urban wayfinding. See page 21 and 40.
Color	<p>A variety of colors should be used in Kirkland. By no means should design be limited by overly-restrictive guidelines dictating color use. Based on Kirkland's existing color scheme, the following general guidelines can prevent garish, incongruous colors from being inappropriately applied or juxtaposed to more subdued earth tones and colors.</p> <ul style="list-style-type: none"> – Where appropriate, use the natural colors of materials such as brick, stone, tile, and stained wood (painted wood is acceptable). – Use only high-quality coatings for concrete. – Emphasize earth tones or subdued colors such as barn red and blue-gray for building walls and large surfaces. – Reserve bright colors for trim or accents. – Consider the color of neighboring buildings when selecting colors for new buildings. 	<p>The project uses colors and materials to further the overall building massing and concept.</p> <p>The base is highlighted by careful use of concrete. The commercial office portion of the project at the south is rendered in a bronze-colored metal panel and relates in size and coloration to the projects to the south. See pages 11-13.</p> <p>The balconies at the towers include an accent color at the underside and as a 'shadow' on the tower and related back to the notion of a murmuration of Swift birds. See pages 11-13.</p> <p>The white coloration of the podium bridge distinguishes the towers and changes the scale with the massing change. White is also used on the grouped balconies to emphasize their horizontality. See page 12.</p>
Street Corners	<p>Corners may be accentuated by towers and corner building entrances. Buildings should be designed to architecturally enhance building corners.</p>	<p>The primary entry to the building is near the NE corner of the site at the intersection of NE 128th Street and 120th Avenue NE. The entry of the building is recessed to celebrate the entry while also providing open space for pedestrian use. A distinctive canopy adds scale and weather protection. See pages 15, 16 and 20.</p> <p>While not a corner of a public right-of-way, the design of the SE corner of the building acknowledges the importance of this intersection. At the pedestrian scale, a significant building entry is recessed for open space and weather protection. At the urban scale, the corner is celebrated with a shift of the primary volume to acknowledge views of the project from the south. See pages 13, 14 and 23.</p>
Signs	<p>All signs should be building-mounted or below 12' in height if ground mounted. Maximum height is measured from the top of the sign to the ground plane.</p> <p>No off-premises commercial signs, except public directional signs, should be permitted. No billboards should be permitted.</p> <p>Signs for individual parking stalls should be discouraged. If necessary, they should not be higher than necessary to be seen above bumpers. Parking lot signs should be limited to one sign per entrance and should not extend more than 12' above the ground.</p> <p>Neon signs, sculptural signs, and signs incorporating artwork are encouraged.</p> <p>Signs that are integrated with a building's architecture are encouraged.</p> <p>Shingle signs and blade signs hung from canopies or from building facades are encouraged.</p> <p>Traditional signs such as barber poles are encouraged.</p>	<p>See pages 20 and 23. The renderings show conceptual locations of signage. Particular care will be paid to the design of signage and how pedestrians interact with it.</p>

NATURAL FEATURES

Visual Quality of Landscapes	<p>The placement and amount of landscaping for new and existing development should be mandated through design standards. Special consideration should be given to the purpose and context of the proposed landscaping. The pedestrian/auto landscape requires strong plantings of a structural nature to act as buffers or screens.</p> <p>The pedestrian landscape should emphasize the subtle characteristics of the plant materials. The building landscape should use landscaping that complements the building's favorable qualities and screens its faults.</p> <p>Along the Cross Kirkland Corridor and Eastside Rail Corridor, landscape design should screen where necessary, but generally soften the edge between the public and private space to integrate and complement corridor functions.</p>	<p>Landscaping through the project is very purposeful. This purposeful quality is necessitated by the complexities of the required ROW improvements and the steepness of the slope.</p> <p>Pedestrian-auto-oriented, pedestrian and building landscape zones are provided throughout the project site as a way to mediate the existing site conditions and provide moments of engagement and respite for pedestrians.</p> <p>The SW corner of the site is designed as a wooded slope with as many existing mature trees retained as possible. This is the location for the pet relief areas.</p>
Protection and Enhancement of Wooded Slopes	<p>Vegetation on slopes should be preserved and maintained as a buffer using native vegetation wherever possible.</p> <p>New multifamily and single-family residential developments on slopes should be required to retain about 30 percent of the site in wooded open space and inventoried significant trees. Tree removal or enhancement can be determined by the use and site design.</p> <p>Property owners of lowlands should be sensitive to upland uses and enhance hillsides to maintain existing views. Deciduous trees should be restricted to small varieties; coniferous evergreens should be thinned-out or limbed-up to allow for views from adjoining properties.</p>	<p>The SW corner of the site is designed as a wooded slope with as many existing mature trees retained as possible. This is the location for the pet relief areas.</p> <p>Significant open space at street level and open space at roof tops is provided for the use of pedestrians and building occupants. This is in total over 30%.</p>
Height Measurement on Hillsides	<p>The top of the building should roughly follow the slope of the existing terrain.</p>	<p>Particular care has been made in developing a massing that is sensitive to the way the allowable height increases with the zoning as the project and city move up the hill. This anticipates future development while mitigating the project's bulk. See page 44.</p>
Views of Water	<p>Existing views should be maintained. This can be accomplished by widening setbacks as development approaches the water. Buildings should step down hillsides. Buildings and rooftop appurtenances should be placed perpendicular to the water in order to safeguard views.</p>	<p>Particular care has been made in developing a massing that is sensitive to the way the allowable height increases with the zoning as the project and city move up the hill. This anticipates future development while mitigating the project's bulk. See page 44.</p>
Culverted Creeks	N/A.	



City of Kirkland
Planning and Building Department
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Development Standards List

File: DRV22-00466

ZONING CODE STANDARDS

85.25.1 Geotechnical Report Recommendations. The geotechnical recommendations contained in the report by AESI dated April 18th 2022 shall be implemented.

85.25.2 Geotechnical Acknowledgement. Written acknowledgment from the licensed in Washington State geotechnical engineer or licensed in Washington State engineering geologist who prepared the report required by KZC 85.15 that they have reviewed the project plans and that they conform to their recommendations.

85.25.3 Geotechnical Professional On-Site. A qualified geotechnical professional shall be present on-site during land surface modification and foundation installation activities.

85.25.8 and 85.40 Dedication. The City may require that the applicant dedicate development rights, air space, or an open space easement to the City to avoid impacts associated with a landslide hazard area or seismic hazard area on the subject property.

85.35 Bonds. The City may require a [bond](#) under Chapter [175](#) KZC and/or a perpetual landscape maintenance agreement to ensure compliance with any aspect of this chapter or any decision or determination made under this chapter.

85.45 Liability. Prior to issuance of any development permit, the applicant shall enter into an agreement with the City, which runs with the property, in a form acceptable to the City Attorney, indemnifying the City for any damage resulting from development activity on the subject property which is related to the physical condition of the property. The applicant shall record this agreement with the King County Recorder's Office and provide evidence to the City that the agreement has been recorded.

85.50 Notice of Geologic Hazard. Prior to final inspection of any development permit, the applicant shall record (unless legally prohibited from doing so), on the title of the property, a notice stating that the property is potentially located in a geologically hazardous area. This notice will inform future owners that, at the time of the permit's issuance, the property was potentially located in a geologically hazardous area.

92.35 Prohibited Materials In Design Districts. If in a design district the following building materials are prohibited or limited in use: mirrored glass or reflective materials, corrugated fiberglass, chain link fencing, metal siding, concrete block, backlit awnings. Water spigots are required along building facades along sidewalks for cleaning and plant watering. Commercial buildings with more than one tenant shall install a cornerstone or plaque.

95.30.4 Tree Protection Zone (TPZ). A description and location of tree protection measures during construction for trees to be retained must be shown on demolition and grading plans, including the TPZ distance specified in feet from the face of each tree trunk.

95.32 Tree Protection. Prior to development activity or initiating tree removal on the site, vegetated areas and individual trees to be preserved shall be protected from potentially damaging activities. Protection measures for trees to be retained shall include (1) placing no construction material or equipment within the protected area of any tree to be retained; (2) providing a visible temporary protective chain link fence at least 6 feet in height around the protected area of

retained trees or groups of trees until the Planning Official authorizes their removal; (3) installing visible signs spaced no further apart than 15 feet along the protective fence stating "Tree Protection Area, Entrance Prohibited" with the City code enforcement phone number; (4) displaying site plans showing approved tree retention/protection in plain view with general contractor or other responsible party's phone number; (5) prohibiting excavation or compaction of earth or other damaging activities within the barriers unless approved by the Planning Official and supervised by a qualified professional; and (6) ensuring that approved landscaping in a protected zone shall be done with light machinery or by hand.

95.51.2.a Required Landscaping. All required landscaping shall be maintained throughout the life of the development. The applicant shall submit an agreement to the city to be recorded with King County which will perpetually maintain required landscaping. Prior to issuance of a certificate of occupancy, the proponent shall provide a final as-built landscape plan and an agreement to maintain and replace all landscaping that is required by the City.

95.50 Tree Installation Standards. Installation of supplemental trees to be planted shall conform to Kirkland Zoning Code Section 95.50.

95.52 Prohibited Vegetation. Plants listed as prohibited in the Kirkland Plant List shall not be planted in the City. These plants include Himalayan and Evergreen Blackberry, English Holly, Fragrant water lily; Bindweed or Morning Glory, Bird Cherry, English and Atlantic Ivy; Herb Robert; Bohemian, Giant, Himalayan, and Japanese Knotweed; Old man's beard, Poison hemlock, Reed canary grass, Scotch broom, Spurge laurel, Yellow archangel, and Yellow flag iris. Other plants, while not prohibited, are discouraged, including Butterfly bush, Black Locust, European Mountain Ash, Tree-of-Heaven, Common Hawthorn, and English laurel.

100.25 Sign Permits. Separate sign permit(s) are required. In JBD and CBD cabinet signs are prohibited.

105.10.2 Pavement Setbacks. The paved surface in an access easement or tract shall be set back at least 5 feet from any adjacent property which does not receive access from that easement or tract. An access easement or tract that has a paved area greater than 10 feet in width must be screened from any adjacent property that does not receive access from it. Screening standards are outlined in this section.

105.18 Entrance Walkways. All uses, except single family dwellings and duplex structures, must provide pedestrian walkways between the principal entrances to all businesses, uses, and/or buildings on the subject property.

105.18 Overhead Weather Protection. All uses, except single family dwellings, multifamily, and industrial uses, must provide overhead weather protection along any portion of the building, which is adjacent to a pedestrian walkway.

105.18.2 Walkway Standards. Pedestrian walkways must be at least 5' wide; must be distinguishable from traffic lanes by pavement texture or elevation; must have adequate lighting for security and safety. Lights must be non-glare and mounted no more than 20' above the ground.

105.18.2 Overhead Weather Protection Standards. Overhead weather protection must be provided along any portion of the building adjacent to a pedestrian walkway or sidewalk; over the primary exterior entrance to all buildings. May be composed of awnings, marquees, canopies or building overhangs; must cover at least 5' of the width of the adjacent walkway; and must be at least 8 feet above the ground immediately below it. In design districts, translucent awnings may not be backlit; see section for the percent of property frontage or building facade.

105.32 Bicycle Parking. All uses, except single family dwelling units and duplex structures with 6 or more vehicle parking spaces must provide covered bicycle parking within 50 feet of an entrance to the building at a ratio of one bicycle space for each twelve motor vehicle parking spaces. Check with Planner to determine the number of bike racks required and location.

105.20 Required Parking. See TRAN22-00194 for the number of parking spaces required for this use.

105.58 Parking Lot Locations in Design Districts. See section for standards unique to each district.

105.65 Compact Parking Stalls. Up to 50% of the number of parking spaces may be designated for compact cars.

105.60.2 Parking Area Driveways. Driveways which are not driving aisles within a parking area shall be a minimum width of 20 feet.

105.60.3 Wheelstops. Parking areas must be constructed so that car wheels are kept at least 2' from pedestrian and landscape areas.

105.77 Parking Area Curbing. All parking areas and driveways, for uses other than detached dwelling units must be surrounded by a 6" high vertical concrete curb.

110.52 Sidewalks and Public Improvements in Design Districts. See section, Plate 34 and public works approved plans manual for sidewalk standards and decorative lighting design applicable to design districts.

110.60.5 Street Trees. All trees planted in the right-of-way must be approved as to species by the City. All trees must be two inches in diameter at the time of planting as measured using the standards of the American Association of Nurserymen with a canopy that starts at least six feet above finished grade and does not obstruct any adjoining sidewalks or driving lanes.

115.25 Work Hours. It is a violation of this Code to engage in any development activity or to operate any heavy equipment before 7:00 am. or after 8:00 pm Monday through Friday, or before 9:00 am or after 6:00 pm Saturday. No development activity or use of heavy equipment may occur on Sundays or on the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving, and Christmas Day. The applicant will be required to comply with these regulations and any violation of this section will result in enforcement action, unless written permission is obtained from the Planning official.

115.45 Garbage and Recycling Placement and Screening. For uses other than detached dwelling units, duplexes, moorage facilities, parks, and construction sites, all garbage receptacles and dumpsters must be setback from property lines, located outside landscape buffers, and screened from view from the street, adjacent properties and pedestrian walkways or parks by a solid sight-obscuring enclosure.

115.47 Service Bay Locations. All uses, except single family dwellings and multifamily structures, must locate service bays away from pedestrian areas. If not feasible must screen from view.

115.75.2 Fill Material. All materials used as fill must be non-dissolving and non-decomposing. Fill material must not contain organic or inorganic material that would be detrimental to the water quality, or existing habitat, or create any other significant adverse impacts to the environment.

115.90 Calculating Lot Coverage. The total area of all structures and pavement and any other impervious surface on the subject property is limited to a maximum percentage of total lot area. See the Use Zone charts for maximum lot coverage percentages allowed. Section 115.90 lists exceptions to total lot coverage calculations See Section 115.90 for a more detailed explanation of these exceptions.

115.95 Noise Standards. The City of Kirkland adopts by reference the Maximum Environmental Noise Levels established pursuant to the Noise Control Act of 1974, RCW 70.107. See Chapter 173-60 WAC. Any noise, which injures, endangers the comfort, repose, health or safety of persons, or in any way renders persons insecure in life, or in the use of property is a violation of this Code.

115.115 Required Setback Yards. This section establishes what structures, improvements and activities may be within required setback yards as established for each use in each zone.

115.115.3.g Rockerries and Retaining Walls. Rockeries and retaining walls are limited to a maximum height of four feet in a required yard unless certain modification criteria in this section are met. The combined height of fences and retaining walls within five feet of each other in a required yard is limited to a maximum height of 6 feet, unless certain modification criteria in this

section are met.

115.115.d Driveway Setbacks. Parking areas and driveways for uses other than detached dwelling units, attached and stacked dwelling units in residential zones, or schools and day-cares with more than 12 students, may be located within required setback yards, but, except for the portion of any driveway which connects with an adjacent street, not closer than 5 feet to any property line.

115.120 Rooftop Appurtenance Screening. New or replacement appurtenances on existing buildings shall be surrounded by a solid screening enclosure equal in height to the appurtenance. New construction shall screen rooftop appurtenances by incorporating them in to the roof form.

115.122 Rooftop Amenities and Rooftop Common Rooms. This section establishes the operational standards for rooftop amenities and common rooms and the allowed size and height.

115.135 Sight Distance at Intersection. Areas around all intersections, including the entrance of driveways onto streets, must be kept clear of sight obstruction as described in this section.

145.22.2 Public Notice Signs. Within seven (7) calendar days after the end of the 21-day period following the City's final decision on the permit, the applicant shall remove all public notice signs.

27.06.030 Park Impact Fees. New residential units are required to pay park impact fees prior to issuance of a building permit. Please see KMC 27.06 for the current rate. Exemptions and/or credits may apply pursuant to KMC 27.06.050 and KMC 27.06.060. If a property contains an existing unit to be removed, a "credit" for that unit shall apply to the first building permit of the subdivision.

Prior to occupancy:

85.25.3 Geotechnical Professional On-Site. The geotechnical engineer shall submit a final report certifying substantial compliance with the geotechnical recommendations and geotechnical related permit requirements.

85.50 Notice of Geologic Hazard. Prior to final inspection of any development permit, the applicant shall record (unless legally prohibited from doing so), on the title of the property, a notice stating that the property is potentially located in a geologically hazardous area. This notice will inform future owners that, at the time of the permit's issuance, the property was potentially located in a geologically hazardous area.

95.51.2.a Required Landscaping. All required landscaping shall be maintained throughout the life of the development. The applicant shall submit an agreement to the city to be recorded with King County which will perpetually maintain required landscaping. Prior to issuance of a certificate of occupancy, the proponent shall provide a final as-built landscape plan and an agreement to maintain and replace all landscaping that is required by the City

95.51.3 Maintenance of Preserved Grove. The applicant shall provide a legal instrument acceptable to the City ensuring the preservation in perpetuity of approved groves of trees to be retained.

110.60.5 Landscape Maintenance Agreement. The owner of the subject property shall sign a landscape maintenance agreement, in a form acceptable to the City Attorney, to run with the subject property to maintain landscaping within the landscape strip and landscape island portions of the right-of-way. It is a violation to pave or cover the landscape strip with impervious material or to park motor vehicles on this strip.

110.60.6 Mailboxes. Mailboxes shall be installed in the development in a location approved by the Postal Service and the Planning Official. The applicant shall, to the maximum extent possible, group mailboxes for units or uses in the development.

110.75 Bonds. The City may require or permit a bond to ensure compliance with any of the requirements of the Required Public Improvements chapter.



CITY OF KIRKLAND URBAN FORESTRY CHECKLIST

Planning and Community Development Department
123 Fifth Avenue, Kirkland, WA 98033 - (425) 587-3225
www.kirklandwa.gov

Permit Number: DRV22-00466

Address: 12707 120th Ave NE

Site Visit Date: May 24, 2022

Comments

1. Tree Protection Area at the western edge of the site will be impacted by proposed pathway, stairs, and amenities. Tree protection during development shall meet standards of KZC 95.32. Work with project arborist to prepare project-specific specifications for constructing proposed improvements throughout this area. Schedule a site meeting with the City Arborist, Planning Official, and Project Arborist to assess impacts and protection measures. On-site arborist monitoring and non-invasive excavation methods (air) will likely be required throughout the duration of work within this area.
2. Proposed hardscapes/improvements in Tree Protection Area shall be assessed to minimize impacts to trees. This may include:
 - a. Adjusting locations based on field truthing of tree locations and impacts
 - b. Utilizing pervious materials and/or options that require less excavation and compaction to install
 - c. Installing root barriers to prevent future root and infrastructure conflicts

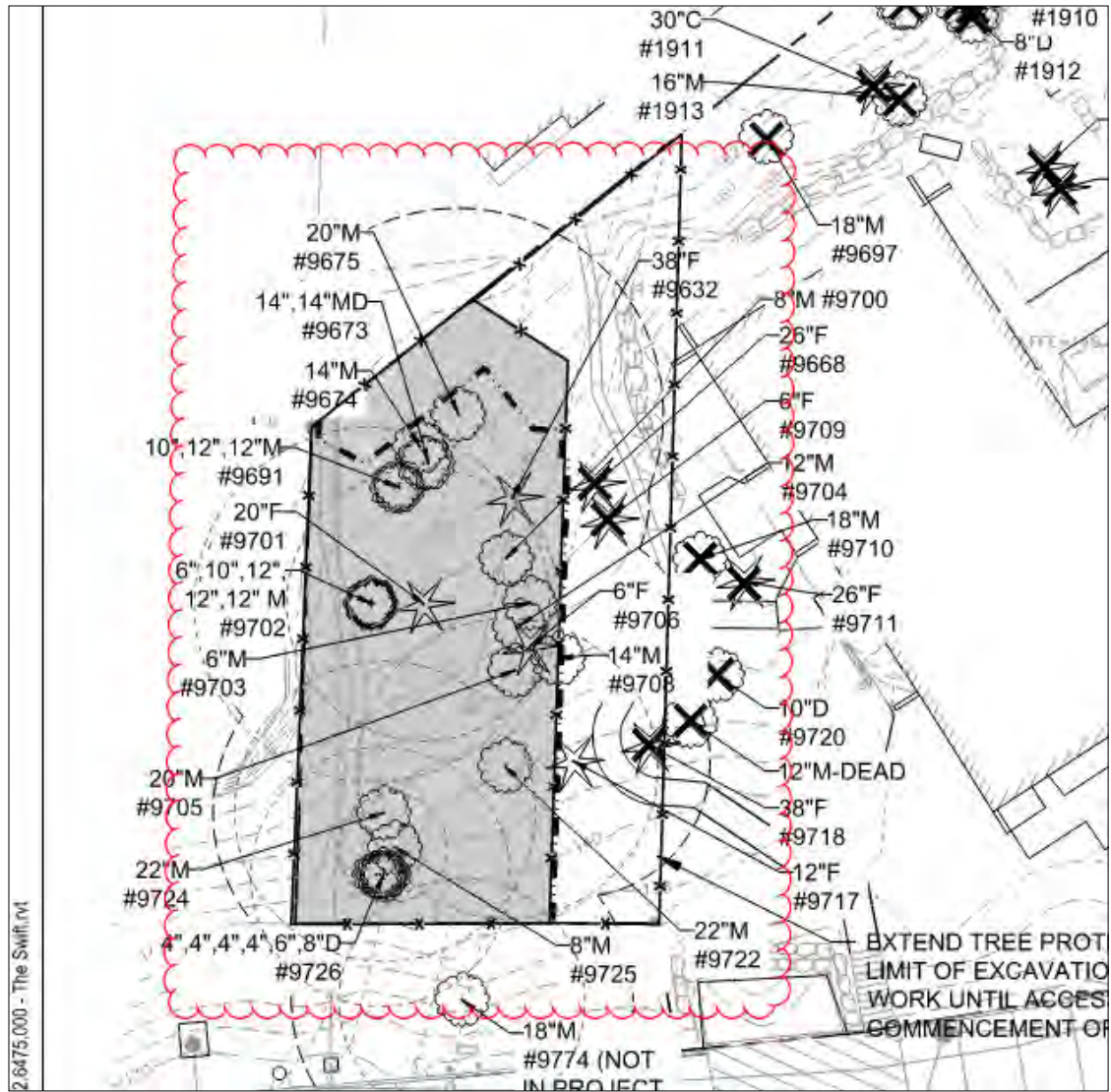


Figure 1. Subject area requiring tree protection



DEVELOPMENT STANDARDS

DRV22-00466

FIRE DEPARTMENT

FIRE DEPARTMENT COMMENTS

Contact: Captain Chappell at 425-587-3655; or jchappell@kirklandwa.gov

ACCESS

The building fronts on two rights of way. The fire department access is NOT confirmed as met. Discussions have been ongoing. Latest concern is grade of FD access /parking access road on west side.

FIRE FLOW

Fire flow requirement is based on total square footage of the building and type of construction. With allowed IFC reduction, required fire flow for this building appears to be 2000 gpm.

This area is serviced by NUD and I do not have access to their fire flow data. Available fire flow will need to be confirmed with NUD.

HYDRANTS

Fire hydrants will need to be placed so that there is a hydrant within 150 feet of every part of the building accessible by fire department vehicles. Final layout is not confirmed so it is not known if hydrants are adequate. This area is serviced by NUD so access to all of the existing hydrants is not complete. Currently, it appears as there is no hydrant located on NE 128th St close enough to provide adequate fire hydrant spacing. This will need to be confirmed with NUD.

HIGH-RISE BUILDING

Several requirements are specific to high-rise buildings. Two particular requirements include Fire Command Center (FCC) and secondary water supply due to seismic region.

FIRE SPRINKLERS

A sprinkler system is required to be installed throughout the building. Submit plans, specifications and calculations electronically for approval at www.MyBuildingPermit.com. All plans shall be designed and stamped by a person holding a State of Washington Certificate of Competency Level III certification. The system shall be installed by a state licensed sprinkler contractor. REF RCW 18.60 State of Washington.

A dedicated sprinkler riser room is required, and it shall be placed on an exterior wall. The underground line shall run from the outside directly up into the riser room (meaning, it shall not run under the slab for any distance). If the riser room has direct access from the outside, a PIV is not required. The sprinkler riser room may be used for other mechanical equipment, but not for the main electrical room nor shall it be used for storage; it may be used to house the fire alarm panel.

NOTE: TWO PERMITS are required from the Fire Department for installation of the fire sprinkler system, one for the underground and one for the sprinkler system itself. No work shall be performed on the sprinkler system without a Fire Department permit.

The civil drawings may be used as reference but do not constitute permission to install the fire sprinkler underground. The underground permit is NOT over-the-counter, so should be applied for well in advance of the anticipated date of start of construction.

STANDPIPES

Standpipe systems shall be installed throughout buildings where the floor level of the highest story is located more than 30 feet above the lowest level of the fire department vehicle access, or where the floor level of the lowest story is located more than 30 feet below the highest level of fire department vehicle access.

A standpipe is required. Submit plans, specifications and calculations electronically for approval at www.MyBuildingPermit.com. The plans shall include isometric elevation drawing of the entire standpipe system including

location of any isolation valves. It may be incorporated into the fire sprinkler system.

Note: Per the IFC 3313, standpipes shall be operational when the progress of construction is not more than 40 feet in height above the lowest level of fire department access. The standpipe shall be extended as construction progresses to within one floor of the highest point of construction having secured decking or flooring.

FIRE ALARM

A fire alarm system is required to be installed throughout the building. A separate permit is required from the Fire Department prior to installation. Submit plans and specifications for approval electronically at MyBuildingPermit.com. The system shall comply with Washington State Barrier Free requirements regarding installation of visual devices and pull stations. The low-frequency requirement is also required for this project. The specific requirements for the system can be found in Kirkland Operating Policy 10.

FIRE EXTINGUISHERS

Portable fire extinguishers are required per Section 906 of the IFC. Minimum rating is 2A10BC. Extinguishers shall be mounted or in cabinets so that the top of the extinguisher is no more than 5 feet above the finished floor. Travel distance to a fire extinguisher shall not exceed 75 feet as measured along the route of travel.

COMMERCIAL COOKING

If any of the tenants are restaurants, a commercial cooking hood and duct extinguishing system is required to be installed. The permit may be applied for electronically at MyBuildingPermit.com. The system shall be listed for application or specifically designed for such application. In addition, a K-class (Kitchen) fire extinguisher with a UL rating of 1-A:K is required to be installed within 30 feet of cooking equipment. The hood and duct suppression system is required to be tied into the building fire alarm system.

KEY BOX

A Key box is required (Knox Box 4400, recessed, and tampered). It shall be installed in an approved accessible location at approximately six feet above grade. In most cases it will be located at the front entrance to the building. The box may be purchased on-line at www.knoxbox.com; or by filling out an order form which is available from the Fire Department office. Contact the Fire Prevention Bureau at 425-587-3661 for more information.

EMERGENCY RADIO COVERAGE (Effective 7-1-16)

This is a required fire protection system for this project. The permit may be applied for electronically at MyBuildingPermit.com. More information can be found in Section 510 of the Kirkland Municipal Code.

GATES INSTALLED ON ACCESS ROADS

In most cases, primary access roads may not be obstructed by gates. However, the installation of security gates may be approved when, in the opinion of the Fire Marshal, firefighting or medical and/or rescue operations would not be impaired.

1. General Requirements:

a. A building permit is required from Kirkland Building Department prior to installing automated gates. The permit will be routed to Fire for approval and conditions. A final inspection by a Fire Department representative is required.

b. The use of directional-limiting devices (tire spikes) is prohibited.

c. Gates shall have an approved means of emergency operation. Examples include the following:

1) The gate fails to the "open" position when the power is off. It shall remain open until power is restored.

2) Battery or generator power backup providing normal use of the gate.

3) Approved manual operation of the gate.

2. Acceptable means of gate access:

a. Automatic switch controllers such as Click2Enter or another approved access system. Gates equipped with Click2Enter shall be identified by an approved sign

b. When there are only one or two homes behind a security gate, a Knox switch or keypad may be used.

c. A Knox padlock may be approved on a case by case basis, such as when the gate is for secondary access or service vehicle/fire department access only.

d. Where a fence is provided on each side of a gate for a commercial property, a man door shall be provided at an approved location with a Knox key for access to the man door.

e. The unobstructed width of gates shall be as follows:

1) For commercial or multifamily applications, the gate shall open a full 20 feet.

Exception: For split gates on commercial or multifamily projects where there is a post in between the exit and entrance to a facility, the minimum unobstructed width of each lane shall be 12 feet.

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- 2) For short plats or subdivisions, the gate shall open the width as dictated by the required width of the access road (i.e. 16 or 20 feet, see D.1.b)
- 3) For gates accessing one single family home via a driveway, the gate width shall be a full 10 feet.

SMOKE CONTROL

Smoke control is required for this project. Operating Policies OP9a and OP9b can be found on our website for complete information. Be advised that the building and trade permits have application and issuance requirements tied to smoke control approval.

FIRE SAFETY DURING CONSTRUCTION

In addition to the general fire safety requirements in IFC 3308, the Kirkland Fire Department has several requirements for high rise and/or wood-frame buildings more than 50,000 square feet in area.

3308.8.1 Job Site Security. After above grade combustible construction has begun, the job site shall be secured with controlled access. In addition, off hours guard service and/or motion-controlled surveillance may be required at the discretion of the fire code official.

3308.8.2 Job shacks and other temporary structures. Job shacks and other temporary structures located within or less than 20' from the permanent building shall be:

- Constructed of non-combustible materials or 1 hour fire-resistive construction.
- Shall not be equipped with fuel fired heaters
- Shall be equipped with monitored fire alarm system when located below grade
- Shall not function as offices unless protected with automatic sprinkler systems

COURTYARD

Courtyards provide unique Fire Department response challenges. Access to courtyard is required via straight/direct access corridor and/or stairway from exterior to courtyard at a location acceptable to the Fire Code official. If a stairway is used it shall comply with International Fire Code Section 1011 and a corridor shall comply with International Fire Code Section 1020. The access shall have a minimum width of 4 feet (or as directed by the fire code official) and be large enough to carry a 35-foot-long sectional ladder (minimum folded length 20 feet) directly from the exterior to the courtyard without obstructions. The access door shall be marked at the street as "Direct access to courtyard."

PUBLIC WORKS DEPARTMENT

PUBLIC WORKS CONDITIONS

Permit #: DRV22-00466

Project Name: Swyft

Project Address: 12707 120th Avenue NE

Date: July 7, 2022

Public Works Staff Contacts

Ryan Schauble, Senior Development Engineer

Phone: 425-587-3842 / E-mail: rschauble@kirklandwa.gov

General Conditions:

1. All public improvements associated with this project including street and utility improvements, must meet the City of Kirkland Public Works Pre-Approved Plans and Policies Manual. A Public Works Pre-Approved Plans and Policies manual can be purchased from the Public Works Department, or it may be retrieved from the Public Works Department's page at the City of Kirkland's web site.
2. This project will be subject to Public Works Permit and Connection Fees. It is the applicant's responsibility to contact the Public Works Department by phone or in person to determine the fees. The applicant should anticipate the following fees:
 - o Surface Water Connection Fees *
 - o Water and Sewer fees per NUD
 - o Right-of-way Fee
 - o Review and Inspection Fee
 - o Building Permits associated with this proposed project will be subject to the traffic, park, and school impact fees per Chapter 27 of the Kirkland Municipal Code. The impact fees shall be paid prior to issuance of the Building Permit(s). Any existing buildings within this project which are demolished will receive a Traffic Impact Fee credit, Park Impact Fee Credit

and School Impact Fee Credit. This credit will be applied to the first Building Permits that are applied for within the project. The credit amount for each demolished building will be equal to the most currently adopted Fee schedule.

* Fee to be paid with the issuance of a Building Permit.

3. All street and utility improvements shall be permitted by obtaining a Land Surface Modification (LSM) Permit, including the required LSM Checklist.

4. Performance and Maintenance Securities:

- Prior to issuance of the LSM Permit a standard right of way restoration security ranging from \$10,000.00 to \$75,000.00 (value determined based on amount of ROW disruption) shall be posted with Public Works Department. This security will be held until the project has been completed.

- Prior to Final Inspection of the Land Surface Modification improvements, there will be a condition of the permit to establish a two-year Maintenance security.

5. Prior to submittal of a Building or Zoning Permit, the applicant must apply for a Concurrency Test Notice. Contact Thang Nguyen, Transportation Engineer, at 425-587-3869 for more information. A separate Concurrency Permit will be created.

6. After concurrency has passed, the project will receive a concurrency test notice that allows the applicant to proceed with all development permits. A "Certificate of Concurrency" is established with a development or building permit. It will read as follows: CERTIFICATE OF CONCURRENCY: This project has been reviewed and approved for water, sewer, and traffic concurrency. Any water and sewer mitigating conditions are listed within the conditions below. Any traffic mitigating conditions will be found in an attached memorandum from the Public Works Traffic Engineering Analyst to the Planning Department Project Planner. Upon issuance of this permit, this project shall have a valid Certificate of Concurrency and concurrency vesting until the permit expires. This condition shall constitute issuance of a Certificate of Concurrency pursuant to chapter 25.12 of the Kirkland Municipal Code.

7. All civil engineering plans which are submitted in conjunction with a building, grading, or right-of-way permit must conform to the Public Works Policy G-7, Engineering Plan Requirements. This policy is contained in the Public Works Pre-Approved Plans and Policies manual.

8. All street improvements and underground utility improvements (storm, sewer, and water) must be designed by a Washington State Licensed Engineer; all drawings shall bear the engineers stamp.

9. All plans submitted in conjunction with a building, grading or right-of-way permit must have elevations which are based on the King County datum only (NAVD 88).

10. A completeness check meeting is required prior to submittal of any Building Permit applications.

11. Prior to issuance of any commercial or multifamily Building Permit, the applicant shall provide a plan for garbage, recycling and composting storage and pickup. The plan shall conform to Policy G-9 in the Public Works Pre-approved Plans and be approved by Waste Management and the City. Important feature is to provide enough storage area for recycling and composting; and being able to pick up containers without storing in the ROW overnight. Submit the plan with a cover letter to explain how Policy G-9 requirements will be met. Please contact John MacGillivray, 425.587.3804, if you have questions.

12. The required tree plan shall include any significant tree in the public right-of-way along the property frontage.

Water and Sanitary Sewer Conditions:

1. Northshore Utility District (NUD) approval required for sanitary sewer and water service. A letter of sewer/water availability is required. Contact NUD at 425-398-4400.

2. See Fire Department conditions for fire flow requirements.

Surface Water Conditions:

1. Provide temporary and permanent storm water control in accordance with the 2016 King County Surface Water Design

Manual (KCSWDM) and the City of Kirkland Addendum (Policy D-10).

2. To determine the drainage review level required, the target impervious surface area is the maximum allowable lot coverage area for the project, plus any offsite improved impervious areas. See Policies D-2 and D-3 in the Public Works Pre-Approved Plans for drainage review information, or contact Kirkland Surface Water staff at (425) 587-3800 for assistance. The Kirkland Drainage Review Flow Chart is a helpful tool to determine a project's drainage review level. Drainage review levels are summarized below:

- Full Drainage Review
 - o Any non-single-family residential project that creates more than 2,000 sf of new and/or replaced impervious surface, or greater than 7,000 sf of land disturbing activity will trigger a Full Drainage Review.
 - o Single family residential projects that propose improvements greater than the Simplified thresholds explained above will be subject to a Full Drainage Review.

3. Attention to Civil Plan Designers: Kirkland Zoning Code Update and Surface Water Design Policy Update -- Public Works Policy D-10 (City's Addendum to the 2016 KC-SWDM) was updated in July 2019. Follow the new guidelines in D-10 regarding flow control analysis. Effective on July 12, 2019, the City updated KZC Chapter 115.90 – Calculating Lot Coverage.

Background: The regulation update allowed conventional (sand set) pavers to be counted as a "Partially Exempt Material", allowed to received 50 percent exemption for the area they cover, and up to 10 percent of the total lot size. Conventional pavers do not have to meet surface water mitigation specifications (e.g. not designed as LID BMP pervious pavers per Public Works Pre-Approved Plan CK-L-09). As a result, lots are allowed 10 percent more runoff generating surface area, and thus have to provide flow control accordingly.

For calculating impervious coverage for proposed residential and commercial development must be estimated for each specific proposal. Impervious coverage for frontage layouts – streets, sidewalks, trails, etc – shall be taken from the layouts of the proposal. House/driveway or building coverage shall be as follows:

- For commercial or multi-family development, the impervious coverage shall either:
 - o Assume the maximum impervious coverage permitted by the KZC plus an additional 10% OR
 - o Estimate impervious coverage from layouts of the proposal. If estimated from the layouts of the proposal, the impervious coverage shall include calculations of all impervious surfaces, including eaves. This option may require a Reduced Impervious Surface Limit to be recorded on the property.

4. This project is in a Level 2 Flow Control Area and is required to comply with core drainage requirements in the KCSWDM. Historic (forested) conditions shall be used as the pre-developed modeling condition for design of the stormwater detention system.

5. The 15-minute time step must be used to perform the flow control analysis. Do not use the 1-hour time step. Approved hydrologic modeling programs are MGS Flood and WWHM 2012.

6. Evaluate the feasibility and applicability of dispersion, infiltration, and other stormwater Low Impact Development (LID) Best Management Practices (BMPs) per the KCSWDM. If feasible, stormwater LID BMPs are required to the maximum extent feasible. If LID BMPs are infeasible, pervious pavement cannot be used to reduce overall impervious lot coverage. The Private Maintenance Agreement will be recorded on all projects that construct a stormwater LID BMP or facility, per Policy D-7.

7. Soil information may be necessary for designing LID BMPs per the KCSWDM, and there are other reasons a soil report is necessary for a project (e.g., steep slopes, sensitive areas, etc.). Refer to Policy D-8 for details.

8. Special inspections may be required for LID BMPs on this project. Provide documentation of inspections by a licensed geotechnical professional that the BMP will function as designed.

9. If the project will create or replace more than 5,000 square feet of pollution generating impervious surface (PGIS), provide water quality treatment in accordance with the KCSWDM. The enhanced treatment level is required for multi-family residential, commercial, industrial projects, and single family residential projects with eight or more dwelling units per acre density.

10. Soil Amendment per Pre-Approved Plan E.12 is required for all landscaped areas.

11. All roof and driveway drainage must be tight-lined to the storm drain system or utilize low impact development

techniques on-site.

12. The building is proposed over an existing storm easement and storm pipe. Re-route and provide new private storm easement to benefited property (ies).

13. A storm sewer "Joint Maintenance Agreement" must be recorded with the property for the jointly used storm sewer lines.

14. Construction Stormwater Pollution Prevention Plan (CSWPPP):

- All proposed projects that will conduct construction activities onsite, or offsite must provide stormwater pollution prevention and spill controls to prevent, reduce, or eliminate the discharge of pollutants (including sediment) to onsite or adjacent stormwater systems or watercourses.
- Refer to Core Requirement No. 5 in the KCSWDM and Policy D-12.
- Provide an erosion control report and plan with the Building or Land Surface Modification Permit application. The plan shall be in accordance with the KCSWDM.
- Construction drainage control shall be maintained by the developer and will be subject to periodic inspections. During the period from May 1 and September 30, all denuded soils must be covered within 7 days; between October 1 and April 30, all denuded soils must be covered within 12 hours. Additional erosion control measures may be required based on site and weather conditions. Exposed soils shall be stabilized at the end of the workday prior to a weekend, holiday, or predicted rain event.

15. If the project site is one acre or greater, the following conditions apply:

- The applicant is responsible to apply for a Construction Stormwater General Permit from Washington State Department of Ecology. Provide the City with a copy of the Notice of Intent for the permit. Permit Information can be found at the following website: <http://www.ecy.wa.gov/programs/wq/stormwater/construction/>
 - o Among other requirements, this permit requires the applicant to prepare a Storm Water Pollution Prevention Plan (SWPPP) and identify a Certified Erosion and Sediment Control Lead (CESCL) prior to the start of construction. The CESCL shall attend the City of Kirkland PW Dept. pre-construction meeting with a completed SWPPP.
- Turbidity monitoring by the developer/contractor is required for any surface water leaving the site.
- A Stormwater Pollution Prevention and Spill (SWPPS) Plan must be kept on site during all phases of construction and shall address construction-related pollution generating activities. Follow the guidelines in the Ecology Pollution Prevention Manual for plan preparation.

Street and Pedestrian Improvement Conditions:

1. The subject property abuts 120th Avenue NE, a collector type street, and NE 128th Street, a minor arterial. Zoning Code sections 110.10 and 110.25 require the applicant to make half-street improvements in rights-of-way abutting the subject property. Section 110.30-110.50 establishes that this street must be improved with the following:

120th Avenue NE (see section below, note that the 4' amenity zone will be part of the 10' sidewalk)

- A. Dedicate sufficient right-of-way (ROW) abutting the property to install half-street improvements if needed; The Public Works Department will accept placing these required improvements within a ROW and utilities easement in lieu of ROW dedication. (See Chapter 110.52.1 of the KZC).
- B. Ensure the existing turn lane is 12' wide and provide an 11' travel lane.
- C. Install new Type A curb and gutter along the project frontage to accommodate the required travel lanes.
- D. Install a 4.5-ft landscape strip behind the curb, with street trees 30 feet on-center.
- E. Install a 5' raised bike lane behind the planter strip. Bike lane to be a distinguishable color from the sidewalk.
- F. Install new 10 ft wide sidewalk behind the raised bike lane. Provide a 1' wide tactile paver to provide a buffer between the sidewalk and raised bike lane. A portion of this sidewalk may be included within a public pedestrian easement as long as a minimum of 5' of the sidewalk is in a dedicated right-of-way.
- G. Provide pedestrian lights spaced 60' on-center.
- H. Ensure that the building doors do not swing into the sidewalk. Any garage gates must be 25 feet from the back of the sidewalk.

NE 128th Street

The City of Kirkland is actively engaged with King County Metro regarding this frontage. More information will be provided when available.

- A. Install new Type A curb; In general, maintain the existing curb alignment matching the west.
- B. Install a 10' wide sidewalk with street tree 30' on center in 4x6 tree wells. A portion of this sidewalk may be included within a public pedestrian easement as long as a minimum of 5' of the facility is in a dedicated right-of-way.
- C. Provide pedestrian lights spaced 60' o.c.

2. Access Requirements (KZC Chapter 105.10):

- A. Access from 120th Avenue NE is allowed if it meets the requirements KZC 55.07.7.
- B. Access from 128th, if allowed, would be a right-in, right-out only access. Approval of this access is contingent on discussions between the City and KC Metro. Per Policy R-4, the recommended driveway separation is 150', the minimum required is 100'. This does not appear to be achieved with the current site plan.

C. Provide a 15 ft public pedestrian easement along the west property line and install a 5 ft wide concrete path; concrete stairs and safety railings may be required. Connect to the existing sidewalk to the north.

D. Provide vehicle turnarounds where needed to allow vehicles to drive forward into the right-of-way

E. For Multi-family projects, the garage access shall be at least 24' wide.

3. Meet the requirements of the Kirkland Driveway Policy R-4. Spacing Table from R-4.

4. Meet the requirements of the Kirkland Intersection Sight Distance Policy R.13. All street and driveway intersections shall not have any visual obstructions within the sight distance triangle.

5. When three or more utility trench crossings occur within 150 lineal ft. of street length or where utility trenches parallel the street centerline, the street shall be overlaid with new asphalt or the existing asphalt shall be removed and replaced per the City of Kirkland Street Asphalt Overlay Policy R-7.

- Existing streets with 4-inches or more of existing asphalt shall receive a 2-inch (minimum thickness) asphalt overlay. Grinding of the existing asphalt to blend in the overlay will be required along all match lines.
- Existing streets with 3-inches or less of existing asphalt shall have the existing asphalt removed and replaced with an asphalt thickness equal or greater than the existing asphalt provided however that no asphalt shall be less than 2-inches thick and the subgrade shall be compacted to 95% density.

6. Prior to the final of the building or grading permit, pay for the installation of stop and street signs at the new intersections.

7. It shall be the responsibility of the applicant to relocate any above-ground or below-ground utilities which conflict with the project, associated street, or utility improvements.

8. Underground all new and existing on-site utility lines and overhead transmission lines. Underground any new off-site transmission lines.

9. New LED street lights may be required per Puget Sound Energy (PSE) design and Public Works approval. Contact PSE to perform lighting analysis. If new lighting or upgrades are necessary, design plans must be submitted for review prior to issuance of an LSM or building permit. Contact:

Kayla Neckorcuk – Territory Engineer for King County, Intolight, PUGET SOUND ENERGY
Tel 425-577-2392 | Fax 425-462-3149
Email Kayla.Neckorcuk@pse.com | Website: www.intolight.com

10. A striping plan for the street must be submitted with the building or grading permit.

Transportation Comments (Thang Nguyen, tnguyen@kirklandwa.gov, 425-587-3869)

1) No access off 120th Avenue NE. The proposed driveway off 120th Avenue NE would create left-turn conflict with the driveway to the south when the east part of the Village at Totem Lake is occupied and there will be considerable amount of traffic traveling southbound and making a left into the "upper mall".

2) Under the zoning requirement for this property, access shall be taken off an easement that connects to the back parking

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lot of the Village at Totem Lake development. This easement was negotiated many years ago between the two properties and the City. One driveway allowed. If fire requires an emergency fire access, then it needs to be as narrow as possible (20') and it must have bollards to restrict general traffic access.

3) A study will be required to see if a signal is warranted. If so, then a new signal must be installed. There might be a sharing agreement between the two properties. The foundation for a new signal has already been constructed by the Village at Totem Lake.

4) How will a fire-truck turn around with the proposal?

5) South access as proposed is okay if a signal is not required. Otherwise, the driveway will need to be 150 feet from the signalized intersection measured from the stop bar or crosswalk, whichever is closer.

6) 6 parking stalls along the south property line between 120th Avenue NE and the project driveway shall be eliminated.

7) All driveways shall be a minimum of 24 feet wide.

8) A loading zone for delivery trucks and move-in trucks shall be provided on site along the south side of the building. 9) The garage gates shall provide a 24-foot unobstructed access.

Chapter 55 - TOTEM LAKE (TL) ZONES

55.05 User Guide - TL 1A zone.

The charts in KZC 55.09 contain the basic zoning regulations that apply in the TL 1A zone of the city. Use these charts by reading down the left hand column entitled Use. Once you locate the use in which you are interested, read across to find the regulations that apply to that use.

Section 55.07

Zone
TL 1A



Section 55.07 – GENERAL REGULATIONS

1. Refer to Chapter 1 KZC to determine what other provision of this code may apply to the subject property.
2. All ground floor uses shall be a minimum of 13 feet in height. Where necessary for the ground floor of the building to be at the elevation of an abutting street, the building may exceed the permitted maximum height of structure by up to five feet. This regulation does not apply to parking garages or property with no frontage on NE 128th Street.
3. In addition to the height exceptions established by KZC 115.60, the following exceptions to height regulations in TL zones are established:
 - a. Decorative parapets may exceed the height limit by a maximum of four feet; provided, that the average height of the parapet around the perimeter of the structure shall not exceed two feet.
 - 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.
4. The minimum required front yard is 10 feet, unless otherwise prescribed in the use zone chart. Ground floor canopies and similar entry features may encroach into the front yard, provided the total horizontal dimension of such elements may not exceed 25 percent of the length of the structure. No parking, other than underground parking, may encroach into the required 10-foot front yard.
5. The ability to accommodate new development in the TL 1A zone is dependent upon the construction of two new streets: 119th Avenue NE, between NE 128th Street and NE 130th Place, and NE 130th Place, between 120th Avenue NE and Totem Lake Boulevard NE, as shown on Plate 34A. Consistent with and to the extent authorized by applicable statutes and court decisions, new development on properties across which these streets in whole or in part extend shall contribute to the creation of the streets as follows:
 - a. With all new development, the portions of these streets crossing the subject property shall be dedicated as public right-of-way consistent with Plate 34A; and
 - b. With all new development exceeding 30 feet in height, the streets shall be improved consistent with Plate 34A.

Minor deviations in the location and width of the streets may be approved by the Public Works Director if the deviations will not negatively affect the functioning of the streets.
6. Properties located between TL 2 and NE 128th Street may be required to provide a pedestrian connection between TL 2 and NE 128th Street.

7. On the parcel located at the southeast corner of this zone (Tax Parcel No. 6928400025), building height may not exceed 30 feet above average building elevation unless:
- a. Vehicular access is consolidated with a driveway on property to the south, west or north of the subject parcel; or
 - b. Alternative access to the subject parcel is provided at a location approved by the Public Works Department; or
 - c. Vehicular trip generation onto 120th Ave. NE does not exceed 2015 levels.

[link to Section 55.09 table](#)



Section 55.09	USE  REGULATIONS 	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	Lot Size	MINIMUMS			Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
				Front	Side	Rear						
.010	Office Use	D.R., Chapter 142 KZC	None	10'	0'	0'	85% See Spec. Reg. 3.	30' to 160' above average building elevation. See Gen. Reg. 2 and Spec. Reg. 2.	B	D	See Chapter 105 KZC.	1. The minimum floor area ratio (F.A.R.) for development on the subject property is 1.0, or 100 percent of lot size. 2. Building height may be increased as follows: a. Buildings greater than 30 feet above average building elevation shall provide: 1) Dedication and improvement of new streets pursuant to General Regulation 5; or 2) Where General Regulation 5 does not apply, development shall provide publicly accessible space(s) at the primary pedestrian frontage that extends the public realm while creating a transition between public and private spaces. These public spaces shall have no dimension less than 15 feet. Developments with less than 25,000 square feet of gross floor area shall provide publicly accessible space(s) ranging from 500 to 1,000 square feet. Larger developments shall provide publicly accessible space(s) ranging from 1,500 to 2,000 square feet in size. Through design review, the City will review the location, size and dimensions, features and improvements (such as multi-use paths, plazas, seating, public art and water features) proposed for the publicly accessible space(s) as part of the Design Review approval. The City may also require or permit modification to the required publicly accessible space as part of the Design Review approval. b. Building height may be increased up to 160 feet above average building elevation; provided, that: 1) Development on the subject property complies with 2(a) above. 2) Design of buildings meets guidelines for towers set forth in Design Guidelines (Chapter 142 KZC, and Chapter 3.30 KMC). 3) Floor plates may not exceed 10,000 square feet per floor, for the portion of the building above 80 feet in height, except on those parcels where road dedication is required pursuant to General Regulation 5. On these parcels, floor plates may not exceed 20,000 square feet on floors between 80 feet and 120 feet in height. Beyond 120 feet in height, floor plates may not exceed 10,000 square feet per floor. 4) Portions of structures exceeding 80 feet in height must be separated by at least 60 feet, both on the subject property and from taller building elements on adjacent properties.
REGULATIONS FOR THIS USE CONTINUED ON THE NEXT PAGE												

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Section 55.09	USE ↓ REGULATIONS ↓	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.010	Office Use (continued)										REGULATIONS CONTINUED FROM PREVIOUS PAGE 3. Increases in lot coverage may be considered if: a. Land dedication on the subject property provided pursuant to General Regulation 5 limits area available for development on the property; and/or b. Other techniques used to provide open space result in superior landscaping, such as the use of gardens on lower portions of structures or on rooftops, the provision of visual and pedestrian access to public garden areas, or other approaches that provide for useable green space. 4. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The assembled or manufactured goods are subordinate to and are dependent upon this use. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing must be no different from other office uses. 5. The following regulations apply to veterinary offices only: a. May only treat small animals on the subject property. b. Outside runs and other outside facilities for the animals are not permitted. c. Site must be designed so noise from this use is not audible off the subject property. A certification to this effect, signed by an acoustical engineer, must be submitted with the development permit application. d. A veterinary office is not permitted if the subject property contains dwelling units.	
.020	Restaurant or Tavern	D.R., Chapter 142 KZC	Same as primary use. See Spec. Reg. 1.						1 per each 100 sq. ft. of gross floor area.	1. This use is only permitted as an accessory use to another permitted use within this zone. It may not be located in a separate structure from the primary use.		

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		Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.030	Any Retail Establishment, other than those specifically listed in this zone, selling goods and providing services including banking and other financial services	D.R., Chapter 142 KZC	Same as primary use. See Spec. Reg. 1.						1 per each 300 sq. ft. of gross floor area.	<ol style="list-style-type: none">1. This use is only permitted as an accessory use to another permitted use within this zone. It may not be located in a separate structure from the primary use.2. The location of drive-through facilities may not compromise pedestrian movement.3. The following uses and activities are prohibited:<ol style="list-style-type: none">a. The sale, service, and/or rental of motor vehicles, sailboats, motor boats, and recreational trailers; provided, that motorcycle sales, service, or rental is permitted if conducted indoors;b. Retail establishments providing storage services unless accessory to another permitted use;c. Storage and operation of heavy equipment except normal delivery vehicles associated with retail uses;d. Outdoor storage of bulk commodities, except in the following circumstances:<ol style="list-style-type: none">1) If the square footage of the storage area is less than 10 percent of the retail structure,2) If the commodities represent growing stock in connection with horticultural nurseries, whether the stock is in open ground, pots, or containers.		

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		Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.040	Attached or Stacked Dwelling Units	D.R., Chapter 142 KZC	None	10'	0'	0'	85% See Spec. Reg. 4.	30' to 160' above average building elevation. See Gen. Reg. 2 and Spec. Reg. 3.	C	A	1.2 per studio unit. 1.3 per 1 bedroom unit. 1.6 per 2 bedroom unit. 1.8 per 3 or more bedroom unit. See KZC 105.20 for visitor parking requirements.	1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use. 2. Residential development must provide a minimum density of 50 dwelling units per gross acre. 3. Building height may be increased as follows: a. Buildings greater than 30 feet above average building elevation shall provide: 1) One of the following improvements: a) Dedication and improvement of new streets pursuant to General Regulation 5; or b) Where General Regulation 5 does not apply, development shall provide publicly accessible space(s) at the primary pedestrian frontage that extends the public realm while creating a transition between public and private spaces. These public spaces shall have no dimension less than 15 feet. Developments with fewer than 50 dwelling units shall provide publicly accessible space(s) ranging from 500 to 1,000 square feet. Larger developments shall provide publicly accessible space(s) ranging from 1,500 to 2,000 square feet in size. Through design review, the City will review the location, size and dimensions, features and improvements (such as multi-use paths, plazas, seating, public art and water features) proposed for the publicly accessible space(s) as part of the Design Review approval. The City may also require or permit modification to the required publicly accessible space as part of the Design Review approval; and 2) Provides for at least 10 percent of the units in new residential developments of four units or greater as affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives. b. Building height may exceed 80 feet and be increased up to 160 feet above average building elevation, with the height increases to be based on the following considerations: 1) Development on the subject property complies with 3(a) above.

REGULATIONS FOR THIS USE CONTINUED ON THE NEXT PAGE

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Section 55.09	USE  REGULATIONS 	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.040	Attached or Stacked Dwelling Units (continued)									REGULATIONS CONTINUED FROM PREVIOUS PAGE 2) Design of buildings meets guidelines for towers set forth in Design Guidelines (Chapter 142 KZC, and Chapter 3.30 KMC). 3) Floor plates may not exceed 10,000 square feet per floor, for the portion of the building above 80 feet in height, except on those parcels where road dedication is required pursuant to General Regulation 5. On these parcels, floor plates may not exceed 20,000 square feet on floors between 80 feet and 120 feet in height. Beyond 120 feet in height, floor plates may not exceed 10,000 square feet per floor. 4) Portions of structures exceeding 80 feet in height must be separated by at least 60 feet, both on the subject property and from taller building elements on adjacent properties. 4. Increases in lot coverage may be considered if: a. Land dedication on the subject property provided pursuant to General Regulation 5 limits area available for development on the property, and/or b. Other techniques used to provide open space result in superior landscaping, such as the use of gardens on lower portions of structures or on rooftops, the provision of visual and pedestrian access to public garden areas, or other approaches that provide for useable green space.		

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				REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.045	Residential Suites	D.R., Chapter 142 KZC	None	10'	0'	0'	85% See Spec. Reg. 3.	30' to 160' above average building elevation. See Gen. Reg. 2 and Spec. Reg. 2.	C	A	See Spec. Reg. 4.	1. Residential development must provide a minimum density of 50 dwelling units per gross acre. 2. Building height may be increased as follows: a. Buildings greater than 30 feet above average building elevation shall provide: 1) Dedication and improvement of new streets pursuant to General Regulation 5; or 2) Where General Regulation 5 does not apply, development shall provide publicly accessible space(s) at the primary pedestrian frontage that extends the public realm while creating a transition between public and private spaces. These public spaces shall have no dimension less than 15 feet. Developments with fewer than 50 dwelling units shall provide publicly accessible space(s) ranging from 500 to 1,000 square feet. Larger developments shall provide publicly accessible space(s) ranging from 1,500 to 2,000 square feet in size. Through design review, the City will review the location, size and dimensions, features and improvements (such as multi-use paths, plazas, seating, public art and water features) proposed for the publicly accessible space(s) as part of the Design Review approval. The City may also require or permit modification to the required publicly accessible space as part of the Design Review approval. b. Building height may exceed 80 feet and be increased up to 160 feet above average building elevation, with the height increases to be based on the following considerations: 1) Development on the subject property complies with 2(a) above. 2) Design of buildings meets guidelines for towers set forth in Design Guidelines (Chapter 142 KZC, and Chapter 3.30 KMC).
REGULATIONS FOR THIS USE CONTINUED ON THE NEXT PAGE												



Section 55.09	USE ↓ REGULATIONS ↓	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.045	Residential Suites (continued)										REGULATIONS CONTINUED FROM PREVIOUS PAGE 3) Floor plates may not exceed 10,000 square feet per floor, for the portion of the building above 80 feet in height, except on those parcels where road dedication is required pursuant to General Regulation 5. On these parcels, floor plates may not exceed 20,000 square feet on floors between 80 feet and 120 feet in height. Beyond 120 feet in height, floor plates may not exceed 10,000 square feet per floor. 4) Portions of structures exceeding 80 feet in height must be separated by at least 60 feet, both on the subject property and from taller building elements on adjacent properties. 3. Increases in lot coverage may be considered if: a. Land dedication on the subject property provided pursuant to General Regulation 5 limits area available for development on the property; and/or b. Other techniques used to provide open space result in superior landscaping, such as the use of gardens on lower portions of structures or on rooftops, the provision of visual and pedestrian access to public garden areas, or other approaches that provide for useable green space. 4. Parking shall be provided at a rate of one stall per living unit plus one per on-site employee, and modifications to decrease the parking requirement are prohibited. However, if parking is managed pursuant to Special Regulation 5, parking shall be provided at a rate of 0.5 per living unit plus one per on-site employee. 5. The required parking shall be 0.5 per living unit where the parking is managed as follows and the property owner agrees to the following in a form approved by the City and recorded with King County: a. Rentals shall be managed such that the total demand for parking does not exceed the available supply of required private parking. If the demand for private parking equals or exceeds the supply of required private parking, the property owner shall either restrict occupancy of living units or restrict leasing to only tenants who do not have cars. REGULATIONS FOR THIS USE CONTINUED ON THE NEXT PAGE	

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			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.045	Residential Suites (continued)										REGULATIONS CONTINUED FROM PREVIOUS PAGE b. The property owner shall prepare a Transportation Management Plan (TMP) for review and approval by the City and recording with King County. At a minimum the TMP shall include the following requirements: 1) Charge for on-site parking, unbundled from the rent, for tenants who have cars. 2) Bus pass or equivalent alternative transportation mode subsidies for tenants who do not have cars. 3) Lease provisions and monitoring requirements for the property owner to ensure that tenants are not parking off site to avoid parking charges. 4) Adequate secured and sheltered bicycle parking to meet anticipated demand. 5) Designation of a Transportation Coordinator to manage the TMP, provide commute information to all new tenants, and be a point of contact for the City. 6) At the time the project attains 90 percent occupancy, the property owner shall provide an accurate and detailed report of initial resident parking demand and alternative commute travel. The report format shall be reviewed and approved by the City. 7) Following the initial survey, the property owner shall submit a biennial survey of residents prepared and conducted by a licensed transportation engineer or other qualified professional documenting on-site and potential off-site parking utilization and alternative commute travel. The Planning Director may increase or decrease the frequency of the survey based on the documented success of the TMP. 8) Acknowledgment by the property owner that it shall be a violation of this code for the actual parking demand for the project to exceed the available supply of required parking or to fail to comply with the provisions of the TMP or reporting requirements. REGULATIONS FOR THIS USE CONTINUED ON THE NEXT PAGE	



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		Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.045	Residential Suites (continued)											REGULATIONS CONTINUED FROM PREVIOUS PAGE c. After one year of project occupancy, the Planning Official may allow a decrease in the required number of spaces if the number of spaces proposed is documented by an adequate and thorough parking demand and utilization study of the property. The study shall be prepared by a licensed transportation engineer or other qualified professional, and shall analyze the operational characteristics of the use which justify a parking reduction. The scope of the study shall be proposed by the transportation engineer and approved by the City Transportation Engineer. The study shall provide at least two days of data for morning, afternoon and evening hours, or as otherwise approved or required by the City Transportation Engineer. 6. All residential suites and all required parking within a project shall be under common ownership and management. 7. Development shall be designed, built and certified to achieve or exceed one or more of the following green building standards: Built Green 5 Star certified, LEED Gold certified, or Living Building Challenge certified. 8. Developments containing this use shall provide common living area available to all residential suite residents. Common living area shall consist of areas such as shared kitchens, dining areas, and community rooms. Areas such as bathrooms, laundries, utility rooms, storage, stairwells, mailrooms, and hallways shall not be counted as common living area. The minimum amount of common living area for each project shall be 250 square feet plus an additional 20 square feet per living unit.
.050	Church	D.R., Chapter 142 KZC	None	10'	0'	0'	80%	40' average building elevation. See Gen. Reg. 2 and Spec. Reg. 3.	C	B	1 for every 4 people based on maximum occupancyload of any area of worship. See Spec. Reg. 2.	1. May include accessory living facilities for staff persons. 2. No parking is required for day-care or school ancillary to this use. 3. When included as an accessory use within the structure of a primary use with a taller height limit, the height limit for the primary use applies.

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		Required Review Process	Lot Size	MINIMUMS REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
				Front	Side	Rear						
.060	School, Day-Care Center or Mini School or Mini-Day-Care	D.R., Chapter 142 KZC	None	10'	0'	0'	80%	40' above average building elevation. See Gen. Reg. 2 and Spec. Reg. 4.	D	B	See KZC 105.25. See Spec. Reg. 3.	1. A six-foot-high fence is required along property lines adjacent to out-side play areas. 2. Hours of operation may be limited by the City to reduce impacts on nearby residential uses. 3. An on-site passenger loading area may be required depending on the number of attendees and the extent of the abutting right-of-way improvements. 4. When included as an accessory use within the structure of a primary use with a taller height limit, the height limit for the primary use applies.
.070	Assisted Living Facility						85% See Spec. Reg. 3.	30' to 160' above average building elevation. See Gen. Reg. 2 and Spec. Reg. 2.	B	A	See KZC 105.25.	1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use. 2. Building height may be increased as follows: a. Buildings greater than 30 feet above average building elevation shall provide: 1) One of the following public improvements: a) Dedication and improvement of new streets pursuant to General Regulation 5; or b) Where General Regulation 5 does not apply, development shall provide publicly accessible space(s) at the primary pedestrian frontage that extends the public realm while creating a transition between public and private spaces. These public spaces shall have no dimension less than 15 feet. Developments with fewer than 50 dwelling units shall provide publicly accessible space(s) ranging from 500 to 1,000 square feet. Larger developments shall provide publicly accessible space(s) ranging from 1,500 to 2,000 square feet in size. Through design review, the City will review the location, size and dimensions, features and improvements (such as multi-use paths, plazas, seating, public art and water features) proposed for the publicly accessible space(s) as part of the Design Review approval. The City may also require or permit modification to the required publicly accessible space as part of the Design Review approval; and REGULATIONS FOR THIS USE CONTINUED ON THE NEXT PAGE



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		Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.070	Assisted Living Facility (continued)										REGULATIONS CONTINUED FROM PREVIOUS PAGE 2) Provides for at least 10 percent of the units in new residential developments of four units or greater as affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives. b. Building height may exceed 80 feet and be increased up to 160 feet above average building elevation, with the height increases to be based on the following considerations: 1) Development on the subject property complies with 2(a) above. 2) Design of buildings meets guidelines for towers set forth in Design Guidelines (Chapter 142 KZC, and Chapter 3.30 KMC). 3) Floor plates may not exceed 10,000 square feet per floor, for the portion of the building above 80 feet in height, except on those parcels where road dedication is required pursuant to General Regulation 5. On these parcels, floor plates may not exceed 20,000 square feet on floors between 80 feet and 120 feet in height. Beyond 120 feet in height, floor plates may not exceed 10,000 square feet per floor. 4) Portions of structures exceeding 80 feet in height must be separated by at least 60 feet, both on the subject property and from taller building elements on adjacent properties. 3. Increases in lot coverage may be considered if: a. Land dedication on the subject property provided pursuant to General Regulation 5 limits area available for development on the property; and/or b. Other techniques used to provide open space result in superior landscaping, such as the use of gardens on lower portions of structures or on rooftops, the provision of visual and pedestrian access to public garden areas, or other approaches that provide for useable green space.	

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			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.080	Convalescent Center or Nursing Home	D.R., Chapter 142 KZC	None	10'	0'	0'	85% See Spec. Reg. 2.	30' to 160' above average building elevation. See Gen. Reg. 2 and Spec. Reg. 1.	C	B	1 for each bed.	1. Building height may be increased as follows: a. Buildings greater than 30 feet above average building elevation shall provide: 1) Dedication and improvement of new streets pursuant to General Regulation 5; or 2) Where General Regulation 5 does not apply, development shall provide publicly accessible space(s) at the primary pedestrian frontage that extends the public realm while creating a transition between public and private spaces. These public spaces shall have no dimension less than 15 feet. Developments with fewer than 50 dwelling units shall provide publicly accessible space(s) ranging from 500 to 1,000 square feet. Larger developments shall provide publicly accessible space(s) ranging from 1,500 to 2,000 square feet in size. Through design review, the City will review the location, size and dimensions, features and improvements (such as multi-use paths, plazas, seating, public art and water features) proposed for the publicly accessible space(s) as part of the Design Review approval. The City may also require or permit modification to the required publicly accessible space as part of the Design Review approval. b. Building height may exceed 80 feet and be increased up to 160 feet above average building elevation, with the height increases to be based on the following considerations: 1) Development of the subject property complies with 1(a) above. 2) Design of buildings meets guidelines for towers set forth in Design Guidelines (Chapter 142 KZC, and Chapter 3.30 KMC). 3) Floor plates may not exceed 10,000 square feet per floor, for the portion of the building above 80 feet in height, except on those parcels where road dedication is required pursuant to General Regulation 5. On these parcels, floor plates may not exceed 20,000 square feet on floors between 80 feet and 120 feet in height. Beyond 120 feet in height, floor plates may not exceed 10,000 square feet per floor.
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		Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.080	Convalescent Center or Nursing Home (continued)										REGULATIONS CONTINUED FROM PREVIOUS PAGE 4) Portions of structures exceeding 80 feet in height must be separated by at least 60 feet, both on the subject property and from taller building elements on adjacent properties. 2. Increases in lot coverage may be considered if: a. Land dedication on the subject property provided pursuant to General Regulation 5 limits area available for development on the property, and/or b. Other techniques used to provide open space result in superior landscaping, such as the use of gardens on lower portions of structures or on rooftops, the provision of visual and pedestrian access to public garden areas, or other approaches that provide for useable green space.	
.090	Public Utility	D.R., Chapter 142 KZC	None	10'	0'	0'	80%	40' above average building elevation. See Gen. Reg. 2 and Spec. Reg. 1.	A	B	See KZC 105.25.	1. When included as an accessory use within the structure of a primary use with a taller height limit, the height limit for the primary use applies.
.100	Government Facility or Community Facility								C See Spec. Reg. 2.			1. When included as an accessory use within the structure of a primary use with a taller height limit, the height limit for the primary use applies. 2. Landscape category A or B may be required depending on the type of use on the subject property and the impacts associated with this use.
.110	Public Park	Development standards will be determined on a case-by-case basis. See KZC 45.50 for required review process.										