

**CITY OF KIRKLAND**

Planning & Building Department  
123 Fifth Avenue, Kirkland, WA 98033  
425.587.3225 - [www.kirklandwa.gov](http://www.kirklandwa.gov)

---

**MEMORANDUM**

**To:** Houghton Community Council

**From:** Allison Zike, AICP, Senior Planner  
Jeremy McMahan, Deputy Director  
Adam Weinstein, AICP, Planning & Building Director

**Date:** August 13, 2020

**File No.:** CAM19-00502

**Subject:** FINAL ACTION ON KIRKLAND ZONING CODE (KZC) AMENDMENTS RELATED TO ROOFTOP APPURTENANCE AND ROOFTOP AMENITY REGULATIONS

**Recommendation**

Approve the enclosed Houghton Resolution No. 2020-7, which would adopt Ordinance O-4720 as approved by the City Council on August 4, 2020, amending KZC Chapters 5, 50, and 115 related to rooftop appurtenance and rooftop amenity regulations. Approval of the resolution would make the ordinance effective within Houghton's jurisdiction

**Background**

As Kirkland's multifamily, office, and mixed-use districts become denser and more compact, there is an increasing need for outdoor amenity space for residents and workers. One option is to make better use of the roof space on buildings so that, rather than serving a strictly utilitarian function, these spaces can be accessed as a place for building occupants to be outside and interact as a community. In some cases, to gain access to this roof space, code amendments may be needed to allow things like elevator overruns, stairway enclosures, and railings to exceed current height limits. The scope of the proposed code amendments focused on exploring how to provide more flexibility for rooftop amenities on multi-family and commercial structures, while clarification of the existing rooftop appurtenance codes was studied for all property types. Existing regulations for rooftop appurtenances are described in KZC 115.120. The complete KZC text, with proposed amendments, is included as Exhibit A of Ordinance 4720 (see Attachment 1).

The HCC and Planning Commission (PC) held a joint hearing to consider these code amendments on February 13, 2020. The HCC deliberated immediately following the joint hearing on February 13. The PC deliberated at their February 27, 2020 meeting, and a summary of the HCC discussion and recommendation to the PC is included in the [February 27 Meeting Packet](#). At those deliberations, the PC largely incorporated the HCC recommendations into their final recommendation to City Council.

## City Council Briefings and Action

The City Council received briefings regarding the subject code amendments, including Planning Commission and Houghton Community Council's recommendations, at their June 16, 2020 ([June 16 Meeting Packet](#)) and July 21, 2020 ([July 21 Meeting Packet](#)) meetings. Those meetings focused on discussion related to community concerns about potential impacts of rooftop amenities on low-density residential neighborhoods. At the July 21 briefing, City Council directed additional restrictions, beyond those recommended by the Planning Commission and Houghton Community Council, for rooftop amenities and rooftop common rooms above maximum structure height as summarized in italics below.

The City Council adopted Ordinance 4720 (see Attachment 1) containing the subject code amendments, including additional restrictions, at their August 4, 2020 meeting. The City Council-adopted code amendments to KZC 5, KZC 50.62, KZC 115.115, and KZC 115.120 (see Exhibit A of enclosed ordinance, Attachment 1) are summarized as follows:

1. Add a definition for "Rooftop Amenities";
2. Add a definition for "Rooftop Common Room";
3. Add an intent section for Rooftop Appurtenances and Rooftop Amenities;
4. Clarify screening requirement hierarchy for rooftop appurtenances;
5. Revise regulations to allow elevator/stair equipment up to 15 feet above the maximum building height by right (without a modification process) when necessary to access rooftop amenity spaces

*Additional restriction: Properties partially, or wholly, adjoining low-density residential zones will still require a modification process;*

6. Add a new section to allow rooftop amenities, including railings, to exceed the maximum building height and set forth the allowed height and area for those amenities;

*Additional restriction: Rooftop amenities are prohibited above maximum structure height on properties partially, or wholly, adjoining low-density residential zones (the PC and HCC recommendation would have allowed rooftop amenities above maximum structure height on these properties);*

7. Within new rooftop amenity code section, allow rooftop common rooms, considered to be enclosed rooms or covered areas, and set forth maximum height and area standards and required design elements for such rooms

*Additional restriction: Rooftop common rooms are prohibited above maximum structure height on properties partially, or wholly, adjoining low-density residential zones (the PC and HCC recommendation would have only applied the restriction to a portion of these properties);*

8. Add language specifying that any projects requiring land use review (e.g., Process IIA, Design Review) will use that same process to review any rooftop appurtenance/amenity modifications;
9. Move screening and location standards for mechanical units that are not on a rooftop to KZC 115.115 Required Yards; and
10. Revise KZC 50.62 to allow rooftop appurtenances, rooftop amenities, and rooftop commons rooms through a modification process in the CBD 1A and 1B zones.

### **Houghton Community Council Consideration**

The Houghton Community Council (HCC) has three options for final action on the rooftop appurtenance and rooftop amenity code amendments. They are:

1. Approve the enclosed Houghton Resolution No. 2020-7 which adopts Ordinance O-4720 as approved by the City Council on August 4, 2020. Approval of the resolution would make the ordinance effective within Houghton's jurisdiction; or
2. Disapprove the amendments by a majority of the Community Council approving a resolution to disapprove; or
3. Fail to disapprove the ordinance within 60 days after City Council approval. This would have the effect of approving the amendments.

### **ATTACHMENTS**

1. Ordinance O-4720
2. Houghton Resolution No. 2020-7



ORDINANCE O-4720

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING AND LAND USE AND AMENDING THE CITY OF KIRKLAND ZONING CODE, ORDINANCE 3719 AS AMENDED, INCLUDING CHAPTERS 5, 50, AND 115 REGARDING DEVELOPMENT STANDARDS FOR ROOFTOP APPURTENANCES AND ROOFTOP AMENITIES, AND RELATED DEFINITIONS, AND APPROVING A SUMMARY FOR PUBLICATION, FILE NO. CAM19-00502.

1 WHEREAS, the City Council has received a recommendation  
2 from the Kirkland Planning Commission to amend a portion of the City  
3 of Kirkland Zoning Code, Ordinance 3719, as amended, as set forth in  
4 the report and recommendation of the Planning Commission dated July  
5 23, 2020 and bearing Kirkland Planning and Building Department File  
6 No. CAM19-00502; and  
7

8 WHEREAS, prior to making the recommendation, the Planning  
9 Commission and Houghton Community Council, following notice thereof  
10 as required by RCW 35A.63.070, held a joint public hearing on February  
11 13, 2020, on the amendment proposals. The Houghton Community  
12 Council considered the comments received at the hearing and developed  
13 a recommendation to the Planning Commission at its deliberation  
14 meeting on February 13, 2020, and the Planning Commission considered  
15 the comments received at the hearing and the recommendation of the  
16 Houghton Community Council and developed its recommendation to the  
17 City Council on February 27, 2020; and  
18

19 WHEREAS, pursuant to the State Environmental Policy Act  
20 (SEPA), there has accompanied the legislative proposal and  
21 recommendation through the entire consideration process, a SEPA  
22 addendum to Existing Environmental Documents issued by the  
23 responsible official pursuant to WAC 197-11-625; and  
24

25 WHEREAS, in open public meeting on August 4, 2020 the City  
26 Council considered the environmental documents received from the  
27 responsible official, together with the report and recommendation of the  
28 Planning Commission.  
29

30 NOW, THEREFORE, the City Council of the City of Kirkland do  
31 ordain as follows:  
32

33 Section 1. Zoning Code Amended: The specified sections in  
34 Chapters 5, 50, and 115 of the Kirkland Zoning Code are amended as  
35 set forth in **Exhibit A** to this ordinance and incorporated by reference.  
36

37 Section 2. Severability: If any section, subsection, sentence,  
38 clause, phrase, part or portion of this ordinance, including those parts  
39 adopted by reference, is for any reason held to be invalid or  
40 unconstitutional by any court of competent jurisdiction, such decision  
41 shall not affect the validity of the remaining portions of this ordinance.



O-4720

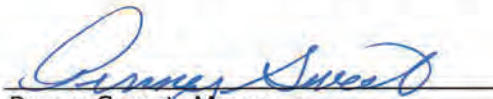
42  
43       Section 3. To the extent that the subject matter of this  
44 Ordinance is subject to the disapproval jurisdiction of the Houghton  
45 Community Council as created by Ordinance 2001, the Ordinance shall  
46 become effective within the Houghton community either upon approval  
47 of the Houghton Community Council, or upon failure of the Community  
48 Council to disapprove this Ordinance within 60 days of its passage.

49  
50       Section 4. Effective Date: Except as to Section 3 above, this  
51 ordinance shall be in full force and effect five days from and after its  
52 passage by the City Council and publication, pursuant to Kirkland  
53 Municipal Code 1.08.017 in the summary form attached to the original  
54 of this ordinance and by this reference approved by the City Council as  
55 required by law.

56  
57       Section 5. Ordinance Copy: A complete copy of this ordinance  
58 shall be certified by the City Clerk, who shall then forward the certified  
59 copy to the King County Department of Assessments.

60  
61       Passed by majority vote of the Kirkland City Council in open  
62 meeting this 4 day of August, 2020.

63  
64       Signed in authentication thereof this 4 day of August, 2020.

  
Penny Sweet, Mayor

Attest:

  
Kathi Anderson, City Clerk

Approved as to Form:

  
Kevin Raymond, City Attorney

Publication Date: 08/10/2020

PUBLICATION SUMMARY  
OF ORDINANCE NO. 4720

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING AND LAND USE AND AMENDING THE CITY OF KIRKLAND ZONING CODE, ORDINANCE 3719 AS AMENDED, INCLUDING CHAPTERS 5, 50, AND 115 REGARDING DEVELOPMENT STANDARDS FOR ROOFTOP APPURTENANCES AND ROOFTOP AMENITIES, AND RELATED DEFINITIONS, AND APPROVING A SUMMARY FOR PUBLICATION, FILE NO. CAM19-00502.

SECTION 1. Amends Chapters 5, 50 and 115 to the Kirkland Zoning Code relating to rooftop appurtenances and amenities.

SECTION 2. Provides a severability clause for the ordinance.

SECTION 3. Provides that the effective date of the ordinance is affected by the disapproval jurisdiction of the Houghton Community Council.

SECTION 4. Authorizes the publication of the ordinance by summary, which summary is approved by the City Council pursuant to Section 1.08.017 Kirkland Municipal Code and establishes the effective date as five days after publication of the summary.

SECTION 5. Establishes certification by City Clerk and notification of King County Department of Assessments.

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the 4 day of August, 2020.

I certify that the foregoing is a summary of Ordinance 4720 approved by the Kirkland City Council for summary publication.

  
Kathi Anderson, City Clerk



## Kirkland Zoning Code – Chapter 5 - Definitions

### 5.10.816 Rooftop Amenities

Structures such as landscape planters, guards or railings, decking material, seating, play equipment, kitchen and/or barbeque elements, hot tubs, animal runs, fire pits, umbrellas, trellises, and similar temporary or permanent items that are on a building rooftop, available to all building occupants, and do not provide exclusive use to any specific units/suites or group of units/suites.

### 5.10.817 Rooftop Appurtenances

HVAC equipment, mechanical or elevator equipment and penthouses, roof access stair enclosures, and similar equipment or appurtenances that extend above the roofline of a building, but not including personal wireless service facilities as defined by KZC 117.15 or solar panels as defined by KZC 5.10.881.1. (Ord. 4350 § 1, 2012; Ord. 3919 § 1, 2003)

### 5.10.818 Rooftop Common Room

An exterior covered area or an interior enclosed space on a building rooftop that is available to all building occupants and does not provide exclusive space to any specific units/suites or group of units/suites.

---

## Kirkland Zoning Code – Section 115.120 – Rooftop Appurtenances

The intent of these rooftop appurtenance regulations is to specify height allowances for such items above the maximum height of structure. Regulations for rooftop appurtenances recognize that the rooftop can be a practical place for building utilities and that access to rooftops often requires additional height.

1. Scope – The regulations contained in this section apply to all construction except: (a) single-family residential, and (b) personal wireless service facilities regulated by Chapter 117 KZC.

For properties within jurisdiction of the Shoreline Management Act, see Chapter 83 KZC.



2. Abandonment – Rooftop appurtenances which are abandoned or no longer serve the building or tenant space with which they are associated shall be removed by the building owner within 90 days of the date they were abandoned or discontinued service. Appurtenances associated with buildings or tenant spaces which are vacant but which are undergoing renovation and/or are available for lease or rent shall not be considered abandoned.
3. Required Screening for Rooftop Appurtenances
  - a. New construction shall, to the extent feasible, visually screen rooftop appurtenances by incorporating them into the roof form, or by using architectural designs such as clerestories having a slope of at least three (3) feet vertical to 12 feet horizontal or roof wells. Such roof forms and architectural designs may extend five (5) feet above the height limit (see Plate 30).
  - b. New or replacement appurtenances on existing buildings and new appurtenances on new buildings where compliance with subsection (3)(a) of this section is not feasible shall be surrounded by a solid screening enclosure equal in height to the appurtenances being screened. The screen must be integrated into the architecture of the building.
  - c. A rooftop appurtenance screened by alternative measures, including but not limited to landscaping maintained at a height equal to the height of the appurtenance, painting to match the building roof and/or façade, or the use of pre-manufactured self-screening appurtenances, is exempt from the requirements of subsections (3)(a) and (b) of this section if the Planning Official determines that such alternative screening will be as effective in minimizing rooftop clutter as a solid screening enclosure.**
  - d. Exemptions**
    - 1) Rod, wire, and dish antennas approved pursuant to KZC 115.60(2) are exempt from the requirements of subsections (3)(a) and (b) of this section where screening would interfere with the effective operation of these antennas.

~~2) A rooftop appurtenance screened by alternative measures, including but not limited to landscaping maintained at a height equal to the height of the appurtenance, painting to match the building roof, or the use of pre-manufactured self-screening appurtenances, is exempt from the requirements of subsections (3)(a) and (b) of this section if the Planning Official determines that such alternative screening will be as effective in minimizing rooftop clutter as a solid screening enclosure.~~

4. Allowable Height and Size – Rooftop Appurtenances

- a. Any rooftop appurtenances may exceed the applicable height limitation maximum height of structure by a maximum of four (4) feet if the area of all appurtenances and screening does not exceed 10 percent of the total area of the building footprint (see Plate 31). Elevators and equipment and/or stair enclosures allowed under subsection 4(b), below, shall be included in the area calculation towards the maximum 10%.
- b. For stacked dwelling units and commercial buildings, rooftop appurtenances necessary to access rooftop amenities, such as elevators and associated equipment and/or stair enclosures, may extend above the maximum height of structure for the zone beyond the allowance in subsection 4(a), provided:
  - 1) The elevator and associated equipment and/or stair enclosure height is the minimum necessary for rooftop access and does not exceed 15 feet above the maximum height of structure; and
  - 2) Elevators and associated equipment may include an enclosed entry/exit vestibule matching the height of the elevator, but not exceeding the minimum area required by the building code.
  - 3) The stair enclosure, including the top landing of stairs, does not exceed the minimum area required by the building code.
  - 4) Rooftop appurtenances necessary to access rooftop amenities, such as elevators and associated equipment and/or stair enclosures, proposed where the subject



**property is partially, or wholly, adjoining low-density residential zones may only be approved through the modification process in KZC 115.120.4(c) below.**

**bc.** The Planning Official may approve a modification to the standards of subsection (4)(a) of this section if:

- 1) No reasonable alternatives to the increased height or size **exists**, such as utilizing alternative equipment design or technology or locating the appurtenances at or below grade or within the structure, ~~exists~~, and the amount of increase and the size of the appurtenance and its screening is the minimum amount necessary; and
- 2) The applicant submits accurate graphic representations or other information that demonstrates that:
  - a) Views from ~~adjacent~~ **adjoining** properties will not be significantly blocked **by the appurtenance(s)**; and
  - b) Visibility of the appurtenances from ~~adjacent~~ **adjoining** properties and streets will be minimized; and
  - c) Aesthetic impacts resulting from the increased height and/or area will be minimized through appropriate screening, architectural integration, and/or location or consolidation of the appurtenance(s); and
- 3) The height of the appurtenance, ~~including the combined height of mechanical equipment or elevator penthouse overrun and appurtenances mounted on top of the penthouse overrun~~, shall in no event exceed the lesser of the following:
  - a) ~~The~~ the height of the story immediately below the appurtenance, ~~or~~
  - b) ~~Fifteen feet above the applicable height limitation~~; and
- 4) In no event shall the total area occupied by rooftop appurtenances or enclosed within their screening exceed 25 percent the total area of the building footprint.

**ed.** The Planning Official shall not approve or deny a modification pursuant to subsection (4)(~~bc~~) of this section without first providing notice of the modification request to the



owners and residents of each adjoining property and providing opportunity for comment. ~~The Planning Official shall use mailing labels provided by the applicant, or, at the discretion of the Planning Official, by the City.~~ Said comment period shall not be less than seven (7) calendar days. The fee for processing a modification request shall be as established by City ordinance.

5. Optional Locations – As an option to placing appurtenances on the roof, appurtenances may be located as follows:

~~a. At or below grade, subject to the following:~~

~~1) The appurtenances are surrounded by landscaping or a solid screening enclosure, or is located in such a manner that they are not visible from adjacent properties or rights of way; and~~

~~2) The appurtenances will not violate KZC 115.95 (Noise Regulations) or KZC 115.100 (Odor), or create undue heat or vibration on the adjoining property; and~~

~~3) The appurtenances may be located in a required side or rear yard, if:~~

~~a) The appurtenances comply with subsections (5)(a)(1) and (2) of this section; and~~

~~b) The appurtenances are reviewed as part of a Process I or II zoning permit for the use or structure they will serve; and~~

~~c) If the use or structure the appurtenance will serve does not require review through Process I or II, the Planning Official may allow an appurtenance to be located in a required side or rear yard using the process described in subsection (4)(c) of this section. In such event, only the owners and residents of the property located immediately adjacent to the required yard in which the appurtenance is proposed to be located shall be provided notice; and~~

~~d) Insufficient at or below grade space exists elsewhere on the site to locate the appurtenances; and~~

~~e) The required yard is not adjacent to a residential zone; and~~

~~f) The appurtenances are the minimum size necessary.~~

~~4) Appurtenances located at or below grade shall not be counted toward allowable lot coverage.~~

[continued from above...] in a parking structure, subject to the following:

- 1) The appurtenances are located or screened in such a manner that they are not visible from ~~adjacent~~ adjoining properties or rights-of-way; and
- 2) The appurtenances will not violate KZC 115.95 (Noise Regulations) or KZC 115.100 (Odor) or create undue heat or vibration on the adjoining property.
- 3) If the parking structure would otherwise contain 10 or more parking stalls, the parking may be reduced by the amount necessary, but by no more than two (2) parking stalls, to provide the physical space required to accommodate the appurtenances.

See also KZC 115.115.3(p).

## **6. Review Authority**

If a rooftop appurtenance modification requiring approval through a Planning Official decision pursuant to subsection 4(c), is part of a proposal that requires additional approval through Design Review, Process I, Process IIA or Process IIB, the entire proposal shall be decided upon using that other process.

---

### **115.122 Rooftop Amenities and Rooftop Common Rooms**

The intent of these rooftop amenity and common room regulations is to specify height and size allowances for such items above the maximum height of structure. These regulations do not apply to rooftop amenities and rooftop common rooms that are below the maximum height of structure. These additional height allowances for rooftop amenities and rooftop common rooms are intended to encourage the provision of common space on the rooftop to



serve stacked dwelling units and commercial building occupants while protecting adjoining low-density residential uses from possible adverse impacts.

1. Scope – The regulations contained in this section apply only to structures containing stacked dwelling units and/or commercial uses, where no portion of the subject property is adjoining a low-density residential zone.
2. Noise – Rooftop amenities and amenity spaces, and rooftop common rooms, are subject to the noise regulations described in KZC 115.95.
3. Lighting – Rooftop amenities and amenity spaces, and rooftop common rooms, are subject to the below lighting standards:
  - a. Lighting regulations described in KZC 115.85.1;
  - b. All exterior light fixtures shall be directed downward and use “fully shielded cut off” fixtures as defined by the Illuminating Engineering Society of North America (IESNA), or other appropriate measure to conceal the light source from adjoining uses. Manufacturer specification sheets for the lighting fixtures including photometric data shall be included with lighting plans; and
  - c. All exterior lighting associated with rooftop amenities and amenity spaces, and rooftop common rooms, shall be turned off after business hours or 10:00 p.m., whichever is later, with the exception of necessary lighting for site security. On portions of property adjoining low density residential zones, such lighting shall be turned off after business hours or 10:00 p.m., whichever is earlier. Outdoor lighting used to illuminate walkways and building entrances may remain on after 10:00 p.m.
4. Access – Rooftop amenities and rooftop common rooms that exceed the maximum structure height shall be available to all residents of a multi-family structure or to all tenants of a commercial structure, with no additional fee for access required. For mixed-use structures, access requirements shall be based on the predominant use of that structure. Rooftop amenities and rooftop commons rooms that exceed the maximum structure height shall not provide exclusive use to any specific units/suites or group of units/suites.



5. Allowable Height and Size – Rooftop Amenities

- a. Rooftop amenities surrounded by approved guards or railings may exceed the maximum height of the structure for the zone by a maximum of four (4) feet.
- b. Guards or railings enclosing rooftop amenities space may exceed the maximum height of the structure for the zone by a maximum of four (4) feet and shall be setback from the building edge a minimum of 5 feet. Railings shall be of a transparent or majority-open design such as glass, cabling, picket, or other similar types of railings. Where the applicable zone allows parapets to exceed the maximum height of structure, setback and transparency standards do not apply to the parapet when it is used as the railing.
- c. Rooftop amenities may not exceed the maximum structure height if any portion of the subject property adjoins a low-density residential zone.

6. Allowable Height and Size – Rooftop Common Room

Provided that no portion of the subject property adjoins a low density residential zone, the Planning Official may approve the addition of a rooftop common room if:

- a. The applicant submits accurate graphic representations or other information that demonstrates that:
  - 1) Views from adjoining properties will not be significantly blocked by the rooftop common room; and
  - 2) The location and orientation of the rooftop common room is such that the visibility of the rooftop common room from adjoining properties and streets will be minimized; and
  - 3) All walls of the rooftop common room must contain transparent windows comprising at least 75 percent of the area of the facade between two feet and seven feet above floor level. This requirement does not apply to elevators and stair enclosures attached to a rooftop common room; and
  - 4) The rooftop common room is architecturally integrated with the building design; and

- b. The height of the rooftop common room shall not exceed 15 feet or the height of the story immediately below the rooftop common room, whichever is less; and
- c. The area of the rooftop common room, measured to the outermost exterior element, shall not exceed 500 square feet or 10% of building footprint, whichever is less. The minimum floor area required by building code for elevators and associated equipment and/or stair enclosures shall be exempt from the maximum area calculation for the rooftop common room; and
- d. The rooftop common room is setback from any building edge at a distance equal to the height of tallest point of the room above the roof deck; and
- e. The applicant provides one of the following public benefit items in addition to the rooftop common room:
  - 1) ) A landscaped and vegetated area, or an area designed and constructed as a green roof, equal to the square footage of the rooftop common room and showing the landscape plan requirements set forth in KZC 95.40.3, or
  - 2) A street-level public plaza equal to the square footage of the rooftop common room, or
  - 3) Public use of the rooftop common room, either as public access or as use of the rooftop common room as publicly accessible retail, restaurant, or similar space
- f. The Planning Official shall not approve or deny the addition of a rooftop common room pursuant to this subsection without first providing notice of the modification request to the owners and residents of each adjoining property and providing opportunity for comment. Said comment period shall not be less than seven (7) calendar days. The fee for processing a modification request shall be as established by City ordinance.

## 7. Review Authority

If a rooftop common room requiring approval through a Planning Official decision pursuant to subsection 3, is part of a proposal that requires additional approval through Design Review,



**Process I, Process IIA or Process IIB, the entire proposal shall be decided upon using that other process.**

---

**Kirkland Zoning Code – Section 115.115.3 – Required Yards, Structures and Improvements**

p. HVAC and similar types of mechanical equipment may be placed no closer than five (5) feet to a side or rear property line, and shall not be located within a required front yard; provided, that such equipment may be located in a storage shed approved pursuant to subsection (3)(m) of this section or a garage approved pursuant to subsection (3)(o)(2) of this section. All HVAC and similar types of mechanical equipment shall ~~be baffled, shielded, enclosed, or placed on the property in a manner that will ensure compliance with the noise provisions of KZC 115.95~~ **meet the standards below:** ~~Also see KZC 115.120(5) concerning alternative locations for mechanical equipment.~~

**1) For properties other than single-family residential, HVAC and similar types of mechanical equipment shall be surrounded by landscaping or a solid screening enclosure, or located in such a manner that they are not visible from adjoining properties or rights-of-way; and**

**2) The HVAC and similar types of mechanical equipment shall not violate KZC 115.95 (Noise Regulations) or KZC 115.100 (Odor), or create undue heat or vibration on the adjoining property.**

---

**Kirkland Zoning Code – Section 50.62 – Building Height Provisions in the CBD**

1. Height shall be measured above the point of measurement (e.g, above average building elevation, or above right-of-way) as specified in the particular use zone charts. For purposes of measuring building height above the abutting right(s)-of-way, alleys shall be excluded.
2. Where retail frontage is required along an abutting street and along pedestrian-oriented streets (see Plate 34H), the minimum ground floor story height for retail; restaurant and tavern; entertainment, cultural, and/or recreational facility uses shall be 15 feet; provided, however, that in CBD 1A and CBD 1B, any buildings proposed and built after April 1, 2009, or buildings that existed prior to April 1, 2009, which are 10 feet or more below the permitted maximum height of structure, shall be required to provide a minimum 13-foot ground floor story height.



3. The following exceptions to height regulations in CBD zones are established:
- a. Decorative parapets may exceed the height limit by a maximum of four (4) feet; provided, that the average height of the parapet around the perimeter of the structure shall not exceed two (2) feet.
  - b. For structures with a peaked roof, the peak may extend five (5) feet above the height limit if the slope of the roof is greater than three (3) feet vertical to 12 feet horizontal and eight (8) feet above the height limit if the slope of the roof is equal or greater than four (4) feet vertical to 12 feet horizontal.
  - c. Within CBD 1A and 1B, the height of rooftop appurtenances and related screening shall not exceed the maximum applicable height limitation beyond the height exceptions established in subsections (3)(a) and (3)(b) of this section. Rooftop ~~In addition, the~~ appurtenances and screening shall be integrated into the design of the parapet or peaked roof form. However, the City may approve modifications for elevators and associated equipment and/or stair enclosures subject to the standards in KZC 115.120.4(b) and the rooftop appurtenance modification criteria and procedures in KZC 115.120.4(c) and (d) and 115.120.6. The height of any other rooftop appurtenances and the height of related screening may not be modified through KZC 115.120.
  - d. Within CBD 1A and 1B, the height of rooftop amenities or rooftop common rooms that exceed the maximum applicable height limitation established in subsections (3)(a) and (3)(b) of this section shall be reviewed pursuant to the standards and modification process described in KZC 115.122.5 through 7.

RESOLUTION 2020-7

A RESOLUTION OF THE HOUGHTON COMMUNITY COUNCIL APPROVING ORDINANCE NO. O-4720 ADOPTED BY THE KIRKLAND CITY COUNCIL ON AUGUST 4, 2020, ADOPTING ZONING CODE AMENDMENTS, FILE NO. CAM19-00502.

WHEREAS, the Houghton Community Council has received from the Kirkland City Council Ordinance No. O-4720, adopting the amendments to the Zoning Code.

WHEREAS, the subject matter of this ordinance, pursuant to Ordinance 2001, that is subject to the disapproval jurisdiction of the Houghton Community Council shall become effective within the Houghton Community Municipal Corporation only upon approval by the Houghton Community Council or the failure of said Community Council to disapprove this ordinance within 60 days of the date of the passage of this ordinance; and

WHEREAS, the pertinent subject matter of this ordinance was reviewed and discussed by the Houghton Community Council on February 13, 2020 and at said meeting the Houghton Community Council provided recommendations on said subject matter; and

WHEREAS, the pertinent subject matter of this ordinance will serve the interests and promote the health, safety, and welfare of the Houghton Community Municipal Corporation;

NOW, THEREFORE, be it resolved that Ordinance O-4720 is hereby approved and shall be effective within the Houghton Community Municipal Corporation.

PASSED by majority vote of the Houghton Community Council in regular, open meeting this \_\_\_\_ day of \_\_\_\_\_, 2020.

SIGNED IN AUTHENTICATION thereof this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Chair, Houghton Community Council

\_\_\_\_\_  
City Clerk