



CITY OF KIRKLAND
Planning and Building Department
123 5th Avenue, Kirkland, WA 98033
425-587-3600

MEMORANDUM

To: Planning Commission

From: Adam Weinstein, AICP, Planning & Building Director
Allison Zike, AICP, Deputy Planning & Building Director
Lindsay Levine, AICP, Senior Planner
Scott Guter, AICP, Senior Planner

Date: June 14, 2023

Subject: 2023-2024 Community-Initiated Amendment Requests (Phase 1), Files:
CAM22-00845 (Alavi – Market); CAM22-00870 (Weise – Bridle Trails);
and CAM22-00873 (Par Mac – Totem Lake)

Staff Recommendation

Receive a briefing and conduct a threshold review of the Phase 1 Community-Initiated Amendment Request (CAR) applications submitted by the end of 2022. Provide a recommendation to the City Council on which CAR applications should be advanced to a Phase 2 review.

Background

The City uses a systematic process to amend the Comprehensive Plan, and to make changes to the Zoning Map or Zoning Code that are necessary to implement such Comprehensive Plan amendments. There are two ways changes can be made. The City can initiate the change, or a CAR may be initiated by the public.

CARs may be made by an individual, property owner, neighborhood organization, or other groups. The City accepts CAR applications in even-numbered years, and conducts review of CAR applications in the proceeding odd-numbered year; adoption may occur in the next even-numbered year. The current cycle of CAR reviews are being considered in the context of the ongoing Kirkland 2044 Comprehensive Plan Update, and any recommended changes are expected to be adopted with that update in 2024. Each CAR that is submitted must go through a two-phase process as described below.

CAR Review Phases

Phase 1

The Planning Commission (PC) makes a threshold review of the CAR and recommends to the City Council if it should be considered further based on criteria specified in the Kirkland Zoning Code (KZC) (see below). City Council reviews the recommendation of the PC at a public meeting and determines if the request should be studied further (in Phase 2). The Council also determines if the request will undergo Phase 2 review in the current cycle or a subsequent review cycle, depending on the number of requests, available resources, and the Planning and Building Department's work program.

Phase 2

Any CAR approved by City Council for additional study moves to Phase 2. During the second phase, the merits of the proposal are evaluated, and potential options are considered. The City may expand the geographical study area beyond that which is proposed by the applicant. Following staff's completion of Phase 2 review, the PC holds a public hearing and makes a recommendation to the City Council on any resulting proposed changes to the Comprehensive Plan, KZC, or Zoning Map. City Council considers the recommendation and makes the final decision on the request.

Phase 1 Threshold Review Criteria

Pursuant to KZC 160.25, the PC must review each proposal and make a threshold recommendation to City Council to determine those proposals eligible for further consideration. The recommendation shall be based on the criteria described in Chapter 140 KZC for Comprehensive Plan amendments and in Chapter 135 KZC for Zoning Code amendments. City Council then conducts a threshold review of each community-initiated proposal to amend the Comprehensive Plan pursuant to KZC 140.20 and to amend the KZC and/or Zoning Map in conjunction with the process to amend the Comprehensive Plan.

After consideration of the PC recommendations, City Council must decide one of the following:

1. The proposal has merit and shall be considered by the Planning Commission and City Council during the current year; or
2. The proposal has merit, but should be considered at a subsequent amendment phase; or
3. The proposal does not have merit and shall not be given further consideration.

KZC 140.30 establishes the following criteria for amending the text of the Comprehensive Plan:

1. The amendment must be consistent with the Growth Management Act.
2. The amendment must be consistent with the countywide planning policies.
3. The amendment must not be in conflict with other goals, policies, and provisions of the Kirkland Comprehensive Plan.
4. The amendment will result in long-term benefits to the community as a whole, and is in the best interest of the community.
5. When applicable, the proposed amendment must be consistent with the Shoreline Management Act and the City's adopted shoreline master program.

KZC 135.25 establishes the following criteria for amending the text of the Zoning Code:

The City may amend the text of the KZC only if it finds that:

1. The proposed amendment is consistent with the applicable provisions of the Comprehensive Plan; and
2. The proposed amendment bears a substantial relation to public health, safety, or welfare; and
3. The proposed amendment is in the best interest of the residents of Kirkland; and
4. When applicable, the proposed amendment is consistent with the Shoreline Management Act and the City's adopted shoreline master program.

Alavi Request

The property owner, Barry Alavi, has submitted a CAR application for 545 17th Avenue W in the Market neighborhood (see Attachment 1).

Mr. Alavi is requesting that the City remove subsection (6) of KZC 51.08 (Market Street Corridor - MSC 1 and MSC 4 zones) in order to remove the restriction that limits this single parcel along 17th Ave W to be a detached or duplex development, even though the property is zoned MSC 1, Office. This very narrow restriction was added to KZC 51 when the subject property was rezoned in 2017 as a result of a prior CAR. The request at the time did not explicitly request that commercial use be allowed on the property, and staff also determined that commercial redevelopment was unlikely due to the relatively small size of the property, commercial parking requirements, and vehicular access constraints from Market Street. The removal of 51.08(6) from the KZC would allow for non-residential uses such as office or retail uses on the subject parcel, in alignment with zoning allowances for all other parcels in the MSC 1 zone. See Attachment 2 for the existing Zoning Code and MSC 1 Use Zone Chart.

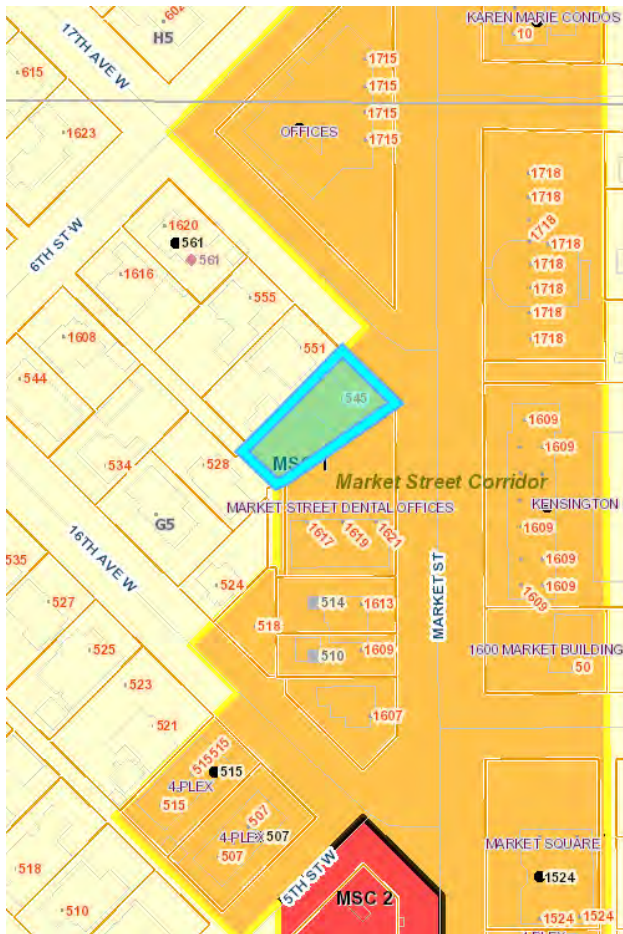
The proposal requires a zoning text amendment.

Analysis

Existing Zoning Conditions

The property is located at the corner of 17th Avenue W and Market Street. It is currently developed with a three-bedroom 1,120 square foot single family house. The property is within the Market Street Corridor and is zoned MSC 1, Office. There are single-family residences to the west of the property on 17th Avenue W and offices adjacent to the property to the south on Market Street and north of the property on the corner lot on the north side of 17th Avenue W and Market Street.

Figure 1: 545 17th Avenue W Zoning Map



Comprehensive Plan

The following land use goals and policies are related to the proposed CAR.

Goal LU-1: Manage community growth and redevelopment to ensure: An orderly pattern of land use; a balanced and complete community; maintenance and improvement of the City's existing character; and protection of environmentally sensitive areas.

Policy LU-1.4: Create effective transitions between different land uses.

Staff Analysis: Maintaining privacy between different types of uses may be an issue if the subject parcel is developed with a commercial use, though building and site design, including required setbacks and landscape buffers, can minimize impacts. Within many of the City's commercial areas, mixing of land uses is encouraged to bring shops, services, and offices in close proximity to residential uses. These mixed use areas provide an immediate market for the commercial services, convenient shopping and employment opportunities to the residences, and reduce the need to drive.

Goal LU-3: *Provide a land use pattern and transportation network that promotes mobility, transportation choices, and convenient access to goods and services.*

Policy LU-3.1: Create and maintain neighborhoods that allow residents and employees to walk or bicycle to places that meet their daily needs.

Staff Analysis: This policy promotes land use patterns that enhance walkability and reduce the need to drive for people to access their daily needs and places of employment. The CAR request would enable more flexibility for the subject parcel to develop a commercial or residential use in the future, consistent with the remainder of the zone.

Goal LU-4: Protect and enhance the character and quality of residential neighborhoods while accommodating the City's growth targets.

Policy LU-4.5: Allow neighborhoods to propose small scale neighborhood-oriented commercial uses within residential areas to meet local needs and reduce reliance on vehicle trips to meet daily needs.

Staff Analysis: Allowing small scale commercial uses within residential areas enhances walkability and reduces the need to drive for local residents to meet daily needs. The CAR request would enable the development of a small scale commercial use on the subject parcel, consistent with the remainder of the zone.

The Market Street Corridor Plan is a chapter of the Comprehensive Plan. The following is a policy related to the proposed CAR.

Policy MS-4: Encourage a mix of uses within the Market Street Corridor that includes multifamily residential and office uses, as well as neighborhood-oriented shops and services to promote neighborhood walkability and provide services to the greater community.

Staff Analysis: Promoting a mix of uses within the Market Street Corridor reduces reliance on vehicles for daily trips and attracts the greater community to visit the area for employment, goods, and services. The CAR request would enable the development of a small scale commercial use on the subject parcel, consistent with the remainder of the zone.

Additionally, there is a photo and text in the Market Street Corridor Plan that states:

Preserve Sequoia Tree at 17th and Market.

Staff Analysis: Redevelopment of the subject property would be subject to the tree retention requirements in KZC 95. Furthermore, there is a Tree Protection Easement recorded on the subject property, to which the City is a party, that requires the referenced Giant Sequoia tree to be protected from detrimental impacts in perpetuity and states "No structures, buildings, or sheds are allowed, and no development activity is allowed that would impact the tree within this easement." This easement was recorded as a condition of approval when the subject property was rezoned from RS 7.2 to MSC 1 in 2017 (File No. CAM16-02641). In other words, even if this project were to be developed with retail or office uses in the future, such uses would need to be designed such that the tree would not be adversely impacted.

Staff Recommendation

Staff recommends that the Alavi CAR proceed to Phase 2 study. The removal of 51.08(6) from the Zoning Code would remove the restriction that limits only this parcel

along 17th Ave W to be a detached residential or duplex development and would allow for this property to be developed with uses consistent with the current zoning designation, which is MSC 1, Office. Supporting office and retail uses in the Market Street corridor would contribute to the vibrancy of the neighborhood by generating additional commercial activity, enhancing walkability, and reducing the need for locals to drive to access their daily needs.

Staff would like to note that subsection (5) of KZC 51.08 states that the Giant Sequoia on the corner of 17th Avenue W and Market Street shall be retained (see Attachment 1). This application does not request to modify subsection (5) and proposed zoning text amendment would not affect the Giant Sequoia tree on the property. In accordance with subsection (5), prior to the issuance of a development permit, the Planning Official may require site plan adjustments beyond the requirements of KZC 95.32 in order to protect the Giant Sequoia tree.

Weise Request

The property owner, Daniel Weise, has submitted a CAR application for 6422 128th Ave NE in the Bridle Trails neighborhood (see Attachment 3).

Mr. Weise is requesting that the City rezone the parcel from Residential Single-family (RSX) 35 to RSX 7.2 in order to allow the subdivision of the property into multiple lots.

The proposal requires a Zoning map amendment and a Comprehensive Plan amendment.

Analysis

Existing Zoning Conditions

The property is located along 128th Avenue NE. The portion of 128th Avenue NE that the property is on is accessed via NE 70th Place because 128th Avenue NE is pedestrian-only south of the property, between NE 64th Street and NE 65th Street.

The property is 45,738 square feet and is currently developed with a vacant 1,970 square foot farmhouse built in 1908. The property is within the Bridle Trails neighborhood and is zoned RSX 35. The property owner lives directly south of the parcel and uses it as a backyard. The property is surrounded mostly by single family homes. The residences south of NE 65th Street are zoned RSX 35. In RSX 35 zones, the minimum lot size is 35,000 square feet – far and above the largest minimum lot size in Kirkland. The residences north of NE 65th Street are zoned RSX 7.2. In RSX 7.2 zones the minimum lot size is 7,200 square feet (see vicinity map in the figure below). In both RSX 35 and RSX 7.2 zones, the number of dwelling units is limited to one per lot; however, both zones allow Accessory Dwelling Units (ADUs) and Middle Housing types such as cottages and two/three-unit homes, per the applicable development regulations. The area to the northeast of the property is zoned RM 3.6 and contains the Bridle Trails Apartments, adjacent to the Bridle Trails Shopping Center.

See Attachment 4 for the permitted uses and density/dimensions for low density residential zones.

Figure 2: 6422 128th Ave NE Zoning Map



The following housing and land use goals and policies are related to the proposed CAR.

Policy H-2.1: *Maintain an adequate supply of land zoned appropriately for a variety of housing types and densities.*

Staff Analysis: Kirkland and the region is growing; therefore, it is important to ensure that land is zoned to support a variety of housing types and densities. The proposed CAR would enable a higher density of housing on the subject parcel.

Goal LU-2: *Promote a compact, efficient, and sustainable land use pattern in Kirkland that: supports a multimodal transportation system that efficiently moves people and goods; minimizes energy use, greenhouse gas emissions, and service costs; conserves land, water, and natural resources; and provides sufficient land area and development intensity to accommodate Kirkland's share of the regionally adopted population and employment targets.*

Policy LU-2.2: Facilitate infill development and encourage redevelopment of underutilized land.

Policy LU-2.3: Ensure an adequate supply of housing units and commercial floorspace to meet the required growth targets.

Staff Analysis: One way to increase the housing supply is to encourage infill development and the redevelopment of underutilized land. The subject parcel is underutilized land, and the proposed CAR would enable a higher density of housing on the subject parcel.

The Bridle Trails Neighborhood Plan is a chapter of the Comprehensive Plan. The following policies are related to the proposed CAR.

Policy BT 1: Retain and preserve the low-density residential and equestrian character of the neighborhood while accommodating compact new housing opportunities where consistent with equestrian uses.

Policy BT 2: Generally south of NE 65th Street surrounding Bridle Trails State Park and east of 132nd Ave NE, maintain lower density, larger lots at one dwelling unit per acre capable of keeping horses.

Policy BT 4: Incorporate accessory dwelling units (ADUs) into new and existing development in single-family neighborhoods where consistent with keeping horses and there is adequate sewer infrastructure, to expand the supply of affordable-by-design housing.

Policy BT 5: Incentivize compact housing (i.e., multi-unit or clustered housing types compatible in scale with single-family homes that help meet the growing demand for walkable urban living) within predominately single-family neighborhoods that are in close proximity to the Bridle Trails Shopping Center while protecting the area's equestrian character.

Staff Analysis: Policies BT 1 and BT 2 seek to preserve the lower-intensity residential and equestrian character of the neighborhood, especially south of NE 65th Street surrounding Bridle Trails State Park. However, policies BT 4 and BT 5 support incentivizing compact housing compatible in scale with single family homes to meet the demand for walkable communities, especially near the Bridle Trails Shopping Center. The proposed CAR would enable a subdivision and therefore additional housing units on the subject parcel that are walking distance to the Bridle Trails Shopping Center. Any development on the subject parcel would be required to comply with the underlying zoning designation. The proposed CAR is a request to rezone the subject parcel from RSX 35 to RSX 7.2, which is still low density residential and therefore consistent with policies BT 1 and BT 2.

Staff Recommendation

Staff recommends that the CAR not proceed to Phase 2 at this time. Staff agrees that rezoning the property from RSX 35 to RSX 7.2 would spur the development of new housing opportunities; however, there are currently other ways to increase density on this property. For example, the property can support cottages or a two/three-unit home¹ (refer to [KZC Chapter 113](#)), and this type of development can be subdivided. The

¹ A structure containing two (2) dwelling units or three (3) dwelling units, designed to look like a detached single-family home.

property can also support a principal dwelling unit and two (2) accessory dwelling units (ADUs)², which includes one (1) detached ADU (refer to [KZC 115.07](#)). A property that contains a detached ADU cannot be subdivided but may be segregated in ownership from the principal dwelling unit.

Additionally, staff is currently working on the Comprehensive Plan Update. Potential updates include re-evaluating the need for many distinct lower-density zoning districts – each with its own unique set of development regulations – in order to increase housing choice and supply, including [“missing middle housing.”](#) The Comprehensive Plan Update is anticipated to be adopted by the Planning Commission and City Council during the fall of 2024.

If the Planning Commission is interested in recommending that this proposal move forward to a Phase 2 review, staff recommends that the study area include other nearby properties located within the RSX 35 zone, such as 12920 NE 64th Street. 12920 NE 64th Street is located directly east of the property and borders property that is zoned RM 3.6 to the north, PR 3.6 to the east, and the Bridle Trails Shopping Center to the northeast.

Par Mac Request

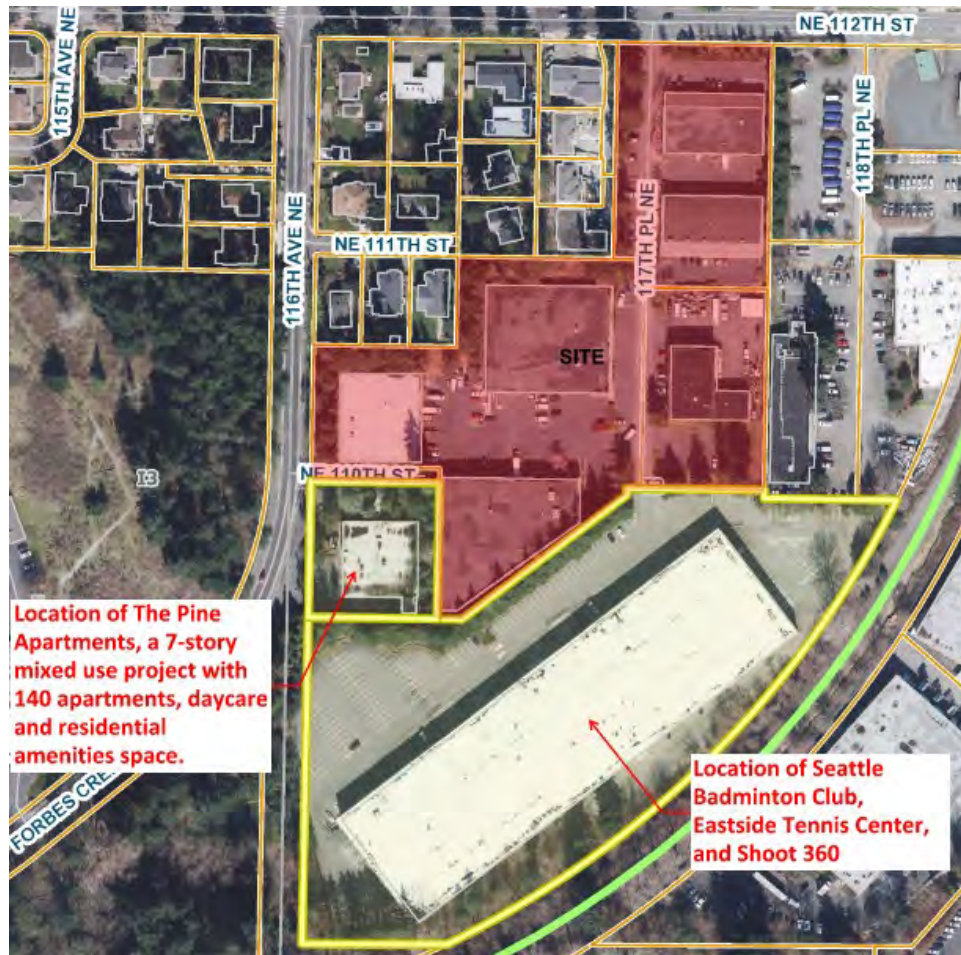
The applicant, Tom Schafer with Schafer Families, LLC, has applied for a Community-Initiated Amendment Request (CAR) for a Comprehensive Plan and zoning text amendment. The amendment request is intended to accommodate the development of six mixed-use buildings comprising approximately 1,200 residential units and 30,000 square feet of residential amenities and neighborhood commercial convenience uses with associated parking at the southwestern edge of the Totem Lake Business District (see Attachment 6).

Analysis

The request comprises four properties located within the Totem Lake Urban Center and Business District boundaries, specifically in the Southern Industrial Commercial Subarea of the business district (see Attachment 7). This subarea, historically known as Par Mac, containing a mix of light industry, office, retail, auto and service uses, has been in a state of flux over the past decade and a half. As stated in the Comprehensive Plan, “many of these traditional light industrial and manufacturing uses have been converted to office, retail trade businesses, such as contractors and suppliers, recreational facilities and other service uses. The existing space no longer meets the needs of many light industrial tenants”. Evidence of some this shift can be seen in the properties to the south of the subject CAR request with recreational tenants as the predominant use in the warehouse directly to the south, and the construction of [The Pine Apartments](#) (see image below).

Figure 3: Land use and development south of subject CAR

² A subordinate residence added to, created within, or detached from a single-family structure, that provides basic requirements for living and sanitation that are independent from the primary dwelling unit.



Recognition of this shift in land use is further described in the [Cross Kirkland Corridor Master Plan](#) that has rebranded this area from Par Mac to “Active Zone” and has programed the corridor with a series of complementing features (see Attachment 8).

Should the application proceed to Phase 2, amendments to the Totem Lake Business District Chapter of the Comprehensive Plan and KZC Chapter 55, TL-10D, and Chapter 180, Plate 37 are required.

Potential Amendments to the Comprehensive Plan

The Totem Lake Business District Chapter of the Comprehensive Plan recognizes that the Totem Lake Urban Center is Kirkland’s primary center of activity, providing a third of the City’s jobs and sales tax revenue and is expected to continue to attract growth in housing and employment. The following Land Use policies direct the overall growth in the business district (see supporting Land Use Map, [Fig. TL-2](#)):

- *Policy TL-2.1: Provide for increased intensity of development in the core of the Business District.*
- *Policy TL-2.2: Strengthen existing and developing commercial areas outside of the core area.*
- *Policy TL-2.3: Support light industry/office uses through preventing conflicts with residential uses by restricting housing to locations where access, noise and other potential impacts from industrial use would be limited.*

- *Policy TL-2.4: Promote development that is compatible with and complementary to the Cross Kirkland Corridor and Eastside Rail Corridor.*

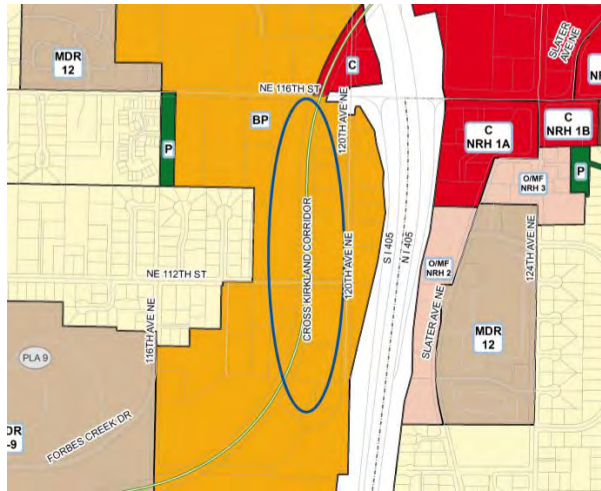
While the proposed CAR would increase housing within the Totem Lake Business District, it does so in line with Land Use policies TL-2.3 and TL-2.4 in that it proposes housing in proximity to other residential uses and to the CKC. Furthermore, the proposed CAR aligns more directly with the housing policies of the Totem Lake Business District.

Housing policies in the Comprehensive Plan seek to preserve existing multifamily housing and expand housing opportunity in the Business District. These opportunities are identified in policy TL-19.3 to allow “and in some cases encourage[d] [high residential densities] within some of the general commercial areas of the district. To encourage developers to choose to provide housing, an increase in height is allowed in some commercial areas when upper story residential use is provided. This incentive enables residential use to be included either in mixed-use projects, or in stand-alone developments where commercial use is not mandated as a ground floor use”. These areas are identified in Figure TL-9 as Housing Incentive Areas (see Attachment 9). Specifically, “properties north and south of NE 116th Street and west of I-405 (Incentive Areas 4 and 5 in Figure TL-9, Attachment 9) should be allowed additional height only if residential uses are provided. As these areas are located near residential uses to the west, and are situated at the southeast gateway to the Totem Lake Business District, residential use in this area will provide an appropriate transition to the commercial areas to the east”. One parcel in the Par Mac CAR (11021 117th PL NE) is located within Housing Incentive Area 4, and the remainder of subject parcels are not currently included in a Housing Incentive Area.

Another Comprehensive Plan policy also looks to incentivize more housing in this area of the Totem Lake Business District.

Policy TL-34.2: Allow for flexibility in regulations that encourage creative proposals for residential development along the CKC when included in a planned, mixed use development.

Growth in employment in businesses located along the CKC south of this subarea has expanded the City’s housing needs. An opportunity exists to address this need through providing residential development along the corridor, where residents could enjoy direct access to employment along the bike or future transit corridor. Standards for development should include land aggregation of at least 10 acres, to ensure a substantial property size is included to accommodate a mix of uses and range of amenities for residents and businesses. Vehicle and pedestrian access to the development should also be designed to minimize conflicts with traffic for light industry/office uses. Flexibility in regulations is important, to enable consideration of the complex issues of siting this type of development in the Southern Industrial-Commercial Subarea.



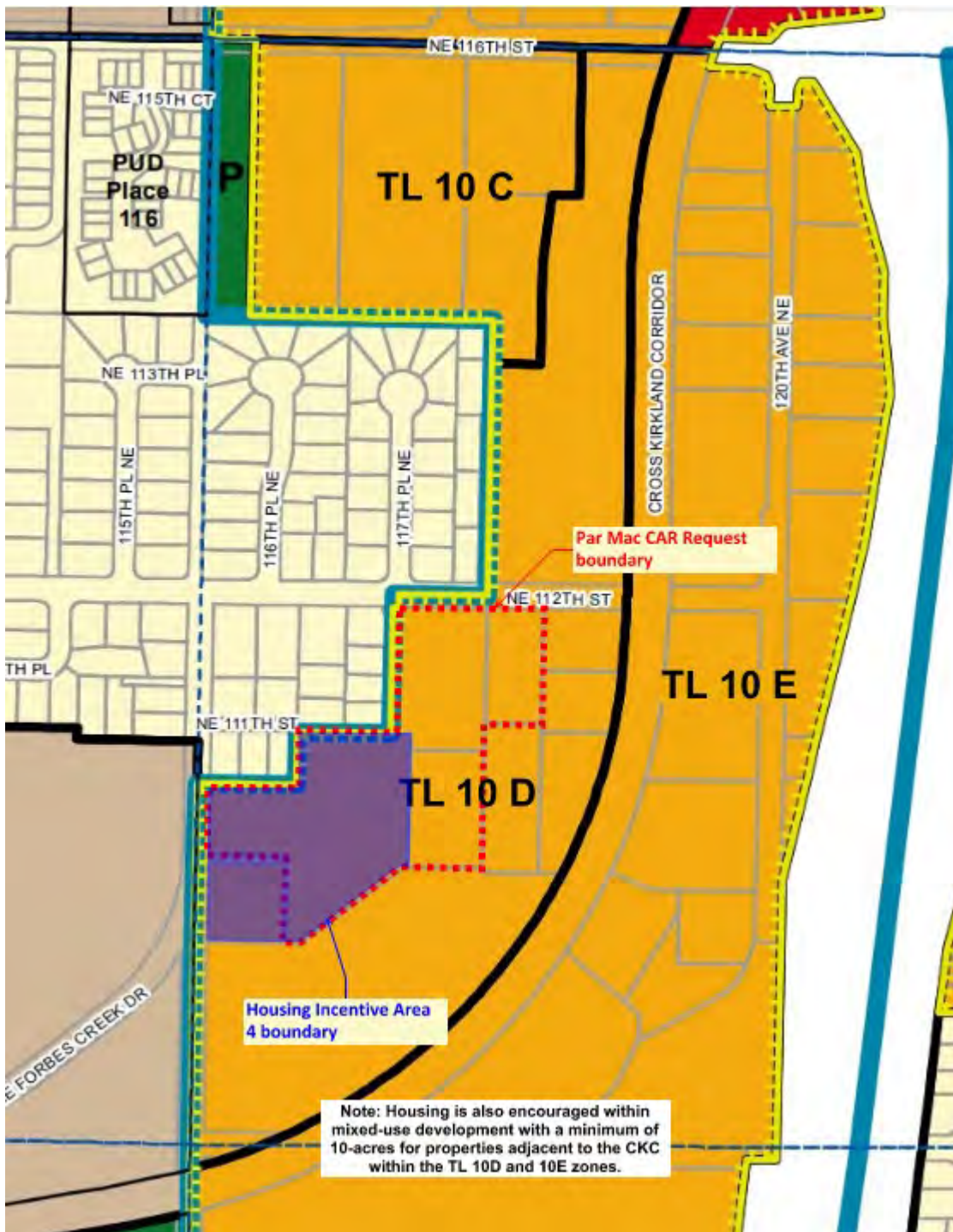
If the CAR is to move to Phase 2 for further review, the City could consider expanding the Housing Incentive Area 4 to include the CAR properties. The City may also consider revisiting policy TL-34.2 to encourage more housing within this subarea.

Potential Amendments to the Zoning Code

TL 10D zoning regulates the housing goal and policies within this portion of the Totem Lake Business District (see Attachment 10). The request seeks to amend the development regulations within KZC Section 55.87 to accommodate the proposed CAR (see figure below).

Both the TL 10D and 10E zones of the Southern Industrial Commercial Subarea enact development standards for Policy TL-34.2 to accommodate housing within mixed-use development along the CKC. It should be noted that no one parcel along the CKC, or collectively owned by a single owner, meets the minimum lot size of 10 acres to utilize these standards. Land aggregation of at least 10 acres along this corridor is unlikely to occur.

Figure 4: South Industrial Commercial Subarea zoning



The development associated with the CAR would also be required to install a portion of access street T20 and a portion of T19 per KZC 180, Plate 34A (see image below). The remaining portion of T19 will require redevelopment of properties to the east to 120th Ave NE. Completion of T19 or activation of the CKC with redevelopment under current zoning is unlikely because of the existing required land aggregation requirements discussed above. The City may also consider revisiting zoning regulating the development standards for properties adjacent to the CKC in both TL 10D and TL 10E to

encourage more housing within this subarea, the completion of access road T19, and activation of the CKC with development.

Figure 5: Required access road improvements



Staff Recommendation

Staff recommends that the Par Mac CAR proceed to Phase 2 study. Given the City's current desire to develop more workforce housing, the proposed project could yield additional affordable housing, up to 120 affordable units, under current regulations and catalyze more housing and commercial development along this portion of the CKC. While the existing Comprehensive Plan policies are not completely aligned with the proposed development request, policies do encourage the development of housing in this area of the Totem Lake Business District.

Given the scope of the request to increase allowed density, staff recommends it be considered with the Comprehensive Plan update, notably as the City conducts a capacity analysis and amends the transportation master plan, land use, and housing elements. Any Comprehensive Plan and zoning changes to accommodate this CAR

could be paired with a Master Plan requirement (similar to the Bridle Trails shopping center and the Houghton Everest Neighborhood Center) to ensure that increased development allowances are paired with a comprehensive approach to planning and circulation issues.

Planning Commission Discussion Topics

The Commission should provide feedback to staff and the applicant on the following.

Alavi Request

1. Does the proposal have merit and should it be considered by the Planning Commission and City Council:
 - a. During the CAR cycle (commence Phase 2 later this year in 2023); or,
 - b. When staff updates the Market Street Neighborhood and Market Street Corridor Plan?
2. If the proposal should move forward with a Phase 2 review, are there any additional site specific or neighborhood conditions to highlight for review when considering additional study?

Weise Request

1. Does the proposal have merit and should it be considered by the Planning Commission and City Council:
 - a. During the CAR cycle (commence Phase 2 later this year in 2023); or,
 - b. As staff updates the 2044 Comprehensive Plan?
2. If the proposal should move forward with a Phase 2 review, should the study area include other properties located within the RSX 35 zone?
3. If the proposal should move forward with a Phase 2 review, are there any additional site specific or neighborhood conditions to highlight for review when considering additional study?

Par Mac Request

1. Does the proposal have merit and should it be considered by the Planning Commission and City Council:
 - a. During the CAR cycle (commence Phase 2 later this year in 2023); or,
 - b. As staff updates the 2044 Comprehensive Plan?
2. If the proposal should move forward with a Phase 2 review, should the study area include other properties located within the Southern Industrial Commercial Subarea including properties in both TL 10D and TL 10E zones?
3. If the proposal should move forward with a Phase 2 review are there any additional site specific or neighborhood conditions to highlight for review when considering additional study?

Next Steps

The Planning Commission recommendations of the proposed CARs will be taken to City Council for their direction to proceed, or not, with Phase 2 review(s) at their July 18, 2023 meeting.

Attachments

1. Alavi CAR Application
2. KZC 51.08 and MSC 1 Use Zone Chart
3. Weise CAR Application
4. Permitted uses and density/dimensions for low density residential zones
5. Comprehensive Plan Land Use Map
6. Par Mac CAR Application
7. Totem Lake Business District Subarea Map
8. Cross Kirkland Corridor Master Plan – Active Zone
9. Housing Incentive Area Map Figure TL-9
10. TL 10D Zoning

cc: File Numbers: CAM22-00845; CAM22-00870; and CAM22-00873

Community-Initiated Amendment Requests (CARs) to the Comprehensive Plan, Zoning Code and Zoning Code Map



Submission date: **8 November 2022, 4:08PM**

Receipt number: **22**

Related form version: **15**

I. Contact Information

Applicant's Name	Barry Alavi
Applicant's Address	545 17th Ave W
Applicant's City	Kirkland
Applicant's State (Abbreviated: i.e. WA, CA, OR, etc.)	WA
Applicant's Zip Code	98033
Applicant's Phone Number	4255019999
Applicant's Email Address	barryalavi@gmail.com
Is Applicant the same as Property Owner (or Legal Representative)?	Yes
Property Owner's (or Legal Representative's) State (Abbreviated: i.e. WA, CA, OR, etc.)	WA

Note: If the applicant is the property owner or is representing the property owner, then the property owner must sign the last page. If the applicant is neither the property owner nor representing the property owner, then the affected property owner must be notified. Send or hand-deliver a copy of this completed application to all affected property owners. Complete an Affidavit of Service that this has been done.

Copies of staff reports and meeting agendas will be sent by email unless you request to the project planner that you want paper copies mailed to you.

II. For Site Specific Proposal

A. Address of proposal (if vacant, provide nearest street names): **545 17th Ave W**

B. King County Tax Parcel number(s): **3885803395**

C. Describe improvements on property if any: **There is currently a three-bedroom one-bathroom 1,120 square-foot single family house on the property.**

D. Attach a map of site that includes adjacent street names: **[IMapSite.JPEG](#)**

E. Current Zoning on subject property: **Market street Corridor (MSC-1), Office**

F. Current land use designation & permitted density shown on appropriate neighborhood plan land use map: **Office/ Multifamily with a permitted density of 10-14 units per acre.**

III. For All Proposals

A. Description of Proposal: **The applicant requests that KZC Chapter 51.08(6) is removed from the Zoning Code to support the development of a commercial or retail use. KZC Chapter 51.08(6) limits only this specific parcel along 17th Avenue West to be a duplex or detached dwelling unit.**

B. Description of the specific reasons for making the proposal:

The intention of the Market Street Corridor zone is to maintain an eclectic, attractive, and economically healthy area with a mix of small-scale office and retail uses supported by various residential units in the vicinity. Compatible amenities support a convenient, walkable lifestyle for the Market neighborhood residents. The MSC-1 zone concentrates commercialized activities representing the central business area for the neighborhood and is surrounded by residential zones, including RS 6.3 and RS 7.2. The applicant proposes a change to the Kirkland Zoning Code that would only impact one property, APN 3885803395 or 545 17th Ave W. KZC Chapter 51.08(6) limits only this specific parcel along 17th Avenue West to be a duplex or detached dwelling unit despite its location at the SWC of Market Street and 17th Avenue West. The applicant intends to remove one (1) dwelling unit on the property to develop a retail use permitted in the MSC-1, Office zone. The parcel is located in a zone intended for retail uses and the applicant would like to participate in the same opportunities that other properties within MSC-1, Office zone can develop.

C. Description of how the proposed amendment relates to the following criteria:

The project meets the intent of the Kirkland Zoning Code, Market Street Corridor Plan, and the Kirkland Comprehensive Plan as described in the following responses.

1. The proposal demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan.

The Kirkland 2035 Comprehensive Plan outlines the City's plan to create vibrant and livable communities. The plan includes policies that are applicable to the overall city and policies that are specific to the Market Street Corridor. The project meets the goals and policies of each of these sections of the Comprehensive Plan demonstrating that the project serves the public interest and implements the City's goals and policies. A revision to KZC 51.08(6) to allow for a retail use on the south side of 17th Avenue west would meet the goals and policies of the

Comprehensive Plan. The following sections break down the consistency analysis into two distinctive portions: (1) General Goals and Policies and (2) Market Street Corridor Goals and Policies.

General Goals and Policies

The 2035 Comprehensive Plan's vision is to uphold Kirkland as one of the most livable cities in the county by implementing the principles of livability, sustainability, and connectivity. The Market Street Corridor is a component of this vision that implements each principle into a walkable, self-sufficient neighborhood with recreational activities, retail shopping, and visually attractive corridor. The project meets various goals and policies outlined in the Land Use chapter of the plan.

Goal LU-1 requires the management of community growth to ensure an orderly pattern of land uses. Market Street is designed to be for commercial or office uses, as demonstrated in Figure LU-2 showing the Market Street Corridor as a mixed use area. There are two corner lots at this SWC intersection because APN 3885803395 and 3885803370 effectively share the corner designation. APN 3885803370 operates as an office use.

There are a number of corner parcels with businesses that have their secondary frontage along Market Street, such as Kirkland Smiles Dental Care or the Kahan Law Firm. Permitting a commercial use on the subject site would reflect the existing pattern of development. Policy 1-4 addresses creating effective transitions between land uses, a natural concern for changing the permitted uses at the subject site. As the policy states, privacy between commercial and residential can be a concern but continues to state, "building and site design can act to minimize conflicts". The subject site can be designed to have

an enhanced buffer to reduce potential neighborhood impacts. The policy continues with, “mixing of land uses is encouraged to bring shops, services, and offices in close proximity to residential uses” to create immediate market areas and reduce reliance on cars by enhancing accessibility to said shops and services.

Goal LU-3 promotes land use patterns that enhance mobility, transportation choices, and convenient access to goods and services. Market Street achieves this goal with numerous businesses operating along the corridor, bicycle and pedestrian pathways, and transit services. Supporting neighborhood walkability requires the availability of desirable services that attract customers. A continuous effort is needed to provide these opportunities within the MSC-1 zone and Office/Multifamily land use designation. Policy LU-3.1 states neighborhoods should allow residents to walk places that meet their daily needs, and LU-4.5 allows neighborhoods to propose neighborhood-oriented commercial uses to meet such local needs.

The proposal for a neighborhood commercial use is proposing walkable development based on local demand, exemplary of policies LU-3.1 and LU4.5. Similarly, policy ED 1.2 encourages a broad range of businesses that provide goods and services to the community. Adding a commercial site would broaden the range of businesses available to the community in this location. Allowing a commercial use at this site is in line with the goals and policies of the land use element.

Market Street Corridor

The subject site is located in the Office/Multifamily designation of the Comprehensive Plan and is within the Market Street Corridor. Section XV.L of the Comprehensive Plan describes the Market Street

Corridor and has its own specific goals. Policy MS-4 encourages a variety of residential and neighborhood-oriented shops and services to promote neighborhood walkability. Under the policy description, the comprehensive plan specifies “neighborhood-oriented businesses located on the west side of Market Street, north of 14th Avenue West provide convenient shopping and services for residents in the area”.

The site is located north of 14th Avenue on the west side of Market Street and is appropriate for the development of a neighborhood retail use. A commercial use at this site would serve the public interest by creating a local business which provides a place to gather while reducing vehicle trips needed for residents to meet their daily needs. Allowing this use within this zone implements Policy MS-4 set forth in both the Kirkland Comprehensive plan and the Market Street Corridor Plan.

Additionally, Policy MS-7 encourages the enhancement of the community’s design for new commercial uses in the Market Street Corridor. New development at this parcel will be designed to reflect the community and align with the Market Street Corridor Plan and the Kirkland Zoning Code. A commercial use could help increase opportunities for walkable business uses within the community, as well as providing a better-defined aesthetic buffer between the commercial corridor and dwelling units per MS-14. This parcel’s location provides an opportunity to ease the visual transition from the low-density residential areas to mixed use along the market street frontage. Policy MS-15 requires that buildings are oriented toward Market Street, which the site will be able to achieve.

Policies MS-1 through MS-3 are related to historic preservation. The dwelling unit on-site was constructed in 1953 and would not be considered a historically significant.

2. The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later neighborhood plan review or plan amendment process.

The proposal should be considered this year since it is already within the Market Street Corridor, a subarea plan of the 2035 Comprehensive Plan and is only related to a single parcel's ability to propose retail or commercial use instead of only residential. This proposal is compliant to the comprehensive and existing subarea plan as described in the response above. It is imperative that the city consider this application prior to the 2024 Comprehensive Plan's adoption as to consider the change to available lands needed to meet housing and job growth projections.

3. The proposal would correct an inconsistency within or make a clarification to a provision of the Comprehensive Plan.

Neither the Comprehensive Plan nor the Market Street Corridor plan needs to be reviewed or revised to align with the proposed project. Rather, the Kirkland Zoning Code should be revised to appropriately align with the Comprehensive Plan and Market Street Corridor plan. KZC Chapter 51.08(6) regulates only one parcel within the Market Street Corridor, and the regulation contradicts the intended use of the site under the Market Street Corridor zone. There is no adopted definition within the KZC for the Market Street Corridor, however the overview statement within the Corridor plan describes the intent of the zone: "The Market Street Corridor is an eclectic, attractive, and economically healthy area that includes a mix of small-scale office and retail uses, along with various housing types. A few commercial buildings provide convenient retail shopping and services for nearby residents and visitors from other areas in the region. The corridor is generally one lot wide bordering Market Street and is bounded by established and highly valued single-family residential neighborhoods to the north, east and west and the Central Business District to the south".

The intent is for the zone to provide neighborhood scale goods and services or professional offices that are intended to serve the surrounding residents. Commercial uses are primarily located along Market

Street with residential units in the adjacent streets. Per MS-6, commercial development should remain along Market Street and should not extend beyond 19th Avenue North. The site shares a corner with APN 3885803370 and is within the MSC-1 zone, which typically permits retail, commercial, or office uses along Market Street. This singular section of code does not align with the intent of the zone, otherwise the site would be zoned strictly as a low density residential (RS 7.2). This is a consistency issue within the adopted regulations that this application seeks to address.

There are similarly operating sites within the vicinity of APN 3885803370 that are: (1) located on a corner parcel along Market Street, (2) operate a retail business, and (3) are adjacent to a residential use or zone. A few examples of this would include 1720 Market Street (APN 1245001110, site is currently being converted from commercial to residential use), 906 Market Street (APN 3885804740), or 1209 Market Street (APN 3885803500, site is an office use).

It is possible that a commercial or retail use on the subject site is infeasible, however this would be up to the determination of a developer to propose a project that would meet the Comprehensive Plan, Market Street Corridor Plan, Kirkland Municipal Code, and the Kirkland Zoning Code. For example, impervious surface standards, parking requirements, or environmental requirements could ultimately determine that a commercial use is not feasible for a developer. Ultimately, the decision on the feasibility of a commercial use at this site is up to the developer, their consultants, and their creativity.

The applicant respectfully requests the City of Kirkland's consideration to repeal KZC Chapter 51.08(6) in order to reflect the intent of the Comprehensive Plan, Market Street Corridor Plan, and Kirkland Zoning Code.

IV. Property Owner's Signature or Service of Affidavit

A. If the applicant is the property owner, or is a legal representative of the property owner, then the property owner must sign below.

APPLICANT: If you are not the property owner, you will need to have the property owner sign this form electronically. Once you have completed all content, signed as applicant, and uploaded the any additional information, you will need to save this document by clicking the blue "SAVE" button below. You will then receive an email with a link to this form for you to forward to the property owner to sign online. The information you entered will be saved for the property owner to review prior to signing. Once they access the link and sign, they can submit the application, or sign it, save and allow you to submit the form. Keep the link for your records in case you need to access it again prior to the property owner submitting it. Contact the Planning and Building Department at 425-587-3600 if you have any questions.

Legal Declaration

I certify and declare, under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Applicant's Signature



[Link to signature](#)

Type Applicant's Name

Barry Alavi

Date Applicant Signed

11/08/2022

B. If the applicant is not the property owner or a legal representative of the property owner, then the affected property owner must be notified.

- Send or hand-deliver a copy of this completed application to all affected property owners.
- Complete the Affidavit of Service form (linked below).
- Upload the Affidavit of Service when you submit this application form. The Affidavit of Service confirms that a copy of the completed application form has been provided to all affected property owners.
- **Contact the Planning and Building Department at 425-587-3600 for fee amount due** and a planner will invoice you with the fee total for you to pay. **No work will be done on your permit until the fee is paid.**

Before submitting, upload attachment:

1. [Affidavit of Service](#)

Upload signed copy of Affidavit of Service, including [Affidavit - Unsigned.pdf](#)
Exhibit A and/or Exhibit B.

NOTE:

Once you submit this form, you will receive an email confirmation from our third-party provider, OpenForms, along with a PDF copy of the form you submitted. Keep it for your records. Be sure to check your spam/junk folder so you don't miss it!

{{snippet-14}}

{{snippet-13}}

CHAPTER 51 – MARKET STREET CORRIDOR (MSC) ZONES

51.05 User Guide – MSC 1 and MSC 4 zones.



The charts in KZC [51.10](#) contain the basic zoning regulations that apply in the MSC 1 and MSC 4 zones of the City. Use these charts by reading down the left hand column entitled Use. Once you locate the use in which you are interested, read across to find the regulations that apply to that use.

Section 51.08



Section 51.08 – GENERAL REGULATIONS

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

1.

Refer to Chapter [1](#) KZC to determine what other provisions of this code may apply to the subject property.

2.

Developments creating four or more new dwelling units shall provide at least 10 percent of the units as affordable housing units as defined in Chapter [5](#) KZC. Two additional units may be constructed for each affordable housing unit provided. In such cases, the minimum lot size listed in the Use Regulations shall be used to establish the base number of units allowed on the site, but shall not limit the size of individual lots. See Chapter [112](#) KZC for additional affordable housing incentives and requirements.

3.

For structures located within 30 feet of a parcel in a low density zone (or a low density use in PLA 17), KZC [115.136](#) establishes additional limitations on structure size.

4.

Some development standards or design regulations may be modified as part of the design review process. See Chapters [92](#) and [142](#) KZC for requirements.

5.

The Giant Sequoia on the corner of 17th Avenue West and Market Street shall be retained. Prior to issuance of a development permit the Planning Official may require site plan adjustments that exceed the modifications otherwise authorized by KZC [95.32](#) in order to protect the Giant Sequoia.

6.

Development on parcels fronting the south side of 17th Avenue West shall be limited to detached or duplex development.

Section 51.10

Zone
MSC 1, 4

USE ZONE CHART

Section 51.10	<div>USE</div> <div>↓</div> <div>REGULATIONS</div> <div>→</div>	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS											
		Required Review Process	Lot Size	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
				REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure					
				Front	Side	Rear							
.010	Detached Dwelling Units	None	3,600 sq. ft.	10' in MSC 4, otherwise 20'	5'	10'	70%	If adjoining a low density zone, then 25' above average building elevation. Otherwise, 30' above average building elevation.	E	A	2.0 per dwelling unit.	1. For this use, only one dwelling unit may be on each lot regardless of lot size. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.	
.020	Detached, Attached or Stacked Dwelling Units	D.R., Chapter 142 KZC			5' for detached units. For attached or stacked units, 5', but 2 side yards must equal at least 15'.				D		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. Minimum amount of lot area per dwelling unit is as follows: a. In MSC 1 zone, the minimum lot area per unit is 3,600 sq. ft. b. In MSC 4 zone west of Market Street, the minimum lot area per unit is 3,600 sq. ft., and east of Market Street, the minimum lot area per unit is 1,800 sq. ft. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.030	Office Uses	None			5' but 2 side yards must equal at least 15'.				C	D	If medical, dental or veterinary office, then one per each 200 sq. ft. of gross floor area. Otherwise one per each 300 sq. ft. of gross floor area.		

(Revised 12/17)

Kirkland Zoning Code
208

Section 51.10

Zone
MSC 1, 4

USE ZONE CHART

Section 51.10	<div>USE</div> <div>↓</div> <div>REGULATIONS</div> <div>↓</div>	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 YARDS (See Ch. 115)			Lot Coverage	Height of Structure					
				Front	Side	Rear							
.040	Restaurant or Tavern	D.R., Chapter 142 KZC.	None	10' in MSC4, otherwise 20'	5' but 2 side yards must equal at least 15'.	10'	70%	If adjoining a low density zone, then 25' above average building elevation. Otherwise, 30' above average building elevation.	C See Spec. Reg. 4.	E	1 per each 100 sq. ft. floor area.	1. This use is limited to 2,000 sq. ft. maximum. 2. Drive-in or drive-through facilities are not permitted. 3. Prior to issuance of a development permit, documentation must be provided by a qualified acoustical consultant, for approval by the Planning Official, verifying that the expected noise to be emanating from the site adjoining any residentially zoned property complies with the standards set forth in WAC 173-60-040(1) for a Class B source property and a Class A receiving property. 4. Any outdoor seating areas are subject to Landscape Category B.	

Section 51.10

Zone
MSC 1.4

USE ZONE CHART

Section 51.10	<div>USE</div> <div>↓</div> <div>REGULATIONS</div> <div>→</div>	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	Lot Size	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
				REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.050	Any Retail Establishment, other than those specifically listed, limited or prohibited in this zone, selling goods or providing services, including banking and related financial services.	D.R., Chapter 142 KZC.	None	10' in MSC 4, otherwise 20'	5' but 2 side yards must equal at least 15'.	10'	70%	If adjoining a low density zone, then 25' above average building elevation. Otherwise, 30' above average building elevation.	C	E	1 per each 300 sq. ft. floor area.	<div>1. The following uses are not permitted in this zone:<div>a. Vehicle service stations.</div>b. Automotive service centers.</div> <div>c. Uses with drive-in facilities or drive-through facilities.</div> <div>d. Retail establishments providing storage services unless accessory to another permitted use.</div> <div>e. Retail establishments involving the sale, service or repair of automobiles, trucks, boats, motorcycles, recreational vehicles, heavy equipment and similar vehicles.</div> <div>f. Storage and operation of heavy equipment, except delivery vehicles associated with retail uses.</div> <div>g. Storage of parts unless conducted entirely within an enclosed structure.</div> <div>h. Within the MSC 1 zone, retail establishments selling marijuana or products containing marijuana.</div> <div>2. Prior to issuance of a development permit, documentation must be provided by a qualified acoustical consultant, for approval by the Planning Official, verifying that the expected noise to be emanating from the site adjoining any residentially zoned property complies with the standards set forth in WAC 173-60-040(1) for a Class B source property and a Class A receiving property.</div> <div>3. Gross floor area cannot exceed 2,000 square feet.</div> <div>4. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if:<div>a. The assembled or manufactured goods are directly related to and are dependent upon this use, and are available for purchase and removal from the premises.</div>b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other retail uses.</div>
.060	Church				20' on each side.	20'			C	B	1 for every 4 people based on maximum occupancy load of any area of worship. See Spec. Reg. 1.	<div>1. No parking is required for day-care or school ancillary to this use.</div>

(Revised 3/15)

Kirkland Zoning Code
210

Section 51.10

Zone
MSC 1, 4

USE ZONE CHART

Section 51.10	<div>USE</div> <div>↓</div> <div>REGULATIONS</div> <div>→</div>	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	Lot Size	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
				REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.070	School or Day-Care Center	D.R., Chapter 142 KZC.	7,200 sq. ft.	10' in MSC 4, otherwise 20'	5' but 2 side yards must equal at least 15'.	10'	70%	If adjoining a low density zone, then 25' above average building elevation. Otherwise, 30' above average building elevation. See Spec. Reg. 5.	D	B	See KZC 105.25.	<div>1. A six-foot-high fence is required only along the property lines adjacent to the outside play areas.</div> <div>2. An on-site passenger loading area must be provided. The City shall determine the appropriate size of the loading area on a case-by-case basis, depending on the number of attendees and the extent of the abutting right-of-way improvements. Carpooling, staggered loading/unloading time, right-of-way improvements or other means may be required to reduce traffic impacts on nearby residential uses.</div> <div>3. May include accessory living facilities for staff persons.</div> <div>4. To reduce impacts on nearby residential uses, hours of operation of the use may be limited and parking and passenger loading areas relocated.</div> <div>5. For school use, structure height may be increased, up to 35 feet, if:<div>a. The school can accommodate 200 or more students; and</div><div>b. The required side and rear yards for the portions of the structure exceeding the basic maximum structure height are increased by one foot for each additional one foot of structure height; and</div><div>c. The increased height is not specifically inconsistent with the applicable neighborhood plan provisions of the Comprehensive Plan; and</div><div>d. The increased height will not result in a structure that is incompatible with surrounding uses or improvements.</div></div>

(Revised 9/13)

Kirkland Zoning Code
211

Section 51.10

Zone
MSC 1.4

USE ZONE CHART

Section 51.10	<div>USE</div> <div>↓</div> <div>REGULATIONS</div> <div>→</div>	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	Lot Size	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
				REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.080	Mini-School or Mini-Day-Care	D.R., Chapter 142 KZC.	3,600 sq. ft.	10' in MSC 4, otherwise 20'	5' but 2 side yards must equal at least 15'.	10'	70%	If adjoining a low density zone, then 25' above average building elevation. Otherwise, 30' above average building elevation.	E	B	See KZC 105.25.	1. A six-foot-high fence is required along the property lines adjacent to the outside play areas. 2. An on-site passenger loading area may be required depending on the number of attendees and the extent of the abutting right-of-way improvements. 3. To reduce impacts on nearby residential uses, hours of operation of the use may be limited and parking and passenger loading areas relocated. 4. Electrical signs shall not be permitted. Size of signs may be limited to be compatible with nearby residential uses. 5. May include accessory living facilities for staff persons.
.090	Assisted Living Facility								D	A	1.7 per independent unit. 1 per assisted living unit.	1. A facility that provides both independent dwelling units and assisted living units shall be processed as an assisted living facility. 2. For density purposes, two assisted living units shall constitute one dwelling unit. Total dwelling units may not exceed the number of stacked dwelling units allowed on the subject property. Through Process IIB, Chapter 152 KZC, up to 1 1/2 times the number of stacked dwelling units allowed on the property may be approved if the following criteria are met: a. Project is of superior design; and b. Project will not create impacts that are substantially different than would be created by a permitted multifamily development. 3. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use.
.100	Convalescent Center or Nursing Home		7,200 sq. ft.		10' on each side				C	B	1 for each bed.	
.110	Public Utility		None		20' on each side	20'			A		See KZC 105.25.	
.120	Government Facility Community Facility				10' on each side	10'			C See Spec. Reg. 2.			1. Site design must minimize adverse impacts on surrounding residential neighborhoods. 2. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.
.130	Public Park	Development standards will be determined on case-by-case basis. See Chapter 49 KZC for required review process.										

(Revised 9/13)

Kirkland Zoning Code
212/214

Community-Initiated Amendment Requests (CARs) to the Comprehensive Plan, Zoning Code and Zoning Code Map



Submission date: **19 December 2022, 4:07PM**

Receipt number: **24**

Related form version: **16**

I. Contact Information

Applicant's Name	Daniel Weise
Applicant's Address	12810 NE 64th St.
Applicant's City	Kirkland
Applicant's State (Abbreviated: i.e. WA, CA, OR, etc.)	WA
Applicant's Zip Code	98033
Applicant's Phone Number	4252602892
Applicant's Email Address	danielwe@hotmail.com
Is Applicant the same as Property Owner (or Legal Representative)?	Yes
Property Owner's (or Legal Representative's) State (Abbreviated: i.e. WA, CA, OR, etc.)	WA

Note: If the applicant is the property owner or is representing the property owner, then the property owner must sign the last page. If the applicant is neither the property owner nor representing the property owner, then the affected property owner must be notified. Send or hand-deliver a copy of this completed application to all affected property owners. Complete an Affidavit of Service that this has been done.

Copies of staff reports and meeting agendas will be sent by email unless you request to the project planner that you want paper copies mailed to you.

II. For Site Specific Proposal

A. Address of proposal (if vacant, provide nearest street names): **6422 128th Ave NE, Kirkland**

B. King County Tax Parcel number(s): **124150034005**

C. Describe improvements on property if any: **Vacant 1905 Farmhouse**

D. Attach a map of site that includes adjacent street names: **[6422 128th Ave NE.jpeg](#)**

E. Current Zoning on subject property: **RSX 35**

F. Current land use designation & permitted density shown on appropriate neighborhood plan land use map: **LDR 1 per**
<https://www.codepublishing.com/WA/Kirkland/?html/KirklandCPNT.html>

III. For All Proposals

A. Description of Proposal:

Rezone the parcel from RSX 35 to RSX7.2. The houses across NE 65th to the parcel's north are already RSX7.2. This corner parcel is bordered by NE65th (platted but undeveloped) and 128th NE. This parcel is platted as part of the Silver Spurs region of Bridle Trails, hence the RSX35 zoning, but it has no real connection to Silver Spurs because access to it is from NE 70th rather than from NE 60th. (128th NE from 64th to 65th is pedestrian only, no cars.) Judging by road access, this parcel belongs to a RSX7.2 region, not a RSX35 region. We live at 12810 NE 64th, the lot directly to the South of the parcel we wish to rezone, it is our backyard.

B. Description of the specific reasons for making the proposal:

Kirkland needs more housing if we want the people work here to be able to afford to live here. We need more density to lower our per capita fossil fuel emissions. We need more density for more walkable neighborhoods. Current zoning restricts this lot to one house. The proposed zoning would allow 5 lots. The rezoning would keep the lot in the character of the neighborhood it resides in, which is mostly RSX7.2.

C. Description of how the proposed amendment relates to the following criteria:

1. The proposal demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan.

It helps achieves goals and policies:

Goal H-1: Maintain and enhance the unique residential character of each City neighborhood.

Goal H-2: Ensure that Kirkland has a sufficient quantity and variety of housing to meet projected growth and needs of the community.

Policy LU-2.2: Facilitate infill development and encourage redevelopment of underutilized land.

Policy LU-2.3: Ensure an adequate supply of housing units and commercial floorspace to meet the required growth targets.

2. The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later neighborhood plan review or plan amendment process.

The re-zoning needs to occur before ownership changes hand and someone builds a mega-mansion on the lot. We are in our 60s and who know what will happen when to us.

3. The proposal would correct an inconsistency within or make a clarification to a provision of the Comprehensive Plan.

The proposal does not do this.

IV. Property Owner's Signature or Service of Affidavit

A. If the applicant is the property owner, or is a legal representative of the property owner, then the property owner must sign below.

APPLICANT: If you are not the property owner, you will need to have the property owner sign this form electronically. Once you have completed all content, signed as applicant, and uploaded the any additional information, you will need to save this document by clicking the blue "SAVE" button below. You will then receive an email with a link to this form for you to forward to the property owner to sign online. The information you entered will be saved for the property owner to review prior to signing. Once they access the link and sign, they can submit the application, or sign it, save and allow you to submit the form. Keep the link for your records in case you need to access it again prior to the property owner submitting it. Contact the Planning and Building Department at 425-587-3600 if you have any questions.

Legal Declaration

I certify and declare, under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Applicant's Signature



[Link to signature](#)

Type Applicant's Name

Daniel W Weise

Date Applicant Signed

12/19/2022

B. If the applicant is not the property owner or a legal representative of the property owner, then the affected property owner must be notified.

- Send or hand-deliver a copy of this completed application to all affected property owners.
- Complete the Affidavit of Service form (linked below).
- Upload the Affidavit of Service when you submit this application form. The Affidavit of Service confirms that a copy of the completed application form has been provided to all affected property owners.
- **Contact the Planning and Building Department at 425-587-3600 for fee amount due** and a planner will invoice you with the fee total for you to pay. **No work will be done on your permit until the fee is paid.**

Before submitting, upload attachment:

1. [Affidavit of Service](#)

Upload signed copy of Affidavit of Service, including [no affidavit.pdf](#)
Exhibit A and/or Exhibit B.

NOTE:

Once you submit this form, you will receive an email confirmation from our third-party provider, OpenForms, along with a PDF copy of the form you submitted. Keep it for your records. Be sure to check your spam/junk folder so you don't miss it!

To request information from this document in your language, please contact the Title VI Coordinator at titlevicoordinator@kirklandwa.gov or 425-587-3831.

如需此文件中信息的简体中文 版本, 请发送电子邮件至 titlevicoordinator@kirklandwa.gov 或拨打 425-587-3831 联络 Title VI 协调员。

Чтобы запросить перевод этого документа на по-русски, свяжитесь с координатором по вопросам Раздела

VI по электронной почте titlevicoordinator@kirklandwa.gov или по номеру 425-587 3831

Para pedir información sobre este documento en español, comuníquese con el coordinador del Título VI escribiendo a titlevicoordinator@kirklandwa.gov o llamando al 425-587-3831.

Para solicitar informações deste documento em português, entre em contato com o Coordenador do Título VI em titlevicoordinator@kirklandwa.gov ou 425-587-3831.

한국어로 이 서류의 정보를 원하시면 타이틀 VI 코디네이터에게 이메일이나 전화로 연락 하십시오. 이메일: titlevicoordinator@kirklandwa.gov 전화: 425-587-3831.

Để yêu cầu thông tin từ tài liệu này bằng tiếng Việt, vui lòng liên hệ với Điều Phối Viên Tiêu Đề VI theo địa chỉ titlevicoordinator@kirklandwa.gov hoặc theo số (425) 587-3831.

Alternate Formats:

People with disabilities may request materials in alternate formats.

Title VI: Kirkland's policy is to fully comply with Title VI of the Civil Rights Act by prohibiting discrimination against any person on the basis of race, color, national origin or sex in the provision of benefits and services resulting from its programs and activities. Any person who believes his/her Title VI protection has been violated, may file a complaint with the City.

To request an alternate format, file a complaint or for questions about Kirkland's Title VI Program, contact the Title VI Coordinator at 425-587-3831 (TTY Relay: 711) or TitleVICoordinator@kirklandwa.gov.

- e. Development must ensure that the City has the ability to access and provide necessary emergency services.

(Ord. 4476 § 2, 2015)

15.20 Permitted Uses

Permitted Uses Table – Low Density Residential Zones (RS, RSX, RSA, WD II, PLA 3C, PLA 6E, PLA 16)

(See also KZC [15.30](#), Density/Dimensions Table, and KZC [15.40](#), Development Standards Table)

Use		Required Review Process: I = Process I, Chapter 145 KZC IIA = Process IIA, Chapter 150 KZC IIB = Process IIB, Chapter 152 KZC None = No Required Review Process NP = Use Not Permitted # = Applicable Special Regulations (listed after the table)						
		RS	RSX	RSA	WD II	PLA 3C	PLA 6E	PLA 16
15.20.010	Attached Dwelling Units	NP	NP	NP	NP	I 1	NP	NP
15.20.020	Church	2 , 4c	2 , 4c	2 , 4c , 13	NP	IIA 4c	2 , 4c	IIA
15.20.030	Commercial Equestrian Facility	NP	NP	NP	NP	NP	NP	IIB 5
15.20.040	Commercial Recreation Area and Use	NP	NP	NP	NP	NP	NP	IIB 6
15.20.050	Community Facility	2 , 4b	2 , 4b	2 , 4b	IIA 4b	IIA 4b	2	IIA
15.20.060	Detached Dwelling Unit	None	None	None 8 , 9	None 8 , 11	None	None 8	None 7 , 8
15.20.070	Golf Course	IIA 4b , 12	IIA 4b , 12	IIA 4b , 12 , 13	NP	NP	NP	NP
15.20.080	Government Facility	2 , 4b	2 , 4b	2 , 4b	IIA 4b	IIA 4b	2	IIA

Use		Required Review Process: I = Process I, Chapter 145 KZC IIA = Process IIA, Chapter 150 KZC IIB = Process IIB, Chapter 152 KZC None = No Required Review Process NP = Use Not Permitted # = Applicable Special Regulations (listed after the table)						
		RS	RSX	RSA	WD II	PLA 3C	PLA 6E	PLA 16
15.20.090	Mini-School or Mini-Day-Care Center	I 4a, 4b, 14, 15, 16, 18	I 4a, 4b, 14, 15, 16, 18	I 4a, 4b, 13, 14, 15, 16, 18	NP	I 4a, 4b, 14, 15, 16, 18	None 15, 16, 17, 18, 19	None 15, 16, 17, 18, 19
15.20.100	Piers, Docks, Boat Lifts and Canopies Serving Detached Dwelling Unit	NP	NP	I 10	10	NP	NP	NP
15.20.110	Public Park	Development standards will be determined on a case-by-case basis. See KZC 45.50 .						
15.20.120	Public Utility	2, 4b	2, 4b	2, 4b	IIA 4b	IIA 4b	2	IIA
15.20.130	School or Day-Care Center	2, 4, 14, 16, 18, 20	2, 4, 14, 16, 18, 20	2, 4, 13, 14, 16, 18, 20	NP	IIA 4, 14, 16, 18, 20	2, 4, 14, 16, 18, 20	IIA 16, 17, 18, 19, 20

Permitted Uses (PU) Special Regulations:

PU-1. a. No more than two units may be attached to each other.

- b. Attached dwelling units must be designed to look like a detached single-family house using such techniques as limiting the points of entry on each facade, providing pitched roofs and covered porches.

PU-2. The required review process is as follows:

- a. If the subject property, including all contiguous property owned by the applicant and held by others for future use by the applicant, is less than five acres, the required review process is Process IIA, Chapter [150](#) KZC.
- b. If the subject property, including all contiguous property owned by the applicant and held by others for future use by the applicant, is five or more acres, a Master Plan, approved through Process IIB, Chapter [152](#) KZC, is required. The Master Plan must show building placement, building dimensions, roadways, utility locations, land uses within the Master Plan area, parking location, buffering, and landscaping.

PU-3. Reserved.

PU-4. May locate on the subject property only if:

- a. It will not be materially detrimental to the character of the neighborhood in which it is located.
 - b. Site and building design minimizes adverse impacts on surrounding residential neighborhoods.
 - c. The property is served by a collector or arterial street (does not apply to existing school sites).
- PU-5. a. This use may include arenas, stables, roaming and grazing areas, club house and ancillary equestrian facilities.
- b. This use must comply with KZC 80.30 through 80.45.
- c. An improved public equestrian access trail through the subject property and appropriate public signing must be provided. The trail must be located and designed to allow for an eventual connection between NE 60th Street and Bridle Trails State and King County Parks.
- PU-6. a. This use may include activities such as: indoor and outdoor tennis courts, club house, swimming pool, other sport court games and ancillary commercial recreation activities.
- b. Hours of operation may be limited by the City to reduce impacts on residential uses.
- c. Vehicular and pedestrian circulation to and from the property shall be coordinated with the other properties in the vicinity to the maximum extent possible.
- PU-7. If lot size is less than 35,000 square feet, then Process IIB, Chapter 152 KZC.
- PU-8. For this use, only one dwelling unit may be on each lot regardless of the size of the lot, unless the lot is being developed pursuant to the cottage, carriage, or two/three-unit homes regulations in Chapter 113 KZC.
- PU-9. Residential uses abutting Lake Washington may have an associated private shoreline park that is commonly or individually owned and used by residents and guests.
- PU-10. See Chapter 141 KZC for additional procedural requirements in addition to those in Chapter 145 KZC.
- PU-11. At the northern terminus of the 5th Avenue West vehicular access easement, the average parcel depth shall be measured from the ordinary high water mark to the public pedestrian access easement providing access to Waverly Beach Park.
- PU-12. a. May not include miniature golf.
- b. The following accessory uses are specifically permitted as part of this use:
- 1) Equipment storage facilities.
 - 2) Retail sales and rental of golf equipment and accessories.
 - 3) A restaurant.

- PU-13. This use is not permitted on properties within the jurisdiction of the Shoreline Management Act.
- PU-14. Hours of operation and maximum number of attendees may be limited by the City to reduce impacts on nearby residential uses.
- PU-15. Structured play areas must be set back from all property lines by five feet.
- PU-16. May include accessory living facilities for staff persons.
- PU-17. May locate on the subject property if:
- It will serve the immediate neighborhood in which it is located; or
 - It will not be materially detrimental to the character of the neighborhood in which it is located.
- PU-18. A six-foot-high fence is required along the property lines adjacent to the outside play areas.
- PU-19. Hours of operation may be limited by the City to reduce impacts on nearby residential uses.
- PU-20. Structured play areas must be set back from all property lines as follows:
- Twenty feet if this use can accommodate 50 or more students or children.
 - Ten feet if this use can accommodate 13 to 49 students or children.

(Ord. 4811 § 1, 2022; Ord. 4749 § 1, 2021; Ord. 4506 § 2, 2015; Ord. 4476 § 2, 2015)

15.30 Density/Dimensions

Density/Dimensions Table – Low Density Residential Zones (RS, RSX, RSA, WD II, PLA 3C, PLA 6E, PLA 16)

(Refer to KZC [15.20](#), Permitted Uses Table, to determine if a use is allowed in the zone; see also KZC [15.40](#), Development Standards Table)

Use		Minimum Lot Size	REQUIRED YARDS ¹ (See Ch. 115 KZC)			Maximum Lot Coverage	Maximum Height of Structure ABE = Average Building Elevation
			Front	Side	Rear		
15.30.010	Attached Dwelling Units	<u>2, 3</u>	20' ⁴	10' ⁵	10' ⁵	50%	25' above ABE.

Use		Minimum Lot Size	REQUIRED YARDS ¹ (See Ch. 115 KZC)			Maximum Lot Coverage	Maximum Height of Structure ABE = Average Building Elevation
			Front	Side	Rear		
15.30.020	Church	RS, RSX, RSA: ⁷ PLA 3C: 12,500 sq. ft. PLA 6E: 7,200 sq. ft. PLA 16: 35,000 sq. ft.	20'	20'	20'	70% RSA: 70% ⁶ PLA 3C: 50%	RS, PLA 3C, PLA 6E: 25' above ABE. RSX, RSA, PLA 16: 30' above ABE.
15.30.030	Commercial Equestrian Facility	3 acres	20'	20'	20'	80%	^{8a}
15.30.040	Commercial Recreation Area and Use	1 acre	20'	20'	20'	80%	38' above ABE. ^{8a, b}
15.30.050	Community Facility	None	20'	10' WD II: ⁹	10'	70% RSA: 70% ⁶ PLA 3C: 50%	RS, WD II, PLA 3C, PLA 6E: 25' above ABE. RSA, RSX, PLA 16: 30' above ABE.
			WD II: ¹⁰				
15.30.060	Detached Dwelling Unit	RS, RSX: ^{11, 12, 13} RSA: ^{11, 17, 18, 19} WD II: 12,500 sq. ft. PLA 3C: 12,500 sq. ft. ^{2, 27} PLA 6E: 5,000 sq. ft. ²⁸ PLA 16: 35,000 sq. ft. ^{13, 29, 30}	RS: 20' ^{14, 16} RSX: 20' ^{15, 16} RSA: 20' ^{15, 16, 20} WD II: ^{14, 22, 32} PLA 3C, PLA 6E, PLA 16: 20' ⁴	5'/15' ⁹ RSX: 5' ¹⁵ RSA: 5' WD II: ^{23, 24}	10' RS, RSX: 10' ¹⁶	50% RSA: 50% ⁶	RS, PLA 3C, PLA 6E: 25' above ABE. RSX, PLA 16: 30' above ABE. RSA: 30' above ABE. ²¹ WD II: 25' above ABE. ^{25, 26}
15.30.070	Golf Course	1 acre	50'	50'	50'	50% RSA: 50% ⁶	RS: 25' above ABE. RSA, RSX: 30' above ABE.
15.30.080	Government Facility	None	20'	10' WD II: 5'/15' ⁹	10'	70% RSA: 70% ⁶ PLA 3C: 50%	RS, WD II, PLA 3C, PLA 6E: 25' above ABE. RSA, RSX, PLA 16: 30' above ABE.
			WD II: ¹⁰				
15.30.090	Mini-School or Mini-Day-Care Center	RS, RSX, RSA: ⁷ PLA 3C: 12,500 sq. ft. PLA 6E: 3,600 sq. ft. PLA 16: 35,000 sq. ft.	20'	5'/15' ⁹	10' PLA 3C: 20'	50% RSA: 50% ⁶ PLA 6E: 60%	RS, PLA 3C, PLA 6E: 25' above ABE. RSX, RSA, PLA 16: 30' above ABE.

Use		Minimum Lot Size	REQUIRED YARDS ¹ (See Ch. 115 KZC)			Maximum Lot Coverage	Maximum Height of Structure ABE = Average Building Elevation
			Front	Side	Rear		
15.30.100	Piers, Docks, Boat Lifts and Canopies Serving Detached Dwelling Unit	None	See Chapter 83 KZC.			–	See Chapter 83 KZC.
15.30.110	Public Park	Development standards will be determined on a case-by-case basis.					
15.30.120	Public Utility	None	20'	20'	20'	70% RSA: 70% ⁶ PLA 3C: 50%	RS, WD II, PLA 3C, PLA 6E: 25' above ABE. RSA, RSX, PLA 16: 30' above ABE.
			WD II: 10				
15.30.130	School or Day-Care Center	RS, RSX, RSA: 7 PLA 3C: 12,500 sq. ft. PLA 6E: 7,200 sq. ft. PLA 16: 35,000 sq. ft.	If this use can accommodate 50 or more students or children, then:			70% RSA: 70% ⁶ PLA 3C: 50%	RS: 25' above ABE. 31 RSX, RSA, PLA 16: 30' above ABE. 31 PLA 3C: 25' above ABE. 6 PLA 6E: 25' above ABE. 31
			50'	50'	50'		
			If this use can accommodate 13 to 49 students or children, then:				
			20'	20'	20'		

Density/Dimensions (DD) Special Regulations:

DD-1. In the WD II zone, for shoreline setbacks see Chapter [83](#) KZC.

DD-2. a. Maximum dwelling units per acre is six dwelling units. Not more than one dwelling unit may be on each lot regardless of the size of the lot.

b. Within a subdivision or short plat the minimum lot size is 5,000 square feet.

c. Road dedication and vehicular access easements or tracts may not be included in the density calculation or in the minimum lot size per dwelling unit.

DD-3. For lots containing less than 7,200 square feet, the floor area ratio (F.A.R.) requirements of KZC [115.42](#) shall apply. The maximum floor area ratio is 50 percent of the lot size; provided, that F.A.R. may be increased to 60 percent if, with the exception of accessory features, all roof forms consist of ridgelines peaked near the center of the structure, with a minimum pitch of four feet vertical to 12 feet horizontal.

See KZC [115.42](#), Floor Area Ratio (F.A.R.) Calculation for Detached Dwelling Units in Low Density Residential Zones, for additional information.

DD-4. On corner lots with two required front yards, one may be reduced to the average of the front yards for the two adjoining properties fronting the same street as the front yard to be reduced. The applicant may select which front yard will be reduced (see Plate [24](#)).

- DD-5. The side or rear yard may be reduced to zero feet if the side or rear of the dwelling unit is attached to a dwelling unit on an adjoining lot within the short plat or subdivision.
- DD-6. Except 30 percent for RSA 1 zone. See RSA General Regulation 1 (KZC 15.10.030(1)) and KZC 15.05.020(3).
- DD-7. As established on the Zoning Map. Minimum lot size is as follows:
- a. In RS 35 and RSX 35 zones, the minimum lot size is 35,000 square feet.
 - b. In RS 12.5 and RSX 12.5 zones, the minimum lot size is 12,500 square feet.
 - c. In RS 8.5 and RSX 8.5 zones, the minimum lot size is 8,500 square feet.
 - d. In RS 7.2 and RSX 7.2 zones, the minimum lot size is 7,200 square feet.
 - e. In RS 6.3 zones, the minimum lot size is 6,300 square feet.
 - f. In RS 5.0 and RSX 5.0 zones, the minimum lot size is 5,000 square feet.
 - g. In RSA 1 zones, newly platted lots shall be clustered and configured in a manner to provide generally equal sized lots outside of the required open space area.
 - h. In RSA 4 zones, the minimum lot size is 7,600 square feet.
 - i. In RSA 6 zones, the minimum lot size is 5,100 square feet.
 - j. In RSA 8 zones, the minimum lot size is 3,800 square feet.
- DD-8. a. Structures exceeding 25 feet above average building elevation must have the ground floor placed below existing grade to the extent possible and screened by a vegetative earthen berm.
- b. Structures can be placed at existing grade if the structures are located on lower ground than adjacent properties and if the adjacent properties are developed and do not contain residential use.
- DD-9. Five feet, but two side yards must equal at least 15 feet.
- DD-10. The dimension of any required yard, other than as specifically listed, will be determined on a case-by-case basis. The City will use the setback for this use in RS zones as a guide.
- DD-11. As established on the Zoning Map. Minimum lot size per dwelling unit is as follows:
- a. In RS 35 and RSX 35 zones, the minimum lot size is 35,000 square feet.
 - b. In RS 12.5 zones, the minimum lot size is 12,500 square feet.

- c. In RS 8.5 and RSX 8.5 zones, the minimum lot size is 8,500 square feet.
- d. In RS 7.2 and RSX 7.2 zones, the minimum lot size is 7,200 square feet.
- e. In RS 6.3 zones, the minimum lot size is 6,300 square feet.
- f. In RS 5.0 and RSX 5.0 zones, the minimum lot size is 5,000 square feet.
- g. In RS 35, RSX 35, RS 12.5, RS 8.5, RSX 8.5, RS 7.2, RSX 7.2, RS 6.3, RS 5.0 and RSX 5.0 zones, not more than one dwelling unit may be on each lot, regardless of the size of each lot.
- h. In RSA 1 zones, newly platted lots shall be clustered and configured in a manner to provide generally equal sized lots outside of the required open space area.
- i. In RSA 4 zones, the minimum lot size is 7,600 square feet.
- j. In RSA 6 zones, the minimum lot size is 5,100 square feet.
- k. In RSA 8 zones, the minimum lot size is 3,800 square feet.

DD-12. Floor Area Ratio (F.A.R.) allowed for the subject property is as follows:

- a. In RS 35 and RSX 35 zones, F.A.R. is 20 percent of lot size.
- b. In RS 12.5 and RSX 12.5 zones, F.A.R. is 35 percent of lot size.
- c. In RS 8.5 and RSX 8.5 zones, F.A.R. is 50 percent of lot size.
- d. In RS 7.2 and RSX 7.2 zones, F.A.R. is 50 percent of lot size.
- e. In RS 6.3 zones, F.A.R. is 50 percent of lot size.
- f. In RS 5.0 and RSX 5.0 zones, F.A.R. is 50 percent of lot size; provided, that F.A.R. may be increased up to 60 percent of lot size for the first 5,000 square feet of lot area if the following criteria are met:
 - 1) With the exception of accessory features, all roof forms consist of ridgelines peaked near the center of the structure, with a minimum pitch of four feet vertical to 12 feet horizontal; and
 - 2) A setback of at least 7.5 feet is provided along each side yard.

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

A reduced F.A.R. may be required pursuant to subdivision design requirements in Chapter 22.28 KMC.

- DD-13. Residential lots in the RS 35, RSX 35 and PLA 16 zones within the Bridle Trails neighborhood north and northeast of Bridle Trails State Park must contain a minimum area of 10,000 permeable square feet, and shall comply with regulations for horses in KZC [115.20\(5\)](#).
- DD-14. On corner lots with two required front yards, one may be reduced to the average of the front yards for the two adjoining properties fronting the same street as the front yard to be reduced. The applicant may select which front yard will be reduced (see Plate [24](#)).
- DD-15. On corner lots, only one front yard must be a minimum of 20 feet. All other front yards shall be regulated as a side yard (minimum five-foot yard). The applicant may select which front yard shall meet the 20-foot requirement.
- DD-16. On lots with two front yards that are essentially parallel to one another, only one front yard must be a minimum of 20 feet. The other will be regulated as a rear yard (minimum 10 feet). The front yard shall be the yard adjacent to the front facade of the dwelling unit.
- DD-17. Maximum units per acre is as follows:
- In RSA 1 zones, the maximum units per acre is one dwelling unit.
 - In RSA 4 zones, the maximum units per acre is four dwelling units.
 - In RSA 6 zones, the maximum units per acre is six dwelling units.
 - In RSA 8 zones, the maximum units per acre is eight dwelling units.

Where the maximum number of units results in a fraction, the number shall be rounded up if the fraction is 0.50 or greater. In RSA 1, 4, 6 and 8 zones, not more than one dwelling unit may be on each lot, regardless of the size of the lot.

- DD-18. Road dedication and vehicular access easements or tracts may be included in the density calculation, but not in the minimum lot size per dwelling unit.
- DD-19. Floor Area Ratio (F.A.R.) allowed for the subject property is as follows:
- In RSA 1 zones, F.A.R. is 20 percent of lot size.
 - In RSA 4 zones, F.A.R. is 50 percent of lot size.
 - In RSA 6 zones, F.A.R. is 50 percent of lot size.
 - In RSA 8 zones, F.A.R. is 50 percent of lot size; provided, that F.A.R. may be increased up to 60 percent of lot size for the first 5,000 square feet of lot area if, with the exception of accessory features, all roof forms consist of ridgelines peaked near the center of the structure, with a minimum pitch of four feet vertical to 12 feet horizontal.

F.A.R. is not applicable for properties located within the jurisdiction of the Shoreline Management Act regulated under Chapter [83](#) KZC.

See KZC [115.42](#), Floor Area Ratio (F.A.R.) Calculation for Detached Dwelling Units in Low Density Residential Zones, for additional information.

- DD-20. For properties within the jurisdiction of the Shoreline Management Act that have a shoreline setback requirement as established in Chapter 83 KZC and the setback requirement is met, the minimum required front yard is either: 10 feet or the average of the existing front yards on the properties abutting each side of the subject property. For the reduction in front yard, the shoreline setback is considered conforming if a reduction in the required shoreline setback is approved through KZC 83.380.
- DD-21. Maximum height of structure for properties located within the Juanita Beach Camps Plat (Volume 32, Page 25 of King County Records) or the Carr's Park Plat (Unrecorded) shall be 35 feet above average building elevation.
- DD-22. a. For properties located south of the Lake Avenue West Street End Park, the required front yard may be decreased to the average of the existing front yards on the properties abutting the subject property to the north and south.
- b. The front required yard provisions shall not apply to public street ends located west of Waverly Way, but the required yard shall be regulated as a side yard.
- c. The required yard along the east side of the vehicular access easements known as 5th Avenue West or Lake Avenue West is zero feet.
- d. The required yard along the west side of the vehicular access easements known as 5th Avenue West or Lake Avenue West is either five feet or the average of the existing rear yards on the properties abutting the subject property to the north and south. The garage shall be located to comply with the provisions for parking pads contained in KZC 105.47.
- DD-23. Five feet, but two side yards must equal at least 15 feet or five feet each if Special Regulation DD-24 is met.
- DD-24. The gross floor area of any floor above the first story at street or vehicular access easement level shall be reduced by a minimum of 15 percent of the floor area of the first story, subject to the following conditions:
- a. The structure must conform to the standard shoreline setback requirements established in Chapter 83 KZC, or as otherwise approved under the shoreline setback reduction provisions established in KZC 83.380.
- b. The required floor area reductions shall be incorporated along the entire length of the facade of one or both facades facing the side property lines in order to provide separation between neighboring residences.
- c. Uncovered decks with solid railings located along the side property lines on the upper floors and covered decks shall be included in gross floor area calculation.
- d. This provision shall only apply if a residence has more than one story above the street or vehicular access easement level, as measured at the midpoint of the frontage of the subject property on the abutting right-of-way (Plate 36).
- DD-25. For properties with a minimum of 45 feet of frontage along Lake Washington, 30 feet above average building elevation.
- DD-26. For the increase in height from 25 feet to 30 feet above average building elevation, the structure must conform to the standard shoreline setback requirements established in Chapter 83 KZC, or as otherwise approved under the shoreline setback provisions established in KZC 83.380.

- DD-27. Floor Area Ratio (F.A.R.) requirements of KZC 115.42 shall apply. The maximum Floor Area Ratio is 50 percent of the lot size; provided, that on lots containing less than 7,200 square feet, F.A.R. may be increased to 60 percent if:
- With the exception of accessory features, all roof forms consist of ridgelines peaked near the center of the structure, with a minimum pitch of four feet vertical to 12 feet horizontal; and
 - A setback of at least 7.5 feet is provided along each side yard.

See KZC 115.42, Floor Area Ratio (F.A.R.) calculation for Detached Dwelling Units in Low Density Residential Zones, for additional information.

- DD-28. Floor Area Ratio (F.A.R.) allowed for the subject property is 60 percent of lot size.

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

- DD-29. Floor Area Ratio (F.A.R.) allowed for the subject property is 20 percent of lot size.

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

- DD-30. If a Master Plan is approved for the property, this use may have a lot size of less than 35,000 square feet and must meet the following standards:

- The property must contain at least 16 contiguous acres.
- Residential lots must contain a minimum area of 14,500 square feet capable of being used as a horse paddock area, which shall comply with KZC 115.20(5) for keeping of horses.
- The minimum lot size allowed on the property shall be determined and approved as part of the Master Plan. In no case shall the minimum lot size be less than 26,000 square feet.
- A commercial equestrian facility, including an arena, stables and paddock areas, must be provided on the property. The facility must be available to the public and not exclusively for the residences within the Master Plan. The facility must meet requirements and special regulations as established for the use listing in this zone entitled "Commercial Equestrian Facility."
- An improved public equestrian access trail and appropriate public signing must be provided. The trail must be located and designed so as to allow for an eventual connection between NE 60th Street and the Bridle Trails State and King County Parks.
- A coordinated vehicular and pedestrian circulation system for the property as well as other properties in the vicinity shall be provided as part of the Master Site Plan.

- DD-31. For school use, structure height may be increased, up to 35 feet, if:

- The school can accommodate 200 or more students; and

- b. The required side and rear yards for the portions of the structure exceeding the basic maximum structure height are increased by one foot for each additional one foot of structure height; and
- c. The increased height is not specifically inconsistent with the applicable neighborhood plan provisions of the Comprehensive Plan; and
- d. The increased height will not result in a structure that is incompatible with surrounding uses or improvements.

DD-32. For those properties that conform to the standard shoreline setback requirements established in Chapter 83 KZC, either:

- a. Ten feet; or
- b. The average of the existing front yards on the properties abutting the subject property to the north and south. Otherwise, 20 feet.

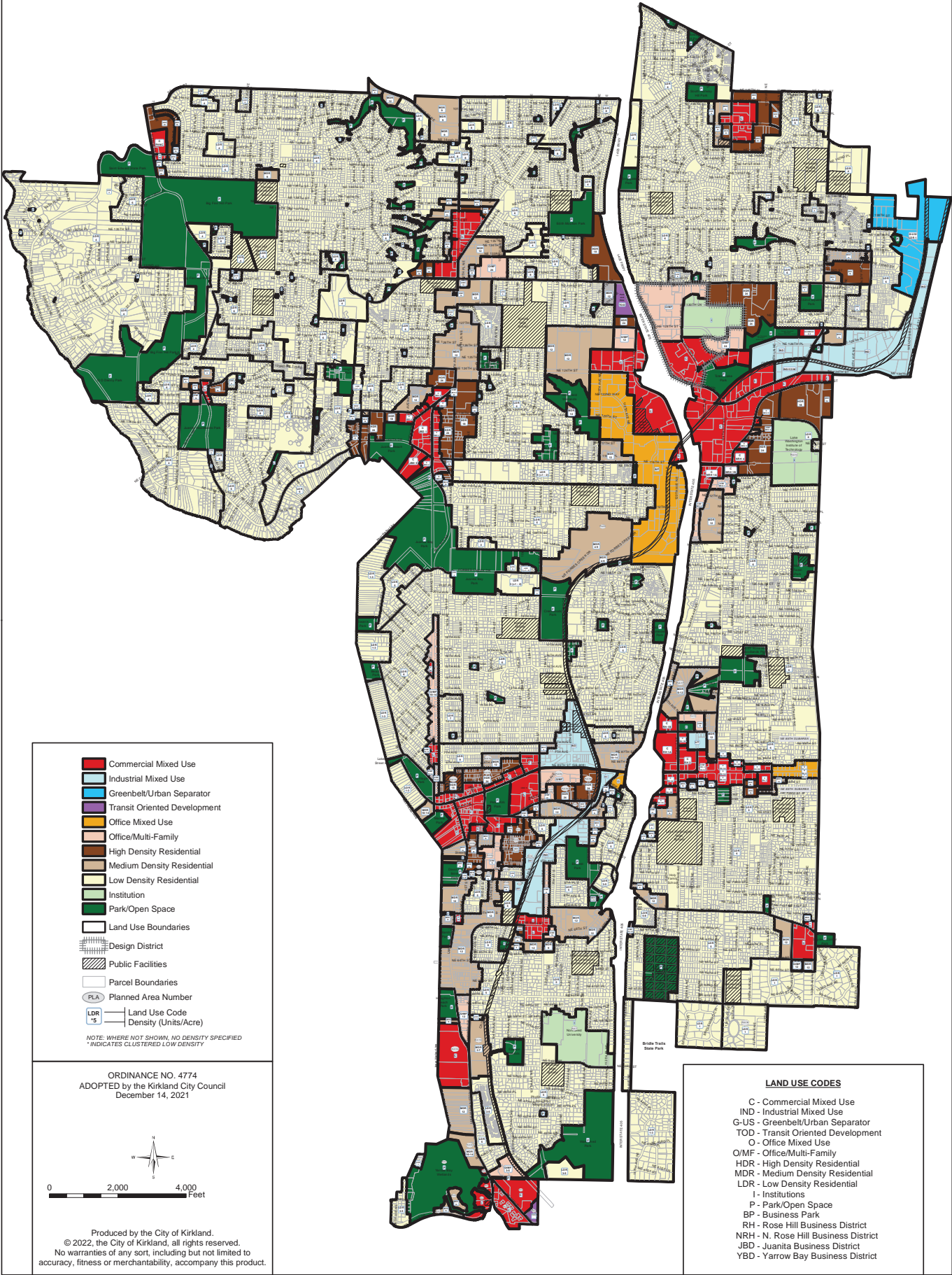
(Ord. 4844 § 1, 2023; Ord. 4811 § 1, 2022; Ord. 4703 § 1, 2019; Ord. 4506 § 2, 2015; Ord. 4476 § 2, 2015)

15.40 Development Standards

Development Standards Table – Low Density Residential Zones (RS, RSX, RSA, WD II, PLA 3C, PLA 6E, PLA 16)

(Refer to KZC 15.20, Permitted Uses Table, to determine if a use is allowed in the zone; see also KZC 15.30, Density/Dimensions Table)

Use	Landscape Category (Chapter <u>95</u> KZC)	Sign Category (Chapter <u>100</u> KZC)	Required Parking Spaces (Chapter <u>105</u> KZC)
15.40.010 <u>Attached Dwelling Units</u>	E	A	2.0 per dwelling unit.
15.40.020 <u>Church</u>	C	B	1 for every 4 people based on maximum occupancy load of any area of worship. ¹
15.40.030 <u>Commercial Equestrian Facility</u>	C ²	B	See KZC <u>105.25</u> .
15.40.040 <u>Commercial Recreation Area and Use</u>	C ^{2, 3}	B	See KZC <u>105.25</u> .
15.40.050 <u>Community Facility</u>	C ⁴	B	See KZC <u>105.25</u> .
15.40.060 <u>Detached Dwelling Unit</u>	E	A	2.0 per dwelling unit.
15.40.070 <u>Golf Course</u>	E ¹⁴	B	See KZC <u>105.25</u> .
15.40.080 <u>Government Facility</u>	C ⁴	B RSX, RSA: B ^{5, 9}	See KZC <u>105.25</u> .
15.40.090 <u>Mini-School or Mini-Day-Care Center</u>	E	B ⁶ PLA 16: B	See KZC <u>105.25</u> . ^{7, 8}



LU-1 Comprehensive Land Use Map

Community-Initiated Amendment Requests (CARs) to the Comprehensive Plan, Zoning Code and Zoning Code Map



Submission date: **26 December 2022, 11:01AM**

Receipt number: **25**

Related form version: **16**

I. Contact Information

Applicant's Name	Tom Schafer
Applicant's Address	11132 117th Place NE
Applicant's City	Kirkland
Applicant's State (Abbreviated: i.e. WA, CA, OR, etc.)	WA
Applicant's Zip Code	98033
Applicant's Phone Number	4259857000
Applicant's Email Address	tom@amaurice.com
Is Applicant the same as Property Owner (or Legal Representative)?	Yes
Property Owner's (or Legal Representative's) State (Abbreviated: i.e. WA, CA, OR, etc.)	WA

Note: If the applicant is the property owner or is representing the property owner, then the property owner must sign the last page. If the applicant is neither the property owner nor representing the property owner, then the affected property owner must be notified. Send or hand-deliver a copy of this completed application to all affected property owners. Complete an Affidavit of Service that this has been done.

Copies of staff reports and meeting agendas will be sent by email unless you request to the project planner that you want paper copies mailed to you.

II. For Site Specific Proposal

A. Address of proposal (if vacant, provide nearest street names):	11134 117th PL NE, 11031 117th PL NE, 10910 117th PL NE, 11115 118th PL NE
B. King County Tax Parcel number(s):	389310-0830, 389310-0828, 389310-0829, 389310-0960
C. Describe improvements on property if any:	Miscellaneous one-story office and light industrial structures, with surface parking.
D. Attach a map of site that includes adjacent street names:	20221226_CAR Vicinity Map.pdf
E. Current Zoning on subject property:	TL 10-D, office/mixed use, Totem Lake Urban Center and Business District Overlay
F. Current land use designation & permitted density shown on appropriate neighborhood plan land use map:	N/A

III. For All Proposals

A. Description of Proposal:	<p>Through this CAR proposal, the applicant seeks amendments to the Comprehensive Plan, including the Totem Lake Business District Subarea Plan, and the Zoning Code to implement a high-density multifamily project on the property in the TL 10-D district identified in the attached exhibit (the “Property”).</p> <p>Parcel #; Address</p> <p>389310-0830; 11134 117th PL NE</p>
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389310-0828; 11031 117th PL NE

389310-0829; 10910 117th PL NE

389310-0960; 11115 118th PL NE

The project to be developed on the Property (the “Project”) would include a pedestrian-oriented neighborhood with six (6) mixed-use buildings comprising of residential, commercial uses and parking. The building would step down in height adjacent to the single family to provide a buffer. A maximum height of 180’ would be located along the eastern portion of the property. ROW dedications would provide neighborhood connectivity extending 117th Place NE and NE 110th Street throughout the property. The particulars of the Project are depicted on the attached exhibit.

In order to provide amendments that facilitate the Project, the CAR proposal may include one or more of the following elements (as well as other elements not identified here):

- **Comprehensive Plan Amendments**

- o Modification of the land use designation in the Comprehensive Plan from Office Mixed Use to a more appropriate designation compatible with the Project
- o Addition of policies to support multifamily development on the Property.

- **Totem Lake Business District Subarea Plan Amendments**

- o In Figure TL-2, modify land use designation for the Property from BP to C or another land use designation compatible with development of the Project
- o In Figure TL-11, modify land use designation for the Property from Office to Office/Multifamily or High Density Residential or another land use designation compatible with development of the Project
- o Under Policy TL-19.3 (“Seek opportunities to expand housing in the Totem Lake Business District”), expand Housing Incentive Area #4 south of NE 112th

Street further to the east to incorporate the Property

- o Revise Policy TL-33.1 as follows: Support and promote expanded opportunities for office and multifamily development south of NE 116th Street through development incentives and flexibility, while continuing to allow for existing light industrial uses to expand and new light industry/office or industrial flex businesses to locate in this area.

- **Zoning Code Amendments**

- o Redesignate the Property within a new zone compatible with the development of the Project
- o Alternatively, revise the TL-10D Use Zone Chart as follows for multifamily uses:

- Height: 180 feet, except 40 feet within 60 feet of a single-family zone and 85 feet within 100 feet of a single-family zone

- Use: allow multifamily uses in an expanded Housing Incentive Area 4, to include the Property. Amend Plate 37, Chapter 180 KZC accordingly.

- Lot Coverage: 90%

- **Parking:**

- o Parking quantities consistent with King County Right Size Parking calculator.

- o Implement any other changes to the Zoning Code necessary to allow for development of the Project

The applicant encourages the City to consider this CAR proposal in the context of the current major update to the Comprehensive Plan. As part of that larger effort, the City may determine that other measures are more appropriate to implement the goal of this CAR proposal.

B. Description of the specific reasons for making the proposal:

The property, known as PARMAC, was purchased by the Schafer Families, LLC in the early 1990's and is a family owned and operated business. The family collaborated with the city in the early 2000's, since the city was faced with how to update the old King County annexation of the PARMAC area. At that time, it was determined that the highest and best use for the property included Office, Tech and small businesses. As a result, the Property has been zoned for office development for 20 years and no such development has occurred. Nor is office development in the future likely, given the softness of the office market in this subdistrict. The implementation of the Cross Kirkland Connector in this time has created new opportunities for urban residential development in this area, as evidenced by the recent project by Main Street Properties nearby. In addition, the expansion of the street grid (117th Avenue NE and NE 110th Street) in this neighborhood is compatible with future residential development, creating a compact, walkable urban environment. For all these reasons, the likeliest and most compatible development of the Property is for multifamily uses, with appropriate height transitions to the adjoining single-family parcels. This CAR proposal is intended to lay the groundwork for this important infill future development.

C. Description of how the proposed amendment relates to the following criteria: **See below.**

1. The proposal demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan.

Implementation of this CAR proposal, and the Project it supports, will be consistent with and will promote the following policies of the Comprehensive Plan:

COMPREHENSIVE PLAN

Land Use Element

Policy LU-1.3: Encourage attractive site and building design that is compatible in scale and in character with existing or planned development.

RESPONSE: The Project, as depicted in the attachment, will exhibit attractive site and building design and will be compatible in scale and in character with existing or planned development in the neighborhood.

Policy LU-1.4: Create effective transitions between different land uses.

RESPONSE: The Project will incorporate height transitions in portions of the Property abutting adjacent single-family development.

Policy LU-2.2: Facilitate infill development and encourage redevelopment of underutilized land.

RESPONSE: Although the Property has been zoned for office development for 20 years, no such redevelopment has occurred or is likely to. The Property remains underdeveloped within this urban center and this proposal will encourage the redevelopment of the Property.

Policy LU-3.1: Create and maintain neighborhoods that allow residents and employees to walk or bicycle to places that meet their daily needs.

RESPONSE: The proximity of the Project to the Cross Kirkland Connector will promote pedestrian and bicycle use among residents of the Project.

Policy LU-3.2: Encourage residential development within commercial areas.

RESPONSE: The Project will introduce needed residential development in a predominantly residential sub-market near other commercial areas.

TOTEM LAKE BUSINESS DISTRICT SUBAREA PLAN

Policy TL-1.1: Ensure that new development meets minimum development intensity thresholds required within the Urban Center.

RESPONSE: The CAR proposal will promote higher-density infill residential development within this urban center.

Policy TL-1.2: Support the Urban Center as a primary location for added growth to foster a vibrant mixed use environment in the day and evening.

RESPONSE: The Project will bring new higher-density multifamily residential opportunities in this portion of the urban center, thereby promoting a strong mixed-use environment.

Policy TL-2.4: Promote development that is compatible with and complementary to the Cross Kirkland Corridor and Eastside Rail Corridor.

RESPONSE: The new infill residential development supported by this CAR proposal will be fully compatible with the Cross Kirkland Corridor and Eastside Rail Corridor and will promote greater use of these public facilities by introducing more infill residential development in close proximity to these facilities.

Policy TL-16.2: Seek opportunities to create a finer grid of smaller scale streets and new connections within the business district.

RESPONSE: Development of the Project, as supported by this CAR proposal, will expand and incorporate a finer grid of small scale street connections in this portion of the urban center.

Policy TL-17.2: Support development of the Cross Kirkland Corridor as a multipurpose trail with access points along the corridor.

RESPONSE: Development of the Project will create new demand and incentive to support the Cross Kirkland Corridor, which is immediately proximate to the Property.

Policy TL-19.1: Preserve existing residential areas, while allowing greater densities where appropriate within the Urban Center.

RESPONSE: No residential uses will be displaced by the Project. The Project, which the CAR proposal enables, will foster higher residential densities in this portion of the urban center.

Policy TL-19.2: Protect multifamily areas outside of the district's core from potentially adverse impacts of nonresidential, commercial and office uses.

RESPONSE: The Property is well-located near the Cross Kirkland Connector and away from nonresidential uses that could create impacts on residents of the Project.

Policy TL-19.3: Seek opportunities to expand housing in the Totem Lake Business District.

RESPONSE: The CAR proposal will promote new infill housing development in the urban center.

Policy TL-25.1: Provide for site and building development requirements and other regulations that address transition areas to protect nearby residential neighborhoods.

RESPONSE: The Project incorporates height transitions to protect adjacent single-family residential parcels.

Policy TL-34.2: Allow for flexibility in regulations that encourage creative proposals for residential development along the CKC when included in a planned, mixed use development.

RESPONSE: The CAR proposal seeks modification and flexibility in zoning regulations to permit new infill residential development on the Property near the CKC, in the form of a well-planned, mixed-use residential development

2. The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later neighborhood plan review or plan amendment process.

We encourage the City to consider this CAR proposal as a part of the ongoing major update of the Comprehensive Plan, which is currently underway. This timing best serves the public interest.

3. The proposal would correct an inconsistency within or make a clarification to a provision of the Comprehensive Plan. **Not applicable.**

IV. Property Owner's Signature or Service of Affidavit

A. If the applicant is the property owner, or is a legal representative of the property owner, then the property owner must sign below.

APPLICANT: If you are not the property owner, you will need to have the property owner sign this form electronically. Once you have completed all content, signed as applicant, and uploaded the any additional information, you will need to save this document by clicking the blue "SAVE" button below. You will then receive an email with a link to this form for you to forward to the property owner to sign online. The information you entered will be saved for the property owner to review prior to signing. Once they access the link and sign, they can submit the application, or sign it, save and allow you to submit the form. Keep the link for your records in case you need to access it again prior to the property owner submitting it. Contact the Planning and Building Department at 425-587-3600 if you have any questions.

Legal Declaration

I certify and declare, under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Applicant's Signature

[Uploaded signature image: Tom Schafer Signature.tif](#)

Type Applicant's Name

Tom Schafer

Date Applicant Signed

12/26/2022

B. If the applicant is not the property owner or a legal representative of the property owner, then the affected property owner must be notified.

- Send or hand-deliver a copy of this completed application to all affected property owners.
- Complete the Affidavit of Service form (linked below).
- Upload the Affidavit of Service when you submit this application form. The Affidavit of Service confirms that a copy of the completed application form has been provided to all affected property owners.
- **Contact the Planning and Building Department at 425-587-3600 for fee amount due** and a planner will invoice you with the fee total for you to pay. **No work will be done on your permit until the fee is paid.**

Before submitting, upload attachment:

1. [Affidavit of Service](#)

Upload signed copy of Affidavit of Service, including Exhibit A and/or Exhibit B.

[affidavit-of-service-pbd-ocd_20221226.pdf](#)
[20221226_CAR_Exhibits.pdf](#)

NOTE:

Once you submit this form, you will receive an email confirmation from our third-party provider, OpenForms, along with a PDF copy of the form you submitted. Keep it for your records. Be sure to check your spam/junk folder so you don't miss it!

To request information from this document in your language, please contact the Title VI Coordinator at titlevicoordinator@kirklandwa.gov or 425-587-3831.

如需此文件中信息的简体中文 版本, 请发送电子邮件至 titlevicoordinator@kirklandwa.gov 或拨打 425-587-3831 联络 Title VI 协调员。

Чтобы запросить перевод этого документа на по-русски, свяжитесь с координатором по вопросам Раздела

VI по электронной почте titlevicoordinator@kirklandwa.gov или по номеру 425-587 3831

Para pedir información sobre este documento en español, comuníquese con el coordinador del Título VI escribiendo a titlevicoordinator@kirklandwa.gov o llamando al 425-587-3831.

Para solicitar informações deste documento em português, entre em contato com o Coordenador do Título VI em titlevicoordinator@kirklandwa.gov ou 425-587-3831.

한국어로 이 서류의 정보를 원하시면 타이틀 VI 코디네이터에게 이메일이나 전화로 연락 하십시오. 이메일: titlevicoordinator@kirklandwa.gov 전화: 425-587-3831.

Để yêu cầu thông tin từ tài liệu này bằng tiếng Việt, vui lòng liên hệ với Điều Phối Viên Tiêu Đề VI theo địa chỉ titlevicoordinator@kirklandwa.gov hoặc theo số (425) 587-3831.

Alternate Formats:

People with disabilities may request materials in alternate formats.

Title VI: Kirkland's policy is to fully comply with Title VI of the Civil Rights Act by prohibiting discrimination against any person on the basis of race, color, national origin or sex in the provision of benefits and services resulting from its programs and activities. Any person who believes his/her Title VI protection has been violated, may file a complaint with the City.

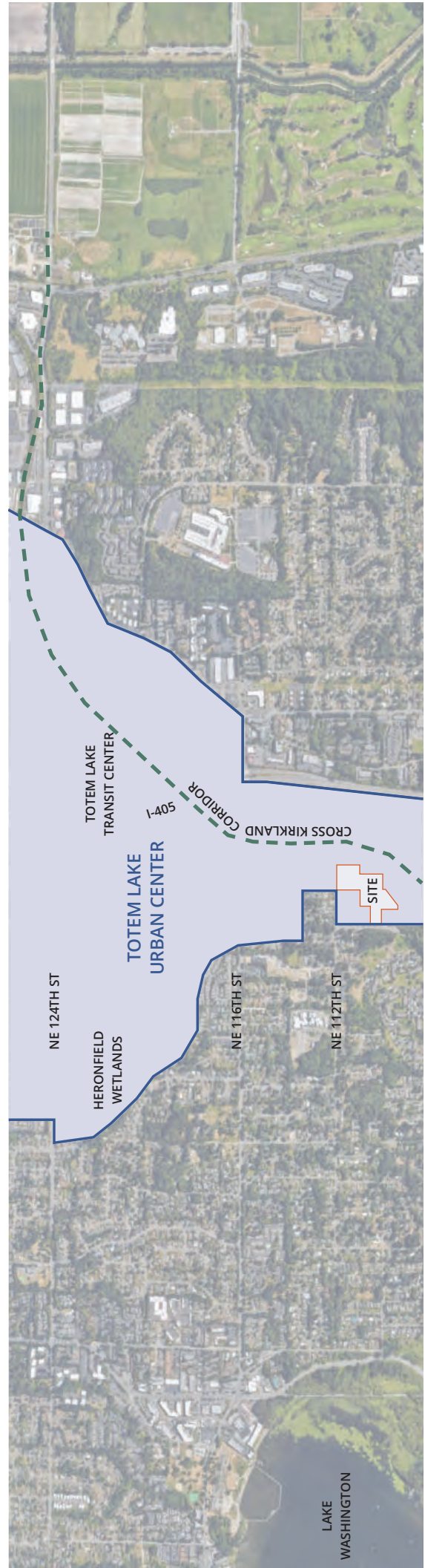
To request an alternate format, file a complaint or for questions about Kirkland's Title VI Program, contact the Title VI Coordinator at 425-587-3831 (TTY Relay: 711) or TitleVICoordinator@kirklandwa.gov.

DECEMBER 23, 2022

CAR EXHIBITS

117th PL NE, Kirkland, WA

CLARK
BARNES



THE PROPERTY

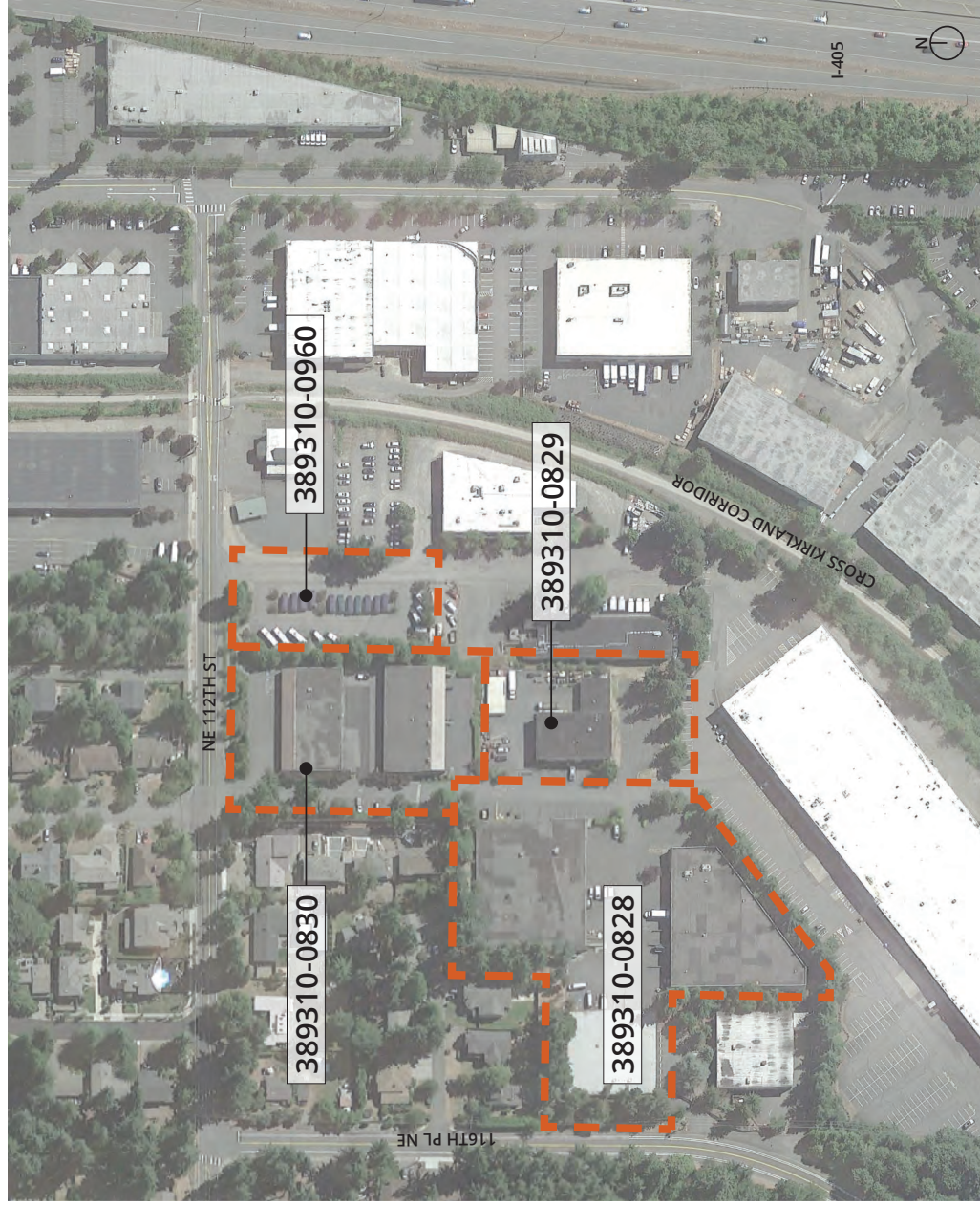
The "Property" totals 6.95 acres and is in the area known as the PARMAC district; bordered by NE 112th Street to the north, 116th Place NE to the west, and the Cross Kirkland Corridor to the east and south. It includes the property includes the following four parcels:

PARCEL #	ADDRESS	AREA
389310-0830	11134 117TH PL NE	71,874 SF
389310-0828	11031 117TH PL NE	146,797 SF
389310-0829	10910 117TH PL NE	48,352 SF
389310-0960	11115 118TH PL NE	35,750 SF

The properties are all zoned TL 10D, Office - Mixed Use, and within the Totem Lake Urban Center & Business District Overlay. In addition, parcel #389310-0828 is in the Housing Incentive Area (4).

PARMAC has a history of light industrial, warehouse and commercial uses including aerospace equipment manufacturing and other low density uses, that once relied heavily on the rail corridor. With the replacement of the rail service by the CKC, the land has become underutilized, and the district should be re-purposed and provides substantial redevelopment opportunities for higher density and compact uses such as amenities, housing, and commercial development.

CLARK
BARNES



THE PROPERTY | CROSS KIRKLAND CORRIDOR

CLARK
BARNES

6.0 | CHARACTER ZONE SCRAPBOOK



December 30, 2022

117th PL NE - CAR EXHIBITS

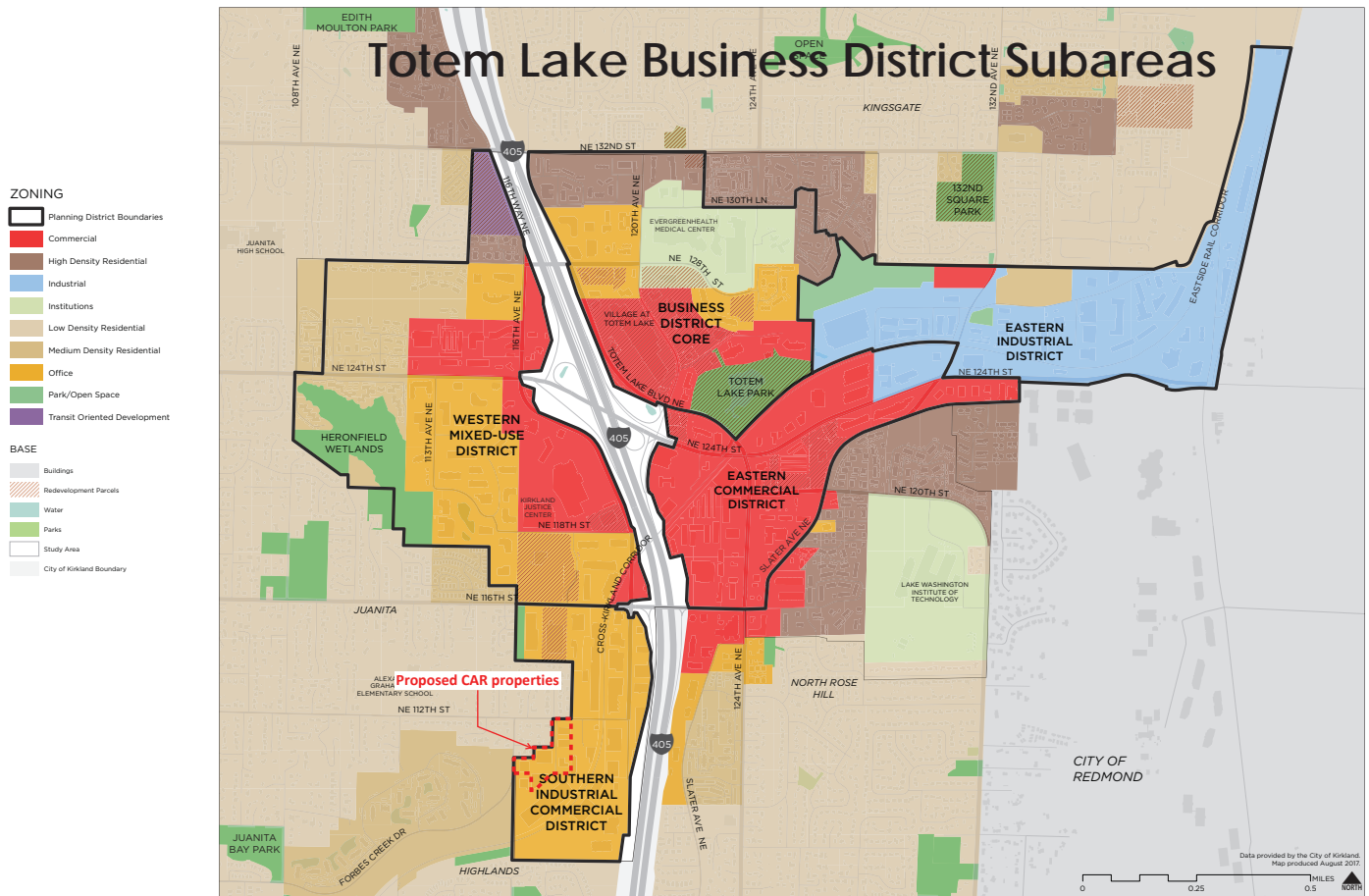
THE PROJECT | CAR SITE PLAN

CLARK
BARNES



December 30, 2022

117th PL NE - CAR EXHIBITS



CHARACTER ZONE SCRAPBOOK

6.7 ACTIVE ZONE

Character

The Active Zone is a reimagining of Parmac, a neighborhood composed of warehouse and light industrial uses that once relied heavily on the rail corridor. It is widely recognized as an area of Kirkland where change will inevitably occur. The area in its current state has welcomed a piecemeal arrival of activity-oriented businesses which will set the tone for the corridor and how the neighborhood can be re-imagined tomorrow. With few immediate residential neighbors and a desire to make the area a catalyst and a destination, the Active Zone is a unique place on the corridor to welcome small-scale recreation elements that foster community and social interaction. It is also unique because the activities, spaces, and edge activation will make this stretch of trail active into the evening and in rainy weather with lighting and areas of cover. The near term improvements of active programming are relatively low cost measures to generate interest and catalyze further growth of this under-utilized zone. Long term development is expected to build upon the initial activity to provide a greater range of amenities as well as housing and commercial space.

Forbes Creek Crossing

The crossing of a restored and daylighted Forbes Creek signals the transition from the reflective and passive experience of the Highlands Pass to the urban and developing Active Zone. This crossing and gateway is an opportunity for a signature bridge structure.

Activity Spine

Envisioned as a central axis of activity, the spine can be populated with varied sports programs and facilities

to add to the existing building uses of sports and fitness activities. Court sports, passive elements, and integrated play are interspersed down the center of the corridor.

South

The primary trail shifts west to create added space for the sports program and public spaces. A side path runs along the eastern edge of the corridor. The southern end of the Active Zone (between Forbes Creek and NE 112th St.) includes an integrated play area, bocce and pickle ball courts. A small pavilion and plaza provide a meeting space or place to rest and relax between activities.

North

The northern end of the Active Zone includes a basketball court and horseshoe pits. Batting cages are also shown as an extension of the existing batting cage facility. Construction of these elements represents a low infrastructure cost relative to the level of activity they bring. As the adjacent buildings develop, supported by the activity of the corridor, elements of the Active Zone may be replaced.



6.0 | CHARACTER ZONE SCRAPBOOK



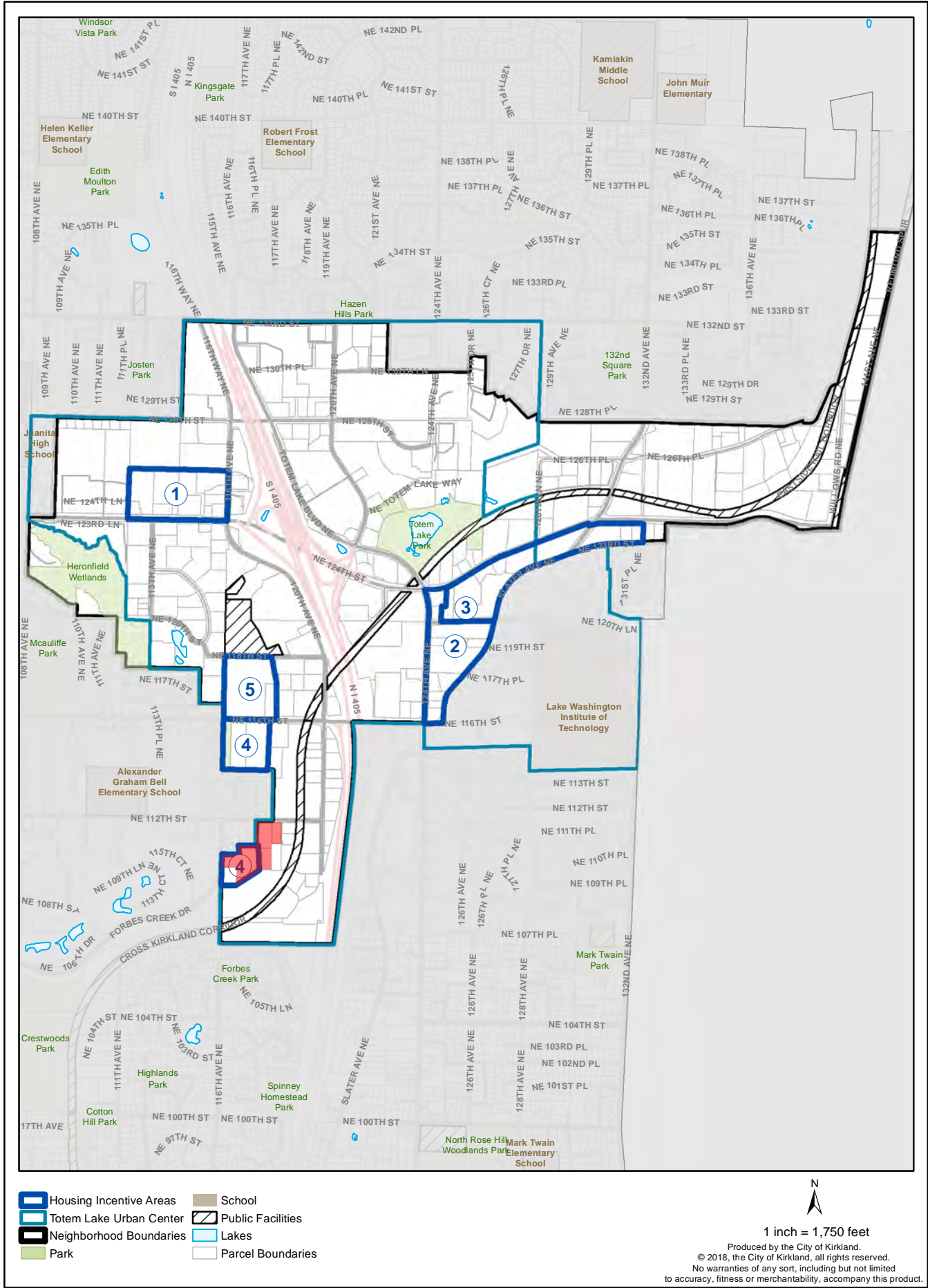




Figure TL-9: Totem Lake Housing Incentive Areas



Section 55.87	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	Packaging of Prepared Materials Manufacturing See Spec. Regs. 1 and 2.	D.R., Chapter 142 KZC	None	20'	0'	0'	80%	Where adjoining a low density zone, 30' above average building elevation. Otherwise, 35' above average building elevation.	A	C	1 per each 1,000 sq. ft. of gross floor area.	1. The following manufacturing uses are permitted: a. Food, drugs, stone, clay, glass, china, ceramics products, electrical equipment, scientific or photographic equipment; b. Fabricated metal products, but not fabrication of major structural steel forms, heavy metal processes, boiler making, or similar activities; c. Cold mix process only of soap, detergents, cleaning preparations, perfumes, cosmetics, or other toilet preparations; d. Packaging of prepared materials; e. Textile, leather, wood, paper and plastic products from pre-prepared material; and f. Other compatible uses which may involve manufacturing, processing, assembling, fabrication and handling of products, and research and technological processes. 2. May include, as part of this use, accessory retail sales, or service using not more than 20 percent (50 percent for properties located within 150 feet of the Cross Kirkland Corridor) of the gross floor area. The floor area of accessory office use is not limited. The landscaping and parking requirements for these accessory uses will be the same as for the primary use. 3. Refer to KZC 115.105 for provisions regarding outdoor use, activity and storage. 4. Breweries, wineries, and distilleries may include tasting rooms, accessory retail sales, or office utilizing not more than 20 percent of the gross floor area (no limit for properties located within 150 feet of the Cross Kirkland Corridor).
.015	Breweries, Wineries and Distilleries									1 per each 1,000 sq. ft. of gross floor area. Tasting rooms 1 per each 100 sq. ft. of gross floor area.		

Section 55.87

Zone
TL 10D

USE ZONE CHART



Section 55.87	<div>USE</div> <div>REGULATIONS</div>	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						
.020	Warehouse Storage Service	D.R., Chapter 142 KZC	None	20'	0'	0'	80%	Where adjoining a low density zone, 30' above average building elevation. Otherwise, 35' above average building elevation.	A	C	1 per each 1,000 sq. ft. of gross floor area.	<div>1. May include, as part of this use, accessory retail sales, or service occupying no more than 20 percent of the gross floor area. The landscaping and parking requirements for these accessory uses will be the same as for the primary use.</div> <div>2. Refer to KZC 115.105 for provisions regarding outdoor use, activity and storage.</div>
.030	Wholesale Trade											
.040	Industrial Laundry Facility											
.050	Wholesale Printing or Publishing											
.060	Wholesale Establishment or Contracting Services in Building Construction, Plumbing, Electrical, Landscaping, or Pest Control								B	E		

Section 55.87	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						
.070	A Retail Establishment providing banking and related financial services	D.R., Chapter 142 KZC	None	10'	0'	0'	80%	Same as primary use.	B	E	1 per each 300 sq. ft. of gross floor area.	1. This use is permitted if accessory to a primary use and: a. It will not exceed 20 percent of the gross floor area of the building; b. The use is integrated into the design of the building; c. It will not be located in a separate structure from the primary use; d. It will not exceed 50 percent of the ground floor area of the building; and e. There is no vehicle drive-in or drive-through.
.080	High Technology							Where adjoining a low density zone, 30' above average building elevation. Otherwise, 80' above average building elevation. See Spec. Reg. 1.	C See Spec. Reg. 5.	D	If manufacturing, then 1 per each 1,000 sq. ft. of gross floor area. If office, then 1 per 300 sq. ft. of gross floor area. Otherwise, see KZC 105.25.	1. If this use is located in Housing Incentive Area 4 (see Plate 37, Chapter 180 KZC), maximum building height is 65 feet above average building elevation. 2. This use may include research and development, testing, assembly, repair or manufacturing or offices that support businesses involved in the pharmaceutical and biotechnology, communications and information technology, electronics and instrumentation, computers and software sectors. 3. May include as part of this use, accessory retail sales or service occupying not more than 20 percent of the gross floor area. The landscaping and parking requirements for these accessory uses will be the same as for the primary use. 4. Refer to KZC 115.105 for provisions regarding outside use, activity and storage. 5. Any outdoor storage area must be buffered according to Landscape Category A.
.090	Office Use								C See also Spec. Reg. 2(a).		If a medical, dental, or veterinary office, then 1 per each 200 sq. ft. of gross floor area. Otherwise, 1 per each 300 sq. ft. of gross floor area.	1. If this use is located in Housing Incentive Area 4 (see Plate 37, Chapter 180 KZC), maximum building height is 65 feet above average building elevation. 2. The following regulations apply only to veterinary offices: a. If there are outdoor runs or other outdoor facilities for the animals, then use must comply with Landscape Category A. b. Outside runs and other outside facilities for the animals must be set back at least 10 feet from each property line and must be surrounded by a fence or wall sufficient to enclose the animals. See KZC 115.105, Outdoor Use, Activity and Storage, for further regulations.

Section 55.87



Zone
TL 10D

USE ZONE CHART

Section 55.87	USE  REGULATIONS 	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	Lot Size	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
				REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.100	Attached or Stacked Dwelling Units See Spec. Reg. 1.	D.R., Chapter 142 KZC	None	10'	5', but 2 side yards must equal at least 15'. See Spec. Reg. 5.	0'	80%	Where adjoining a low density zone, 30' above average building elevation. Otherwise, 65' above average building elevation. See Spec. Reg. 1.	D	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.	<div>1. This use is permitted only in Housing Incentive Area 4 (see Plate 37, Chapter 180 KZC).</div> <div>2. Developers and residents in this zone should be aware that this property lies within a district containing and allowing future development of uses of a light industry/office nature, and impacts typically associated with these uses, such as noise and odor, may be experienced by residents.</div> <div>3. For Attached or Stacked Dwelling Units, at least 10 percent of the units provided in new residential developments of four units or greater shall be affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives.</div> <div>4. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.</div> <div>5. The side yard may be reduced to zero feet if the side of the dwelling unit is attached to a dwelling unit on an adjoining lot. If one side of a dwelling unit is so attached and the opposite side is not, the side that is not attached must provide a minimum side yard of five feet.</div> <div>6. KZC 105.103(3)(c) provides a process to grant a decrease in the required number of parking spaces.</div> <div>7. For Residential Suites, the Planning Official may approve a parking reduction if a parking demand and utilization study has been approved by the City for this use within five years of the submittal of an application for development. The scope of the prior study must have included the zone in which the proposed development is located. The Planning Official may require an update to the prior study if warranted, or grant an extension to the original five-year effective term of the study. The required parking rate shall be as established in the study, 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:<div>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.</div></div>
.105	Residential Suites See Spec. Reg. 1.											

REGULATIONS FOR THIS USE CONTINUED ON THE NEXT PAGE

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Section 55.87	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						
.100	Attached or Stacked Dwelling Units (continued)											
.105	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

Section 55.87


 Zone
TL 10D

USE ZONE CHART



Section 55.87	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						
.100	Attached or Stacked Dwelling Units (continued)									REGULATIONS CONTINUED FROM PREVIOUS PAGE		
.105	Residential Suites (continued)									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.		
8. For residential suites with reduced parking approved pursuant to Special Regulation 6 or 7:												
a. All residential suites and all required parking within a project shall be under common ownership and management; and												
b. 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; and												
c. 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.												

Section 55.87	<div>USE</div> <div>↓</div> <div>REGULATIONS</div> <div>↑</div>	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						
.110	Day-Care Center and Mini-Day-Care Center See Spec. Reg. 1.	D.R., Chapter 142 KZC	None	10'	0'	0'	80%	Same as primary use.	D	B	See KZC 105.25. 1. This use is permitted if accessory to a primary use, and: a. It will not exceed 20 percent of the gross floor area of the building; b. The use is integrated into the design of the building. 2. A six-foot-high fence is required along the property lines adjacent to the outside play areas. 3. Hours of operation may be limited to reduce impacts on nearby residential uses. 4. An on-site passenger loading area may be provided. The City shall determine the appropriate size of the loading areas on a case-by-case basis, depending on the number of attendees and the extent of the abutting right-of-way improvements. Carpooling, staggered loading/unloading time, right-of-way improvements or other means may be required to reduce traffic impacts on any nearby residential uses. 5. May include accessory living facilities for staff persons. 6. The location of parking and passenger loading areas shall be designed to reduce impacts on any nearby residential uses.	
.120	Public Utility							Where adjoining a low density zone, 30' above average building elevation. Otherwise, 80' above average building elevation. See Spec. Reg. 1.	C See Spec. Reg. 2.		1. If this use is located within Housing Incentive Area 4 (see Plate 37, Chapter 180 KZC) maximum building height is 65 feet above average building elevation. 2. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.	
.130	Government Facility Community Facility											

Section 55.87

Zone
TL 10D

USE ZONE CHART

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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						
.140	Restaurant or Tavern See Spec. Reg. 1.	D.R., Chapter 142 KZC	None	10'	0'	0'	80%	Same as primary use.	B	E	1 per each 100 sq. ft. of gross floor area.	1. This use is only permitted as a primary use on properties located within 150 feet of the Cross Kirkland Corridor. On other properties, this use is only permitted if accessory to a primary use, where: a. It will not exceed 20 percent of the gross floor area of the building; b. It is not located in a separate structure from the primary use; c. The use is integrated into the design of the building. 2. No vehicle drive-in or drive-through facilities are permitted.
.150	Entertainment, Cultural and/or Recreational Facility		20'				Where adjoining a low density zone, 30' above average building elevation. Otherwise, 35' above average building elevation.	A		See KZC 105.25.	1. The use shall be conducted within a wholly enclosed building, unless the parcel abuts the Cross Kirkland Corridor (CKC). Outdoor activities may be located only between the CKC and the building. 2. The structure containing the use shall have been in existence on June 1, 2004, and shall not be altered, changed, or otherwise modified to accommodate the use if the cost of such alteration, change, or modification exceeds 30 percent of the replacement cost of that building. 3. The use must be discontinued when there is an alteration, change, or other work in a consecutive 12-month period to the space in which the use is located, and the cost of the alteration, change or other work exceeds 30 percent of the replacement cost of that space.	
.160	Public Park	Development standards will be determined on a case-by-case basis. See KZC 45.50 for required review process.										

Section 55.87

Zone
TL 10D

USE ZONE CHART

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		Required Review Process	Lot Size	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
				REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.170	Development Containing Stacked or Attached Dwelling Units and one or more of the following uses: • Retail establishments, including restaurants and taverns, and/or • Office uses	D.R., Chapter 142 KZC	10 Acres	10'	0'	0'	80%	80' above average building elevation. See Spec. Reg. 5.	See Spec. Reg. 6.	E	See KZC 105.25.	<div>1. A development which includes one or more of the uses specifically listed in this "use" column may also include one or more of the other uses allowed in this zone.</div> <div>2. Development must be located on property adjacent to the Cross Kirkland Corridor (CKC), and provide building and site orientation to the CKC.</div> <div>3. Vehicular and pedestrian access must be oriented away from primary access routes for industrial traffic.</div> <div>4. Developers and residents in this zone should be aware that this property lies within a district containing and allowing future development of uses of a light industry/office nature, and impacts typically associated with these uses, such as noise and odor, may be experienced by residents.</div> <div>5. Maximum building height for development that includes land on both sides of the CKC is 100 feet. At least 25 percent of the gross floor area of the development must be on either side of the corridor to satisfy this requirement.</div> <div>6. The landscaping requirement adjacent to property in TL 10D shall comply with KZC 95.42(1). Where existing residential use abuts the parcel boundaries, KZC 95.42(2) applies.</div>
.180	Assisted Living Facility See Spec. Reg. 1.	D.R., Chapter 142 KZC. See Gen. Reg. 3.	None		5', but 2 side yards must equal at least 15'. See Spec. Reg. 4.			Where adjoining a low density zone, 30' above average building elevation. Otherwise, 65' above average building elevation. See Spec. Reg. 1.	D	A	<div>1. This use is permitted only in Housing Incentive Area 4 (see Plate 37, Chapter 180 KZC).</div> <div>2. Developers and residents in this zone should be aware that this property lies within a district containing and allowing future development of uses of a light industry/office nature, and impacts typically associated with these uses, such as noise and odor, may be experienced by residents.</div> <div>3. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.</div> <div>4. The side yard may be reduced to zero feet if the side of the dwelling unit is attached to a dwelling unit on an adjoining lot. If one side of a dwelling unit is so attached and the opposite side is not, the side that is not attached must provide a minimum side yard of five feet.</div>	