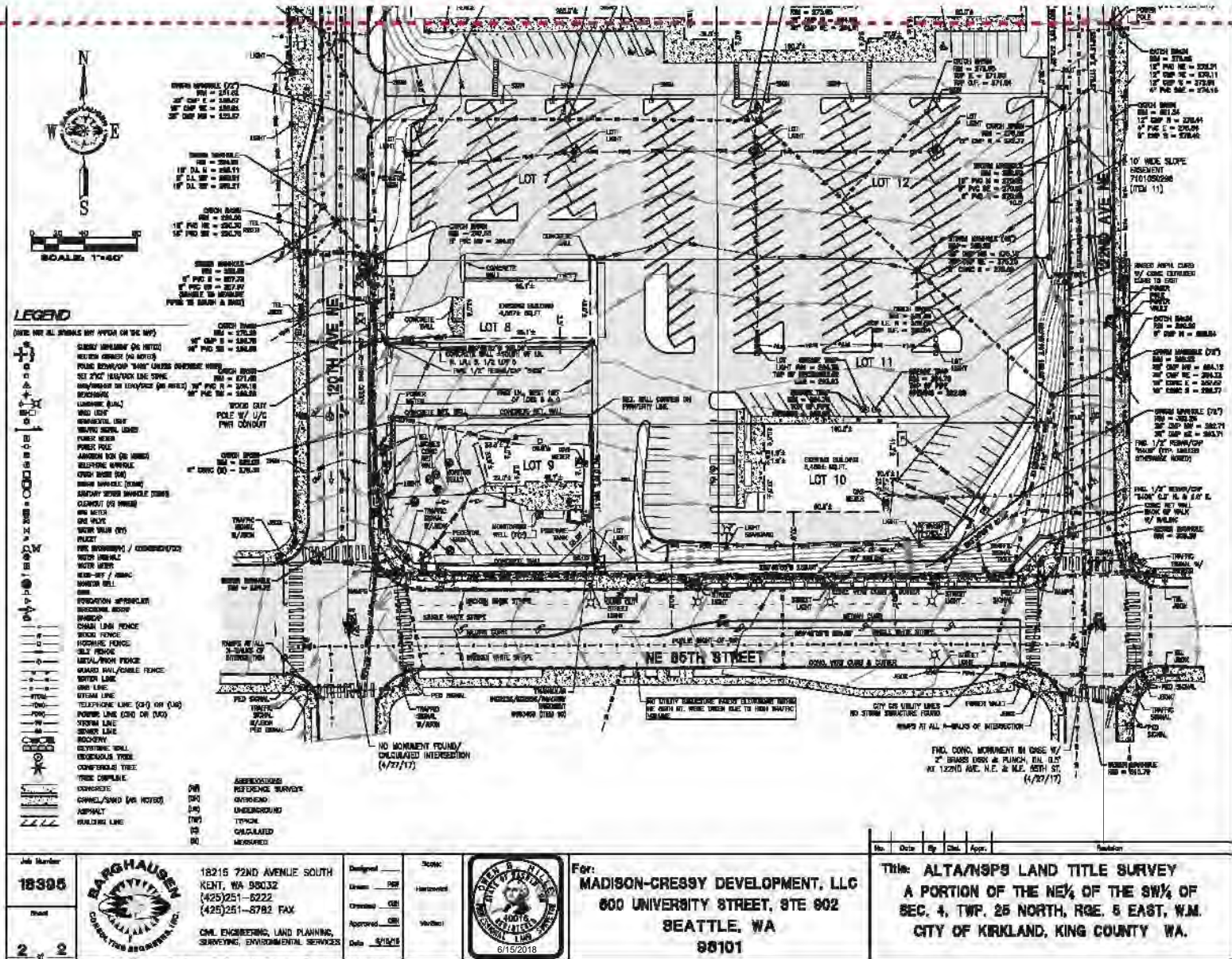
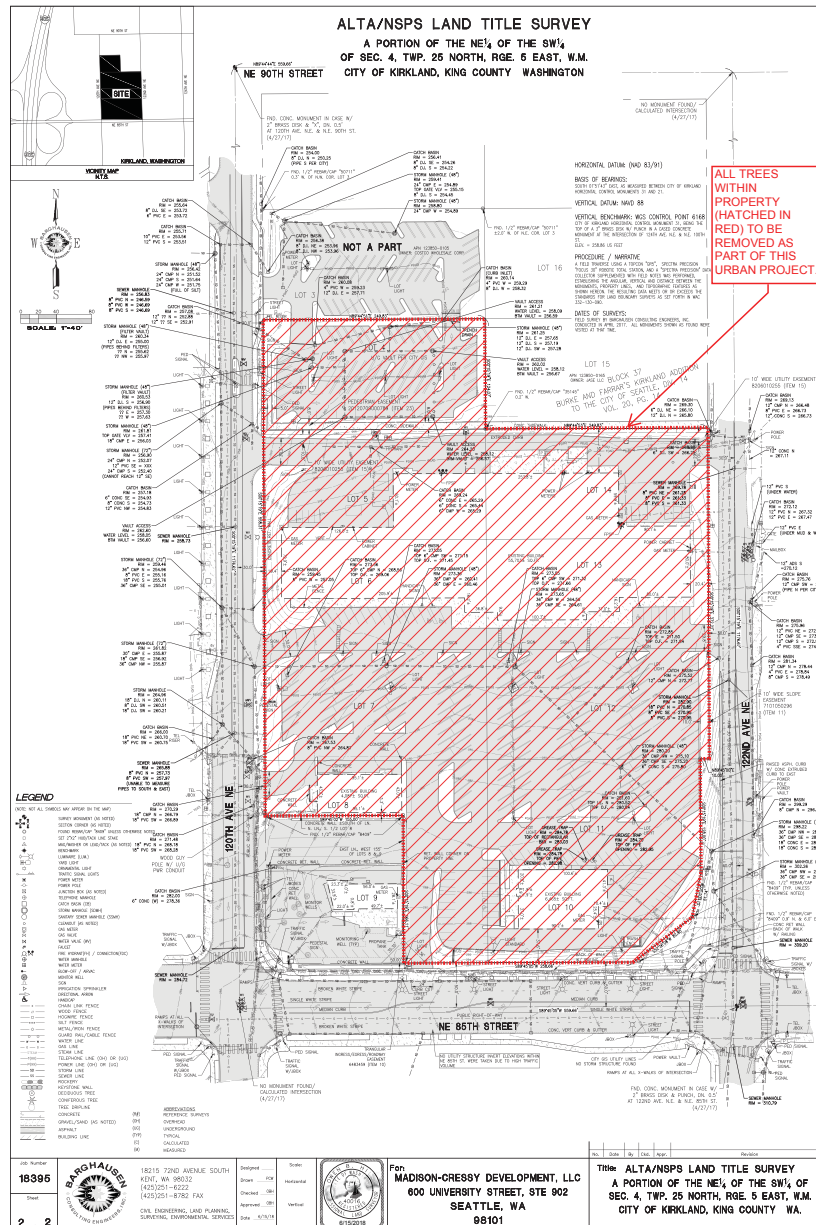


MATCHLINE











CITY OF KIRKLAND
Planning and Building Department
123 5th Avenue, Kirkland, WA 98033
425.587.3600 ~ www.kirklandwa.gov

DEVELOPMENT STANDARDS LIST

FILE: ROSE HILL MIXED USE, DRV18-00493

ZONING CODE STANDARDS

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

95.52 Prohibited Vegetation. Plants listed as prohibited in the Kirkland Plant List shall not be planted in the City.

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

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

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

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

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

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

105.19 Public Pedestrian Walkways. The height of solid (blocking visibility) fences along pedestrian pathways that are not directly adjacent a public or private street right-of-way shall be limited to 42 inches unless otherwise approved by the Planning or Public Works Directors. All new building structures shall be setback a minimum of five feet from any pedestrian access right-of-way, tract, or easement that is not directly adjacent a public or private street right-of-way. If in a design district, see section and Plate 34 for through block pathways standards.

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

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

designated for compact cars.

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

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

105.60.4 Parking Lot Walkways. All parking lots which contain more than 25 stalls must include pedestrian walkways through the parking lot to the main building entrance or a central location. Lots with more than 25,000 sq. ft. of paved area must provide pedestrian routes for every 3 aisles to the main entrance.

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

105.96 Drive Through Facilities. See section for design criteria for approving drive through facilities.

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

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

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

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

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

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

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

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

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

115.120 Rooftop Appurtenance Screening. New or replacement appurtenances on existing

buildings shall be surrounded by a solid screening enclosure equal in height to the appurtenance. New construction shall screen rooftop appurtenances by incorporating them in to the roof form.

Prior to issuance of a grading or building permit:

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

Prior to occupancy:

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

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



DEVELOPMENT STANDARDS

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FIRE DEPARTMENT

FIRE DEPARTMENT COMMENTS

Contact: Grace Steuart at 425-587-3660; or gsteuart@kirklandwa.gov

ACCESS

In general, fire access as proposed to the site is acceptable.

Fire Access Radii:

The applicant is advised to ensure that the radii of the turns are adequate both on the main through road with the planter in the middle, and the fire access road on the north of building A. Radii shall be in conformance with Kirkland Operating Policy 6 "Fire Department Access" with a minimum 25' inside radius.

Enclosed Courtyards:

The enclosed interior courtyard of Building A shall be provided with a straight/direct access corridor and/or stairway from the exterior at a location acceptable to the fire department. If a stairway is used, it shall comply with IFC Section 1011 and a corridor shall comply with IFC Code Section 1020. The access shall have a minimum width of 4 feet and be large enough to carry a 35 foot long sectional ladder (minimum folded length 20 feet) directly from the exterior to the courtyard without obstructions. The access door shall be marked at the street as "Direct Access to Courtyard."

FIRE FLOW AND HYDRANTS

The Public Works Department is requiring upgrades to the water system surrounding the buildings. After the improvements are made, the fire flow will be adequate.

Additional hydrants shall be required to meet spacing requirements. Once the water system is designed, the fire department will place the hydrants accordingly.

FIRE SPRINKLERS

A sprinkler system is required to be installed throughout each building and the parking garage.

Each building (A, B, C, D) shall have its own fire sprinkler system. The parking garage shall be designed as part of Building A.

A dedicated sprinkler riser room is required in each building and it shall be placed on an exterior wall. The underground line shall run from the outside directly up into the riser room (meaning, it shall not run under the slab for any distance nor through unheated space which would require the use of heat tape or insulation). If the riser room has direct access from the outside, a PIV is not required. The sprinkler riser room may be used for other mechanical equipment, but not for the main electrical room nor shall it be used for storage; it may be used to house the fire alarm panel.

NOTE: TWO PERMITS are required from the Fire Department for installation of the fire sprinkler system, one for the

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underground and one for the sprinkler system itself. No work shall be performed on the sprinkler system without a Fire Department permit.

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

STANDPIPES

A standpipe is required for each building where the floor level of the highest story is located more than 30 feet above the lowest level of the fire department vehicle access, or where the floor level of the lowest story is located more than 30 feet below the highest level of fire department vehicle access.

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

FIRE ALARM

A fire alarm system is required to be installed throughout each building and shall be designed to work with the fire sprinkler system in each building. This means Building A and the parking garage shall have one fire alarm system; and the other buildings will each have their own system.

Systems shall comply with Washington State Barrier Free requirements regarding installation of visual devices and pull stations. The specific requirements for the system can be found in Kirkland Operating Policy 10.

FIRE EXTINGUISHERS

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

KEY BOX

A Key box is required (Knox Box). It shall be installed in an approved accessible location no higher than six feet above grade. In most cases it will be located at the front entrance to a building. The box may be purchased on-line at www.knoxbox.com; or by filling out an order form which is available from the Fire Department office. Contact the Fire Prevention Bureau at 425-587-3661 for more information.

EMERGENCY RADIO COVERAGE (Effective 7-1-16)

This is not a requirement for a radio system per se, only providing information regarding the City's radio requirement for new buildings. (Each building "may" need a radio system because it is not exempted outright from the requirement)

510.1 Emergency Responder Radio Coverage. All new buildings shall have approved radio coverage for emergency responders within any building meeting any of the following conditions.

1. There are more than five stories above grade plane (as defined by the International Building Code, Section 202);
2. The total building area is 50,000 square feet or more;
3. The total basement area is 10,000 square feet or more;

Or

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4. There are floors used for human occupancy more than 30 feet below the finish floor of the lowest level of exit discharge.

Exception:

1. Buildings and area of buildings that have minimum radio coverage signal strength levels of the King County Regional 800 MHz Radio System within the building in accordance with Section 510.4.1.

The radio system shall be installed in accordance with Section 510 of this code and with applicable provisions of NFPA 72, National Fire Alarm Signaling Code.

510.3 Construction permit.

A construction permit is required for installation of or modification to emergency responder radio coverage systems and related equipment.

510.4 Criteria for Installation and Maintenance of Emergency Radio Systems is provided in Kirkland Fire Department Operating Policy #12 which is available on the Internet and at City Hall.

SMOKE CONTROL

IF it is determined that a smoke control system is required for any building (per IBC 504.4.1), a separate fire department permit is required.

FIRE SAFETY DURING CONSTRUCTION

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

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

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

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

3308.8.2 Construction mitigations. For wood frame buildings exceeding 350,000 square feet; or 200,000 square feet when the building exceeds 50 feet in height, the following additional requirements apply:

1. Mitigating fire protection barriers consisting of at least one layer of 5/8-inch gypsum board or other equivalent fire resistive materials shall be installed such that the mitigating fire protection barrier(s) enclose area(s) of not less than 10,000 square feet and not more than 50,000 square feet.

2. When exposures exists within 60' of a building under construction, the exterior wall of the building under construction shall be covered with 5/8-inch gypsum sheathing to include windows, doors or other openings until interior framing members have been covered with gypsum board or finish materials as approved in the building permit.

Exception: A mitigation plan developed by a Washington State Licensed Fire Protection Engineer. The mitigation plan may rely on temporary, permanent and/or active measures.

PUBLIC WORKS DEPARTMENT

General Conditions:

1. All public improvements associated with this project including street and utility improvements, must meet the City of Kirkland Public Works Pre-Approved Plans and Policies Manual. A Public Works Pre-Approved Plans and Policies manual can be purchased from the Public Works Department, or it may be retrieved from the Public Works Department's page at the City of Kirkland's web site.
 2. This project will be subject to Public Works Permit and Connection Fees. It is the applicant's responsibility to contact the Public Works Department by phone or in person to determine the fees. The applicant should anticipate the following fees:
 - o Water, Sewer, and Surface Water Connection Fees *
 - o Side Sewer Inspection Fee *
 - o Septic Tank Abandonment Inspection Fee
 - o Water Meter Fee *
 - o Right-of-way Fee
 - o Review and Inspection Fee
 - o Building Permits associated with this proposed project will be subject to the traffic, park, and school impact fees per Chapter 27 of the Kirkland Municipal Code. The impact fees shall be paid prior to issuance of the Building Permit(s). Any existing buildings within this project which are demolished will receive a Traffic Impact Fee credit, Park Impact Fee Credit and School Impact Fee Credit. This credit will be applied to the first Building Permits that are applied for within the project. The credit amount for each demolished building will be equal to the most currently adopted Fee schedule.
- * Fee to be paid with the issuance of a Building Permit.
3. All street and utility improvements shall be permitted by obtaining a Land Surface Modification (LSM) Permit, including the required LSM Checklist.
 4. Performance and Maintenance Securities:
 - Prior to issuance of the LSM Permit a standard right of way restoration security ranging from \$50,000.00 to \$100,000.00 (value determined based on amount of ROW disruption) shall be posted with Public Works Department. This security will be held until the project has been completed.
 - Prior to Final Inspection there will be a condition of the permit to establish a two year Maintenance security.
 5. Prior to submittal of a Building or Zoning Permit, the applicant must apply for a Concurrency Test Notice. Contact Thang Nguyen, Transportation Engineer, at 425-587-3869 for more information. A separate Concurrency Permit will be created.
 6. After concurrency has passed, the project will receive a concurrency test notice that allows the applicant to proceed with all development permits. A "Certificate of Concurrency" is established with a development or building permit. It will read as follows: CERTIFICATE OF CONCURRENCY: This project has been reviewed and approved for water, sewer, and traffic concurrency. Any water and sewer mitigating conditions are listed within the conditions below. Any traffic mitigating conditions will be found in an attached memorandum from the Public Works Traffic Engineering Analyst to the Planning Department Project Planner. Upon issuance of this permit, this project shall have a valid Certificate of Concurrency and concurrency vesting until the permit expires. This condition shall constitute issuance of a Certificate of Concurrency pursuant to chapter 25.12 of the Kirkland Municipal Code.
 7. All civil engineering plans which are submitted in conjunction with a building, grading, or right-of-way permit must conform to the Public Works Policy G-7, Engineering Plan Requirements. This policy is contained in the Public

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Works Pre-Approved Plans and Policies manual.

8. All street improvements and underground utility improvements (storm, sewer, and water) must be designed by a Washington State Licensed Engineer; all drawings shall bear the engineers stamp.
9. All plans submitted in conjunction with a building, grading or right-of-way permit must have elevations which are based on the King County datum only (NAVD 88).
10. A completeness check meeting is required prior to submittal of any Building Permit applications.
11. Prior to issuance of any commercial or multifamily Building Permit, the applicant shall provide a plan for garbage, recycling, and compostable storage and pickup. The plan shall conform to Policy G-9 in the Public Works Pre-approved Plans and be approved by the Waste Management Company and the City of Kirkland.
12. The required tree plan shall include any significant tree in the public right-of-way along the property frontage.

Sanitary Sewer Conditions:

1. The existing sanitary sewer main in the right-of-way is adequate to serve the project. RH2 modelled the downstream system and found no capacity issues.
2. Provide a 8-inch side sewer stub to serve the building. Side sewers serving the property shall be PVC gravity sewer pipe per Public Works Pre-Approved Criteria and shall connect to a public sewer manhole in the right-of-way. Any on-site sewer manhole and sewer mains shall be encompassed in a 20 ft. wide sewer easement. All manholes must be accessible for cleaning and maintenance.
3. Access for maintenance of the sewer manholes is required. Provide a 15' wide access easement from the right-of-way to each sanitary sewer manhole.
4. Any businesses serving food or drink are required to have grease interceptor on the waste line prior to discharge to the City sewer system. The interceptor shall be sized per the Uniform Plumbing Code (minimum).

Water System Conditions:

1. The existing water main in the 120th Ave NE right-of-way is adequate to serve the project.
2. The following improvements need to be made to ensure adequate fire flows along the east and north sides of the Project:
 - On 122nd Ave NE – Replace the existing 8-inch main from NE 85th St to the north property line of the project with 16-inch DI water main. Replace the existing PRV pit to accommodate.
 - North Property Line – Replace the existing 8-inch with 12-inch DI water main.
3. Provide water service(s) to the building sized per the Uniform Plumbing Code.
4. Abandon all existing services.
5. See Fire Department conditions for fire flow requirements.
6. In mixed-use projects each use shall have a separate water meter, i.e., the retail use shall have a separate water meter from residential use.

Surface Water Conditions:

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

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

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

- Full Drainage Review

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

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

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

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

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

7. If the project will create or replace more than 5,000 square feet of pollution generating impervious surface (PGIS), provide water quality treatment in accordance with the KCSWDM.

- The enhanced treatment level is required for this project if triggered.

- This project is located with ¼ mile of a Category 5 waterbody documented in the state's Water Quality Assessment 303(d) listing for Phosphorus. If water quality treatment is required, then the project shall be assumed to be located within a designated Sensitive Lake WQ Treatment area for the purposes of applying the area-specific water quality treatment requirement in Section 1.2.8.1 of the KC-SWDM.

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

9. Provide collection and conveyance of right-of-way storm drainage.

10. If working within an existing ditch, the applicant is hereby given notice that the Army Corps of Engineers (COE) has asserted jurisdiction over upland ditches draining to streams. Either an existing Nationwide COE permit or an Individual COE permit may be necessary for work within ditches, depending on the project activities.

Applicants should obtain the applicable COE permit; information about COE permits can be found at: U.S. Army Corps of Engineers, Seattle District Regulatory Branch

<http://www.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits.aspx>

Specific questions can be directed to: Seattle District, Corps of Engineers, Regulatory Branch, CENWS-OD-RG, Post Office Box 3755, Seattle, WA 98124-3755, Phone: (206) 764-3495

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11. Stream in pipe on-site: The applicant will need to work with WDFW regarding relocation of the stream in the on-site pipe. If the stream remains in a pipe, the new pipe must have capacity to convey the 100 year storm event. It is Kirkland's understanding if in stream work is triggered, a Hydraulic Project Approval (HPA) from WA State Department of Fish and Wildlife (WDFW) may be required for this project. Contact Stewart Reinbold at WDFW at 425-313-5660 or stewart.reinbold@dfw.wa.gov for determination, obtain an HPA if required, and submit a copy to COK. If an HPA is not required, the applicant will be required to provide written documentation from WDFW as verification. More information on HPAs can be found at the following website: <http://wdfw.wa.gov/licensing/hpa/>

12. Construction Stormwater Pollution Prevention Plan (CSWPPP):

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

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

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

Street and Pedestrian Improvement Conditions:

1. The subject property abuts NE 85th Street (Arterial), 120th Ave NE (Collector), and 122nd Ave NE (Collector). Zoning Code sections 110.10 and 110.25 require the applicant to make half-street improvements in rights-of-way abutting the subject property. Section 110.30-110.50 establishes that this street must be improved with the following:

NE 85th Street:

A. The existing street improvements were just completed by the and no additional improvements are required unless Design Regulations require a wider sidewalk or the applicant proposes a superior design to the existing improvements. Replace and crack, broken or damage improvements prior to project final.

120th Ave NE:

- A. Install Type-A concrete curb and gutter; remove and replace existing curb and gutter.
- B. Install an 8 ft. wide sidewalk with street trees in 4'x6 tree wells 30' on-center.
- C. Install additional pedestrian amenities per design review direction.
- D. Dedicate right-of-way as necessary to encompass the improvements.

122nd Ave NE:

- A. Widen the street to 18 ft. from right-of-way centerline to face of curb.

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- B. Install Type-A concrete curb and gutter; remove and replace existing curb and gutter.
 - C. Install an 8 ft. wide sidewalk with street trees in 4'x6 tree wells 30' on-center.
 - D. Install additional pedestrian amenities per design review direction.
 - E. Dedicate right-of-way as necessary to encompass the improvements.
 - F. Provide striping plan showing a center turn lane north of the left turn pocket at 85th.
2. Access Requirements (KZC Chapter 105.10):
- A. Vehicular Access will be reviewed with the Traffic Study. All proposed access need to be evaluated in the Traffic Study.
 - B. Access points close to intersections may have restricted turning movements due to proximity to intersections.
 - C. No new access points allowed from 85th. Remove existing driveway access from NE 85th Street if U-Haul does not have the right to retain.
3. Meet the requirements of the Kirkland Driveway Policy R-4. Spacing Table from R-4, for reference:
4. Meet the requirements of the Kirkland Intersection Sight Distance Policy R.13. All street and driveway intersections shall not have any visual obstructions within the sight distance triangle.
5. When three or more utility trench crossings occur within 150 lineal ft. of street length or where utility trenches parallel the street centerline, the street shall be overlaid with new asphalt or the existing asphalt shall be removed and replaced per the City of Kirkland Street Asphalt Overlay Policy R-7.
- Existing streets with 4-inches or more of existing asphalt shall receive a 2-inch (minimum thickness) asphalt overlay. Grinding of the existing asphalt to blend in the overlay will be required along all match lines.
 - Existing streets with 3-inches or less of existing asphalt shall have the existing asphalt removed and replaced with an asphalt thickness equal or greater than the existing asphalt provided however that no asphalt shall be less than 2-inches thick and the subgrade shall be compacted to 95% density.
6. Install "NO PARKING ANYTIME" signs along 120th and 122nd.
7. It shall be the responsibility of the applicant to relocate any above-ground or below-ground utilities which conflict with the project, associated street, or utility improvements.
8. Underground all new and existing on-site utility lines and overhead transmission lines. Underground any new off-site transmission lines.
9. Zoning Code Section 110.60.9 establishes the requirement that existing utility and transmission (power, telephone, etc.) lines on-site and in rights-of-way adjacent to the site must be underground. The Public Works Director may determine if undergrounding transmission lines in the adjacent right-of-way is not feasible and defer the undergrounding by signing an agreement to participate in an undergrounding project, if one is ever proposed. In this case, the Public Works Director has determined that undergrounding of existing overhead utility on 122nd Ave NE is not feasible at this time and the undergrounding of off-site/frontage transmission lines should be deferred with a Local Improvement District (LID) No Protest Agreement.
10. New LED street lights may be required per Puget Sound Energy design and Public Works approval. Contact the INTO Light Division at PSE for a lighting analysis. If lighting is necessary, design must be submitted prior to issuance of a grading or building permit. At a minimum existing street lights shall be upgraded to LED, and new lights shall also be LED

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53.30 User Guide.

The charts in KZC [53.34](#) contain the basic zoning regulations that apply in the RH 3 zone of the City. Use these charts by reading down the left hand column entitled Use. Once you locate the use in which you are interested, read across to find the regulations that apply to that use.

Section 53.32

Zone
RH 3

Section 53.32 – 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. Within required front yards, canopies and similar entry features may encroach; provided, that the total horizontal dimension of such elements may not exceed 25 percent of the length of the structure.
3. Individual retail uses in this zone are limited to a maximum gross floor area of 65,000 square feet.
4. At least 50 percent of the total gross floor area located on the ground floor of all structures on the subject property must contain retail establishments, restaurants, taverns, hotels or motels. These uses shall be oriented to NE 85th Street, a major pedestrian sidewalk, a through-block pedestrian pathway or an internal pathway (see also Chapters [105](#) and [110](#) KZC, and Plate [34K](#)).
5. The ground floor of all structures on the subject property shall be a minimum of 15 feet in height. This requirement does not apply to:
 - a. The following uses: vehicle service stations, automotive service centers, private lodges or clubs, attached or stacked dwelling units, churches, schools, day-care centers, mini-schools or mini-day-care centers, assisted living facilities, convalescent centers or nursing homes, public utilities, government facilities or community facilities.
 - b. Parking garages.
 - c. Additions to existing nonconforming development where the Planning Official determines it is not feasible.
6. The Public Works Official shall approve the number, location and characteristics of driveways on NE 85th Street in accordance with the driveway and sight distance policies contained in the Public Works Pre-approved Plans manual. Taking into consideration the characteristics of this corridor, the Public Works Official may:
 - a. Require access from side streets; and/or
 - b. Encourage properties to share driveways, circulation and parking areas; and/or
 - c. Restrict access to right turn in and out; or
 - d. Prohibit access altogether along NE 85th Street.
7. Some development standards or design regulations may be modified as part of the design review process. See Chapters [92](#) and [142](#) KZC for requirements.
8. Access for drive-through facilities must be approved by the Public Works Official. See KZC [105.96](#) for requirements.
9. A through-block pedestrian pathway shall be installed pursuant to the through-block pathway standards in KZC [105.19](#); see Plate [34K](#):
 - a. Along the north portion of the zone to make an east-to-west pedestrian connection between 124th Avenue NE and 120th Avenue NE as designated in the Comprehensive Plan; and
 - b. Connecting the north end of the zone to NE 85th Street.
10. For lighting requirements associated with development, see KZC [115.85](#)(2).

[link to Section 53.34 table](#)

The Kirkland Zoning Code is current through Ordinance 4551, passed December 13, 2016.

Disclaimer: The City Clerk's Office has the official version of the Kirkland Zoning Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

City Website: <http://www.kirklandwa.gov/> (<http://www.kirklandwa.gov/>)

City Telephone: (425) 587-3190

Code Publishing Company (<http://www.codepublishing.com/>)

eLibrary (<http://www.codepublishing.com/elibrary.html>)

Section 53.34	<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 YARDS (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.010	Development containing: retail establishments selling goods, or providing services including banking and other financial services, restaurants, taverns	D.R., Chapter 142 KZC. See Spec. Regs. 1 and 2.	More than 6 acres See Spec. Reg. 7	As established with design review process.			80%	45' – 67' above average building elevation along the north end of the zone with a maximum of 45' measured above NE 85th Street. See Spec. Regs. 5 and 7.	See Spec. Reg. 2.	See Spec. Reg. 4.	As established in the CMP.	<div>1. May also include one or more of the other uses allowed in this zone. Development regulations of this section apply to all uses developed within a Conceptual Master Plan (CMP).</div> <div>2. Development must be part of a Conceptual Master Plan (CMP) for the entire subject property. The proposed CMP shall be reviewed using the Design Review process provisions of KZC 142.35. Subsequent development proposals shall follow DR or ADR as set forth in the Notice of Approval for the Conceptual Master Plan. The Conceptual Master Plan shall incorporate the design guidelines contained in the Design Guidelines for the Rose Hill Business District pertaining to the RH 3 zone.</div> <div>3. Location of drive-through facilities will not compromise the pedestrian orientation of the development. See KZC 105.96 for other requirements.</div> <div>4. Signs for a development approved under this provision must be proposed within a Master Sign Plan application pursuant to KZC 100.80 for all signs within the project.</div> <div>5. Building height shall be 45 feet measured above the midpoint of the frontage of the subject property along NE 85th Street, or if the subject property does not front on NE 85th Street, at the midpoint of the property frontage along any other public right-of-way. If the property abuts more than one public right-of-way, the applicant may select the right-of-way from which to measure.</div> <div>6. 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>7. Maximum building height for a development including residential use is 67 feet above average building elevation. However, the equivalent of the additional gross floor area constructed above 45 feet over ABE must be dedicated to residential use. Residential use may be located anywhere in the building above the ground floor.</div> <div>8. Parcels smaller than six acres may be added to a previously approved Conceptual Master Plan (CMP) if the applicable criteria set forth in the Notice of Approval from the approved CMP are met.</div>

Section 53.34

Zone
RH 3

USE ZONE CHART

Section 53.34	<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 YARDS (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.020	Vehicle Service Station	D.R., Chapter 142 KZC.	Less than 6 acres.	20'	0'	0'	80%	35' above average building elevation.	A	E	See KZC 105.25.	<div>1. Gas pump islands must be set back at least 20 feet from all property lines. Canopies or covers over gas pump islands may not be closer than 10 feet to any property line. Outdoor parking and service areas may not be closer than 10 feet to any property line.</div> <div>2. See KZC 95.40 through 95.45, required landscaping, for further regulations.</div>
.030	Automotive Service Center See Spec. Reg. 1.			10'							1 per each 250 sq. ft. of gross floor area. See Spec. Reg. 1.	<div>1. Ten percent of the required parking spaces on site must have a minimum dimension of 10 feet wide by 30 feet long for motor home/travel trailer use.</div> <div>2. Parts and tires must be stored entirely within an enclosed structure.</div> <div>3. Outdoor vehicle parking or storage must be buffered as required for a parking area in KZC 95.45. See KZC 115.105, Outdoor Use, Activity and Storage, for additional regulations.</div>
.040	Restaurant or Tavern										1 per each 100 sq. ft. of gross floor area.	<div>1. For restaurants with drive-in or drive-through facilities:<div>a. One outdoor waste receptacle shall be provided for every eight parking stalls.</div><div>b. Access for drive-through facilities shall be approved by the Public Works Department. Drive-through facilities shall be designed so that vehicles will not block traffic in the right-of-way while waiting in line to be served.</div></div>
.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.								C		1 per each 300 sq. ft. of gross floor area.	<div>1. 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><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></div> <div>2. A delicatessen, bakery, or other similar use may include, as part of the use, accessory seating if:<div>a. The seating and associated circulation area does not exceed more than 10 percent of the gross floor area of the use; and</div><div>b. It can be demonstrated to the City that the floor plan is designed to preclude the seating area from being expanded.</div></div>
REGULATIONS CONTINUED ON NEXT PAGE												

REGULATIONS CONTINUED ON NEXT PAGE



Section 53.34	<div>USE</div> <div>REGULATIONS</div>	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
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			Lot Size	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. (continued)										REGULATIONS CONTINUED FROM PREVIOUS PAGE	
.060	Hotel or Motel	D.R., Chapter 142 KZC.	Less than 6 acres.	10'	0'	0'	80%	35' above average building elevation.	C	E	1 per each room. See also Spec. Reg. 2.	3. For a retail establishment involving the sale, lease, repair or service of automobiles, trucks, boats, motorcycles, recreational vehicles, heavy equipment, and similar vehicles, the following shall apply: a. For the number of required parking stalls see KZC 105.25. b. Parts must be stored entirely within an enclosed structure. c. See KZC 95.40 through 95.45, required landscaping, for further regulations.
.070	Entertainment, Cultural and/or Recreational Facility										See KZC 105.25.	
.080	Office Use									D	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. The following regulations apply to veterinary offices only: a. May only treat small animals on the subject property. b. Outside runs and other outside facilities for the animals are not permitted. 2. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The ancillary assembled or manufactured goods are subordinate to and dependent on this use. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.

Section 53.34

Zone
RH 3

USE ZONE CHART

Section 53.34	<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 YARDS (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.090	Private Lodge or Club	D.R., Chapter 142 KZC.	Less than 6 acres.	10'	0'	0'	80%	35' above average building elevation.	C	B	1 per each 300 sq. ft. of gross floor area.	<div>1. May include accessory living facilities for staff persons.</div> <div>2. No parking is required for day-care or school ancillary to the use.</div> <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 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 nearby residential uses.</div> <div>3. May include accessory living facilities for staff persons.</div> <div>4. Hours of operation of the use may be limited and parking and passenger loading areas shall be located to reduce impacts on nearby residential uses.</div> <div>1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.</div>
.100	Church								1 per every 4 people based on maximum occupancy load of any area of worship. See Spec. Reg. 2.			
.110	School, Day-Care Center, Mini-School or Mini-Day-Care Center								D		See KZC 105.25.	
.120	Stacked Dwelling Units, Assisted Living Facility								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 per assisted living unit.			

Section 53.34	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 YARDS (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.130	Convalescent Center or Nursing Home	D.R., Chapter 142 KZC.	Less than 6 acres.	10'	0'	0'	80%	35' above average building elevation.	C	B	1 per each bed.	1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.140	Public Utility							A	See KZC 105.25.		1. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.	
.150	Government Facility Community Facility							C See Spec. Reg. 1.				
.160	Public Park	Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.										

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Section 53.32

Zone
RH 3

Section 53.32 – 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. Within required front yards, canopies and similar entry features may encroach; provided, that the total horizontal dimension of such elements may not exceed 25 percent of the length of the structure.
3. Individual retail uses in this zone are limited to a maximum gross floor area of 65,000 square feet.
4. At least 50 percent of the total gross floor area located on the ground-street level floor of all structures on the subject property must contain retail establishments, restaurants, taverns, hotels or motels. These uses shall be oriented to NE 85th Street, a major pedestrian sidewalk, a through-block pedestrian pathway or an internal pathway (see also Chapters 105 and 110 KZC, and Plate 34K).
5. The ground-street level floor of all structures on the subject property shall be a minimum of 15 feet in height. This requirement does not apply to:
 - a. The following uses: vehicle service stations, automotive service centers, private lodges or clubs, attached or stacked dwelling units, churches, schools, day-care centers, mini-schools or mini-day-care centers, assisted living facilities, convalescent centers or nursing homes, public utilities, government facilities or community facilities.
 - b. Parking garages.
 - c. Additions to existing nonconforming development where the Planning Official determines it is not feasible.
6. The Public Works Official shall approve the number, location and characteristics of driveways on NE 85th Street in accordance with the driveway and sight distance policies contained in the Public Works Pre-approved Plans manual. Taking into consideration the characteristics of this corridor, the Public Works Official may:
 - a. Require access from side streets; and/or
 - b. Encourage properties to share driveways, circulation and parking areas; and/or
 - c. Restrict access to right turn in and out; or
 - d. Prohibit access altogether along NE 85th Street.
7. Some development standards or design regulations may be modified as part of the design review process. See Chapters 92 and 142 KZC for requirements.
8. Access for drive-through facilities must be approved by the Public Works Official. See KZC 105.96 for requirements.
9. A through-block pedestrian pathway shall be installed pursuant to the through-block pathway standards in KZC 105.19; see Plate 34K:
 - a. Along the north portion of the zone to make an east-to-west pedestrian connection between 124th Avenue NE and 120th Avenue NE as designated in the Comprehensive Plan; and
 - b. Connecting the north end of the zone to NE 85th Street.
10. For lighting requirements associated with development, see KZC 115.85(2).

Section 53.34

Zone
RH 3

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
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			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure				
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.010	Development containing: retail establishments selling goods, or providing services including banking and other financial services, restaurants, taverns	D.R., Chapter 142 KZC. See Spec. Regs. 1 and 2.	More than 6 acres See Spec. Reg. 7	As established with design review process.			80% 100%	45'—67'75' above average building elevation along the north end of the zone with a maximum of 45' measured above NE 85th Street. See Spec. Regs. 5 and 7.	See Spec. Reg. 2.	See Spec. Reg. 4.	As established in the CMP.	<ol style="list-style-type: none">1. May also include one or more of the other uses allowed in this zone. Development regulations of this section apply to all uses developed within a Conceptual Master Plan (CMP).2. Development must be part of a Conceptual Master Plan (CMP) for the entire subject property. The proposed CMP shall be reviewed using the Design Review process provisions of KZC 142.35. Subsequent development proposals shall follow DR or ADR as set forth in the Notice of Approval for the Conceptual Master Plan. The Conceptual Master Plan shall incorporate the design guidelines contained in the Design Guidelines for the Rose Hill Business District pertaining to the RH 3 zone.3. Location of drive-through facilities will not compromise the pedestrian orientation of the development. See KZC 105.96 for other requirements.4. Signs for a development approved under this provision must be proposed within a Master Sign Plan application pursuant to KZC 100.80 for all signs within the project.5. Building height shall be 45 feet measured above the midpoint of the frontage of the subject property along NE 85th Street, or if the subject property does not front on NE 85th Street, at the midpoint of the property frontage along any other public right-of-way. If the property abuts more than one public right-of-way, the applicant may select the right-of-way from which to measure. <u>A building on the subject property may exceed the 45 feet height limit so long as the portion of the building located within 20 feet of the public right-of-way does not exceed 45 feet.</u>6. 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.7. <u>Maximum building height for a development including residential use is 67'75' feet above average building elevation. However, the equivalent of the additional gross floor area constructed above 45'50 feet over ABE must be dedicated to residential use. Residential use may be located anywhere in the building above the ground-street level floor. An applicant may elect to not develop residential uses. However, because elimination of residential uses would also eliminate inclusion of required affordable housing in the zone contrary to City objectives,</u>

										<p>the applicant is still required to either provide the affordable housing component or provide payment in lieu of constructing affordable housing pursuant to KZC 112.30.4.b and c. For purposes of calculating the number of required affordable units, the number of affordable units shall be provided at a density of 7.25 units per acre based on the total size of the subject property.</p> <p>8. Parcels smaller than six acres may be added to a previously approved Conceptual Master Plan (CMP) if the applicable criteria set forth in the Notice of Approval from the approved CMP are met.</p>
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