



## PLANNING & COMMUNITY DEVELOPMENT

123 5<sup>th</sup> Avenue, Kirkland, WA 98033

425.587.3235 ~ [www.kirklandwa.gov](http://www.kirklandwa.gov)

## PLANNING DEPARTMENT PRE-SUBMITTAL MEETING INFORMATION

### PLANNING DEPARTMENT STAFF CONTACT

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*Note: Pre-submittal meetings do not vest a project. In addition, the information related by the City staff is a preliminary, qualified assessment which is based on the information provided by the applicant/contact person. More detailed technical review of a specific development permit application may disclose additional substantive or procedural requirements. Furthermore, in the case of a discretionary development permit, the role and authority of the City staff is advisory only. Final recommendation and decision on such permits can only be made, after public comment and/or public hearing, by the Planning Director (as to Short Plats and Zoning Code Process I Permits), the Hearing Examiner, or the City Council, depending upon the type of permit.*

DATE: July 23, 2015

FILE NO.: PRE15-01371

PROJECT ADDRESS: 13040 NE 95<sup>th</sup> St.

PROJECT NAME: ANK Short Plat

PROJECT DESCRIPTION (AS PROVIDED BY APPLICANT): Short plat 2 existing parcels into 2 building lots, while building a single-family residence as Phase 1 on the larger existing parcel.

PARCEL NUMBERS: 388810-0177 & 388810-0175

LOT SIZE (according to King County Assessor's Office): 11,325 + 3,000 = 14,325 square feet

ZONE: [RSX 7.2](#)

SENSITIVE AREAS MAP: none identified on our sensitive areas maps

### PLANNING DEPARTMENT COMMENTS:

- A. You haven't explained the process that you are wanting to use to apply for a two lot short plat. Right-of-way dedication is deducted from the total lot area prior to determining if you have enough land area to short plat. The required survey and lot closure calculations will determine the process that you use to proceed with a two lot short plat.

According to the King County Department of Assessments the total land area of the two lots is 14,375 – 950 (right-of-way dedication) = 13,425 s.f. If these numbers are correct that means that you are 975 s.f. below the minimum required to short plat using the provision of KMC 22.28.030. ( $975/7200=14\%$ ). However, as drawn your proposal doesn't meet the minimum 50 feet lot width at the back of the front setback yard and it would be difficult to show that you comply with the compatibility requirement.

The only option available for pursuing a short plat would be to use the provisions of KMC 22.28.042 which allows a short plat application if you have at least 12,200. One of the lots must be 7,200 s.f. and the remaining lot must meet to exceed 5,000 s.f. The floor area ratio (FAR) of the remaining lot shall not exceed 30% of the lot size unless the

primary roof form of all structures on the site is peaked, with a minimum pitch of four feet vertical to twelve feet horizontal; and all structures are set back from side property lines by at least seven and one-half feet.

- B. You might want to consider pursuing an integrated development plan (IDP) to receive more definitive answers regarding tree retention requirements at the short plat stage. See the attached handout. Otherwise you would be applying for a phased review and tree retention will be determined at the building permit stage.

#### RESPONSE TO QUESTIONS

- A. Are fire sprinklers required?  
*Fire Department will respond to this question.*
- B. Can we remove the trees as shown on site plan?  
*Planning Department Response: No, you haven't provided the information required to make an informed decision and tree retention will be decided through the short plat process if you pursue an IDP or at the building permit stage if you decided to do a phased review.*
- C. At what phase is the right-of-way dedication required and at what phase are the frontage improvements required?  
*Planning Department Response: Right-of-way dedication will be required to show on the face of the short plat submitted for recording.*  
*Public Works will respond to the timing of installation of frontage improvements.*

#### COMMENTS ON ZONING

- A. Setbacks: Lots fronting on 95<sup>th</sup> require a 20 foot setback. Any property line that is parallel to the front property line is automatically a rear property line and has a 10 foot setback. All others are sides.  
  
Setbacks from an ingress/egress easement depend on the easement width. If less than or equal to 21 feet in width, the setback is 5 feet from the edge of the easement providing if you are only serving one lot that doesn't have access to the right-of-way.
- B. Lot Coverage: 50% (see [KZC 115.90 - Calculating Lot Coverage](#))
- C. Height: 30' above average building elevation
- D. Tree Retention: any tree that is on the property line and has roots, branches or both extending on to this property, must be evaluated against any building proposal. Provide an arborist report and tree plan with your short plat application.
- E. Parking: 2 per house and a 20 X 20 parking pad in front of each garage.

SEPA – based on the project description a SEPA review is not required

#### SHORT PLAT/SUBDIVISION

- A. [KMC Chapter 22.20 - Short Subdivisions](#)
- B. [KMC Chapter 22.32 - Improvements](#)
- C. [KMC Chapter 22.28 - Design Requirements](#)
- D. [KZC Chapter 145 – Process I](#)

#### PROCESS

- A. Short Plat – Process I

- B. Land Surface Modification (LSM) permit required for any improvements required prior to short plat recording (such as right-of-way improvements, utilities, ingress/egress easements, etc.).
- C. Demolition permit required for removal of structures on property.

FEES – All permits will be assessed a 3.5% Mybuildingpermit.com surcharge

- A. Short Plat Application:
  - Base Fee..... 3,273.00
  - Short Plat - Per Lot Fee (992.00 per lot) ..... 1,984.00
  - 3.5% Mybuildingpermit.com surcharge ..... 184.00
  - Total Short Plat Application Fee ..... 5,441.00
  
- B. Recording Review Fee ..... 980.00
  - 3.5% Mybuildingpermit.com surcharge ..... 34.30
  - Total Recording Review Fee ..... 1,014.30

MBP APPLICATION: We encourage all applications to be made electronically through [mybuildingpermit.com](http://mybuildingpermit.com). For land use applications, the following chart indicates which options you would select in MBP for the proposed application type(s).

Jurisdiction	Application Type	Project Type	Activity Type	Scope of Work
<i>Kirkland</i>	<i>Land Use</i>	<i>Any Project Type</i>	<i>Land Division</i>	<i>Subdivision–Process I</i>

## DEVELOPMENT STANDARDS

### SUBDIVISION STANDARDS

**22.28.030 Lot Size.** Unless otherwise approved in the preliminary subdivision or short subdivision approval, all lots within a subdivision must meet the minimum size requirements established for the property in the Kirkland zoning code or other land use regulatory document.

**22.28.050 Lot Dimensions.** For lots smaller than 5,000 square feet in low density zones, the lot width at the back of the required front yard shall not be less than 50 feet unless the garage is located at the rear of the lot or the lot is a flag lot.

**22.28.130 Vehicular Access Easements.** The applicant shall comply with the requirements found in the Zoning Code for vehicular access easements or tracts.

**22.28.190 Subdivisions on the Shoreline.** Subdivisions adjacent to Lake Washington must comply with the provisions of Kirkland’s Shoreline Master Program regarding open space and public access along the waterfront.

**22.28.210 Significant Trees.** You will either choose to pursue an integrated development plan or a phased review at the pre-submittal stage.

**INTEGRATED DEVELOPMENT PLAN:** A Tree Retention Plan was submitted with the short plat in which the location of all proposed improvements were known. There are \_\_\_ significant trees on the site, of which \_\_\_ are viable. These trees have been assessed by the City’s Urban Forester. They are identified by number in the following chart.

No trees are to be removed with an approved short plat or subdivision permit. Based on the approved Tree Retention Plan, the applicant shall retain and protect all viable trees

throughout the development of each single family lot except for those trees allowed to be removed for the installation of the plat infrastructure improvements *and* construction of the residence and associated site improvements. Modifications to the Tree Retention Plan must be approved per KZC 95.30(6)(b).

**PHASED REVIEW:** A Tree Retention Plan was submitted with the short plat. During the review of the short plat, all proposed improvements were unknown. Therefore KZC Section 95.30 (6)(a) – Phased Review applies in regards to tree retention. There are \_\_\_ significant trees on the site, of which \_\_\_ are viable. These trees have been assessed by the City’s Urban Forester. They are identified by number in the following chart.

No trees are to be removed with an approved short plat or subdivision permit. Based on the approved Tree Retention Plan, the applicant shall retain and protect all viable trees throughout the development of each single family lot except for those trees allowed to be removed for the installation of the plat infrastructure improvements with an approved Land Surface Modification permit. Subsequent approval for tree removal is granted for the construction of the house and other associated site improvements with a required Building Permit. The Planning Official is authorized to require site plan alterations to retain High Retention value trees at each stage of the project. In addition to retaining viable trees, new trees may be required to meet the minimum tree density per KZC Section 95.33.

**22.32.010 Utility System Improvements.** All utility system improvements must be designed and installed in accordance with all standards of the applicable serving utility.

**22.32.030 Stormwater Control System.** The applicant shall comply with the construction phase and permanent stormwater control requirements of the Municipal Code.

**22.32.050 Transmission Line Undergrounding.** The applicant shall comply with the utility lines and appurtenances requirements of the Zoning Code.

**22.32.060 Utility Easements.** Except in unusual circumstances, easements for utilities should be at least ten feet in width.

**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 Recording:***

**22.20.362 Short Plat - Title Report.** The applicant shall submit a title company certification which is not more than 30 calendar days old verifying ownership of the subject property on the date that the property owner(s) (as indicated in the report) sign(s) the short plat documents; containing a legal description of the entire parcel to be subdivided; describing any easements or restrictions affecting the property with a description, purpose and reference by auditor’s file number and/or recording number; any encumbrances on the property; and any delinquent taxes or assessments on the property.

**22.20.366 Short Plat - Lot Corners.** The exterior short plat boundary and all interior lot corners shall be set by a registered land surveyor. If the applicant submits a bond for construction of short plat improvements and installation of permanent interior lot corners, the City may allow installation of temporary interior lot corners until the short plat improvements are completed.

**22.20.390 Short Plat - Improvements.** The owner shall complete or bond all required right-of-way, easement, utility and other similar improvements.

**22.28.042 Lots – Small Lot Single Family.** The applicant shall record on the face of the plat the following restriction language for the undersized lot(s): “Accessory Dwelling Units are prohibited and the floor area ratio for lot @ is restricted pursuant to KMC 22.28.042 relating to small lot single family lots.

**22.28.050 Lot Dimensions.** The owner of the property shall sign a covenant to ensure that the garage will be located at the rear of any lot which is smaller than 5,000 square feet in a low density zone, has a lot width at the back of the required front yard less than 50 feet, and is not a flag lot.

**22.32.020 Water System.** The applicant shall install a system to provide potable water, adequate fire flow and all required fire-fighting infrastructure and appurtenances to each lot created.

**22.32.040 Sanitary Sewer System.** The developer shall install a sanitary sewer system to serve each lot created.

**22.32.080 Performance Bonds.** In lieu of installing all required improvements and components as part of a plat or short plat, the applicant may propose to post a bond, or submit evidence that an adequate security device has been submitted and accepted by the service provider (City of Kirkland and/or Northshore Utility District), for a period of one year to ensure completion of these requirements within one year of plat/short plat approval.

***Prior to occupancy:***

**22.32.020 Water System.** The applicant shall install a system to provide potable water, adequate fire flow and all required fire-fighting infrastructure and appurtenances to each lot created.

**22.32.040 Sanitary Sewer System.** The developer shall install a sanitary sewer system to serve each lot created.

**22.32.090 Maintenance Bonds.** A two-year maintenance bond may be required for any of the improvements or landscaping installed or maintained under this title.

**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.

**95.50 Tree Installation Standards.** All supplemental trees to be planted shall conform to the Kirkland Plant List. All installation standards shall conform to Kirkland Zoning Code Section 95.45.

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

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

**105.20 Required Parking.** Two parking spaces are required for each dwelling unit.

**105.47 Required Parking Pad.** Except for garages accessed from an alley, garages serving detached dwelling units in low density zones shall provide a minimum 20-foot by 20-foot parking pad between the garage and the access easement, tract, or right-of-way providing access to the

garage.

**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.

**115.40 Fence Location.** Fences over 6 feet in height may not be located in a required setback yard. A detached dwelling unit abutting a neighborhood access or collector street may not have a fence over 3.5 feet in height within the required front yard. No fence may be placed within a high waterline setback yard or within any portion of a north or south property line yard, which is coincident with the high waterline setback yard.

A detached dwelling unit may not have a fence over 3.5 feet in height within 3 feet of the property line abutting a principal or minor arterial except where the abutting arterial contains an improved landscape strip between the street and sidewalk. The area between the fence and property line shall be planted with vegetation and maintained by the property owner.

**115.42 Floor Area Ratio (F.A.R.) Limits.** Floor area for detached dwelling units is limited to a maximum floor area ratio in low density residential zones. See Use Zone charts for the maximum percentages allowed.

**115.43 Garage Requirements for Detached Dwelling Units in Low Density Zones.** Detached dwelling units served by an open public alley, or an easement or tract serving as an alley, shall enter all garages from that alley. Whenever practicable, garage doors shall not be placed on the front façade of the house. Side-entry garages shall minimize blank walls. For garages with garage doors on the front façade, increased setbacks apply, and the garage width shall not exceed 50% of the total width of the front façade.

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

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

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

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

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

**115.115.3.n Covered Entry Porches.** In residential zones, covered entry porches on dwelling units may be located within 13 feet of the front property line if certain criteria in this section are

met.

**115.115.3.o Garage Setbacks.** In low density residential zones, garages meeting certain criteria in this section can be placed closer to the rear property line than is normally allowed in those zones.

**115.115.3.p HVAC and Similar Equipment:** These may be placed no closer than five feet of a side or rear property line, and shall not be located within a required front yard; provided, that HVAC equipment may be located in a storage shed approved pursuant to subsection (3)(m) of this section or a garage approved pursuant to subsection (3)(o)(2) of this section. All HVAC equipment shall be baffled, shielded, enclosed, or placed on the property in a manner that will ensure compliance with the noise provisions of KZC 115.95.

**115.115.5.a Driveway Width and Setbacks.** For a detached dwelling unit, a driveway and/or parking area shall not exceed 20 feet in width in any required front yard, and shall be separated from other hard surfaced areas located in the front yard by a 5-foot wide landscape strip. Driveways shall not be closer than 5 feet to any side property line unless certain standards are met.

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

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

***Prior to recording:***

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

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

***Prior to issuance of a grading or building permit:***

**95.30(4) Tree Protection Techniques.** A description and location of tree protection measures during construction for trees to be retained must be shown on demolition and grading plans.

**95.34 Tree Protection.** Prior to development activity or initiating tree removal on the site, vegetated areas and individual trees to be preserved shall be protected from potentially damaging activities. Protection measures for trees to be retained shall include (1) placing no construction material or equipment within the protected area of any tree to be retained; (2) providing a visible temporary protective chain link fence at least 6 feet in height around the protected area of retained trees or groups of trees until the Planning Official authorizes their removal; (3) installing visible signs spaced no further apart than 15 feet along the protective fence stating "Tree Protection Area, Entrance Prohibited" with the City code enforcement phone number; (4) prohibiting excavation or compaction of earth or other damaging activities within the barriers unless approved by the Planning Official and supervised by a qualified professional; and (5) ensuring that approved landscaping in a protected zone shall be done with light machinery or by hand.

***Prior to occupancy:***

**95.51.2.b Tree Maintenance.** For detached dwelling units, the applicant shall submit a 5-

year tree maintenance agreement to the Planning Department to maintain all pre-existing trees designated for preservation and any supplemental trees required to be planted.

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

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

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



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## **INTEGRATED DEVELOPMENT PLAN: OPTIONS FOR SHORT PLAT AND SUBDIVISION REVIEW PROCESSES**

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The City of Kirkland has two methods an applicant may choose for processing short plat and subdivision applications: An Integrated Review with an *Integrated Development Plan* (IDP) or the traditional Phased Review. This handout outlines the benefits of each to help applicants decide how to submit their subdivision application.

### **INTEGRATED REVIEW**

Development Services staff invite you to consider a review process that will allow you to resolve tree retention requirements with the short plat/subdivision and provide greater predictability as the project moves to construction. In order to pursue this process, an applicant will submit an *Integrated Development Plan* (IDP) with other pre-submittal meeting information (if you are finding out about this at a pre-submittal meeting, we'll schedule a second one without an additional fee). An IDP is a copy of the proposed plat map that includes topography, footprints of proposed homes, and shows how the homes will be accessed and served by utilities. The IDP also shows the tree retention plan information specified in Kirkland Zoning Code Chapter 95 (KZC 95.30), including an arborist report.

An IDP may take more time and effort at the presubmittal stage, but will speed up the grading permit and building permit processes and add predictability for the following reasons:

1. Starting at the pre-submittal meeting, the applicant and representatives from key City departments have an opportunity to discuss the short plat or subdivision layout with more information than is usually available at a pre-submittal meeting. The ensuing short plat or subdivision application will be more complete and compliant with city regulations, which enables a faster review.
2. The Land Surface Modification (LSM or grading) permit can authorize all of the site preparations, including utility and road work, home site grading, and clearing of all trees approved for removal under the IDP.
3. The successive applications (i.e. demolition or building permit applications) can be reviewed faster through consolidation of Planning and Urban Forestry reviews.
4. The LSM and building permit applications can be submitted prior to short plat or subdivision recording, as soon as the IDP is approved as part of the short plat or subdivision approval. Building permits can be issued once the short plat or subdivision records.

As good as the process sounds; it cannot be used unless the applicant has laid out utilities, selected home plans for the lots, and is comfortable committing to the footprints and placement of the utilities and homes on the lots. An applicant selecting this process should be confident in the proposed IDP because modifying the tree retention plan after approval is very difficult and may require a public hearing.

A recommended project sequence is included below to help you work toward a complete application. By following this sequence, you can gather feedback on tree retention and tree removal early in the process and avoid investing in final design/engineering before these key issues are reviewed by staff.

### **TRADITIONAL (PHASED) REVIEW**

The City's traditional short plat and subdivision review process is more flexible because it defers home design, location and tree decisions until needed for a given permit. If you are just interested in subdividing and don't have plans for development of the new homes, this may be the best option for you. Following approval of the short plat/subdivision, phased review takes longer because:

1. The future LSM approves grading and tree removal only for roadway, frontage and underground improvements;
2. Separate urban forestry reviews are required at the LSM, demolition and building permit stages; and
3. Building permits for new homes may not be submitted until the short plat or subdivision is recorded.

### **RECOMMENDED IDP SEQUENCE**

#### **Step 1 – Review Tree Retention Plan requirements and permit submittal checklist**

#### **Step 2 – Assess existing trees**

- Applicant submits arborist report to assess condition of existing on-site and neighboring trees
- Initial Pre-submittal meeting - Applicant and City meet to discuss priorities for tree retention (applicant & City arborists encouraged to attend)

#### **Step 3 – Conceptual design**

- Applicant prepares conceptual subdivision design, including how lot, utility, and house layout take trees into account
- If LID techniques are proposed, a geotech report assessing LID feasibility should be included
- Primary Pre-submittal meeting - Meeting to review conceptual design (applicant & City arborists encouraged to attend)

#### **Step 4 - Application submittal**

- Short plat/subdivision application must include both horizontal and vertical information for houses and utilities (e.g. - 70% engineering), with an emphasis on potential impacts near trees to be retained
- Application must include a supplement to the initial arborist report with specific arborist recommendations on implementation of the proposed IDP



# TREE RETENTION PLAN– Subdivisions and Cottage Developments

Tree retention plan requirements for Short Plat, Subdivisions, cottages, carriage units, two/three-unit homes, and related demolition and land surface modification applications (See KZC 95.30(6)(a) Phased Review, for additional standards). **These requirements are located in Section 95.30 of the Kirkland Zoning Code (KZC) and are summarized below. Note that additional tree and vegetation requirements apply to properties located in the Holmes Point Overlay Zone ([KZC Chapter 70](#)).**

## DEVELOPMENT ACTIVITY CHART

REQUIRED COMPONENTS
<b>TREE INVENTORY AS DESCRIBED IN SECTION I. OF THE PERMIT SUBMITTAL CHECKLIST FOR:</b>
<input type="checkbox"/> All significant trees on the subject property and on adjoining property with driplines extending over property line
<b>SITE PLAN AS DESCRIBED IN SECTION II. OF THE PERMIT SUBMITTAL CHECKLIST TO INCLUDE:</b>
<input type="checkbox"/> Surveyed tree locations
<b>REQUIREMENTS IN SECTION III. OF THE PERMIT SUBMITTAL CHECKLIST SHALL BE PREPARED BY A QUALIFIED PROFESSIONAL AND APPLY TO:</b>
<input type="checkbox"/> All significant trees
<b>TREE RETENTION STANDARDS</b>
<input type="checkbox"/> Retain and protect trees with a high retention value to the maximum extent possible <sup>(1)</sup>
<input type="checkbox"/> Retain and protect trees with a moderate retention value if feasible
<input type="checkbox"/> Preservation and maintenance agreements pursuant to KZC <a href="#">95.51</a> are required for all remaining trees on the subject property <sup>(2)</sup>
<b>TREE DENSITY</b>
<input type="checkbox"/> Tree density requirements shall apply as required in KZC <a href="#">95.33</a>

- (1) To retain trees with a high retention value, the applicant shall pursue, where feasible, applicable variations in the development standards of this code as outlined in KZC [95.32](#).
- (2) Prior to short plat or subdivision recording.

### Helpful definitions to complete the tree plans described below:

- Significant Tree:** A tree that is at least 6 inches in diameter at breast height (DBH) (The diameter or thickness of a tree trunk measured at 4.5 feet from the ground).
- Qualified Professional:** An individual with relevant education and training in arboriculture or urban forestry, having two or more of the following credentials: 1) International Society of Arboriculture (ISA) Certified Arborist; 2) Tree Risk Assessor Certification (TRACE) as established by the Pacific Northwest Chapter of ISA (or equivalent); 3) American Society of Consulting Arborists (ASCA) registered Consulting Arborist; 4) Society of American Foresters (SAF) Certified Forester for Forest Management Plans; and for tree retention associated with a development permit a minimum of three years' experience working directly with the protection of trees during construction and have experience with the likelihood of tree survival after construction. A qualified professional must also be able to prescribe appropriate measures for the preservation of trees during land development.
- Limits of Disturbance:** The boundary between the protected area around a tree and the allowable site disturbance as determined by a qualified professional measured in feet from the trunk.

## PERMIT SUBMITTAL CHECKLIST

Permit Submittal Requirements for Short Plat, Subdivisions, cottages, carriage units, two/three-unit homes, and related Demolition and Land Surface Modification Permits ***When identified in the Development Activity Chart, the following information is required for all permits in order for the application to be deemed complete. Incomplete applications will not be accepted.***

### I. **A tree inventory containing the following:**

- A numbering system of all existing significant trees on the subject property (with corresponding tags on trees); the inventory must also include significant trees on adjacent property with driplines extending over the subject property line;
- Limits of disturbance (LOD) of all existing significant trees (including approximate LOD of off-site trees with overhanging driplines);
- Size (DBH);
- Proposed tree status (trees to be removed or retained);
- Brief general health or condition rating of these trees (i.e.: poor, fair, good, excellent, etc.);
- Tree type or species.

### II. **A site plan depicting the following:**

- Location of all proposed improvements, including building footprint, access, utilities, applicable setbacks, buffers, and required landscaped areas clearly identified. If a short plat or subdivision is being proposed and the location of all proposed improvements cannot be established, a phased tree retention plan review is required as described in subsection (6)(a) of this section;
- Accurate location of significant trees on the subject property (surveyed locations may be required). The site plan must also include the approximate trunk location and critical root zone of significant trees that are on adjacent property with driplines extending over the subject property line;
- Trees labeled corresponding to the tree inventory numbering system;
- Location of tree protection measures;
- Indicate limits of disturbance drawn to scale around all trees potentially impacted by site disturbances resulting from grading, demolition, or construction activities (including approximate LOD of off-site trees with overhanging driplines);
- Proposed tree status (trees to be removed or retained) noted by an 'X' or by ghosting out;
- Proposed locations of any supplemental trees and any required trees in order to meet tree density or minimum number of trees as outlined in KZC [95.33](#). Tree density calculations of retained trees compared to the minimum tree density for the site. The required minimum tree density is 30 tree credits per acre. Use the following formula to determine the required tree density: **(Lot size in square feet/43,560) X 30 = Required minimum tree density**

**NOTE: Tree density calculations do not apply to public trees.**

If the calculated tree density is below the minimum, indicate the type, size and location of the supplemental trees needed to meet the density requirement. Supplemental trees must be at least 6 feet tall if they are conifers or 2-inch caliper if they are deciduous or broad-leaf evergreens.

### III. **An arborist report containing the following:**

- A complete description of each tree's health, condition, and viability;
- A description of the method(s) used to determine the limits of disturbance (i.e., critical root zone, root plate diameter, or a case-by-case basis description for individual trees);
- Any special instructions specifically outlining any work proposed within the limits of the disturbance protection area (i.e., hand-digging, tunneling, root pruning, any grade changes, clearing, monitoring, and aftercare);
- For trees not viable for retention, a description of the reason(s) for removal based on poor health, high risk of failure due to structure, defects, unavoidable isolation (windfirmness), or unsuitability of species, etc., and for which no reasonable alternative action is possible must be given (pruning, cabling, etc.);
- Describe the impact of necessary tree removal to the remaining trees, including those in a grove or on adjacent properties;
- For development applications, a discussion of timing and installation of tree protection measures that must include fencing and be in accordance with the tree protection standards as outlined in KZC [95.34](#); and
- The suggested location and species of supplemental trees to be used when required. The report shall include planting and maintenance specifications pursuant to KZC [95.50](#) and [95.51](#).

**Note: This is an overview of tree requirements. For more details and information visit the Kirkland Zoning Code Chapter 95 online, at [http://kirklandcode.ecitygov.net/CK\\_KZC\\_Search.html](http://kirklandcode.ecitygov.net/CK_KZC_Search.html) or contact the Planning Department at 425.587.3235.**

**CHAPTER 15 – LOW DENSITY RESIDENTIAL ZONES (RS, RSX, RSA, WD II, PLA 3C, PLA 6C, PLA 6E, PLA 16)**

**Sections:**

- [15.05](#) User Guide
  - [15.05.010](#) Applicable Zones
  - [15.05.020](#) Common Code References
- [15.10](#) General Regulations
  - [15.10.010](#) All Low Density Residential Zones
  - [15.10.020](#) RS Zone
  - [15.10.030](#) RSA Zone
  - [15.10.040](#) WD II Zone
  - [15.10.050](#) PLA 3C Zone
- [15.20](#) Permitted Uses
- [15.30](#) Density/Dimensions
- [15.40](#) Development Standards

**15.05 User Guide**

- Step 1. Check that the zone of interest is included in KZC [15.05.010](#), Applicable Zones. If not, select the chapter where it is located.
- Step 2. Refer to KZC [15.05.020](#), Common Code References, for relevant information found elsewhere in the code.
- Step 3. Refer to the General Regulations in KZC [15.10](#) that apply to the zones as noted.
- Step 4. Find the Use of interest in the Permitted Uses Table in KZC [15.20](#) and read across to the column pertaining to the zone of interest. If a Use is not listed in the table, it is not allowed. A listed use is permitted unless “NP” (Not Permitted) is noted for the table. Note the Required Review Process and Special Regulations that are applicable. There are links to the Special Regulations listed immediately following the table (PU-1, PU-2, PU-3, etc.).
- Step 5. Find the Use of interest in the Density/Dimensions Table in KZC [15.30](#) and read across the columns. Note the standards (Minimum Lot Size, Required Yards, Maximum Lot Coverage, and Maximum Height of Structure) and Special Regulations that are applicable. There are links to the Special Regulations listed immediately following the table (DD-1, DD-2, DD-3, etc.).
- Step 6. Find the Use of interest in the Development Standards Table in KZC [15.40](#) and read across the columns. Note the standards (Landscape Category, Sign Category, and Required Parking Spaces) and Special Regulations that are applicable. There are links to the Special Regulations listed immediately following the table (DS-1, DS-2, DS-3, etc.).

*Note: Not all uses listed in the Density/Dimensions and Development Standards Tables are permitted in each zone addressed in this chapter. Permitted uses are determined only*

by the Permitted Uses Table.

**15.05.010 Applicable Zones**

This chapter contains the regulations for uses in the following zones of the City: RS 35, RS 12.5, RS 8.5, RS 7.2, RS 6.3 and RS 5.0; RSX 35, RSX 12.5, RSX 8.5, **RSX 7.2** and RSX 5.0 zones; RSA 1, RSA 4, RSA 6 and RSA 8 zones; WD II zones; PLA 3C, PLA 6C and 6E, and PLA 16 zones.

**15.05.020 Common Code References**

1. Refer to Chapter 1 KZC to determine what other provisions of this code may apply to the subject property.
2. Public park development standards will be determined on a case-by-case basis. See KZC 45.50.
3. For properties within the Holmes Point (HP) Overlay Zone, see Chapter 70 KZC for additional regulations.
4. Review processes, density/dimensions and development standards for shoreline uses (RS, RSA, WD II, PLA 3C zones) can be found in Chapter 83 KZC, Shoreline Management.
5. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with Attached Dwelling Units in PLA 3C and Detached Dwelling Unit uses.
6. A hazardous liquid pipeline is located near the RSX 35 zone in the Bridle Trails neighborhood along the eastern boundary of the City, and extends through or near the RSA 1, 4, 6 and 8 zones in the vicinity of 136th Avenue NE. Refer to Chapter 118 KZC for regulations pertaining to properties near hazardous liquid pipelines.
7. Garages shall comply with the requirements of KZC 115.43. These requirements are not effective within the disapproval jurisdiction of the Houghton Community Council.

(Ord. 4476 § 2, 2015)

**15.10 General Regulations**

**15.10.010 All Low Density Residential Zones**

1. Structures located within 30 feet of a parcel in a low density zone or a low density use in PLA 17 shall comply with additional limitations on structure size established by KZC 115.136, except for the following uses: KZC [15.20.060](#), Detached Dwelling Unit, and KZC [15.20.100](#), Piers, Docks, Boat Lifts and Canopies Serving Detached Dwelling Unit.

**15.10.020 RS Zone**

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1. May not use lands waterward of the ordinary high water mark to determine lot size or to calculate allowable density.

**15.10.030 RSA Zone**

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1. All subdivisions and short subdivisions in the RSA 1 zone shall be clustered such that development is located away from critical areas. The open space resulting from such clustering shall be placed in a separate tract that includes at least 50 percent of the subject property. Open space tracts shall be permanent and shall be dedicated to a homeowner's association or other suitable organization for purposes of maintenance. Passive recreation, with no development of recreational facilities, and natural-surface pedestrian and equestrian trails are acceptable uses within the open space tract. If access to the open space is provided, the access shall be located in a separate tract. A greenbelt protection or open space easement shall be dedicated to the City to protect the designated open space tract resulting from lot clustering.
2. May not use lands waterward of the ordinary high water mark to determine lot size or to calculate allowable density.

**15.10.040 WD II Zone**

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1. May not use lands waterward of the ordinary high water mark to determine lot size or to calculate allowable density.
2. The required yard abutting an unopened right-of-way shall be a side property rather than a front property line.
3. The required rear yard for each use shall be the same as the required rear yard for the same use in the RS zone, unless otherwise specified in KZC 30.25.010(9) and (10). (Does not apply to Piers, Docks, Boat Lifts and Canopies Serving Detached Dwelling Unit.)
4. Residential uses abutting Lake Washington may have an associated private shoreline park that is commonly owned and used by residents and guests.

**15.10.050 PLA 3C Zone**

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1. Development shall be subject to the following development standards:
  - a. Structures must be clustered and located so that they will not significantly impact slope stability, drainage patterns, erosion or landslide hazards, and steep ravine areas on the subject property or adjacent property.
  - b. Vegetative cover shall be retained to the maximum extent possible to stabilize slopes.

c. Pursuant to the requirements of KZC 85.15(1) through (4), the applicant shall submit a geotechnical report prepared by a qualified geotechnical engineer evaluating the potential geologic hazard areas of the subject and adjacent properties to minimize damage to life and property. Specific structural designs and construction techniques to ensure long-term stability shall be considered as part of the analysis. The applicant’s geotechnical report and recommendations shall be reviewed by a qualified geotechnical engineer selected and retained by the City at the applicant’s expense. The applicant shall comply with the performance standards contained in KZC 85.25 and 85.45.

d. The City may require traffic control devices, shared access points, right-of-way realignment, or limit development if necessary to further reduce traffic impacts.

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

(Ord. 4476 § 2, 2015)

**15.20 Permitted Uses**

**Permitted Uses Table – Low Density Residential Zones (RS, RSX, RSA, WD II, PLA 3C, PLA 6C, 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 6C	PLA 6E	PLA 16
15.20.010	Attached Dwelling Units	NP	NP	NP	NP	I 1	NP	NP	NP
15.20.020	Church	<a href="#">2, 3, 4c</a>	<a href="#">2, 4c</a>	<a href="#">2, 4c, 13</a>	NP	IIA <a href="#">4c</a>	<a href="#">2, 4c</a>	<a href="#">2, 4c</a>	IIA
15.20.030	Commercial Equestrian Facility	NP	NP	NP	NP	NP	NP	NP	IIB <a href="#">5</a>
15.20.040	Commercial Recreation Area and Use	NP	NP	NP	NP	NP	NP	NP	IIB <a href="#">6</a>

15.20.050	Community Facility	<a href="#">2, 3, 4b</a>	<a href="#">2, 4b</a>	<a href="#">2, 4b</a>	IIA <a href="#">4b</a>	IIA <a href="#">4b</a>	<a href="#">2</a>	<a href="#">2</a>	IIA
15.20.060	Detached Dwelling Unit	None	None	None <a href="#">8, 9</a>	None <a href="#">8, 11</a>	None	None <a href="#">8</a>	None <a href="#">8</a>	None <a href="#">7, 8</a>
15.20.070	Golf Course	IIA <a href="#">4b, 12</a>	IIA <a href="#">4b, 12</a>	IIA <a href="#">4b, 12, 13</a>	NP	NP	NP	NP	NP
15.20.080	Government Facility	<a href="#">2, 3, 4b</a>	<a href="#">2, 4b</a>	<a href="#">2, 4b</a>	IIA <a href="#">4b</a>	IIA <a href="#">4b</a>	<a href="#">2</a>	<a href="#">2</a>	IIA
15.20.090	Mini-School or Mini-Day-Care Center	I <a href="#">4a, 4b, 14, 15, 16, 18</a>	I <a href="#">4a, 4b, 14, 15, 16, 18</a>	I <a href="#">4a, 4b, 13, 14, 15, 16, 18</a>	NP	I <a href="#">4a, 4b, 14, 15, 16, 18</a>	I <a href="#">15, 16, 17, 18, 19</a>	None <a href="#">15, 16, 17, 18, 19</a>	None <a href="#">15, 16, 17, 18, 19</a>
15.20.100	Piers, Docks, Boat Lifts and Canopies Serving Detached Dwelling Unit	NP	NP	I <a href="#">10</a>	<a href="#">10</a>	NP	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	<a href="#">2, 3, 4b</a>	<a href="#">2, 4b</a>	<a href="#">2, 4b</a>	IIA <a href="#">4b</a>	IIA <a href="#">4b</a>	<a href="#">2</a>	<a href="#">2</a>	IIA
15.20.130	School or Day-Care Center	<a href="#">2, 3, 4, 14, 16, 18, 20</a>	<a href="#">2, 4, 14, 16, 18, 20</a>	<a href="#">2, 4, 13, 14, 16, 18, 20</a>	NP	IIA <a href="#">4, 14, 16, 18, 20</a>	<a href="#">2, 4, 14, 16, 18, 20</a>	<a href="#">2, 4, 14, 16, 18, 20</a>	IIA <a href="#">16, 17, 18, 19, 20</a>

**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. Within the disapproval jurisdiction of the Houghton Municipal Corporation, the required review process is Process IIB, Chapter 152 KZC.
- 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.
- 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:
- a. It will serve the immediate neighborhood in which it is located; or
  - b. 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:
- a. Twenty feet if this use can accommodate 50 or more students or children.
  - b. Ten feet if this use can accommodate 13 to 49 students or children.

(Ord. 4476 § 2, 2015)

### **15.30 Density/Dimensions**

**Density/Dimensions Table – Low Density Residential Zones (RS, RSX, RSA, WD II, PLA 3C, PLA 6C, 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 <sup>1</sup> (See Ch. 115 KZC)			Maximum Lot Coverage	Maximum Height of Structure ABE = Average Building Elevation
		Front	Side	Rear		
15.30.010 Attached Dwelling Units	<a href="#">2, 3</a>	20' <sup>4</sup>	10' <sup>5</sup>	10' <sup>5</sup>	50%	25' above ABE.
15.30.020 Church	<b>RS, RSX,</b> <b>RSA:</b> <a href="#">7</a> <b>PLA 3C:</b> 12,500 sq. ft. <b>PLA 6C:</b> 8,500 sq. ft. <b>PLA 6E:</b> 7,200 sq. ft. <b>PLA 16:</b> 35,000 sq. ft.	20'	20'	20'	70% <b>RSA:</b> 70% <sup>6</sup> <b>PLA 3C:</b> 50%	<b>RS, PLA 3C, PLA 6C, PLA 6E:</b> 25' above ABE. <b>RSX, RSA, PLA 16:</b> 30' above ABE.
15.30.030 Commercial Equestrian Facility	3 acres	20'	20'	20'	80%	<a href="#">8a</a>
15.30.040 Commercial Recreation Area and Use	1 acre	20'	20'	20'	80%	38' above ABE. <a href="#">8a, b</a>
15.30.050 Community Facility	None	20'	10'	10'	70%	<b>RS, WD II, PLA 3C, PLA 6C, PLA 6E:</b> 25' above ABE. <b>RSA, RSX, PLA 16:</b> 30' above ABE.
		<b>WD II:</b> <a href="#">10</a>			70% <sup>6</sup> <b>PLA 3C:</b> 50%	
15.30.060 Detached Dwelling Unit	<b>RS, RSX:</b> <a href="#">11, 12, 13</a> <b>RSA:</b> <a href="#">11, 17, 18, 19</a> <b>WD II:</b> 12,500 sq. ft. <sup>23</sup> <b>PLA 3C:</b> 12,500 sq. ft. <sup>2, 27</sup>	<b>RS:</b> 20' <sup>14, 16</sup> <b>RSX:</b> 20' <sup>15, 16</sup> <b>RSA:</b> 20' <sup>15, 16, 20</sup> <b>WD II:</b> 14, 22, 32	5'/15' <sup>9</sup> <b>RSX:</b> 5' <sup>15</sup> <b>RSA:</b> 5' <b>WD II:</b> <a href="#">24</a>	10' <b>RS, RSX:</b> 10' <sup>16</sup>	50% <b>RSA:</b> 50% <sup>6</sup>	<b>RS, PLA 3C, PLA 6C, PLA 6E:</b> 25' above ABE. <b>RSX, PLA 16:</b> 30' above ABE. <b>RSA:</b> 30' above ABE. <sup>21</sup> <b>WD II:</b> 25' above ABE. <sup>25, 26</sup>

		PLA 6C, PLA 6E: 5,000 sq. ft. <sup>28</sup> PLA 16: 35,000 sq. ft. <sup>13, 29, 30</sup>	PLA 3C, PLA 6C, PLA 6E, PLA 16: 20' <sup>4</sup>				
15.30.070	Golf Course	1 acre	50'	50'	50'	50% RSA: 50% <sup>6</sup>	RS: 25' above ABE. RSA, RSX: 30' above ABE.
15.30.080	Government Facility	None	20'	10' WD II: 5'/15' <sup>9</sup>	10'	70% RSA: 70% <sup>6</sup> PLA 3C: 50%	RS, WD II, PLA 3C, PLA 6C, PLA 6E: 25' above ABE. RSA, RSX, PLA 16: 30' above ABE.
15.30.090	Mini-School or Mini-Day-Care Center	RS, RSX, RSA: 7 PLA 3C: 12,500 sq. ft. PLA 6C: 5,000 sq. ft. PLA 6E: 3,600 sq. ft. PLA 16: 35,000 sq. ft.	20'	5'/15' <sup>9</sup>	10' PLA 3C: 20'	50% RSA: 50% <sup>6</sup> PLA 6E: 60%	RS, PLA 3C, PLA 6C, PLA 6E: 25' above ABE. RSX, RSA, PLA 16: 30' above ABE.
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' WD II: 5'/15' <sup>9</sup>	20'	70% RSA: 70% <sup>6</sup> PLA 3C: 50%	RS, WD II, PLA 3C, PLA 6C, PLA 6E: 25' above ABE. RSA, RSX, PLA 16: 30' above ABE.
15.30.130	School or Day-Care Center	RS, RSX, RSA: 7 PLA 3C:	If this use can accommodate 50 or more students or children, then:			70% RSA: 70% <sup>6</sup>	RS: 25' above ABE. <sup>31</sup> RSX, RSA, PLA 16:
			50'	50'	50'		

	12,500 sq. ft. <b>PLA 6C:</b> 8,500 sq. ft. <b>PLA 6E:</b> 7,200 sq. ft. <b>PLA 16:</b> 35,000 sq. ft.	If this use can accommodate 13 to 49 students or children, then:		<b>PLA 3C:</b> 50%	30' above ABE. <sup>31</sup> <b>PLA 3C:</b> 25' above ABE. <sup>6</sup> <b>PLA 6C, PLA 6E:</b> 25' above ABE. <sup>31</sup>
			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 the primary roof form of all structures on the site is peaked with a minimum pitch of four feet vertical to 12 feet horizontal.  
  
See KZC 115.42, Floor Area Ratio (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) The primary roof form of all structures on the site is peaked, with a minimum pitch of four feet vertical: 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.

*Not effective within the disapproval jurisdiction of the Houghton Community Council.*

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:

- a. In RSA 1 zones, the maximum units per acre is one dwelling unit.
- b. In RSA 4 zones, the maximum units per acre is four dwelling units.
- c. In RSA 6 zones, the maximum units per acre is six dwelling units.
- d. 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:

- a. In RSA 1 zones, F.A.R. is 20 percent of lot size.
- b. In RSA 4 zones, F.A.R. is 50 percent of lot size.
- c. In RSA 6 zones, F.A.R. is 50 percent of lot size.
- d. 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 the primary roof form of all structures on the site is peaked, 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 35 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. 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-24. Five feet, but two side yards must equal at least 15 feet or five feet each if Special

Regulation DD-23 is met.

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. 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:

- a. The primary roof form of all structures on the site is peaked with a minimum pitch of four feet vertical to 12 feet horizontal; and
- b. 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:

- a. The property must contain at least 16 contiguous acres.
- b. 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.
- c. 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.
- d. 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.”

- e. 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.
- f. 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:

- a. 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.

*Not effective within the disapproval jurisdiction of the Houghton Community Council.*

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. 4476 § 2, 2015)

**15.40 Development Standards**

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

	Landscape Category	Sign Category (Chapter 100 KZC)	Required Parking Spaces (Chapter 105 KZC)

Use		(Chapter 95 KZC)		
15.40.010	Attached Dwelling Units	E	A	2.0 per dwelling unit.
15.40.020	Church	C	B	1 for every 4 people based on maximum occupancy load of any area of worship. <sup>1</sup>
15.40.030	Commercial Equestrian Facility	C <sup>2</sup>	B	See KZC 105.25.
15.40.040	Commercial Recreation Area and Use	C <sup>2, 3</sup>	B	See KZC 105.25.
15.40.050	Community Facility	C <sup>4</sup>	B	See KZC 105.25.
15.40.060	Detached Dwelling Unit	E	A	2.0 per dwelling unit.
15.40.070	Golf Course	E <sup>14</sup>	B	See KZC 105.25.
15.40.080	Government Facility	C <sup>4</sup>	B RSX, RSA: B <sup>5, 9</sup>	See KZC 105.25.
15.40.090	Mini-School or Mini-Day-Care Center	E	B <sup>6</sup> PLA 16: B	See KZC 105.25. <sup>7, 8</sup>
15.40.100	Piers, Docks, Boat Lifts and Canopies Serving Detached Dwelling Unit	–	–	None
15.40.110	Public Park	Development standards will be determined on a case-by-case basis.		
15.40.120	Public Utility	A <sup>4</sup>	B	See KZC 105.25.
15.40.130	School or Day-Care Center	D	B RS, RSX, RSA: B <sup>5, 10</sup> PLA 3C, PLA 6C, PLA 6E: B <sup>11</sup>	See KZC 105.25. <sup>8, 12</sup> PLA 3C: <sup>13</sup>

**Development Standards (DS) Special Regulations:**

- DS-1. No parking is required for day-care or school ancillary to the use.
- DS-2. Existing natural vegetation must be maintained to the greatest extent possible.
- DS-3. A 20-foot-wide sight-obscuring landscape buffer must be provided along the west and south perimeter of the property.
- DS-4. 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.
- DS-5. One pedestal sign with a readerboard having electronic programming is allowed only

if:

- a. It is a pedestal sign (see Plate 12) having a maximum of 40 square feet of sign area per sign face;
- b. The electronic readerboard is no more than 50 percent of the sign area;
- c. Moving graphics and text or video are not part of the sign;
- d. The electronic readerboard does not change text and/or images at a rate less than one every seven seconds and shall be readily legible given the text size and the speed limit of the adjacent right-of-way;
- e. The intensity of the display shall not produce glare that extends to adjacent properties and the signs shall be equipped with a device which automatically dims the intensity of the lights during hours of darkness.

DS-6. Electrical signs shall not be permitted. Size of signs may be limited to be compatible with nearby residential uses.

DS-7. 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.

DS-8. The location of parking and passenger loading areas shall be designed to reduce impacts on nearby residential uses.

DS-9. One pedestal sign with a readerboard having electronic programming is allowed at a fire station only if:

- a. The electronic readerboard displays messages regarding public service announcements or City events only;
- b. The electronic readerboard is turned off between 10:00 p.m. and 6:00 a.m. except during emergencies;
- c. It is located to have the least impact on surrounding residential properties.

If it is determined that the electronic readerboard constitutes a traffic hazard for any reason, the Planning Director may impose additional conditions.

DS-10. Electrical signs shall be permitted at junior high/middle schools and high schools. One pedestal sign with a readerboard having electronic programming is allowed per site only if:

- a. The electronic readerboard displays messages regarding public service announcements or school events only;
- b. The electronic readerboard is turned off between 10:00 p.m. and 6:00 a.m.;

- c. The school is located on a collector or arterial street.

The City shall review and approve the location of the sign on the site. The sign shall be located to have the least impact on surrounding residential properties. If it is determined that a proposed electronic readerboard would constitute a traffic hazard the Planning Director may impose restrictions or deny the readerboard.

DS-11. Electrical signs shall not be permitted.

DS-12. 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.

DS-13. An on-site passenger loading area must be provided. The City shall determine the appropriate size of the loading area on a case-by-case basis, depending on the number of attendees and the extent of the abutting right-of-way improvements. The location of parking and passenger loading areas shall be designed to reduce impacts on nearby residential uses.

DS-14. See RSA General Regulation 1 (KZC [15.10.030\(1\)](#)) and KZC [15.05.020\(3\)](#).

(Ord. 4476 § 2, 2015)





# CITY OF KIRKLAND

## SHORT PLAT OR PRELIMINARY SUBDIVISION APPLICATION

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CITY OF KIRKLAND  
PLANNING AND COMMUNITY DEVELOPMENT  
123 Fifth Avenue, Kirkland, WA 98033  
425.587.3225 ~ [www.kirklandwa.gov](http://www.kirklandwa.gov)

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## SHORT PLAT OR PRELIMINARY SUBDIVISION APPLICATION

This permit application packet is designed to obtain all the information necessary to allow the City to make a well-informed decision on your application. Please refer to the attached application checklist to determine the materials which must be submitted to complete your application. All application materials are public information.

Your application will be evaluated on the basis of the information you provide, the criteria listed in the pertinent sections of the Subdivision Ordinance, other City regulatory ordinances, inspection of the property, as well as public comments.

YOU ARE ENCOURAGED TO MEET WITH A PLANNER FROM THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT PRIOR TO AND DURING PROJECT DESIGN TO DISCUSS PROJECT COMPLIANCE WITH CITY REGULATIONS. YOU MUST MEET WITH A PLANNER TO OBTAIN GUIDANCE ON THE APPLICATION MATERIALS YOU MUST SUBMIT.

Copies of City ordinances such as the Comprehensive Plan, Zoning Ordinance, Subdivision Ordinance, and Shoreline Master Program are available at the Department of Planning and Community Development in City Hall, 123 Fifth Avenue; and the Kirkland Public Library, 308 Kirkland Avenue. To purchase the Comprehensive Plan or Zoning Ordinance, call Code Publishing Company at (206) 527 6851. The City ordinances can also be found on-line at <http://www.kirklandwa.gov>.

As a result of your application, you may be required to make improvements such as sidewalks, curbs, street trees, or utilities undergrounding within the rights-of-way abutting your property. Please refer to Chapter 110 of the Zoning Ordinance and/or consult with a planner to determine if this is the case.

NOTE: Information provided by the Department of Planning and Community Development represents a preliminary, qualified assessment which is based on the information provided by the applicant/contact person. More detailed technical review of a specific development permit application may disclose additional substantive or procedural requirements. Furthermore, in the case of a short plat, the role and the authority of the Department of Planning and Community Development staff is advisory only. A final decision only is made, after public comment, by the Planning Director.





# CITY OF KIRKLAND SHORT PLAT OR PRELIMINARY SUBDIVISION APPLICATION

## APPLICATION CHECKLIST: SHORT SUBDIVISION/PRELIMINARY SUBDIVISION

The following is a list of materials which must be submitted with your application. For some applications, it will not be necessary to submit all of the listed materials. Consult with the Department of Planning and Community Development if you have a question. Please do not turn in your application until all items which apply to your proposal have been checked off. A hearing date will not be assigned until your application materials are complete and the City has completed its review of your Environmental Checklist.

### RETURN THIS CHECKLIST WITH APPLICATION

Applicant to  
check if  
completed

#### Pre-Submittal Meeting **Met with Desiree Goble on 07.23.15 @ 2:00 pm**

A meeting with a planner is required within the six months immediately prior to submittal.

#### ~~Road Concurrency Review~~

~~Prior to submittal of a Preliminary Subdivision application, a road concurrency application must be submitted to the Public Works Department and a test notice of passing must be received (short subdivisions are exempt from concurrency review). A copy of the test notice must be submitted with the subdivision application. Concurrency applications are available from the Planning or Public Works Department.~~ **N/A**

#### Application

A completed application form and supporting affidavits (pages 6 & 7). The application must be signed by all individuals holding an ownership interest in the parcel as listed on the Title Report.

~~A completed and signed Environmental Checklist (Consult with Department of Planning and Community Development, a checklist is usually not required for a short subdivision). SEPA requires a complete traffic report. Refer to the Transportation Impact Analysis Guidelines memo and contact the City's Traffic Engineer for all required data. In addition, other impact analysis may be required. Consult with the assigned planner.~~ **N/A**

#### Fees **Total cost for short plat application is \$5,441.00 see meeting notes for a breakout.**

A check to the City of Kirkland for the filing fee and, if applicable, Environmental Checklist fee (fee schedule is attached).

**NOTE:** Other fees, including Park Impact Fees and Road Impact Fees, may be required during the development review process.

#### Neighborhood Meetings

A neighborhood meeting(s) has been held (see attached instruction sheet on neighborhood meetings to determine if required). **N/A**

**This is not required but we recommend that you discuss the projects with the neighbors prior to submittal.**



# CITY OF KIRKLAND

## SHORT PLAT OR PRELIMINARY SUBDIVISION APPLICATION

**Survey**

A boundary and topographic survey of the proposed plat certified by a registered land surveyor licensed in the State of Washington, together with five (5) copies of dimensioned plans\* on 18" x 24" sheets, drawn at a scale between 1" = 20' and 1" = 50', in ten-foot intervals, and folded to 8-1/2" x 11" size, containing the following information:

a. If proposing a short plat:

1. Reference the plat to either the Washington Coordinate System, North Zone or the King County Coordinate System, or properly determined subdivision corner referenced to either of the above with a physical description of such corners.

We suggest and encourage surveyors to reference the City of Kirkland's horizontal control data published in 2002, found on the Public Work's webpage at [http://www.kirklandwa.gov/depart/Public\\_Works/Survey\\_Control.htm](http://www.kirklandwa.gov/depart/Public_Works/Survey_Control.htm).

The horizontal datum is North American Datum of 1983(1991), [NAD 83/91], based on the High Accuracy Reference Network [HARN] as stipulated by the Washington State statute. The vertical datum is North American Vertical Datum of 1988 [NAVD 88].

2. The short plat will be described and corners set with a field traverse with a linear closure of 1 to 10,000 and corresponding angular closure as specified in W.A.C. 332-130-070.

b. Proposed name of the short/preliminary plat.

c. Location by section, township, range, and/or other legal description.

d. Name, address and phone number of the applicant and agent, if any.

e. Name, address, phone number and signed seal of registered land surveyor preparing the short/preliminary plat.

f. Scale of short/preliminary plat, date and north arrow.

g. Layout, dimensions and size (excluding access easements) of existing and proposed lots, with each lot consecutively numbered.

h. Parcels of land intended to be dedicated for public use, or reserved for use of owners of the property in the subdivision, including the dimensions and size of said parcels.

i. Names, location, and dimensions, of existing and proposed rights-of-way and easements serving the short/preliminary plat. (Right-of-way standards are established by Chapter 110 of the Zoning Code. Easement standards are established by Chapter 105 of the Zoning Code).

~~j. Names, locations and dimensions of any Hazardous Liquid Pipeline Corridors (Olympic Pipeline) within 150 feet of the subject property, or if the proposal is for a high consequence land use, within 500 feet of the subject property (Standards for development near Hazardous Liquid Pipelines are contained in Chapter 118 of the Kirkland Zoning Code.)<sup>1</sup>~~ **N/A**

<sup>1</sup>Subsequent to approval of the short plat, the mylar which is submitted for recording shall show only items a - j.



# CITY OF KIRKLAND SHORT PLAT OR PRELIMINARY SUBDIVISION APPLICATION

k. If an existing primary structure is proposed to be retained, provide distances to/from accessory structures (if any).

l. ~~Location, dimension, and names of adjacent existing parks and other public spaces, structures, lots, blocks, etc. -- shown in dotted lines in scale with the proposed short plat.~~ **N/A**

m. Location and dimensions of existing and proposed improvements in existing and proposed rights-of-way and easements serving the short plat (right-of-way standards are established by Chapter 110 of the Zoning Code. Easement standards are established by Chapter 105 of the Zoning Code).

n. Utility Information (on, under, or over the property):

1. Existing and proposed water (including fire hydrants), sewer, and surface water systems.

2. Existing and proposed franchise utility locations such power, gas, cable, and phone (including location of nearest utility poles).

o. Existing topography of the land indicated by contours at two-foot intervals.

p. ~~Location and extent of significant natural features such as streams and wetlands and water bodies on and immediately adjacent to the property.~~ **N/A**

q. Limit of grading line for right-of-way, access easement, and utility construction.

r. A notation which shows the dimensioned setback from existing or proposed lot lines of all existing structures which are within 20 feet of existing and proposed lot lines.

s. The lot lines of adjoining properties for a distance of at least 50 feet.

t. Zoning classification of the property and adjoining properties. **RSX 7.2**

u. Check with the City to determine if your project requires a pedestrian easement and if it does show this easement location on your plans.

**Reports:**

a. A title company certification which is not more than 30 calendar days old containing--

1. A legal description of the total parcel sought to be subdivided; and

2. A list of those individuals, corporations, or other entities holding an ownership interest in the parcel; and

3. Any easements or restrictions affecting the property with a description, purpose and reference by auditors file number and/or recording number; and

4. Any encumbrances on the property; and

5. Any delinquent taxes or assessments on the property.

b. Mathematical lot closures are required for all short plat and preliminary subdivision proposals.

c. If an existing primary structure is proposed to be retained, provide gross floor area data



# CITY OF KIRKLAND SHORT PLAT OR PRELIMINARY SUBDIVISION APPLICATION

(square feet) for the primary structure. Refer to Zoning Code Section 115.42 for direction on what to include in gross floor area.

- d. Preliminary drainage report (Technical Information Report/TIR):
- e. ~~A report by a qualified geotechnical engineer or engineering geologist (per Zoning Code Chapter 85) may be required if development will occur on or near a landslide or seismic hazard area. If required, two copies are to be submitted to the Planning Department.~~ **N/A**
- f. Tree Retention Plan. Subject to Kirkland Zoning Code 95.30.
- g. ~~Stream and/or Wetland Reports~~ **N/A**
- h. ~~Traffic Report (required when applying for a Preliminary Subdivision)~~ **N/A**

**Other:**

- a. All materials submitted for this application must also be provided on CD to the Planning Department for presentation at public meetings and/or permanent storage. The following standards apply to the preparation and formatting of those materials:
  - Files must be in their native electronic format if they are created in Word, Excel, PowerPoint, or programs that create JPEG or GIF extensions.
  - Any file that is not in one of these formats must be **converted** from its native format to Adobe PDF rather than being scanned.
  - Any memo/report that is created from multiple formats must be combined and submitted as one PDF document.
  - All memos/reports must be either 8-½ x 11 or 11 x 17 inch size. Legal sized documents will not be accepted.
  - Photographs of models and/or material/color boards, if prepared, are required.
- b. Exterior boundary corners indicated on the ground. Staking of proposed interior lot corners may also be required.
- c. ~~Letter of sewer and/or water availability if sewer and/or water service is to be provided by a utility other than the City.~~ **N/A**
- d. A map showing any adjoining property owned by the owner of the land proposed to be subdivided.
- e. ~~If lot sizes in a preliminary subdivision are proposed to be averaged, provide lot area calculations.~~ **N/A**
- f. ~~For newly created streets, a road profile and cross section.~~ **N/A**
- g. ~~If the subject property is within 150 feet of a Hazardous Liquid Pipeline Corridor, or if the proposal is for a high consequence land use, within 500 feet of the subject property verification that the pipeline operator has reviewed the proposed development plans. A transmittal form provided by the Planning Department is to accompany the plans for operator review.~~ **N/A**
- h. Other Required Information:
  1. \_\_\_\_\_



## CITY OF KIRKLAND SHORT PLAT OR PRELIMINARY SUBDIVISION APPLICATION

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2. \_\_\_\_\_

3. \_\_\_\_\_

**Public Notice**

You are responsible for obtaining and erecting public notice sign(s) on the subject property. You will need to provide for and erect public notice sign(s) prior to the Planning Official determining that the application is complete. In order to ensure that the signs are installed in a timely manner, you should contact a Sign Company and arrange for the appropriate number of signs to be made. See attached instruction sheet about Public Notice Signs. Any delay in installing the board will result in procedural deficiencies and/or delays.

Please provide the name of the Sign Company that you have contacted to make the public notice signs: \_\_\_\_\_





# CITY OF KIRKLAND SHORT PLAT OR PRELIMINARY SUBDIVISION APPLICATION

## APPLICATION FORM: PRELIMINARY OR SHORT SUBDIVISION

PRIMARY CONTACT PERSON: \_\_\_\_\_ Daytime  
 Applicant's name: \_\_\_\_\_ phone: \_\_\_\_\_  
 Applicant's mailing address: \_\_\_\_\_  
 Fax Number: \_\_\_\_\_ e-mail Address: \_\_\_\_\_

**Note: If applicant is not property owner, he/she must be authorized as agent (see page 7).**

SECONDARY CONTACT PERSON: \_\_\_\_\_ Daytime  
 Property Owner's name: \_\_\_\_\_ phone: \_\_\_\_\_  
 Owner's address: \_\_\_\_\_  
 Fax Number: \_\_\_\_\_ e-mail Address: \_\_\_\_\_

**AN ELECTRONIC COPY OF OR A WEB LINK TO THE STAFF REPORT, MEETING AGENDAS AND THE NOTICE OF FINAL DECISION WILL BE EMAILED TO THE APPLICANT AT THE ABOVE LISTED EMAIL ADDRESS. IF YOU PREFER TO RECEIVE A PAPER COPY, THEY ARE AVAILABLE UPON REQUEST. PLEASE INDICATE IF YOU WOULD ALSO LIKE A COPY OF THESE MATERIALS TO BE SENT TO THE PROPERTY OWNER'S EMAIL ADDRESS:**

**YES \_\_\_\_\_ NO \_\_\_\_\_**

(1) Property address (if vacant, indicate lot or tax number, access street and nearest intersection):

\_\_\_\_\_

(2) Tax parcel number: \_\_\_\_\_

(3) The property is zoned: \_\_\_\_\_ and is presently used as: \_\_\_\_\_

\_\_\_\_\_

(4) Size of property \_\_\_\_\_

(5) Number of lots proposed: \_\_\_\_\_

(6) Proposed name of subdivision: \_\_\_\_\_

(7) Intended use of the proposed subdivision: \_\_\_\_\_

(8) If one large lot suitable for subdivision remains, explain reason: \_\_\_\_\_

\_\_\_\_\_

(9) Has the property been subdivided before? \_\_\_\_\_ If so, what is the Planning Department permit number? \_\_\_\_\_

(10) Have you met with a planner prior to submitting your application? YES  NO \_\_\_\_\_

Name of planner: Desiree Goble Date of pre-submittal meeting: 07.23.15 @ 2:00 pm

Pre-submittal case #: PRE15-01371

**YOUR APPLICATION WILL NOT BE COMPLETE UNTIL ALL DOCUMENTS LISTED ON THE APPLICATION CHECKLIST ARE SUBMITTED.**

**YOU MAY NOT BEGIN ANY ACTIVITY BASED ON THIS APPLICATION UNTIL A DECISION, INCLUDING THE RESOLUTION OF ANY APPEAL, HAS BEEN MADE. CONDITIONS OR RESTRICTIONS MAY BE PLACED ON YOUR REQUEST IF IT IS APPROVED. AFTER THE CITY HAS ACTED ON YOUR APPLICATION, YOU WILL RECEIVE FORMAL NOTICE OF THE OUTCOME. IF AN APPEAL IS FILED, YOU MAY NOT BEGIN ANY WORK UNTIL THE APPEAL IS SETTLED. YOU MAY ALSO NEED APPROVALS FROM OTHER CITY DEPARTMENTS. PLEASE CHECK THIS BEFORE BEGINNING ANY ACTIVITY. *If you suspect that your site contains a stream or wetland or is adjacent to a lake; you may need a permit from the state or federal government.***



# CITY OF KIRKLAND

## SHORT PLAT OR PRELIMINARY SUBDIVISION APPLICATION

### STATEMENT OF OWNERSHIP/DESIGNATION OF AGENT

The undersigned property owners, under penalty of perjury, each state that we are all of the legal owners of the property described on the short plat map, and designate \_\_\_\_\_ to act as our agent with respect to this application.

### AUTHORITY TO ENTER PROPERTY

I/we acknowledge that by signing this application I/we are authorizing employees or agents of the City of Kirkland to enter onto the property which is the subject of this application during the hours of 7:00 a.m. to 5:00 p.m., Monday through Friday, for the sole purpose of making any inspection of the limited area of the property which is necessary to process this application. In the event the City determines that such an inspection is necessary during a different time or day, the applicant(s) further agrees that City employees or agents may enter the property during such other times and days as necessary for such inspection upon 24 hours notice to applicant(s), which notice will be deemed received when given either verbally or in writing.

### HOLD HARMLESS AGREEMENT READ CAREFULLY BEFORE SIGNING

The undersigned in making this application certifies under penalty of perjury, the truth and/or accuracy of all statements, designs, plans and/or specifications submitted with said application and hereby agrees to defend, pay, and save harmless the City of Kirkland, its officers, employees, and agents from any and all claims, including costs, expenses and attorney's fees incurred in investigation and defense of said claims whether real or imaginary which may be hereafter made by any person including the undersigned, his successors, assigns, employees, and agents, and arising out of reliance by the City of Kirkland, its officers, employees and agents upon any maps, designs, drawings, plans or specifications, or any factual statements, including the reasonable inferences to be drawn therefrom contained in said application or submitted along with said application.

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

#### Applicant

#### Property Owner #1

Signature: \_\_\_\_\_

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

e-mail address: \_\_\_\_\_

e-mail address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Telephone: \_\_\_\_\_



# CITY OF KIRKLAND

## SHORT PLAT OR PRELIMINARY SUBDIVISION APPLICATION

---

### Agent (Other than Applicant)

### Property Owner #2

Signature: \_\_\_\_\_

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

e-mail address: \_\_\_\_\_

e-mail address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Telephone: \_\_\_\_\_



# CITY OF KIRKLAND LAND USE PERMIT FEE SCHEDULE

Effective: January 1, 2015

*\*All permits will be assessed an additional 3.5% MyBuildingPermit.com surcharge.*

	<b>FEE AMOUNT</b>
<b>Preliminary Project Review</b>	
Pre-submittal Meeting, Integrated Development Plan, and/or Pre-design Conference No fee for second pre-submittal meeting if for Integrated Development Plan.	\$518.00
<b>Planning Official Decisions</b>	
Accessory Dwelling Unit <i>(not required if reviewed concurrently with a building permit)</i>	\$425.00
Administrative Design Review If application involves new gross floor area (new buildings or additions to existing buildings) No new gross floor area	\$2,127.00 No fee
Administrative Design Review	
Design Review Approval Extension	\$425.00
Design Review Approval Modification	\$1,077.00
Forest Management Plan	\$308.00
Historic Residence Alteration	\$850.00
Integrated Development Plan Modification per KZC 95.30.6.b.1	\$539.00
Integrated Development Plan Modification per KZC 95.30.6.b.2	\$850.00
Master Sign Plan Approval Modification	\$850.00
Multiple Private or ROW Tree Removal Permit	\$205.00
Noise Variance	\$539.00
Off-Site Directional Sign Approval Modification	\$539.00
Parking Modification (additional Public Works fees may be required per KMC 5.74.040)	\$539.00
Personal Wireless Service Facility Planning Official Decision	\$8,578.00
Personal Wireless Service Facility Subsequent or Minor Modification	\$850.00
Rooftop Appurtenance Modification	\$850.00
Sensitive Area Planning Official Decision	\$2,127.00
Shoreline Area - Alternative Options for Tree Replacement or Vegetation Compliance in Setback	\$205.00
Shoreline Substantial Development Exemption	\$205.00
Temporary Use Permit	\$218.00
Zoning Verification Letter	\$205.00
<b>Planning Director Decisions</b>	
Additional Affordable Housing Incentive – Density Bonus	\$1,077.00
Binding Site Plan	\$2,141.00
Lot Line Alteration	\$1,077.00
Master Sign Plan	\$3,006.00
Multifamily Housing Property Tax Exemption Conditional Certificate	\$1,077.00
Multifamily Housing Property Tax Exemption Contract Amendment	\$539.00
Multifamily Housing Property Tax Exemption Conditional Certificate Extension	\$539.00
Off-Site Directional Sign	\$1,077.00
Process I Approval Modification	\$850.00
Process IIA, IIB or III Approval Modification	\$1,077.00
Short Plat or Subdivision Approval Modification	\$850.00
Variance Exception	\$1,077.00
<b>Process I Review</b>	
Historic Residence Designation	\$1,091.00
Home Occupation	\$1,091.00
Homeless Encampment Temporary Use with Modifications	\$218.00
Innovative Short Subdivision Fixed Fee Fee per lot	\$6,947.00 \$992.00
Other Process I Base Fee Fee per new residential unit Fee per sq. ft. new non-residential GFA	\$4,253.00 \$496.00 \$0.30
Personal Wireless Service Facility Process I Review	\$10,718.00
<b>Short Subdivision</b> Base Fee Fee per lot	<b>\$3,273.00</b> <b>\$992.00</b>



# CITY OF KIRKLAND LAND USE PERMIT FEE SCHEDULE

Effective: January 1, 2015

*\*All permits will be assessed an additional 3.5% MyBuildingPermit.com surcharge.*

	FEE AMOUNT
Substantial Development Permit Piers and Docks Associated with Multifamily Developments and Marinas and Moorage Facilities Associated with Commercial Uses Other Shoreline Improvements	\$10,718.00 \$4,594.00
<b>Process IIA Review</b>	
Innovative Preliminary Subdivision Fixed Fee Fee per lot	\$11,086.00 \$1,077.00
Other IIA Base Fee Fee per new residential unit Fee per sq. ft. new non-residential GFA	\$7,500.00 \$425.00 \$0.42
Personal Wireless Service Facility Process IIA Review	\$20,756.00
Preliminary Subdivision Fixed Fee Fee per lot	\$8,946.00 \$1,077.00
Subdivision Alteration	\$9,187.00
<b>Process IIB Review</b>	
Historic Landmark Overlay or Equestrian Overlay	\$1,077.00
Other IIB Base Fee Fee per new residential unit (including Short Subdivisions reviewed through Process IIB per KMC 22.28.030) Fee per sq. ft. new non-residential GFA	\$11,569.00 \$425.00 \$0.42
Personal Wireless Service Facility Process IIB Review	\$29,943.00
Subdivision Vacation	\$9,187.00
<b>Hearing Examiner Review</b>	
Integrated Development Plan Modification per KZC 95.30.6.b.3	\$1,077.00
<b>Design Board Review</b>	
Design Board Concept Review	\$1,466.00
Design Board Design Response Review Base Fee Fee per new unit Fee per sq. ft. new GFA	\$4,489.00 \$206.00 \$0.21
<b>State Environmental Policy Act (SEPA)</b>	
Review of Environmental Checklist Base Fee Applications involving sensitive areas (streams and/or wetlands only)	\$927.00 \$567.00
Estimated Number of PM Peak Trips Less than 20 trips 21-50 trips 51-200 trips Greater than 200 trips	\$927.00 \$1,854.00 \$3,707.00 \$7,416.00
Preparation of Environmental Impact Statement (EIS) * The cost of preparing an EIS is the sole responsibility of the applicant. Kirkland Ordinance No. 2473, as amended, establishes the procedures that the City will use to charge for preparation and distribution of a draft and final EIS. The applicant is required to deposit with the City an amount not less than \$5,000 to provide for the City's cost of review and processing an EIS. If the anticipated cost exceeds \$5,000, the City may require the applicant to deposit enough money to cover the anticipated cost.	



## CITY OF KIRKLAND LAND USE PERMIT FEE SCHEDULE

Effective: January 1, 2015

*\*All permits will be assessed an additional 3.5% MyBuildingPermit.com surcharge.*

<b>Miscellaneous</b>	
Appeals and Challenges	
Appeals	\$213.00
Challenges	\$213.00
<i>Note: No Fee for code enforcement hearings.</i>	
Concurrency Application – Estimated Number of PM Peak Trips	
Less than 20 trips	\$545.00
21 – 50 trips	\$763.00
51 – 200 trips	\$1,527.00
Great than 200 trips	\$1,963.00
Final Subdivision	
Fixed Fee	\$2,127.00
Fee per lot	\$213.00
<b>Short Subdivision Recording Review</b>	<b>\$980.00</b>
Sidewalk Café Permits	
Fixed Fee	\$672.00
Fee per sq. ft. of cafe area	\$0.75
Street Vacation	
Fixed Fee	\$8,578.00
Fee per sq. ft. of street	\$0.42

<b>Fees for Comprehensive Plan and Zoning Text Amendment Requests</b>	
<p>♦ <i>Comprehensive Plan &amp; Zoning Text Amendment Requests are not subject to the MyBuildingPermit.com surcharge.</i></p>	
Request for property specific map change	
Initial request	\$328.00
If request is authorized by City Council for review	\$328.00
Request for city-wide or neighborhood-wide policy change	No fee

<b>General Notes:</b>	
<p>1. <b>Fee Reduction for Applications Processed Together:</b> When two or more applications are processed together, the full amount will be charged for the application with the highest fee. The fee for the other application(s) will be calculated at 50% of the listed amount.</p>	
<p>2. <b>Projects with greater than 50 dwelling units or 50,000 sq. ft. non-residential GFA:</b> The per unit and per sq. ft. fee for all units above 50 and all GFA above 50,000 sq. ft. shall be reduced by one half.</p>	
<p>3. <b>Note for Sensitive Areas permits:</b></p> <p>a. In cases where technical expertise is required, the Planning Official may require the applicant to fund such studies.</p> <p>b. Voluntary wetland restoration &amp; voluntary stream rehabilitation projects are not subject to fees.</p>	
<p>4. <b>Construction of affordable housing units pursuant to Chapter 112 of the Kirkland Zoning Code:</b> The fee per new unit and fee per square foot new GFA shall be waived for the bonus or additional units or floor area being developed.</p>	
<p>5. <b>Note for Historic Residence permits:</b> An additional fee shall be required for consulting services in connection with designation and alteration of historic residences.</p>	



**CITY OF KIRKLAND**  
**PLANNING & COMMUNITY DEVELOPMENT**  
**123 5<sup>th</sup> Avenue, Kirkland, WA 98033**  
**425.587.3225      www.kirklandwa.gov**

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## **PUBLIC NOTICE SIGNS**

READ COMPLETELY AND CAREFULLY

Most zoning, subdivision, short subdivision, substantial development permit, and street, alley and easement vacation applications require that the applicant erect a public notice sign(s) on or near the subject property. The following permits **do not** require a sign:

- a) Administrative Design Review, or
- b) Master Sign Plans.

For all zoning, subdivision, and shoreline permit applications, the sign(s) must be erected before a determination of completeness can be issued.

**Failure to have the sign(s) in place by the deadline time will result in a delay of permit processing and additional charges to re-notice the application.**

### **POSTING THE SIGN**

1. Your Planner will help you determine the number of signs required and where to place them. See the back of this page for specific details concerning your project's Public Notice Sign.

Number of Signs Required: \_\_\_\_\_

Placement of signs: \_\_\_\_\_

2. Obtain the appropriate number of public notice signs, designed according to the size and specifications shown on the reverse side.
3. Erect the sign(s) by solidly setting the posts 36 inches into the ground. The sign(s) must be placed in a location clearly visible and accessible from the adjacent right(s)-of-way.
4. On the same day that the sign(s) is erected, contact the planner assigned to your project to approve the location of the sign(s), or call (425) 587-3225.
5. The signs shall remain in place until you have received written authorization from the Planning Department.

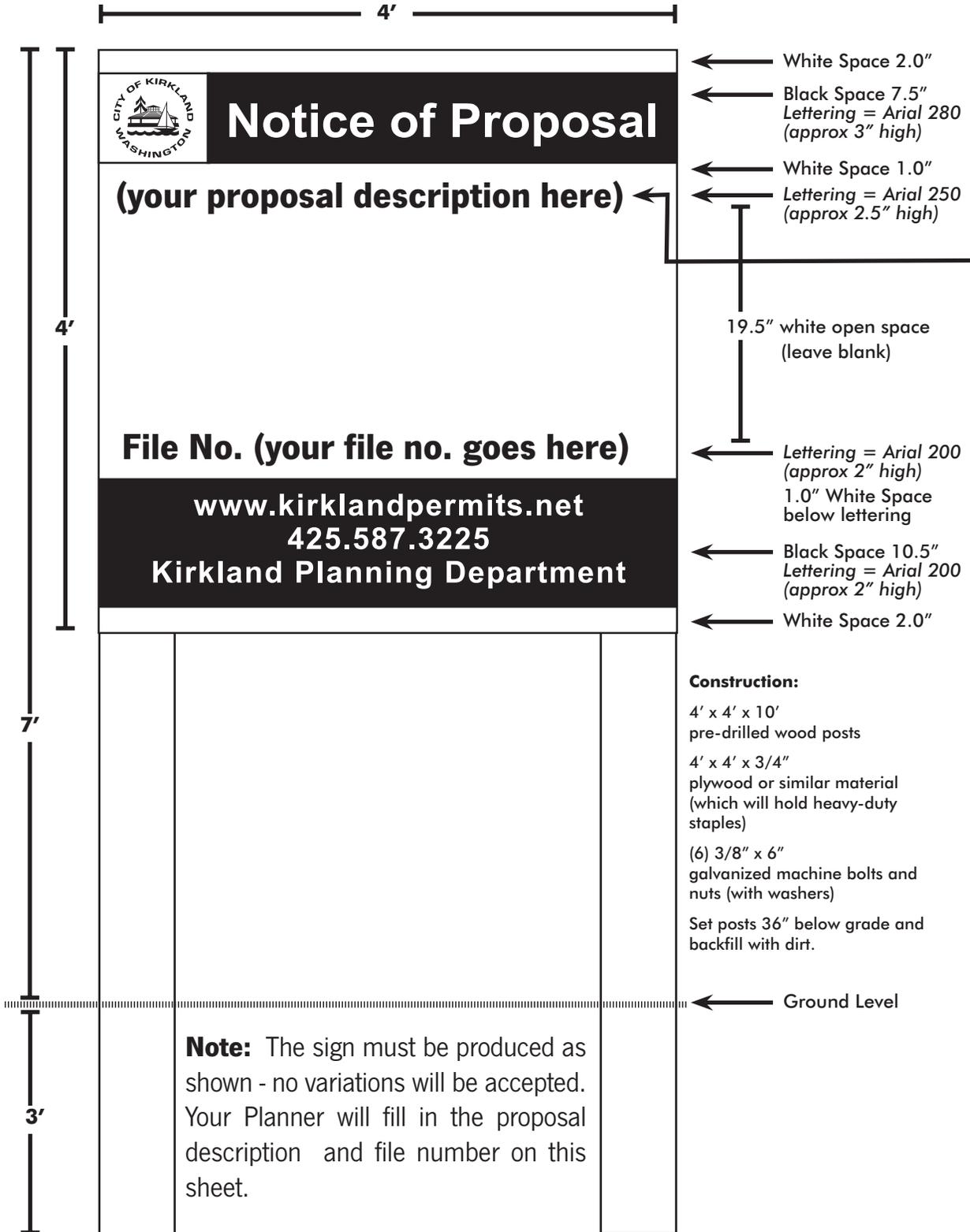
### **REMOVING SIGN AFTER THE FINAL DECISION ON THE APPLICATION**

Remove the sign(s) from the site within seven (7) calendar days after receiving written authorization from the Planning Department.

# City of Kirkland Public Notice Sign Specifications

Information for Sign Companies : A full-size digital file is available to produce the sign. Call the Planning Department at 425.587.3225.

**\*\*Insert Proposal Description In Space Indicated Below**



## Chapter 22.28 DESIGN REQUIREMENTS

Sections:

<a href="#">22.28.010</a>	Applicability.
<a href="#">22.28.020</a>	Provision for public and semipublic lands.
<a href="#">22.28.030</a>	Lots—Size.
<a href="#">22.28.040</a>	Lots—Lot averaging.
<a href="#">22.28.041</a>	Lots—Low impact development.
<a href="#">22.28.042</a>	Lots—Small lot single-family.
<a href="#">22.28.048</a>	Lots—Historic preservation.
<a href="#">22.28.050</a>	Lots—Dimensions.
<a href="#">22.28.060</a>	General layout.
<a href="#">22.28.070</a>	Blocks—Maximum length.
<a href="#">22.28.080</a>	Access—Required.
<a href="#">22.28.090</a>	Access—Right-of-way—Adjacent to plat.
<a href="#">22.28.100</a>	Access—Right-of-way—Within plats.
<a href="#">22.28.110</a>	Access—Vehicular-access easement or tract.
<a href="#">22.28.130</a>	Vehicular-access easement or tract—Standards.
<a href="#">22.28.140</a>	Vehicular-access easement or tract—Additional requirements.
<a href="#">22.28.150</a>	Vehicular-access easement or tract—Engineering standards for vehicular access.
<a href="#">22.28.160</a>	Vehicular-access easement or tract—Modifications.
<a href="#">22.28.170</a>	Access—Walkways.
<a href="#">22.28.180</a>	Preservation of natural features—Compliance with Zoning Code.
<a href="#">22.28.190</a>	Preservation of natural features—Land adjacent to Lake Washington.
<a href="#">22.28.200</a>	Preservation of natural features—Land adjacent to streams, lakes or wetlands.
<a href="#">22.28.210</a>	Preservation of natural features—Significant vegetation.
<a href="#">22.28.220</a>	Preservation of natural features—Easements.

### **22.28.010 Applicability.**

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

### **22.28.020 Provision for public and semipublic lands.**

---

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

### **22.28.030 Lots—Size.**

---

All lots within a subdivision must meet the minimum size requirements established for the property in the Kirkland Zoning Code or other land use regulatory document. The following provisions shall not apply to properties located in an RSA zone.

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

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

- (a) The shortage of area is spread evenly over all of the lots in the subdivision (unless an existing structure or other physical feature such as a sensitive area or easement makes even distribution of the size shortage difficult); and
- (b) All lots have a minimum lot width at the back of the required front yard of no less than fifty feet (unless the garage is located at the rear of the lot or the lot is a flag lot); and
- (c) In zoning districts for which the Zoning Code establishes a floor area ratio (FAR) limitation, a covenant is signed prior to recording of the plat ensuring that building on the new lots will comply with an FAR restriction at least ten percentage points less than that required by the zoning district as shown on the Kirkland zoning map; and
- (d) If any lot is smaller than the minimum lot size for the zoning district by an amount greater than five percent of the minimum lot size, the subdivision may be approved if the new lots are compatible, with regard to size, with other lots in the immediate vicinity of the subdivision.

A covenant must also be signed prior to recording of the plat to ensure that the garage will be located at the rear of the lot in cases where this option is chosen under subsection (b) of this section. (Ord. 4438 § 1 (Att. A) (part), 2014; Ord. 4196 § 2 (Exh. B) (part), 2010; Ord. 3705 § 2 (part), 1999)

### **22.28.040 Lots—Lot averaging.**

---

In multiple lot subdivisions not located in an RSA or PLA 3C zone and not subject to Section [22.28.030](#), the minimum lot area shall be deemed to have been met if the average lot area is not less than the minimum lot area required of the zoning district in which the property is located as identified on the zoning map. Under this provision, either:

- (a) Not more than twenty percent of the number of lots in a subdivision and one of the lots in a short plat may contain an area less than the prescribed minimum for this zoning district. In no case shall any lots be created which contain an area more than ten percent less than the prescribed minimum for this zoning district; or
- (b) Up to seventy-five percent of the number of lots in a subdivision or short plat may contain an area less than the prescribed minimum for this zoning district if the lots which would be created contain an area no more than five percent less than prescribed.

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

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

- (1) The averaging is necessary because of special circumstances regarding the size, shape, topography, or location of the subject property, or the location of a preexisting improvement on that subject property; and
- (2) The averaging will not be materially detrimental to the property or improvements in the area of the subject property or to the city in part or as a whole; and
- (3) Existing significant trees and vegetation will be preserved where feasible to buffer the adjacent properties from the smaller lots in the subject subdivision.

Additional lot averaging may only be addressed and obtained through the provisions of Chapter [125](#) KZC, Planned Unit Development, and the applicable sections of Chapter [22.12](#) or [22.20](#) of this title. (Ord. 4332 § 1(B) (Exh. B), 2011; Ord. 4196 § 2 (Exh. B) (part), 2010; Ord. 4011 § 2, 2005; Ord. 3705 § 2 (part), 1999)

### **22.28.041 Lots—Low impact development.**

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- (a) In multiple lot low impact development subdivisions described in Chapter [114](#) KZC, Low Impact Development, and not subject to Sections [22.28.030](#) and [22.28.040](#), the minimum lot area shall be deemed to have been met if the minimum lot area is not less than fifty percent of the lot area required of the zoning district

in which the property is located as identified on the zoning map; provided, that all lots meet the following standards:

- (1) Within the RSA 6 zone, the lots shall be at least two thousand five hundred fifty square feet.
- (2) Within the RSA 4 zone, the lots shall be at least three thousand eight hundred square feet.
- (b) The lots within the low impact development meet the design standards and guidelines and approval criteria as defined in Chapter [114](#) KZC. (Ord. 4438 § 1 (Att. A) (part), 2014: Ord. 4351 § 2, 2012)

#### **22.28.042 Lots—Small lot single-family.**

---

Within the RS and RSX 6.3, 7.2 and 8.5 zones, for those subdivisions not subject to the lot size flexibility provisions of Sections [22.28.030](#) and [22.28.040](#), low impact development provisions of Section [22.28.041](#), and historic preservation provisions of Section [22.28.048](#), the minimum lot area shall be deemed to be met if at least one-half of the lots created contain no less than the minimum lot size required in the zoning district in which the property is located. The remaining lots may contain less than the minimum required lot size; provided, that such lots meet the following standards:

- (a) Within the RS 6.3, RSX and RS 7.2 zones, the lots shall be at least five thousand square feet.
- (b) Within the RSX and RS 8.5 zones, the lots shall be at least six thousand square feet.
- (c) *Repealed by Ord. 4438.*
- (d) The floor area ratio (FAR) shall not exceed thirty percent of lot size; provided, that FAR may be increased up to thirty-five percent of the lot size if the following criteria are met:
  - (1) The primary roof form of all structures on the site is peaked, with a minimum pitch of four feet vertical to twelve feet horizontal; and
  - (2) All structures are set back from side property lines by at least seven and one-half feet.
- (e) The FAR restriction shall be recorded on the face of the plat.
- (f) Accessory dwelling units are prohibited. This restriction shall be recorded on the face of the plat. (Ord. 4438 § 1 (Att. A) (part), 2014: Ord. 4372 § 2 (Att. B) (part), 2012: Ord. 4332 § 1(C) (Exh. C), 2011: Ord. 4330 § 1 (Exh. A), 2011: Ord. 4102 § 1(A), 2007)

#### **22.28.048 Lots—Historic preservation.**

---

Within the low density zones listed below in subsections (a) through (d) of this section, for those subdivisions not subject to the lot size flexibility provisions of Sections [22.28.030](#) and [22.28.040](#), low impact development provisions of Section [22.28.041](#), and the small lot single-family provisions of Section [22.28.042](#), the minimum lot area shall be deemed to be met if no more than two lots are created that contain less lot area than the minimum size required in the zoning district in which the property is located, and if an "historic residence" is preserved on one of the lots, pursuant to the process described in Chapter [75](#) KZC. The lots containing less than the minimum required lot area shall meet the following standards:

- (a) Within the RSA 6, RS 6.3 and RS and RSX 7.2 zones, the lots shall be at least five thousand square feet.
- (b) Within the RSA 4, RS 8.5 and RSX 8.5 zones, the lots shall be at least six thousand square feet.
- (c) Within the RS 12.5, RSX 12.5 and WDII zones, the lots shall be at least seven thousand two hundred square feet.
- (d) Within the RS and RSX 35 zones not located north or northeast of the Bridle Trails State Park, the lots shall be at least fifteen thousand fifty square feet.
- (e) *Repealed by Ord. 4438.*
- (f) Accessory dwelling units are prohibited. The restriction shall be recorded on the face of the plat.

Lots containing historic residences shall also meet the following standards:

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

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

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

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

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

(i) At the time of recording the plat, a notice of applicable restrictions for the lot containing the designated historic residence shall be recorded. (Ord. 4438 § 1 (Att. A) (part), 2014; Ord. 4372 § 2 (Att. B) (part), 2012; Ord. 4102 § 1(B), 2007)

### **22.28.050 Lots—Dimensions.**

---

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

### **22.28.060 General layout.**

---

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

### **2.28.070 Blocks—Maximum length.**

---

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

### **22.28.080 Access—Required.**

---

(a) All lots must have direct legal access as required by the Zoning Code, including KZC [115.80](#), Legal Building Site, and KZC [105.10](#), Vehicular Access Easement or Tract Standards. The city will determine whether access will be by right-of-way or vehicular-access easement or tract on a case-by-case basis.

(b) Unless otherwise provided in the Kirkland Zoning Code, the area of a vehicular-access easement or tract shall not be included in the computation of the lot area for the servient lot. However:

(1) If the vehicular easement serves only one lot which does not abut a public right-of-way, the easement shall be included in the lot area for the servient lot; provided, that the servient lot abuts a public right-of-way and is not a flag lot; and

(2) The area of a vehicular-access easement shall be included in the lot area for cottage housing development approved pursuant to Chapter [113](#) KZC. (Ord. 4196 § 2 (Exh. B) (part), 2010; Ord. 4152 § 2, 2008; Ord. 4122 § 1 (part), 2008; Ord. 3705 § 2 (part), 1999)

### **22.28.090 Access—Right-of-way—Adjacent to plat.**

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The applicant shall comply with the requirements of the Zoning Code with respect to dedication and improvements of rights-of-way adjacent to the plat. (Ord. 3705 § 2 (part), 1999)

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**22.28.100 Access—Right-of-way—Within plats.**

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If a right-of-way is proposed within a plat, the public works director shall designate the right-of-way based on the projections for that right-of-way using the criteria established in the Zoning Code. The applicant shall dedicate and improve the right-of-way consistent with the provisions of the Zoning Code. (Ord. 3705 § 2 (part), 1999)

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**22.28.110 Access—Vehicular-access easement or tract.**

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If vehicular access within the plat will be provided by means other than rights-of-way, the plat must establish easements or tracts which will provide the legal right of access to each of the lots served. The city may require that the legal right of access be granted to other adjoining properties in order to provide a safe and efficient circulation system within the city. (Ord. 3705 § 2 (part), 1999)

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**22.28.130 Vehicular-access easement or tract—Standards.**

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The applicant shall comply with the requirements found in KZC [105.10](#) for vehicular-access easements or tracts. (Ord. 3705 § 2 (part), 1999)

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**22.28.140 Vehicular-access easement or tract—Additional requirements.**

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The city may require additional or other requirements for vehicular-access easements or tracts based on unusual circumstances. (Ord. 3705 § 2 (part), 1999)

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**22.28.150 Vehicular-access easement or tract—Engineering standards for vehicular access.**

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The public works director is directed to develop and keep current full engineering standards and specifications for improvements to vehicular-access easements or tracts. The applicant shall comply with these standards and specifications. These standards and specifications are available for public inspection and copying in the public works department during regular business hours. (Ord. 3705 § 2 (part), 1999)

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**22.28.160 Vehicular-access easement or tract—Modifications.**

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The provisions in Chapter [105](#) KZC, pertaining to modifications to the required improvements, may be used by the applicant or the city to modify the vehicular-access easement or tract provisions of this chapter. (Ord. 3705 § 2 (part), 1999)

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**22.28.170 Access—Walkways.**

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- (a) The city may require the applicant to install pedestrian walkways in any of the following circumstances:
- (1) If a walkway is indicated as appropriate in the comprehensive plan;
  - (2) If the walkway is reasonably necessary to provide efficient pedestrian access to a designated activity center of the city;
  - (3) Midblock pedestrian access may be required if blocks are unusually long.
- (b) Pedestrian access shall be provided by means of dedicated rights-of-way, tracts or easements at the city's option. (Ord. 3705 § 2 (part), 1999)

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**2.28.180 Preservation of natural features—Compliance with Zoning Code.**

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The applicant has the responsibility in proposing a plat to be sensitive with respect to the natural features, including topography, streams, lakes, wetlands, habitat, geologic features and vegetation, of the property.

The plat must be designed to preserve and enhance as many of these valuable features as possible. In addition to the specific provisions of this chapter, the applicant shall comply with all applicable provisions of the Zoning Code regarding property containing or adjacent to Lake Washington, Totem Lake, Forbes Lake,

sensitive areas, geologically hazardous areas, trees and other specific requirements regarding site development restrictions due to natural features. (Ord. 4011 § 3, 2005: Ord. 3705 § 2 (part), 1999)

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**22.28.190 Preservation of natural features—Land adjacent to Lake Washington.**

Subdivisions adjacent to Lake Washington must comply with the provisions of Kirkland's Shoreline Master Program regarding open space and public access along the waterfront. (Ord. 3705 § 2 (part), 1999)

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**22.28.200 Preservation of natural features—Land adjacent to streams, lakes or wetlands.**

The city may require that any area adjacent to a Class A, B and C stream, a lake, or a wetland be kept in its natural or preexisting state if this is reasonably necessary to prevent hazards to persons or property. In addition, the city may also require that areas around Class A, B, and C streams, lakes or wetlands be kept in their natural or preexisting state if this is reasonably necessary to protect unique and valuable environments. (Ord. 3705 § 2 (part), 1999)

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**22.28.210 Preservation of natural features—Significant vegetation.**

The applicant shall design the plat so as to comply with the tree management requirements set forth in Chapter [95](#) KZC, maximize the chances of survival of trees and associated vegetation designated for retention, and minimize potential hazards to life or property. (Ord. 4011 § 4, 2005: Ord. 3705 § 2 (part), 1999)

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**22.28.220 Preservation of natural features—Easements.**

The city shall require open space or drainage easements or other similar mechanisms to ensure compliance with Sections [22.28.130](#) through [22.28.210](#) of this chapter. (Ord. 3705 § 2 (part), 1999)



**CITY OF KIRKLAND**  
Planning and Community Development Department  
123 Fifth Avenue, Kirkland, WA 98033 425.587.3225  
[www.kirklandwa.gov](http://www.kirklandwa.gov)

## Single-Family & Accessory Structure Zoning Regulations in Low Density Zones

The following general information applies to **all residential properties in [low-density zones](#)** (as defined by Kirkland Zoning Code Section 5.10.490) located within Kirkland City Limits. It does not take in to consideration properties that contain any [critical areas](#) or site specific issues or situations. If you think your property contains a [stream](#), [wetland](#) or [steep slope and/or seismic area](#) contact the Planning Department at 425.587.3225.

A review of a complete application will reveal exactly which regulations apply to your proposal. The following code provisions were applicable at the time that this handout was prepared. Codes can change over time. Please check with the Building and Public Works Departments for additional requirements. Below are a series of links that most often apply to the development of a detached dwelling unit (single-family home) in a low density zone. If after reviewing the materials in this handout, you have any questions about the impact of effect of a regulation on your property, please contact the Planning Department for assistance.

You are encouraged to contact the Planning Department to verify the zoning of your property. Setbacks are determined by how a property line is defined; please refer to [Property Line Definition](#) for further information.

[Low Density Residential Zones \(RS, RSX, WD II, PLA 6C, PLA 6E, PLA 16\)](#)

[Average Building Elevation Handout](#)

[Height regulations, exceptions \(Zoning Code Section 115.60\)](#)

[Floor area ratio \(FAR\) calculation for detached dwelling units in low density zones \(Zoning Code Section 115.42\)](#)

[Garage setback requirements for detached dwelling units in low density zones \(Zoning Code Section 115.43\)](#)

[Calculating lot coverage \(Zoning Code Section 115.90\)](#)

[Miscellaneous information on required yards \(Zoning Code Section 115.115\)](#)

[Fences \(Zoning Code Section 115.40\)](#)

[Accessory Dwelling Unit/Mother-in-Law Apartment \(Zoning Code Section 115.07\)](#)

[Tree Retention Information \(Zoning Code Section 95.30\)](#)

[Survey Policy](#)

[Holmes Point Overlay Zone \(Zoning Code Chapter 70\)](#)

[Shoreline Master Plan \(if your property is located within 200 feet of Lake Washington\) \(Zoning Code Chapter 83\)](#)

### Here are some general links to the:

[Adopted and Pending Code Changes](#) being processed by the City of Kirkland Planning Department

[City of Kirkland: Municipal Code, Zoning Code, Comprehensive Plan](#)

[Kirkland Permit On-Line Permit Tracking System](#)

[City of Kirkland Web Page](#)

[MyBuildingPermit.com](#)





**City of Kirkland  
Property Information Report**

Date: July 16, 2015

<b>Information Provided by King County Assessor's Office</b>	
Parcel (PIN): 3888100175	
Lot Size(sq.ft.): 3000	
Year Built:	
Present Use: 300	
Building Size(gross sq.ft.):	
Land value: \$1,000.00	
Improvement value: \$0.00	
Grid: G1	
Quarter Section-Section-Township-Range: NE-S4-T25-R5	

<b>Information Provided by the City of Kirkland</b>
Site Address:
Zoning: RSX 7.2,Low Density Residential      Neighborhood: North Rose Hill
Located Within Houghton Community Council Disapproval Jurisdiction: No
Seattle City Light Easement: No
Design District:
Overlay:
Sewer District - verify that you are a current customer of: City of Kirkland
Water District - verify that you are a current customer of: City of Kirkland

Wind Exposure: B
<b>Information Provided by the City of Kirkland regarding MAPPED Environmental Areas</b>
Drainage Basin: Forbes Creek,Primary Basin
Is this property within 125 feet of wetland shown on GIS? No
Is this property within 100 feet of a stream shown on GIS? No
Is this property within shoreline jurisdiction and within 250 feet of a wetland shown on GIS? No
Shoreline Environment: NA
Landslide: NA
Seismic: No
Floodplain: No
Bald Eagle Protection Area: No

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The information above is from the City of Kirkland's geographic information system (GIS), which has been developed from a wide variety of sources including King County Department of Assessments property records. For the property described in this report, a site visit or more detailed technical review by city staff may reveal conditions not shown in the city GIS.



City of Kirkland  
Property Information Report

Date: July 16, 2015

Information Provided by King County Assessor's Office	
Parcel (PIN): 3888100177	
Lot Size(sq.ft.): 11325	
Year Built: 1967	
Present Use: 2	
Building Size(gross sq.ft.):	
Land value: \$227,000.00	
Improvement value: \$175,000.00	
Grid: G1	
Quarter Section-Section-Township-Range: NE-S4-T25-R5	

Information Provided by the City of Kirkland
Site Address: 13040 NE 95TH ST
Zoning: RSX 7.2,Low Density Residential      Neighborhood: North Rose Hill
Located Within Houghton Community Council Disapproval Jurisdiction: No
Seattle City Light Easement: No
Design District:
Overlay:
Sewer District - verify that you are a current customer of: City of Kirkland
Water District - verify that you are a current customer of: City of Kirkland

Wind Exposure: B
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Information Provided by the City of Kirkland regarding MAPPED Environmental Areas
Drainage Basin: To Redmond,NA
Is this property within 125 feet of wetland shown on GIS? No
Is this property within 100 feet of a stream shown on GIS? No
Is this property within shoreline jurisdiction and within 250 feet of a wetland shown on GIS? No
Shoreline Environment: NA
Landslide: NA
Seismic: No
Floodplain: No
Bald Eagle Protection Area: No

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