

ORDINANCE O-4389

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO COMPREHENSIVE PLANNING AND LAND USE AND AMENDING THE COMPREHENSIVE PLAN ORDINANCE 3481, AS AMENDED, AND APPROVING A SUMMARY FOR PUBLICATION, FILE NO. ZON11-00042.

WHEREAS, the City Council has received a recommendation from the Kirkland Planning Commission to amend certain portions of the Comprehensive Plan for the City, Ordinance 3481, as amended, as set forth in the report and recommendation of the Planning Commission dated July 26, 2012, and bearing Kirkland Department of Planning and Community Development File No. ZON11-00042; and

WHEREAS, prior to making the recommendation the Planning Commission, following notice as required by RCW 35A.63.070, held on June 28, 2012, a public hearing on the amendment proposals and considered the comments received at the hearing; and

WHEREAS, for those amendments subject to the disapproval jurisdiction of the Houghton Community Council, the City Council has received a recommendation from the Kirkland Planning Commission and the Houghton Community Council dated November 29, 2012, and bearing Kirkland Department of Planning and Community Development File No. ZON12-00001; and

WHEREAS, prior to making the recommendation the Planning Commission and Houghton Community Council, following notice published in the official City newspaper, held on November 8, 2012, a joint public meeting on the amendment proposals and considered the comments received at the meeting; and

WHEREAS, pursuant to the State Environmental Policy Act (SEPA), there has accompanied the legislative proposal and recommendation through the entire consideration process, a SEPA Addendum to Existing Environmental Documents issued by the responsible official pursuant to WAC 197-11-600 and WAC 197-11-625; and

WHEREAS, in regular public meeting the City Council considered the environmental documents received from the responsible official, together with the reports and recommendations of the Planning Commission and the Houghton Community Council; and

WHEREAS, RCW 36.70A.130, requires the City to review all amendments to the Comprehensive Plan concurrently and no more frequently than once every year;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Kirkland as follows:

Section 1. Comprehensive Plan Text, Figures and Tables amended: The Comprehensive Plan, Ordinance 3481, as amended, is amended as set forth in Attachment A attached to this Ordinance and incorporated by reference.

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


Section 3. To the extent that the subject matter of this Ordinance is subject to the disapproval jurisdiction of the Houghton Community Council as created by Ordinance 2001, the Ordinance shall not become effective within the Houghton community until approval of the Houghton Community Council, or upon failure of said Community Council to disapprove this Ordinance within 60 days of its passage.

Section 4. Except as provided in Section 3, this Ordinance shall be in full force and effect five days from and after its passage by the City Council and publication pursuant to Section 1.08.017, Kirkland Municipal Code in the summary form attached to the original of this Ordinance and by this reference approved by the City Council.


Section 5. A complete copy of this Ordinance shall be certified by the City Clerk, who shall then forward the certified copy to the King County Department of Assessments.

Passed by majority vote of the Kirkland City Council in open meeting this 11th day of December, 2012.


Signed in authentication thereof this 11th day of December, 2012.

  
\_\_\_\_\_  
Mayor

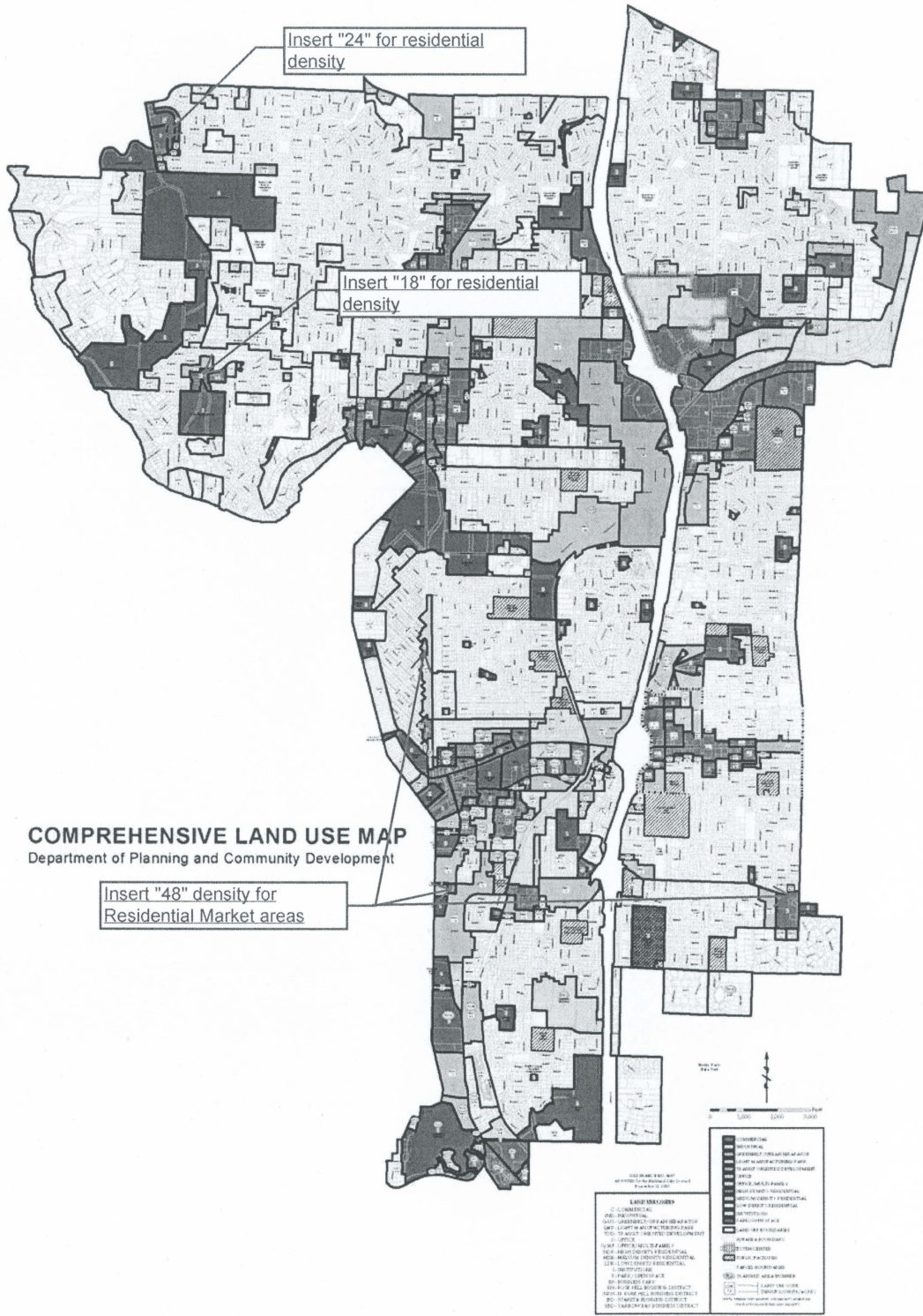
Attest:

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

Approved as to Form:

  
\_\_\_\_\_  
City Attorney





**LU-1 Comprehensive Land Use Map**

Table LU-3 below provides a range of residential densities described in the Comprehensive Plan with comparable zoning classifications.

**Table LU-3**  
**Residential Densities and Comparable Zones**

<b>General Residential Densities</b>	<b>Residential Densities as Specified in Comprehensive Plan in Units per Net Acres (d/a)</b>	<b>Comparable Zoning Classification</b>
GREENBELT/URBAN SEPARATOR	Up to 1 d/a	RSA – 1
LOW DENSITY	Up to 1 d/a	RS – 35,000, RSX – 35,000
	Up to 3 d/a	RS – 12,500, RSX – 12,500
	4 – 5 d/a	RS – 8,500, RSX – 8,500, RS – 7,200, RSX – 7,200, RSA – 4
	6 d/a	RS – 7,200, RSX – 7,200, RSA – 6
	7 d/a	RS – 6,300
	8 – 9 d/a	RS – 5,000, RSX – 5,000, RSA – 8
MEDIUM DENSITY	8 – 9 d/a	RM – 5,000, RMA – 5,000
	10 – 14 d/a	RM – 3,600, RMA – 3,600
HIGH DENSITY	15 – 18 d/a	RM – 2,400, RMA – 2,400, <u>BNA</u>
	19 – 24 d/a	RM – 1,800, RMA – 1,800, <u>BNA</u>
	<u>48 d/a</u>	<u>BN, MSC 2</u>

Higher unit per acre counts may occur within each classification if developed under the City's PUD, innovative or affordable housing programs.



## VI. LAND USE

may employ Kirkland residents. If the opportunity for local employment is increased, the high proportion of residents who work outside the community may be reduced. This in turn would ease traffic congestion by shortening commute trips and making other modes of travel to work more feasible.

Currently, a hierarchy of “commercial development areas” exists in the City, based primarily on size and relationship to the regional market and transportation system (see Figure LU-2: Commercial Areas).

Some of Kirkland’s commercial areas serve primarily the surrounding neighborhood; others have a sub-regional or regional draw. Most of the larger commercial areas are centered around major intersections. They depend on principal arterials, the freeway, or the railroad for goods transport and for bringing in workers or customers. Smaller commercial areas, Neighborhood Centers, for example, have a more localized draw. Residents depend on their neighborhood grocery store, dry cleaners, bank, etc., for everyday needs.

The Land Use Element provides general direction for development standards in commercial areas and describes the future of specific commercial areas in Kirkland. The following terms are used in the discussion of commercial land uses:

### Urban Center

An Urban Center is a regionally significant concentration of employment and housing, with direct service by high-capacity transit and a wide range of land uses, such as retail, recreational, public facilities, parks and open space. An Urban Center has a mix of uses and densities to efficiently support transit as part of the regional high-capacity transit system.

### Activity Area

An Activity Area is an area of moderate commercial and residential concentration that functions as a focal point for the community and is served by a transit center.

### Business District

A Business District is an area that serves the sub-regional market, as well as the local community. These districts vary in uses and intensities and may include office, retail, restaurants, housing, hotels and service businesses.

### Neighborhood Center

A Neighborhood Center is an area of commercial activity dispensing commodities primarily to the neighborhood. A supermarket may be a major tenant; other stores may include a drug store, variety, hardware, barber, beauty shop, laundry, dry cleaning, and other local retail enterprises. These centers provide facilities to serve the everyday needs of the neighborhood. Residential uses may be located on upper stories of commercial buildings in the center.

### Residential Market

*Individual stores or very small, mixed-use buildings/centers focused on that are pedestrian oriented and serve the local pedestrian traffic neighborhood. Residential scale and design are critical to integrate these uses into the surrounding residential area. Residential uses may be located above or behind commercial uses in the center, at densities specified in the comprehensive plan.*

### Light Industrial/High Technology Area

A Light Industrial/High Technology area serves both the local and regional markets and may include office, light manufacturing, high technology, wholesale trade, storage facilities and limited retail.

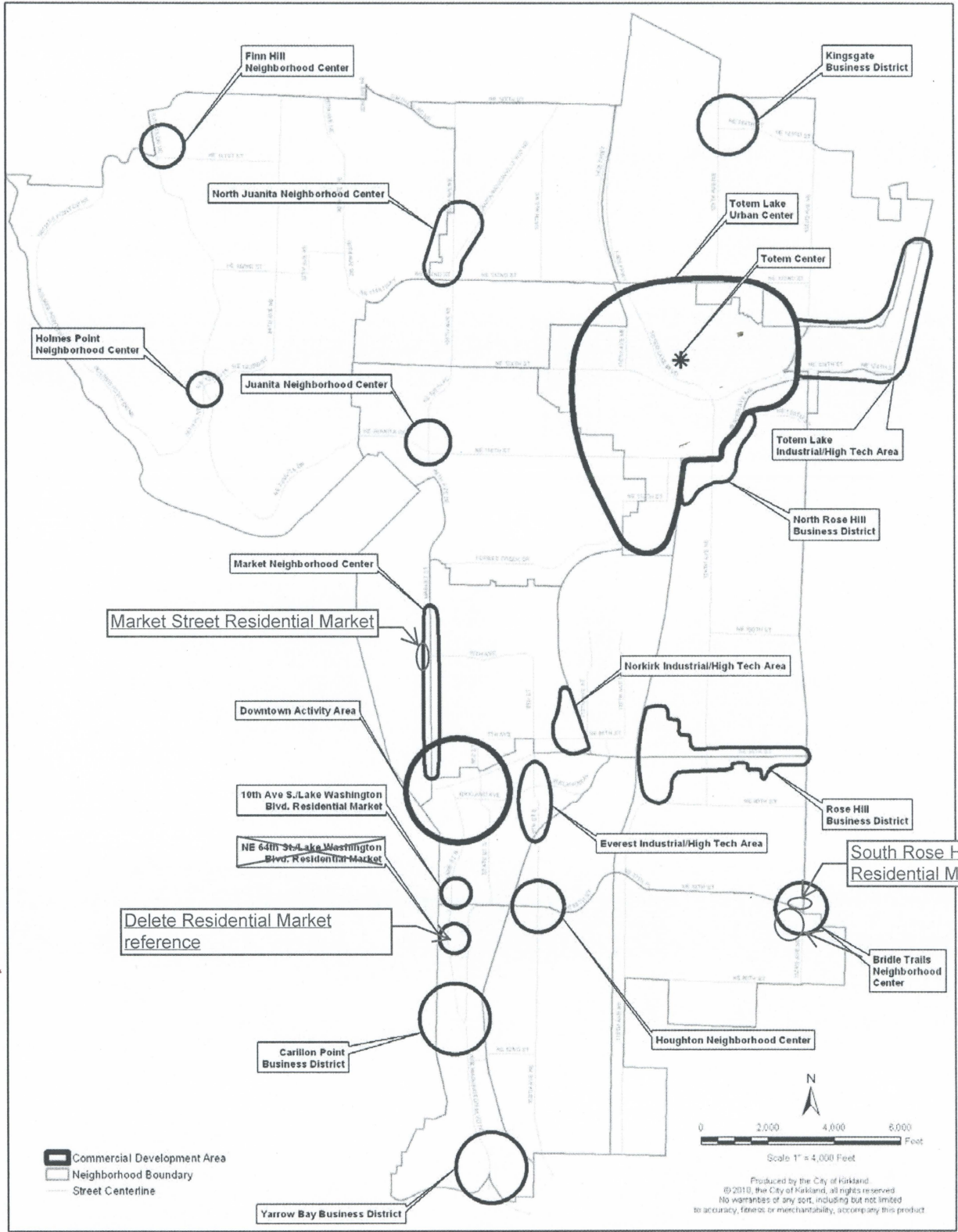


Figure LU-2: Commercial Areas



## VI. LAND USE

**LU-5.8:** *Promote development within the Bridle Trails, Houghton, and Juanita Neighborhood Centers that becomes part of the neighborhood in the way it looks and in the functions it serves.*

Neighborhood centers provide services to surrounding residential neighborhoods so that residents may shop close to home. They also may function as the focal point for a community. Because of these important ties to their neighborhood, neighborhood centers should develop in ways that provide goods and services needed by the local residents, enhance physical connections to the surrounding neighborhoods, foster good will and provide an opportunity for people to mingle and converse.

**Policy LU-5.9:** ~~Allow residential markets,~~ *subject to the following development and design standards:*

- ◆ *Locate small-scale neighborhood retail and personal services where local economic demand and local citizen acceptance are demonstrated.*
- ◆ *Provide the minimum amount of off-street parking necessary to serve market customers.*
- ◆ *Ensure that building design is compatible with the neighborhood in size, scale, and character.*

The intent of this policy is to permit small individual stores or service businesses in residential areas on a case-by-case basis. These businesses should cater to nearby residents, be oriented to pedestrian traffic, and require very little customer parking. They should be designed and located in a manner that is compatible with adjacent residences and that will not encourage the spread of commercial uses into residential areas. They should be located where local economic demand and neighborhood acceptance can be demonstrated.

**Goal LU-6:** *Provide opportunities for a variety of employment.*

**Policy LU-6.1:** *Provide opportunities for light industrial and high technology uses.*

Allow small markets in residential areas where identified in the neighborhood plan.



405 Corporate Center

While Kirkland is not interested in recruiting heavy industry, the City is supportive of existing industrial enterprises and wants to encourage new high-technology businesses to locate here.

Policies that encourage residential and retail encroachment in industrial areas drive up the cost of land and promote conflicts which may force displacement of industrial operations. The strategy in the Land Use Element is to maintain industrial uses, while acknowledging that, in some parts of the City, industrial lands may be considered for conversion to other land uses.

Recognizing that each industrial area in the City has its own distinct character, the range of uses may vary between districts and may include some nonindustrial uses. Factors which should be taken into account when determining appropriate land uses include existing uses, surrounding uses, the local transportation system, and the effect on maintenance of primary jobs in the local job market.



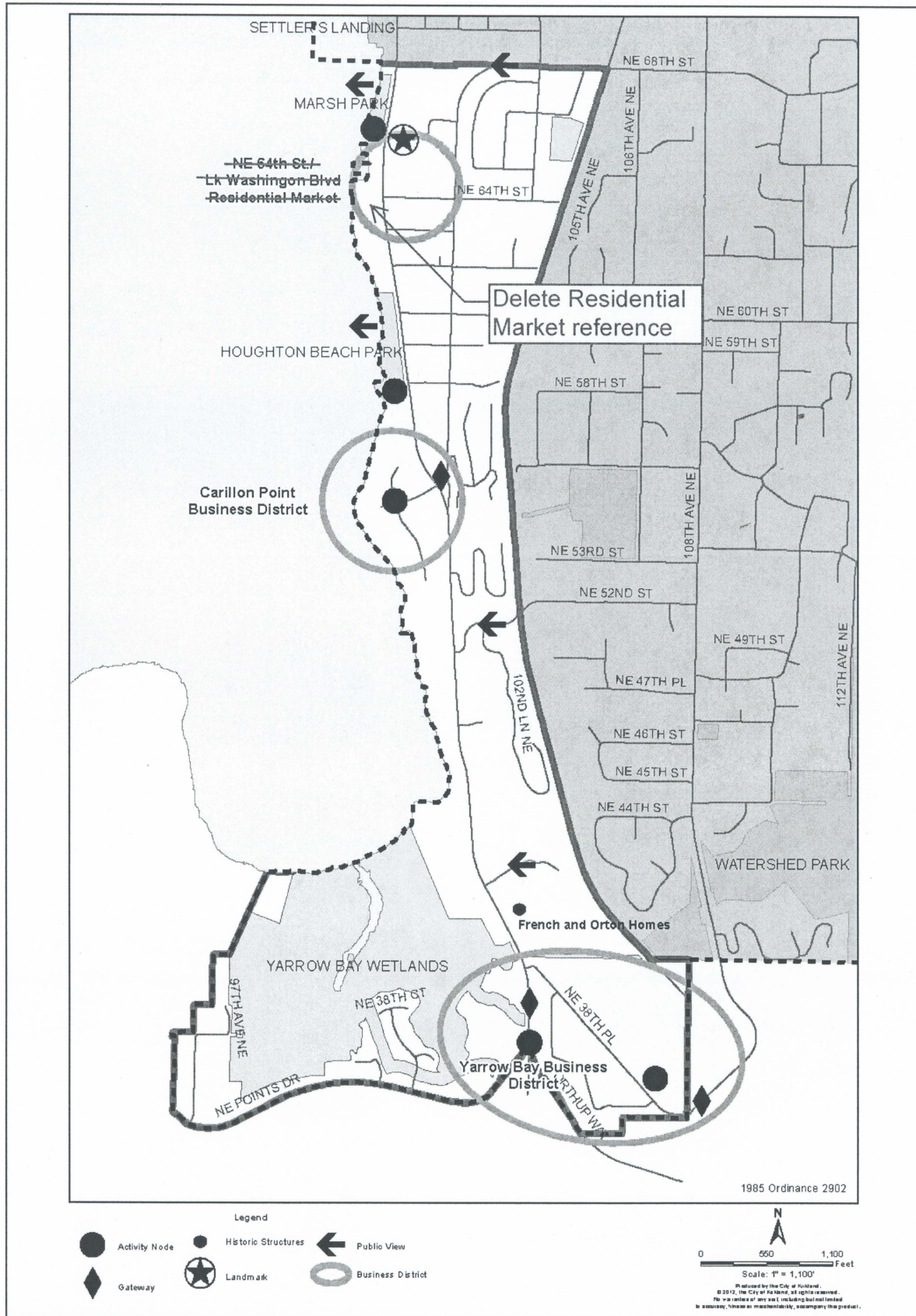


Figure L-7: Lakeview Neighborhood Character/Urban Design



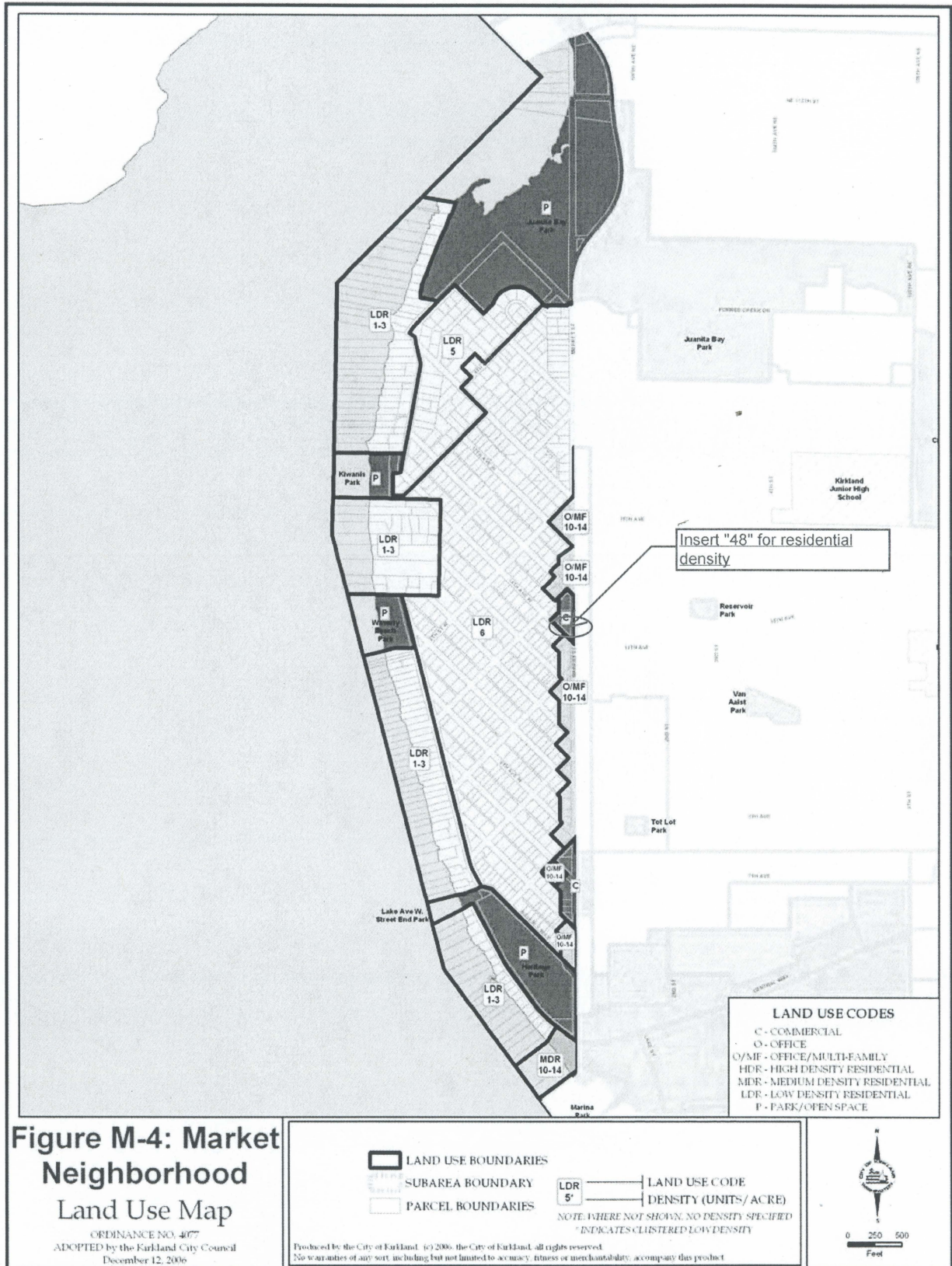
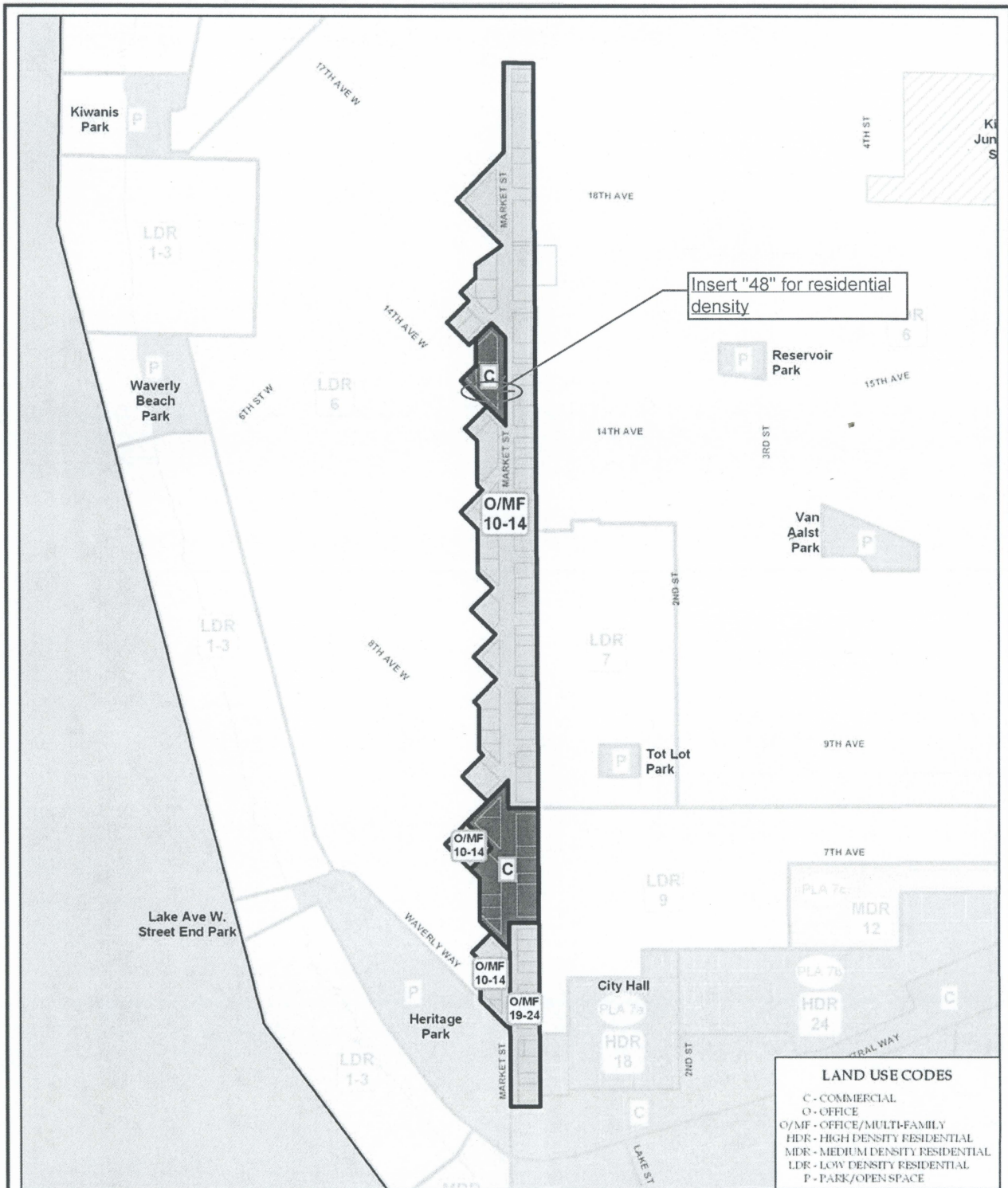


Figure M-4: Market Neighborhood Land Use





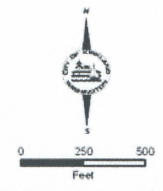
**LAND USE CODES**

- C - COMMERCIAL
- O - OFFICE
- O/MF - OFFICE/MULTI-FAMILY
- HDR - HIGH DENSITY RESIDENTIAL
- MDR - MEDIUM DENSITY RESIDENTIAL
- LDR - LOW DENSITY RESIDENTIAL
- P - PARK/OPEN SPACE

**Figure MS-2:  
Market Street Corridor  
Land Use Map**  
ORDINANCE NO. 4077  
ADOPTED by the Kirkland City Council  
December 12, 2006

LAND USE BOUNDARIES
 PLA PLANNED AREA NUMBER  
 PUBLIC FACILITIES
 LDR 5' LAND USE CODE  
 PARCEL BOUNDARIES
 5' DENSITY (UNITS/ACRE)  
 NOTE: WHERE NOT SHOWN, NO DENSITY SPECIFIED  
 \* INDICATES CLUSTERED LOW DENSITY

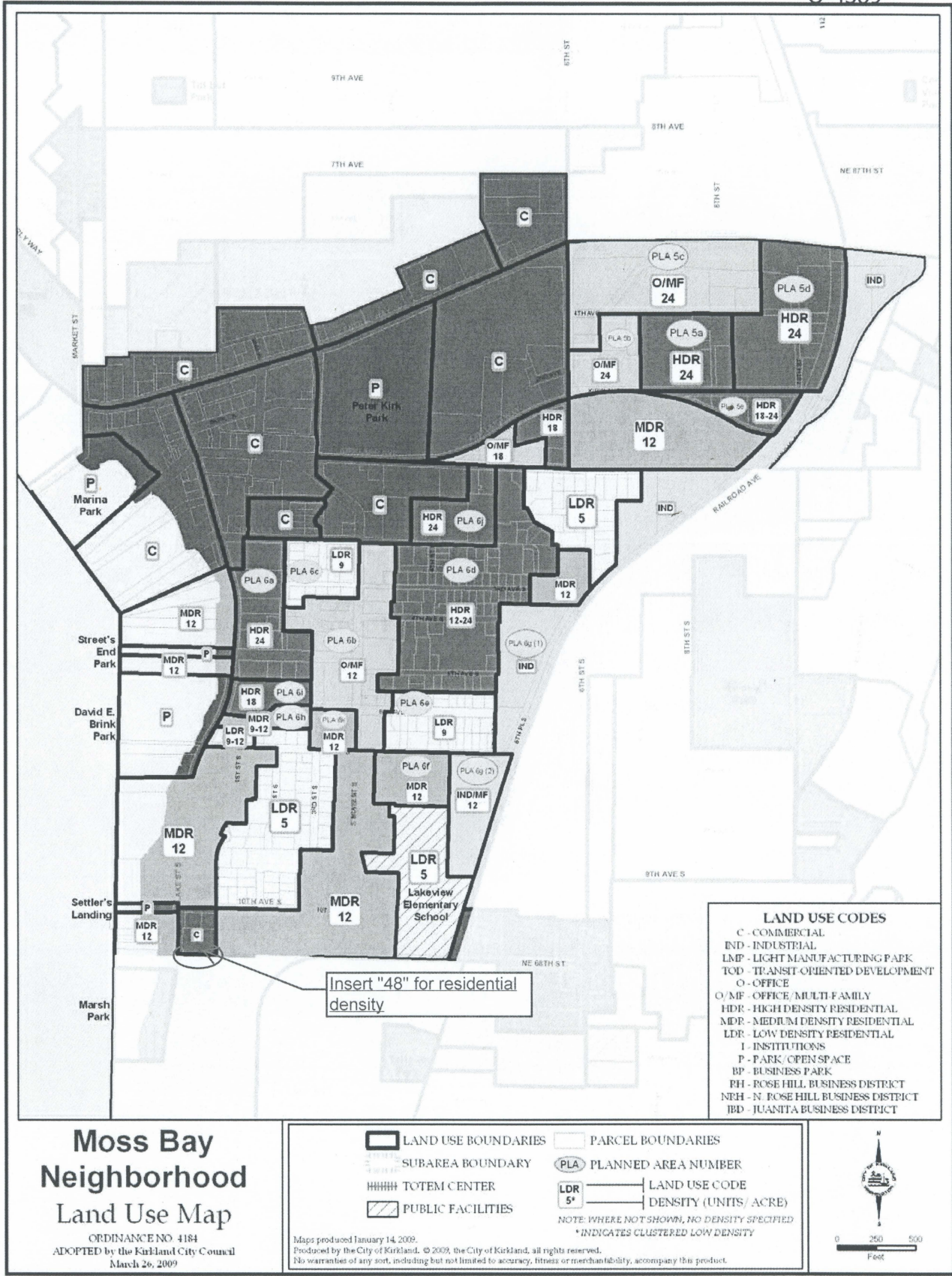
Produced by the City of Kirkland (c) 2006, the City of Kirkland, all rights reserved.  
No warranties of any sort, including but not limited to accuracy, fitness or merchantability, accompany this product.



**Figure MS-2: Market Street Corridor Land Use**







Insert "48" for residential density

Figure MB-2: Moss Bay Area Land Use





**XV.D. MOSS BAY NEIGHBORHOOD**  
**4. PERIMETER AREAS**

*Land on the east side of Lake Street South is generally not suitable for commercial development.*

Most of the land on the east side of Lake Street South appears to be unsuitable for commercial use because of steep slope conditions, as well as problems concerning vehicular ingress and egress. The southeast quadrant of the 10th Street South and Lake Street intersection, however, is developed with a market which serves as a convenience to the surrounding residences. Limited commercial use of this location, therefore, should be allowed to remain.

*Industrial activities east of the railroad tracks described.*

The strip of land located east of the railroad tracks, south of Central Way and west of Kirkland Way, contains an existing light industrial use. While the area's proximity to I-405 and NE 85th Street makes it attractive for commercial development, the area is also near residential uses, and should be subject to greater restrictions than other industrial areas. Buildings should be well screened by a landscaped buffer, and loading and outdoor storage areas should be located away from residential areas. In addition, the number and size of signs should be strictly limited, with only wall- and ground-mounted signs permitted. Pole signs, such as the one currently located in this gateway area, are inappropriate. Finally, it is noted in the Everest Neighborhood Plan that there is a major territorial view at the intersection of NE 85th Street and Kirkland Way. This view of Lake Washington, Seattle, the Olympic Mountains and Downtown Kirkland falls over property in this area.

**C. PLANNED AREA 5**

*High-density residential and office uses permitted in Planned Area 5.*

The eastern portion of the Moss Bay Neighborhood has been designated as Planned Area 5. Due to topographic conditions and circulation patterns, land in Planned Area 5 is relatively secluded. The area has been designated for high-density residential and office uses because of the ability to buffer such high-density development from other uses in the area. The area is developed primarily in high-density residential development while limited office uses

To mitigate impacts to the adjoining residential area, new development should be subject to the following standards:  
(1) Commercial uses should be oriented to serving the neighborhood. Uses should not include vehicle service stations, drive-in or drive through businesses, auto service and sales, or storage facilities.  
(2) As part of mixed use development, upper floors should be limited to residential uses rather than office uses and residential should be limited to a density of 48 units per acre.  
(3) Design review should be used to address scale, context, and pedestrian orientation of new development.

to develop with high-density residential uses (up to 24 dwellings/acre).

**West B Subarea**

The southern portion of Subarea B is adjacent to 6th Street and the entire subarea is south of 4th Avenue. Subarea B is heavily impacted by traffic, as well as existing and future commercial uses and offices to the west. The noise and traffic make this area inappropriate for single-family use, while its ease of access and proximity to the Downtown makes it appropriate for both offices and multifamily uses at a density of up to 24 dwelling units per acre. New development in this subarea should minimize access points directly onto 6th Street. Access for offices, however, should be provided exclusively from 6th Street or 4th Avenue and precluded from Kirkland Way. Structures should be limited to three stories in height.



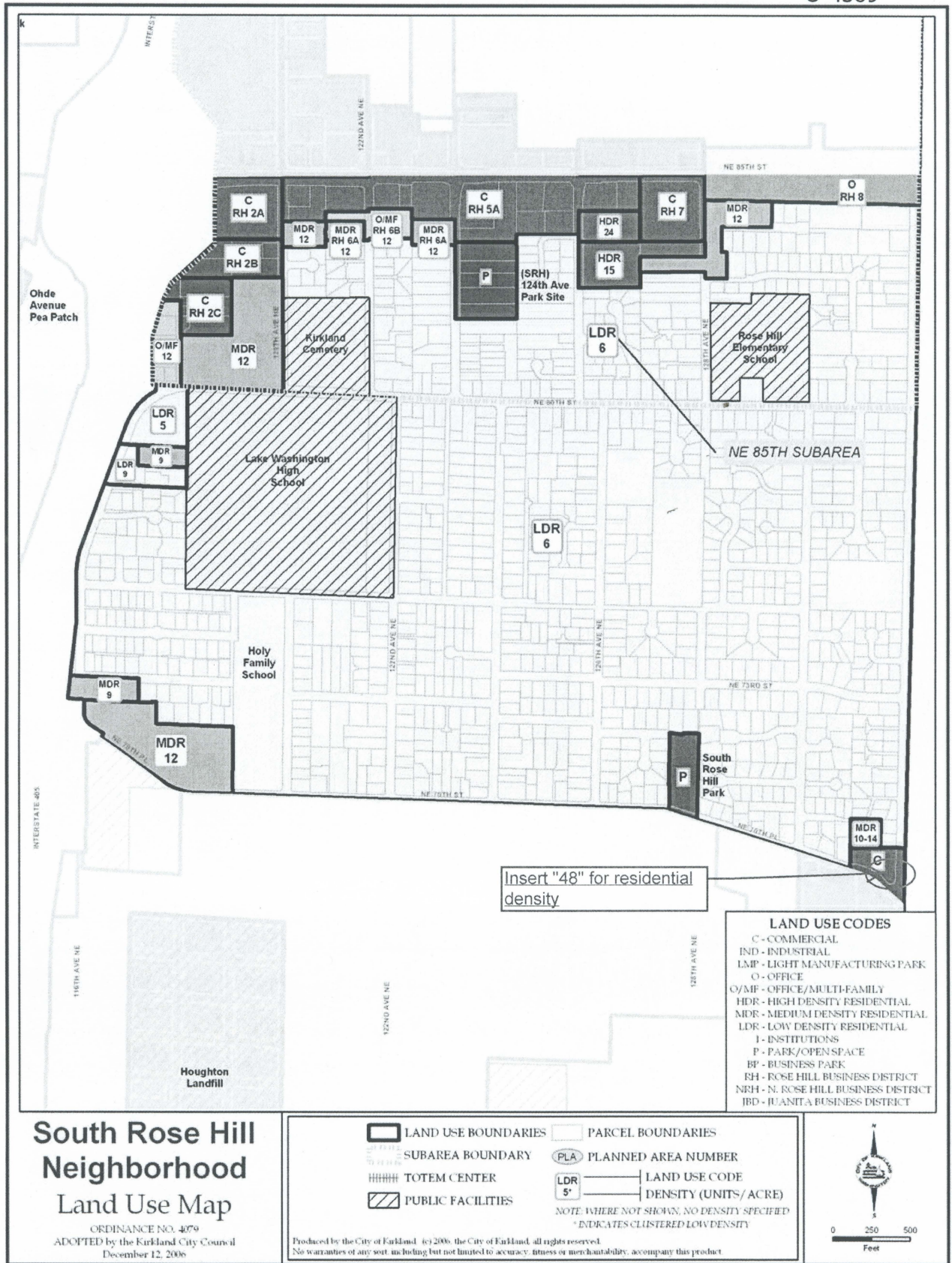


Figure SRH-3: South Rose Hill Land Use



## APPENDIX B – GLOSSARY

within a region containing one or more counties which have common transportation interests, such as the Puget Sound Regional Council.

**Residential Markets:** Individual stores or very-small, mixed-use buildings/centers focused on that are pedestrian oriented and serve the local pedestrian-traffic neighborhood. Residential scale and design are critical to integrate these uses into the surrounding residential area. Residential uses may be located above or behind commercial uses in the center, at densities specified in the comprehensive plan.

**Right-of-Way:** Land in which the State, a county, or a municipality owns the fee simple title or has an easement dedicated or required for a transportation or utility use.

**Runoff:** The overland or subsurface flow of water.

**Sanitary Sewer Systems:** All facilities, including approved on-site disposal facilities, used in the collection, transmission, storage, treatment, or discharge of any waterborne waste, whether domestic in origin or a combination of domestic, commercial, or industrial waste.

**Sensitive Areas:** Wetlands, streams, lakes, excluding Lake Washington, and frequently flooded areas.

**Shorelines:** Lake Washington, its underlying land, associated wetlands, those lands extending landward 200 feet from its OHWM and critical area buffers within 200 feet of the OHWM. These are lands within state shorelines jurisdiction, pursuant to RCW 90.58.030.

**Single-Family:** Residential use of land where dwelling units provide shelter and living accommodations for one family.

**Single-Room Occupancy (SRO) Hotels:** Typically a small room with a sink and a closet. Occupant shares bathroom, shower, and kitchen with other rooms.

**Sustainable Building Practices:** Various techniques to reduce construction and maintenance costs and to benefit the environment, such as using recycled building materials, reusing water and installing alternative heating and cooling systems.

**Townhouse:** Attached dwelling units (that is, having one or more walls in common) with each unit having its own exterior entrance.

**Transit-Oriented Development (TOD):** Development intended to maximize the use of transit.

**Transportation Facilities:** Includes capital facilities related to air, water, or land transportation.

**Transportation Demand Management Strategies (TDM):** Strategies aimed at changing travel behavior rather than at expanding the transportation network to meet travel demand. Such strategies can include the promotion of work-hour changes, ride-sharing and vanpooling options, transit flex passes, preferential parking for carpools, charge for parking, guaranteed ride home program, available showers and lockers and telecommuting.

**Transportation System Management (TSM):** Improvements that increase the capacity of the transportation network, but that do not include projects, such as adding additional lanes to streets. TSM strategies include, but are not limited to, signalization, channelization, and bus turnouts.

**Urban Center:** An area that has a regionally significant concentration of employment and housing, with direct service by high-capacity transit and a wide range of land uses, such as retail, recreational, public facilities, parks and open space. An Urban Center has a mix of uses and densities to efficiently support transit as part of the regional high-capacity transit system. An area must be designated by the King County Countywide Planning Policies to be an Urban Center.

**Urban Growth:** Refers to growth that makes intensive use of land for the location of buildings, structures, and impermeable surfaces to such a degree as to be incompatible with the primary use of such land for the production of food, other agricultural products, or fiber, or the extraction of mineral resources. When allowed to spread over wide areas, urban growth typically requires urban governmental services. "Characterized by urban growth" refers to land hav-



PUBLICATION SUMMARY  
OF ORDINANCE O-4389

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO COMPREHENSIVE PLANNING AND LAND USE AND AMENDING THE COMPREHENSIVE PLAN ORDINANCE 3481, AS AMENDED, AND APPROVING A SUMMARY FOR PUBLICATION, FILE NO. ZON11-00042.


SECTION 1. Amends certain text and maps of the Kirkland Comprehensive Plan.

SECTION 2. Provides a severability clause for the Ordinance.

SECTION 3. Authorizes publication of the Ordinance by summary, which summary is approved by the City Council pursuant to Section 1.08.017 Kirkland Municipal Code and establishes the effective date as five days after publication of summary.

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the 11th day of December, 2012.

I certify that the foregoing is a summary of Ordinance O-4389 approved by the Kirkland City Council for summary publication.

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