

ORDINANCE No. 2739

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO PLANNED AREA 7 AND VICINITY AND ADOPTING MAP AND TEXT AMENDMENTS TO THE LAND USE POLICIES PLAN, ORDINANCE 2473, AS AMENDED.

WHEREAS, an application for amendments to the Land Use Policies Plan was submitted to the Department of Planning and Community Development by Steve and Carolyn Hale on October 13, 1982; and

WHEREAS, pursuant to Section 160.25 of the Kirkland Zoning Code, Ordinance 2740, as amended, the application was considered by the Kirkland Planning Commission at a meeting on November 18, 1982, at which time the Department of Planning and Community Development was directed to recommend amendments to the Land Use Policies Plan regarding Planned Area 7 and vicinity for consideration at a public hearing; and

WHEREAS, a public meeting to discuss potential amendments to the Land Use Policies Plan was held by the Department of Planning and Community Development on December 9, 1982; and

WHEREAS, potential amendments to the Land Use Policies Plan were discussed by the Planning Commission at a study meeting on January 6, 1983; and

WHEREAS, an Environmental Checklist was prepared and a Final Declaration of Non-Significance was made by the Responsible Official pursuant to the requirements of the State Environmental Policies Act, RCW 43.21C; WAC Chapter 197-10 and Kirkland Ordinance No. 2473, as amended; and

WHEREAS, said environmental information and Final Declaration accompanied said proposed Plan and Zoning amendments and were available to be considered by the Planning Commission and the Kirkland City Council during the entire review and consideration process; and

WHEREAS, proposed amendments to the Land Use Policies Plan were prepared by the Department of Planning and Community Development and such amendments were considered by the Kirkland Planning Commission at public hearings on March 17 and April 21, 1983; and

WHEREAS, the Kirkland Planning Commission has transmitted to the Kirkland City Council recommended amendments to the Land Use Policies Plan as set forth in its advisory report (File IV-82-80); and

WHEREAS, the Kirkland City Council conducted a public hearing on June 6, 1983 for the purpose of gathering additional public comment regarding lands situated south and west of City Hall.

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

Section 1. The Findings, Conclusions and Attachments contained in the Planning Commission's advisory report (File No. IV-82-80), attached hereto, are hereby adopted by reference, except for those conclusions which support: 1) allowing any commercial uses north of 3rd Avenue, 2) limiting multi-family residential development west of 2nd St. to south of 5th Ave., and 3) eliminating the option for properties within the CBD-B zone to provide or pay for off-site parking facilities as an alternative to providing on-site parking.

Section 2. Figure 32 on page 308 of the Land Use Policies Plan, Ordinance No. 2346, as amended, is hereby amended to show the land use designations in Attachment "A", attached hereto and incorporated herein.

Section 3. Figure 35 on page 311 of the Land Use Policies Plan, Ordinance No. 2346, as amended, is hereby amended to show the open space and parks designations in Attachment "B", attached hereto and incorporated herein.

Section 4. The text in the Market Area Section of the Market/Norkirk/Highlands Neighborhood Chapter of the Land Use Policies Plan, Ordinance No. 2346, as amended, is hereby amended as shown in Attachment "C", attached hereto and incorporated herein.


Section 5. The text of the Norkirk Section of the Market/ Norkirk/Highlands Neighborhood Chapter of the Land Use Policies Plan, Ordinance No. 2346, as amended, is hereby amended as shown in Attachment "D", attached hereto and incorporated herein.

Section 6. If any section, sub-section, sentence, clause, phrase, part or portion of this Ordinance 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 7. This Ordinance shall become effective 5 days from and after its passage, approval and posting.


PASSED by a majority vote of the Kirkland City Council in regular, open meeting this 19th day of September, 1983.

SIGNED IN AUTHENTICATION thereof this 19th day of September, 1983.



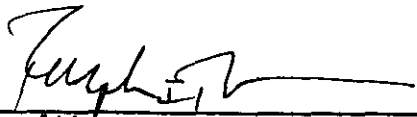
Mayor

ATTEST:



Director of Administration and Finance
(ex officio City Clerk)

APPROVED AS TO FORM:

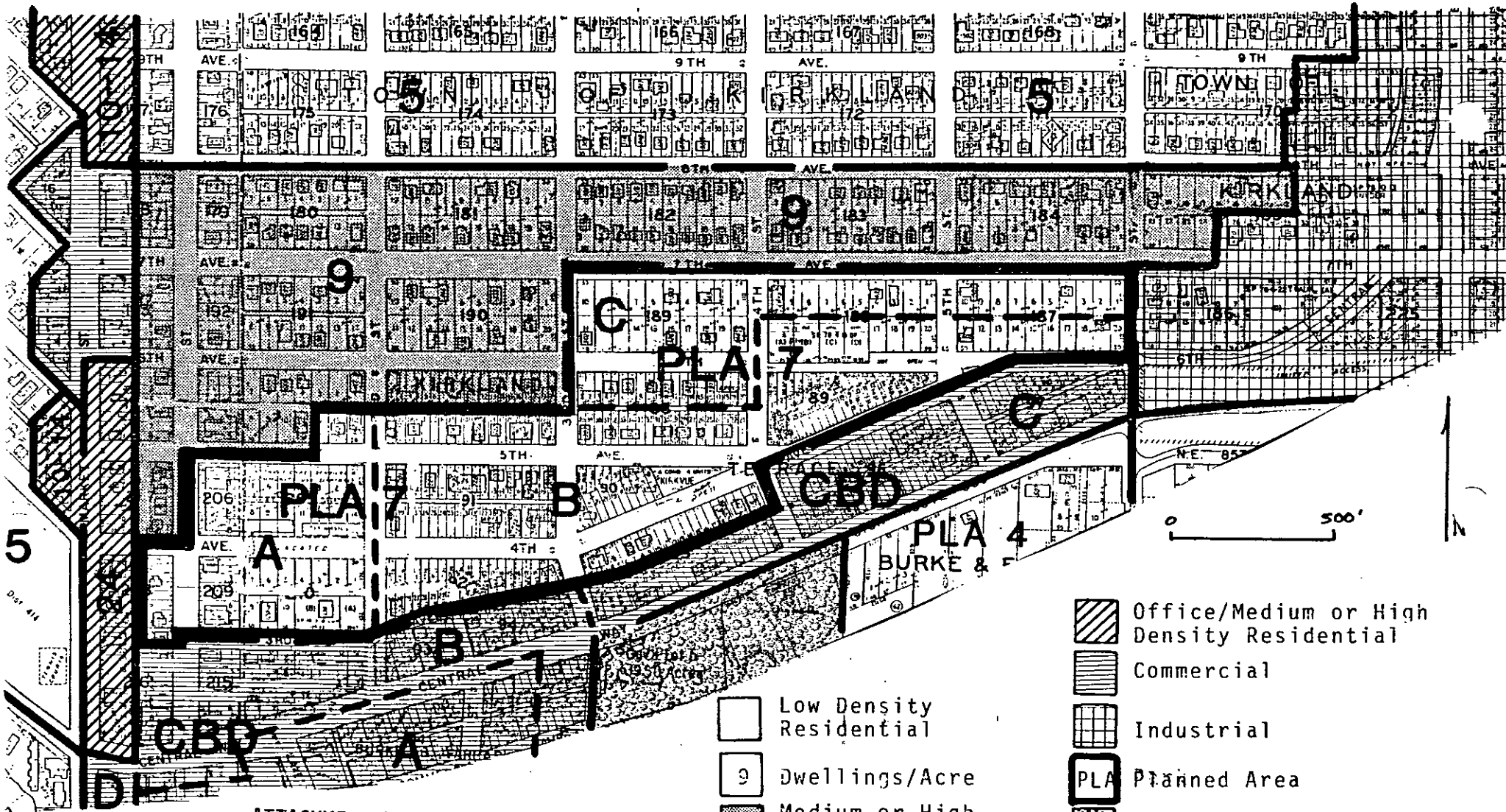


City Attorney









I hereby certify under penalty of perjury that the foregoing ordinance was posted on the 21ST day of SEPTEMBER, 1983 in accordance with the provisions of RCW 35A.12.160 and City of Kirkland Ordinance No. 2600.



Deputy City Clerk



ATTACHMENT "A"
Ordinance No. 2739***

- | | | | |
|---|---|---|--------------|
|  | Office/Medium or High Density Residential |  | Commercial |
|  | Low Density Residential |  | Industrial |
|  | Dwellings/Acre |  | Planned Area |
|  | Medium or High Density Residential |  | Park |

MARKET AREA

conditions mitigate the impact of the this added height on nearby properties. At all times, the height should be consistent with the scale of surrounding development and should not block views. The height of structures, especially east of Market, should be kept as low as possible as measured from Market Street to prevent significant view obstruction.

- (c) The dedication of development rights to the City in the required buffer strip around the development facing the low density residential areas.

Because of its proximity to the CBD and Planned Area 7, land lying along the east side of Market Street, south of 6th Avenue, is appropriate for high density residential development (up to 24 dwelling units per acre). Such development should be subject to conditions 1-3 on pages 315-316. In addition, structure height should be limited in order to minimize blockage of views from properties to the east and north. Direct vehicular access from Market Street should be limited. Wherever possible, development should obtain access exclusively from 4th, 5th, or 6th Avenues.

ECONOMIC ACTIVITIES

Existing commercial uses are to be contained. No additional commercial facilities allowed along Market Street.

Along Market Street there are various commercial developments in addition to many residential uses. The primary Policies in this Plan prescribe a clustering of commercial uses (see Economic Activities Policy 1). In this respect, existing commercial uses are to be contained within their present locations. No new service stations will be permitted along Market Street.

LIVING ENVIRONMENT

The vast majority of the Norkirk area is developed as one of Kirkland's older low density residential neighborhoods. Statements in this Land Use Policies Plan indicate that low density residential use should be maintained (see Living Environment Policy 2 and Policy 3.a.). Accordingly, most of the Norkirk area is to remain committed to low density residential use (5 dwelling units/acre) as indicated in Figure 32. Existing single family residences in the southern portion of the Norkirk area are developed at a density of up to 9 dwelling units per acre. Infilling at this density should be permitted. Attached "townhouse" units should be permitted only east of 6th Street, adjacent to light industrial uses.

Housing rehabilitation and new single family construction are encouraged in the Norkirk area to prolong the stability of this low density residential area. The area to the west of the industrial land (near 8th Street) should be a high priority for assistance under the housing rehabilitation programs.

The Norkirk Area contains a number of older structures with historical significance, including the American Legion Hall on 5th Avenue, the Newberry Home on 1st Street and the Dr. Trueblood Home on 7th Avenue. These and other identified historic structures should be preserved.

ATTACHMENT "D"
Ordinance No. 2739***

MARKET/NORKIRK/HIGHLANDS

NORKIRK AREA

In the southern portion of the Norkirk area, the land is presently zoned for high density residential use and many apartments have been built. Some vacant property and older single family homes are also scattered throughout this area. This is a transitional area and there has been much uncertainty by property owners. A proliferation of very high density apartments in scattered locations have altered the character of this area. Due to the existing land use pattern, the proximity to the Central Business District and favorable topographic conditions, the southeastern portion of this area is designated for a range of residential densities as explained below (see Figure 32).

The transitional area of south Norkirk is introduced.

Planned Area 7: Norkirk

Within the Norkirk area, two areas of land have been designated as a "planned area". The western portion of the Planned Area is bounded by 5th Avenue to the north, 1st Street to the west and 3rd Avenue to the south so forming a triangle meeting at 4th Street. Within this area is the Central School site and a concentration of high density apartments. The eastern portion of the Planned Area is bounded by midblock 6th/7th Avenues to the north, 4th Street to the west, 6th Street to the east and 4th Avenue/6th Avenue to the south. This area is primarily undeveloped (see Figure 32). This designation of Planned Area is based on unique conditions which may influence the future development of land. The complex problems unique to this Planned Area can be overcome best by coordinated development of the whole area. As with all Planned Areas, proposals will be subject to certain development standards.

Planned Area 7 is defined. Uses are subject to standards.

(1) The western portion of the Planned Area can be divided into

(1) In the west portion of the Planned

MARKET/NORKIRK/HIGHLANDS

NORKIRK AREA

-Area, uses and standards are described.

two distinct areas (a) the area east of 2nd Street (b) the Central School site west of 2nd Street. - These two areas will be discussed in turn.

(a) -- Due to its location, Planned Area 7 has a special relationship to the Central Business District. - One of the concepts in the Goals and Policies (see Living Environment Policy 4 and Economic Activities Policy 2.b.) is the concentration of the high density multi-family areas to defined areas. - One of these areas is the Norkirk area, north of the CBD. - The eastern portion of this Planned Area east of 2nd Street is primarily developed in high density multi-family units and in the future, this area can develop at high densities (up to 24 dwelling units per acre) subject to special review and conformance with the following conditions:

(i) -- Topographic conditions and/or vegetative buffers (combined with wide setbacks) are to provide transition between the high density development and the surrounding lower density areas.

(ii) Existing amenities (namely, views and existing vegetation) are to be preserved to the greatest extent possible.

(iii) Parking areas and access points to units are to be oriented away

MARKET/NORKIRK/HIGHLANDS

NORKIRK AREA

from the surrounding lower density residential areas. Access should be primarily off 3rd Street and side streets.

(iv) Land must be aggregated in such a way that the remaining ownership pattern does not isolate small parcels of land.

(b) The westerly portion of this Planned Area (west of 2nd Street) is the Central School site. In this area, medium density residential uses of 10 to 14 dwelling units per acre are appropriate. There is no present commitment to high density uses in this area, and the policies discussed above are geared to the strict limitation of high density uses to specific areas in order to stop the proliferation of apartments into areas not established as apartment areas. Higher densities in this area would create intolerable traffic loads channelled into the GBD, and could severely impact the traffic circulation system in the GBD. The medium density would also provide a transition from the high density area to the east and the single family area to the north. Development in this area will be subject to the following performance standards:

(i) The site should be developed as a unit, with the clustering of housing units and the

MARKET / NORKIRK / HIGHLANDS

NORKIRK AREA

provision-of-common
open-space:

(ii) Parking-areas-and-
access-points-should-
not-be-from-5th-Avenue;
where-this-area-inter-
faces-with-the-low-
density-residences:

(iii) Along-the-interface--
with-the-single-family-
area-to-the-north;-a
wide-landscaped-buffer
will-be-necessary:

(iv)- Existing-amenities-
(namely;-views-and-
existing-vegetation)-
are-to-be-preserved-to
the-greatest-extent
possible:

(2) In-the-east-portion
of-the-Planned-Area,
uses-and-standards-
are-discussed.

(2) The-easterly-portion-of-the-Planned-
Area-(east-of-4th-Street)-is
primarily-undeveloped.-The-area
has-immediate-adjacency-to-the
Central-Business-District,-and-as
such-warrants-an-intermediate-high
residential-density-of-up-to-18
dwelling-units-per-acre.-Develop-
ment-in-this-area-will-need-to-
conform-to-the-following-standards:

(a) Topographic-conditions-and/or
vegetative-buffers-(combined-
with-wide-setbacks)-are-to
provide-transition-between
the-high-density-development
in-this-area-and-the-medium
density-residential-areas-to
the-north-and-west.

(b) Existing-amenities-(namely,
views-and-existing-vegeta-
tion)-are-to-be-preserved-to
the-greatest-extent-possible.

(c) Access-points-and-parking-
areas-are-to-be-oriented-away-
from-the-surrounding-medium-

MARKET/NORKIRK/HIGHLANDS

NORKIRK AREA

density-residential-areas.
Access-should-be-primarily-
off-5th-Street-to-this-area.-

Around this Planned Area, primarily to the north, certain areas are designated for medium-density residential uses (10 to 14 dwelling units per acre). -- This area includes the half block between Market and 1st Street, south of 5th Avenue; the two blocks between 5th and 6th Avenues, east of 2nd Street; the block between 6th and 7th Avenues, east of 3rd Street; and the northern half of the two blocks between 6th and 7th Avenues, east of 4th Street. -- Higher densities in this area are not appropriate due to the policy to prevent the proliferation of apartments in transitional areas and the limited traffic capacity in this area. -- This area is not more extensive westwards due to the prime policy (Living Environment Policy-2) to maintain the predominantly single-family residential character of the City. -- These medium densities provide a transition from the higher densities in the Planned Area to the south and commercial uses along Central Way, with the low residential uses to the north. -- Development in this area will be subject to certain performance standards:-

Medium residential densities will be permitted (10 to 14 dwelling units per acre) north of Planned Area 7 subject to standards.-

- (1) The structures must be at a scale comparable to single family homes.-
- (2) Vehicular access and parking should be orientated away from the single family areas.
- (3) A wide densely landscaped buffer is required where medium density uses are adjacent to single family homes.
- (4) The development must not substantially block the view of existing nearby residences.-

PLANNED AREA 7

Within the Norkirk area, the land area lying between the Central Business District (CBD) and the single family residential area to the north has been designated as Planned Area 7. The area is developed with a variety of uses including high and medium density multi-family structures, single family dwellings, City Hall, offices, churches, and club houses. Because of the complex land use relationships within this area and between this and adjacent areas, three unique sub-areas have been designated.

Sub-area (A) contains City Hall and the land between City Hall and the CBD as well as a small area of land north of City Hall. Except for City Hall and a small church, existing development in this area consists of single family dwellings and duplexes. Although the area is adjacent to the CBD, it is topographically separated from commercial development by a steep hillside. In order to preserve the residential character of Sub-area (A), commercial expansion should not be permitted. The proximity of this area to the CBD, however, makes it well suited for high density residential development (up to 18 dwelling units per acre).

Vehicular access to and from Sub-area (A) is probelmatic due to high traffic volumes on Central Way and Market Street. Future development should be regulated to ensure that traffic circulation is not further restricted, and if possible, is improved.

Sub-area (B) extends east of Sub-area (A) from 2nd Street to 6th Street and from the CBD to midblock between 5th and 6th Avenues (west of 4th Street) and midblock between 6th and 7th Avenues (east of 4th Street). Adjacency to the CBD and the existence of many high density residential developments make this area suitable for further high density residential development (up to 24 dwelling units per acre).

Offices and other commercial uses generally should be confined to the CBD. Commercial uses should be permitted in Sub-area (B) south of 4th Avenue, however, if developed in conjunction with properties within the CBD on the north side of Central Way. Such commercial development should be oriented southward to Central Way and should include residential uses oriented to 4th Avenue. Circulation problems associated with additional vehicular traffic from commercial uses should be identified and prevented prior to development.

Sub-area (C) is located north of Sub-area (B) and south of 7th Avenue. Much of this area is developed with high and medium density residential uses, making future low density residential development less viable. At the same time, high density development is not appropriate due to the adjacency of a single family residential area north of 7th Avenue and west of 3rd Street. Future development in this area, therefore, should be limited to medium density residences (up to 10-14 dwelling units per acre).

Because Planned Area 7 is a mixed use transitional area, all future development should be subject to special review and conformance with the following conditions:

- (1) The visual scale of structures should be compatible with adjacent single family residential development.
- (2) Existing views should be preserved to the greatest extent possible.
- (3) Topographic features, existing vegetation, landscaped buffers and/or wide setbacks should be used to provide a transition between high density development and adjacent single family residential areas.
- (4) Parking areas and vehicular access points should be oriented away from adjacent single family residential areas. Except for non-residential uses adjacent to 1st and 2nd Streets, access should be primarily from the east-west avenues.
- (5) On and off-site improvements should be required as necessary to provide adequate vehicular and pedestrian circulation, without increasing traffic in adjacent single family residential areas.
- (6) Land should be aggregated in such a way that small parcels of land are not isolated.

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MARKET/NORKIRK/HIGHLANDS NORKIRK AREA

boundary needs to be visually "soft" in order to provide intermediate transition. The following standards are to provide for establishing a boundary between the uses as well as minimizing impacts associated with industrial development.

- (1) Certain zoning boundary changes are necessary to better clarify the land use definition between light industrial and residential areas (see Figure 37).

The block between 6th Street, 6th and 7th Avenues and Central Way should be rezoned from Central Business District to Light Industry as the character of this block is already well established under light industrial use.

The block between 7th and 8th Avenues is ~~mostly~~ partially developed as with single family residential uses. This established residential use should be allowed to remain. The present zoning boundary splits ownerships and it should be moved eastwards south of 8th Avenue and westward to 6th Street north of 7th Avenue (see Figure 37) in order to represent a more logical division between ownerships and reflect the influence of the light industrial uses in the block south of 7th Avenue. An option should exist that if the entire area can be developed as a unit, light industrial uses may expand to the present zoning boundary. Access should be limited to 7th Avenue.

The present zoning boundary on the block between 8th and 9th Avenues splits two ownerships. The western half of the block has a well developed residential character. The zoning line should be moved eastward to the edge of the ownerships (see Figure 37). On redevelopment, the industrial

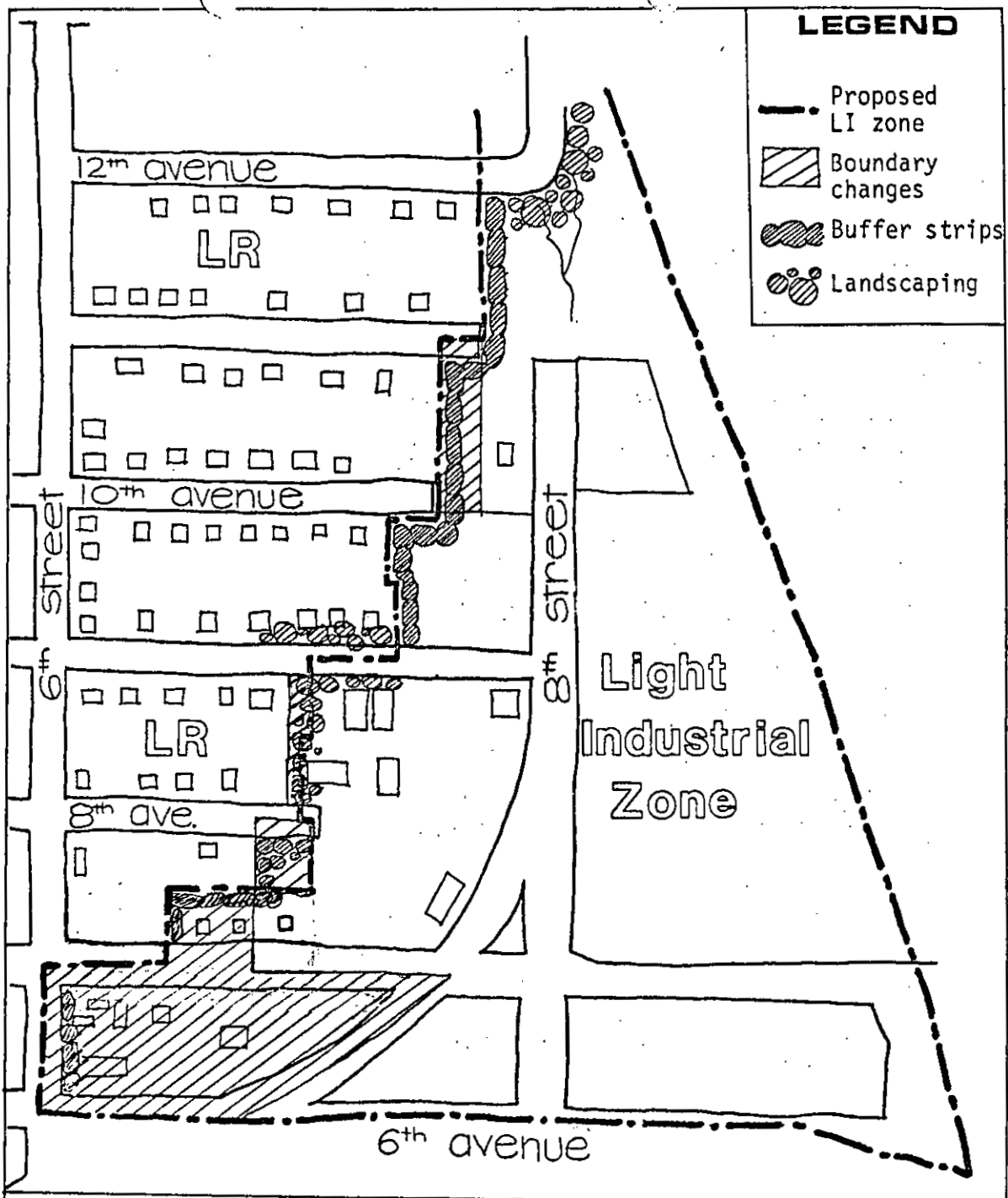


FIGURE 37

Proposed zoning changes
 CBD to LI between 6th and 7th Aves; LI to RS 7.2 between 7th and 9th Avenues; RS 7.2 to LI between 10th and 11th Avenues.

Limited industrial traffic
 Limited access along 8th Street, 8th Avenue, 11th Avenue, and 12th Avenue.

Landscaping and buffering between the two uses

NORKIRK - LIGHT INDUSTRY/RESIDENTIAL EDGE

MARKET/NORKIRK/HIGHLANDS

NORKIRK AREA

Major pedestrian/bicycle path system is part of the open space system.

Pedestrian and bicycle pathways are also part of the park and open space system, in addition to providing a transportation function. Major pathways in the Norkirk area should be established according to the designations in Figure 35.

Public Services/Facilities

Deficiencies in sewer, water or drainage systems should be corrected prior to occupancy of new development. Surface runoff is to be minimized.

Sanitary sewer service is considered to be inadequate in much of the Norkirk area. In a few isolated areas to the north, sanitary sewer service is not available. In other parts of the Norkirk area, existing sewer lines are old and will need to be replaced within the next 15 to 20 years. Water service is generally adequate to meet the needs of the Norkirk area. However, some properties to the north are not hooked up to the water system, and the present water supply near Central Way should be enhanced to meet fire flow requirements. These system deficiencies should not necessarily prohibit additional development in the Norkirk area. However, prior to occupancy of new development, the sewer and water lines must be upgraded and/or extended as necessary to meet the requirements of land use designated in Figure 32 (see Public Services/Facilities: Water and Sewage Systems Policy 1 and Policy 2). If drainage problems exist, they too must be corrected prior to the occupancy of new development. Methods should be implemented to maintain surface runoff at predevelopment levels (see Public Services/Facilities: Drainage Policy 2).

Undergrounding of utilities is to be actively encouraged.

In order to contribute to a more amenable and safe living environment as well as to enhance views and a sense of community identity, the undergrounding of utilities is to be actively encouraged (see Public Services/Facilities: Quasi-Public Utilities Policy 2, Community Goals and Policies

Policy 2 and Open Space/Parks Policy 2).

Vehicular circulation patterns in the Norkirk area reflect the residential character of the neighborhood (see Figure 36). Most traffic is channelled along Market Street and Central Way (NE 85th Street). To a lesser extent traffic flows along 3rd Street, 6th Street and 7th Avenue. No major changes are proposed for circulation patterns in the Norkirk area. Improvements to the circulation system which are necessitated as the result of new development should be required as a condition of development approval. Therefore, the following street improvements should be deleted from the 6-year Urban Arterial Program:-

- (1) ~~6th Street (between 15th Avenue and 18th Avenue). - Improvements of a non-arterial (namely residential) scale would be permitted. - 108th Avenue NE (between 18th Avenue and NE 108th Street).~~
- (2) ~~18th Avenue (100th Street) (between 108th Avenue NE and 111th Avenue NE).~~

~~If implemented, these improvements would significantly increase the flow of traffic through residential areas and would require street construction in natural constraint areas. -~~

On street parking problems exist along 1st Street and 3rd Avenue. On 1st Street, on-street parking south of 3rd Avenue is occurring perpendicular to traffic flow, thus greatly reducing the driving area and creating a hazardous situation for both moving and parked vehicles. In addition, much of the sidewalk is blocked by overhanging vehicles. Parallel parking would be much safer, but would not allow enough on-street parking to meet existing demand. A more desirable alternative would be to permit parking at an angle which maintains both adequate driving area

and sufficient on-street parking. Due to the relatively wide paved area on 1st, this should be feasible, but will necessitate that parking spaces be clearly marked in a location which will ensure the safety of parked cars on the steep grade.

On 3rd Avenue, the existing street width is insufficient to accommodate on-street parking on both sides and provide two lanes for moving traffic. Future development along 3rd Avenue, therefore, should be required to increase the driving surface through street widening or to restrict on-street parking and provide additional parking on-site.

Pedestrian and bicycle pathways are also important elements of the circulation network. Such pathways should be enhanced according to the designations in Figure 35. In addition to these major designations, sidewalks or other small-scale improvements are encouraged to facilitate pedestrian and bicycle travel in the Norkirk area. Improvements need to be made to the right-of-ways south and east of the Peter Kirk Elementary School to permit safe and easy access for children walking to school. Additional safe crossings of the railroad tracks are to be considered.

Sidewalk improvements to north-south rights-of-way linking the Norkirk Neighborhood with the CBD are also a high priority. In this regard, opportunities for pedestrian access are now very limited, particularly west of 3rd Street. Steep grades and existing development patterns constitute location and design constraints for future pedestrian improvements. Alternative locations and configurations for a "hillclimb" pedestrian linkage should be considered and improvements installed.

Another linkage route which calls for sidewalk improvements is 4th Street between 7th Avenue and Central Way. This corridor will become even more heavily used with the installation of a pedestrian safety island at 4th Street and Central Way scheduled for construction in 1983.

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