ORDINANCE NO. 2950 Repealed by 3481

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO COMPREHENSIVE PLANNING AND LAND USE AND AMENDING THE LAND USE POLICIES PLAN (COMPREHENSIVE PLAN) ORDINANCE 2346 AS AMENDED.

Whereas, the City Council has received from the Kirkland Planning Commission a recommendation to amend certain portions of the Land Use Policies Plan (Comprehensive Plan) for the City, Ordinance 2346 as amended, all as set forth in that certain report and recommendation of the Planning Commission dated April 24, 1986 and bearing Kirkland Department of Planning and Community Development File No. IV-85-19; and

Whereas, prior to making said recommendation the Planning Commission, following notice thereof as required by RCW 35A.63.070, held on April 17, 1986, a public hearing and

Whereas, pursuant to the State Environmental Policies Act there has accompanied the legislative proposal and recommendation through the entire consideration process, a final determination of non-significance (including supporting environmental documents) issued by the responsible official pursuant to WAC 197-11-340 and WAC 197-11-390; and

Whereas, in regular public meeting the City Council considered the environmental documents received from the responsible official, together with the report and recommendation of the Planning Commission.

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

Section 1. Text amended: Pages 116-169 of the text of the Land Use Policies Plan, Ordinance 2346 as amended, be and they hereby are deleted and replaced with the text as set forth in Exhibit 1 attached to this ordinance and by this reference incorporated herein.

Section 2. Graphics amended: Figures 12 through 15, appearing on pages 150, 154, 155 and 166 of the Land Use Policies Plan, Ordinance 2346 as amended, be and they hereby are deleted.

Section 3. 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 unconsitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 4. This ordinance shall be in full force and effect five days from and after its passage by the City Council and publication as required by law.

Passed by majority vote of the Kirkland City Council in regular, open meeting this 5th day of May 1986.

Signed in authentication thereof this 5th day of May, 1986.

Doris Cooper
MAYOR

ATTEST:

Director of Administration & Finance
(ex officio City Clerk)

APPROVED AS TO FORM:

City Attorney

2592C/287A/DM:dlc:cw

INTRODUCTION

Goal 1:

To balance overall public capital expenditures and revenues.

The City has limited funds to finance and maintain capital improvements. By exercising a strong leadership role in capital facilities management and efficient service provision, the City can maximize the use of available funds to serve appropriate urban growth and development.

Policy 1.1:

Developers should be responsible for providing the additional capital facilities required by their development. This responsibility includes actual installation of facilities at time of development and/or a contractual agreement to contribute to installation upon determination of need by the City.

As land develops to more intensive uses, additional public facilities may be required. Typical public facilities include adequate rights-of-way, pedestrian improvements, park and recreation facilities, sanitary sewers and storm water drainage facilities. In many cases, new development creates an immediate need for the new facilities. In such an instance, it is appropriate for the developer to install the facilities prior to occupancy of the development. At other times, the new development, along with other developments, may contribute to the need for facilities that is not immediate. If the City determines that the need for facilities is not immediate, the City may agree to defer installation. If installation is deferred, the developer should sign a contractual agreement with the City to pay the development's proportionate share when the facilities are required.

The approach described above insures that new development receives adequate services. In requiring developers to assume responsibility for the impacts of their development on the City, it also relieves current residents of the burden of paying for site-specific facility expansion.

Policy 1.2:

Municipal services should be limited to areas that are willing to annex into the City. Certain kinds of services may be provided to areas that cannot annex immediately but are willing to commit to future annexation into the City.

The level of services provided in the City and in unincorporated areas of the County may differ significantly. In general, the City provides an urban level of services to residents. As examples, urban services may include required connections to sanitary sewers, pedestrian improvements and street landscaping, and rapid emergency service response times. In contrast, County services are oriented toward lower density, more rural settings.

As development to more intensive uses occurs, it becomes valuable to receive urban service levels. However, to insure efficient use of public funds, the City should generally limit the provision of urban services to areas within the City. In a few cases, it may be efficient to provide services outside of municipal limits. For example, the development of a sewer system may extend outside of city limits. In those cases, service should be limited to areas that are willing to commit to future annexation.

Policy 1.3:

The City should manage capital resources through a unified comprehensive management program.

To insure the most efficient use of public funds, the City should attempt to make the capital budgeting process as comprehensive and coordinated as possible. This means inter-departmental coordination of capital expenditures, operation of a unified capital budget, and timely collection and use of concomitant agreements.

Goal 2:

To preserve and enhance the visual quality of the City through the placement and design of public facilities.

Public rights-of-way, utility lines, and other public facilities are a significant part of the urban landscape. In the development of these facilities, the City has an opportunity to positively contribute to the City's visual quality and character. This opportunity should be pursued to the greatest possible degree.

Policy 2.1:

Where feasible, utility lines should be placed underground.

Utility supply lines should be undergrounded in all new development, and, where possible, in existing developments. Undergrounding will visually enhance the area in which it occurs.

Policy 2.2:

Preserve existing significant natural vegetation and features in the development of public facilities.

The maintenance of healthy, significant trees or other natural features in the development of public facilities will enhance the visual quality of the area. Whenever possible, prominent and desirable natural features should be retained. An example of implementation of this policy is the meandering of sidewalks to retain significant trees.

TRANSPORTATION

Goal 3:

To establish a street system that promotes and maintains the integrity of neighborhoods and desirable land uses.

Streets serve to both connect and separate neighborhoods and activity centers in Kirkland. Through this system of links and barriers, the street system exerts a powerful influence on land use patterns in the City. Although much of the City of Kirkland's street network is already developed, future development will bring changes. It is the intent of this goal and the following policies that future changes in the street system support the overall land use goals of the City.

Policy 3.1:

Roadway improvements should be appropriate to the level of service to be provided by the street.

The City of Kirkland has established a classification system that identifies the different service levels provided by public streets. This classification system is the basis for determining the required street width and level of improvements. The adopted street classification system is as follows:

(a) Cul-de-Sac and Neighborhood Access Streets - Provide neighborhood access to adjacent residences and link with neighborhood collector streets. Most small residential streets fall within this classification.

(b) Neighborhood Collector Streets - Provide residential access, connect neighborhoods together, and connect neighborhoods with arterials. Examples of this kind of street are Waverly Way and 10th Avenue.

(c) Commercial Collector Streets - Serve the same function as neighborhood collectors, but provide access to commercial business. 120th Avenue N.E. and 122nd Avenue N.E., north of N.E. 85th Street, are examples of this classification.

(d) Collector Arterial Streets - Connect neighborhoods with commercial areas and, as secondary function, provide access to adjacent residences. N.E. 112th Street and 7th Avenue are collector arterials (see Figure 10).

(e) Secondary Arterials - Serve as intra-community highways that connect community centers. Access to adjacent residences is not permitted if acceptable alternative access is available. N.E. 68th Street and 6th Street South are examples of secondary arterials (see Figure 10).

(f) Primary Arterials - Connect major community centers. Access to adjacent residences or single commercial sites is not permitted if acceptable alternative access is available Market Street and Central Way are primary arterials (see Figure 10).

Policy 3.2:

Protect established residential areas from public street improvements that are not in character with a residential area.

Cul-de-sac, neighborhood access and neighborhood collector streets provide immediate access to residential neighborhoods. These streets should be wide enough to provide safe access for routine and emergency vehicles, as well as for pedestrian activities. However, upgrading a residential street to accommodate greater volumes of through-traffic can lead to increased noise and air pollution, safety hazards for residents, and pressure to convert land to commercial or other uses.

Parking for nonresidential uses should also be kept out of residential areas. The visual, noise, and other impacts of an off-site parking lot can be severe and this type of development should be avoided.

Policy 3.3:

Provide efficient access to areas designated for commercial, office and industrial uses.

Commercial and industrial developments usually locate near major through-traffic streets, in order to take advantage of the high visibility and access for delivery and emergency vehicles. The failure to provide suitable roadways in commercial and industrial areas can inhibit normal growth of businesses in these areas.

Goal 4:

To encourage alternatives to the single occupant automobile.

Increased use of alternatives to the single occupant vehicle can break the cycle of demand for wider streets while maintaining a high level of accessibility to all areas of the City. By encouraging high occupancy vehicles, the City may be able to save the capital expense of road construction and maintenance and contribute to the environmental enhancement of the area. For these reasons, the City should pursue all possible alternatives to the single occupant vehicle.

Policy 4.1:

Encourage development of a system of bicycle and pedestrian paths that serve community parks and activity centers.

The City should establish a bicycle and pedestrian path network both to serve major activity centers and to provide outdoor recreational opportunities for area residents. Amenities, such as markers, directional signs, benches and appropriate landscaping can encourage the use of paths for both purposes.

The Kirkland Parks Department maintains a network of pedestrian and bicycle pathways, many of which use existing rights-of-way (see Figure 11). As Kirkland grows and develops, this trail system should be expanded and improved to serve increased outdoor recreational needs. Special concerns for this trail system include establishment of a link between neighborhood sidewalks and community-wide bicycle/ pedestrian trails; proper separation between bicycles, pedestrians and automobiles, provision of bicycle storage facilities at all major activity centers, and maintenance of public rights-of-way to accomodate bicycles.

Policy 4.2:

Consider methods for reducing parking need and peak hour traffic congestion.

As development occurs, the City and developers have a wide range of opportunities to reduce parking need and traffic congestion. New commercial and industrial developments may implement traffic management programs to reduce on-site trip generation. Alternative options that should be considered in traffic management programs include:

1) Provision of transit and rideshare information;

2) Distribution and promotion of ride-match applications;

3) Provision for safe, secure and covered bicycle parking;

4) Creation of employee transportation associations;

5) Appointment of employee transportation coordinators;

6) Preferential parking for high occupancy vehicles;

7) Direct subsidies to high occupancy vehicles;

8) Flexible working hours;

9) Emergency transportation guarantees;

10) Shuttle service to transit centers.

The City may wish to require that all developments over a certain size implement some combination of the options listed above. In developments that are very large or are expected to significantly contribute to existing traffic congestion, the City may wish to establish a standard of trip reduction that the development must meet.

It is not known at this time to what extent these programs can succeed in suburban cities. Therefore, reductions in parking requirements based on a traffic management program should not be permitted until an actual reduction in parking demand is demonstrated.

Goal 5:

In the development of parking and street facilities, preserve land and natural landscape resources

The provision of automobile facilities requires large public expenditures for construction and maintenance, as well as other nonmonetary costs to the living environment. This goal is

to the maximum possible extent.

intended to minimize these costs by preserving land and natural landscape resources to the maximum possible extent.

Policy 5.1:

Pave rights-of-way and access easements to the smallest dimensions necessary to accommodate routine and emergency access.

Standards for roadway design may overbuild streets for the use they will receive. For example, residential streets may include wide lanes for moving traffic, as well as parking, on both sides. These wide roads are costly to build and maintain. A reduction in road width may reduce the need for paving materials, cut maintenance costs, reduce surface runoff, and maintain more vegetation.

Policy 5.2:

Maintain existing significant trees and include landscape materials in transportation facilities.

Prior to any roadway design, existing conditions in the area should be thoroughly assessed. The intent of this assessment should be to integrate the new facility into the community pattern. Vistas, stands of trees, unique topography or other natural elements should be preserved as much as possible. New rights-of-way should be landscaped to create attractive corridors that will complement, rather than disrupt, existing neighborhood amenities.

Whenever possible, significant trees should be preserved. In some cases, however, existing trees may be too close to new pavement and their root masses may be severely damaged during normal excavation. In such cases, removal may be permissible if the removed trees are replaced by other trees of substantial or equivalent size.

Policy 5.3:

Screen and enhance parking areas with landscaped buffers and landscape islands.

Large, unbroken parking areas can degrade the visual quality of an area and adversely impact surrounding land uses. To preclude this problem,

parking areas should be broken by landscaped areas and surrounded by a thick vegetative buffer next to adjacent uses or the right-of-way.

STORMWATER MANAGEMENT

Goal 6:

To preserve and enhance the water quality of streams and lakes in greater Kirkland.

As discussed in the Natural Environment Section, streams and lakes provide utilitarian functions of storage and transport for surface water runoff. In addition, clean streams and lakes are a significant aesthetic and environmental amenity to the City and the region. The policies that follow attempt to accommodate both of these goals through the preservation and enhancement of natural drainage systems.

Policy 6.1:

Encourage the preservation of natural drainage systems.

Whenever possible, the use of natural drainage systems is preferable to further reliance on piped storm sewer networks. In a completely natural state, however, many watercourses may be unable to accommodate unusually large storms or increased runoff from development. In such cases, the natural stream system should be preserved and enhanced by stabilizing the banks of watercourses and/or creating small impoundments to reduce erosion as water flows through the drainage system. In making these improvements, the use of natural materials is preferred.

Supplements to the natural drainage system, such as structural devices, including curbs and gutters and grass lined swales, may also be necessary to further preserve natural drainage patterns. Supplements are justified when they can carry surface waters that would otherwise cause severe damage to elements of the natural

drainage system. The use of natural materials, such as a grass-lined swale, in these supplementary systems is preferred over man-made structural devices, such as curbs and gutters.

The natural drainage system is also preserved by a prohibition of development activity in and around natural watercourses. The prohibition of structures, land modifications, or impervious surfaces in the natural drainage system will assist in ensuring unimpeded flow, maximal stream storage capacity and optimal natural functioning within the drainage area. One way to implement this prohibition is to establish a drainage easement on both sides of all watercourses. This easement should be large enough to preserve the watercourse, banks, and associated vegetation. Access for maintaining and improving the watercourses should always remain open.

The preservation of the natural drainage system also means that the dumping of refuse in or next to any open watercourses or wetlands should be prohibited. Dumped refuse can contaminate surface and subsurface water and can physically block stream flows.

Policy 6.2:

Allow modifications to watercourses, wetlands and small water bodies only under specific conditions.

In some cases, modifications to watercourses, wetlands, or small bodies of water may be considered. All modifications should be carried out according to the conditions listed below:

1) Water quality is improved if currently not up to standards, or maintained if existing conditions meet standards.

2) The modification causes no adverse drainage impacts.

3) The modification maintains or enhances aquatic habitats for desirable forms of fish and wildlife (including water temperature).

4) The modification includes preservation of existing vegetation or restoration of appropriate vegetation if existing plant life must be removed.

5) The hydrologic storage capacity of the area is not reduced.

6) The ability to remove sediment or otherwise cleanse the water is not impaired.

7) The velocity of escaping waters is not greater than predevelopment levels.

8) Only naturally occuring materials (such as rock or vegetation) are used for the modification.

9) Modifications to land, subject to the Shoreline Management Act, conform to policies contained within Kirkland's Shoreline Master Program and relevant ordinances.

Goal 7:

To protect life and property from the damages of floods and erosion.

Flooding and severe erosion can result whenever development disrupts natural drainage patterns. It is the intent of this goal and related policies to minimize the risk of these hazards. This can be achieved by insuring that development supplements and complements the natural drainage pattern rather than disrupting it.

Policy 7.1:

Minimize the quantity and velocity of surface water runoff during and after development.

Urban development can influence drainage by greatly increasing the quantity and velocity of surface runoff, particularly during peak storm periods. As a result, natural water-

courses may not always be large enough to accommodate the added volume of water. In addition, an increased rate of flow may cause excessive erosion and require stream bank improvements. Water quality may also be affected as urban runoff accumulates gasoline, oil, debris, heat, and other contaminants. Control of runoff at the source can reduce the possibility of such damage. Steps to limit surface water runoff include:

(a) Limit the extent of impervious surfaces - By decreasing the total amount of impervious surfaces and allowing water to soak into the ground, less surface water flows into watercourses during peak storm periods. Subsurface water may be taken up by plants; it may percolate down and recharge aquifers; or it may flow horizontally through the soil and emerge again at the surface to feed streams and sustain aquatic life during the drier months.

The extent of impervious surface may be reduced in a number of ways. The total amount of parking can be limited to the minimum standard or parking spaces can be placed under buildings. The width of roadways can be minimized. Buildings can be clustered to provide maximum open space.

(b) Maximize the use of existing and new vegetation for rain fall interception - Maintenance of the maximum vegetative cover will help control runoff. During a storm, the leaves and branches of plants intercept raindrops before they reach the ground. Large quantities of water may be retained in the vegetation and returned directly to the atmosphere by evaporation. As mentioned above, plants may also take up moisture

through their roots and return additional water to the atmosphere through transpiration. Vegetation is also important for erosion control and aesthetic purposes.

(c) When necessary, install and maintain on-site retention and filtration systems - In some cases, natural drainage systems may not be adequate to serve the development. In those cases, structural devices should be used to supplement the drainage provided by natural watercourses, wetlands, and small bodies of water.

On-site control can supplement the natural system by temporarily storing peak buildups of water and slowly releasing it over a period of time. Such storage facilities could be in the form of retention ponds, holding basins, or rooftop impoundments for the slow release of water.

In the design of holding basins, it is important to include provisions for strict safety standards. Implementation of this policy will require that maintenance of the on-site retention and filtration system be regularly performed in order to insure the desired operational levels. Bonds or other means need to be considered as a way to insure continued maintenance by property owners.

The conveyance system that carries surface water runoff to and from the site should be adequately sized to handle a major storm.

WATER/SANITARY SEWER SYSTEM

Goal 8:

To protect public health and environmental quality through the appropriate design and installation of water and sanitary sewer facilities.

Greater Kirkland is serviced by the regional Metro system.

In areas not serviced by sanitary sewers, septic tanks are used. As these areas become more urbanized, sanitary sewers should be extended as much as possible to enhance public health and environmental quality.

Policy 8.1:

Require that all new development proposals include provisions for adequate water and sewer facilities.

This policy is intended to insure that adequate sewer and water facilities are available to all land uses in the City at time of occupancy. Adequate sewer and water facilities are defined as those necessary to serve all expected development in the area, not just the particular development under consideration.

As described above, some Kirkland residents are located in areas served only by septic tanks. As sewer lines are extended, these residents should connect to the available sewer. Current City policy requires that any property within 200 feet of a sewer line connect to the available sewer.

Policy 8.2:

In a new development, prohibit the use of septic tanks.

In general, new development should not be permitted on property that is served only by septic tanks. However, in a few limited situations, development on property not served by sewer may be considered. The conditions under which such development may be considered include:

a) Residential development of very low densisy, minimum lot size of 35,000 square feet; and

b) Demonstration that site geology will permit proper functioning of a septic tank. In many areas of Kirkland, soils conditions are such that use of septic tanks can lead to soggy or contaminated soils. In those cases, development should not be permitted unless sanitary sewers are in operation.

Policy 8.3:

Encourage cooperation and coordination of improvements made by utility districts in greater Kirkland.

Within greater Kirkland, several sewer and water districts provide services to areas within and beyond municipal limits. These districts have developed plans independently and have taken logical advantage of terrain to accommodate gravity sewer flows and water supply pressure zones. However, these independent plans may not link together to form a functioning, larger system. As urbanization and development continue, the interface between these districts becomes critical. The City of Kirkland, as a general purpose municipality, is well suited to insuring that the collective plans of these special purpose units of government function for the area within greater Kirkland. Therefore, the City should work with these districts to insure that system improvements are consistent with area-wide activity and overall growth patterns.

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