

ORDINANCE NO. 2979

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, PLANNING AND LAND USE AND AMENDING ORDINANCE 2740 AS AMENDED, THE KIRKLAND ZONING ORDINANCE (FILE NO. IV-85-19).

Whereas, the City Council has received from the Kirkland Planning Commission a recommendation to amend certain sections of the text of the Kirkland Zoning Code, Ordinance 2740 as amended, all as set forth in that certain report and recommendation of the Planning Commission dated July 31, 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, on July 17 and July 31, 1986, held a public hearing on the amendment proposals and considered the comments received at said 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. Zoning text amended: The following specified sections of the text of Ordinance 2740 as amended, the Kirkland zoning ordinance, be and they hereby are amended to read as attached in Exhibit 1.

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. Notwithstanding any recommendations heretofore given by the Houghton Community Council, the subject matter of this ordinance and the permit herein granted, pursuant to Ordinance 2001, subject to the disapproval jurisdiction of the Houghton Community Council, and therefore, this ordinance shall become effective within the Houghton Community Municipal Corporation only upon approval of the Houghton Community Council or the failure of said Community Council to disapprove this ordinance within 60 days of the date of the passage of this ordinance.

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 Kirkland 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..

Passed by majority vote of the Kirkland City Council in regular, open meeting this 15th day of September, 1986.

Signed in authentication thereof this 15th day of September, 1986.

ATTEST:

MAYOR

Director of Administration & Finance  
(ex officio City Clerk)

APPROVED AS TO FORM:

City Attorney

4029C/195A:DM:dlc

## CHAPTER 105 - PARKING AND PARKING AREAS, VEHICLE AND PEDESTRIAN ACCESS, AND RELATED IMPROVEMENTS

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### 105.05 User Guide

This Chapter contains information on vehicle circulation areas, parking areas, and related improvements. For the most part, this Chapter will not tell you how many parking spaces are required for a particular use. This information is listed for most uses in the use zone charts. However, this Chapter does provide a mechanism for determining the specific parking requirement for some uses. It also contains a mechanism for requesting permission to increase or decrease the parking requirements of this Code. Finally, this Chapter contains requirements regarding the location and minimum dimensions of parking areas and other vehicular circulation areas.

### 105.10 Access Easement and Private Roadway Standards

1. ~~Department of Community Development to Adopt -- The Planning Director is directed to develop, consistent with this Chapter, dimensional and similar standards for parking spaces, parking lots, access easements and walkways, private roadways, driveways and other privately owned vehicle and pedestrian access ways.~~

1. Roadway Widths - For access easements and private roadways, minimum standards for widths are established as follows:

a. Detached dwelling units:

1-2 lots: 10 feet of paved surface in a 15 foot easement or tract

3-4 lots: 12 feet of paved surface in a 20 foot easement or tract

5 or more lots: Determined by the Department of Public Works on a case by case basis

b. For uses other than detached dwelling units, the minimum standard is 20 feet of paved surface with vertical cast in place curbs and gutters within a 22 foot easement or tract. A standard greater than the minimum width may be required by the Department of Public Works as determined on a case by case basis.

2. Maximum Allowable Grade

The slope of entrance and exit driveways shall not exceed 6% for the first 20 feet back from the face of the curb. Thereafter, the slope shall not exceed 15%.



2. Standards-to-be-Enforced-as-Part-of-This-Code--  
The-City-shall-enforce-the-standards-adopted  
under-paragraph-1-of-this-section-as-if-they-were  
part-of-this-Code.
3. Department of Planning and Community Development  
to Adopt
- a. The Planning Director is authorized to  
develop, consistent with this Chapter, any  
additional dimensional or similar standards  
for parking spaces, parking lots, access  
easements and walkways, private roadways and  
other privately owned vehicle and pedestrian  
access ways that may be necessary for  
implementation of this Chapter.
- b. The City shall enforce any standards  
established under paragraph a. of this  
section as if they were part of this Code.
- 3.4. Modification - The-applieant-may-apply,-through  
Process-1,-described-in-Chapter-145-of-this-Code,  
to-modify-the-standards-adopted-under-paragraph-1  
of-this-section. A modification of paragraphs 1,  
2, and 3 of this Section may be requested of the  
Planning Official. The City Planning Official  
may approve a modification if--

- a. The modifications will not affect the  
ability to provide any property with police,  
fire, emergency medical or other essential  
services; and
- b. One of the following requirements is met:
- i. The modification is necessary because  
of a pre-existing physical condition;
- ii. The modification will produce a site  
design superior to that which would  
result from adherence to the adopted  
standard.

105.12 - Computation of Lot Area - The area of an access  
easement shall not be included in the computation of  
the lot area for the serviant lot if the easement  
serves more than one lot which does not abut a  
right-of-way.

105.15 Exception in the CBD

If the subject property is within the Central Business District Zone, the requirements contained within Chapter 50 of this Code supersede any conflicting provisions of this Chapter. The provisions of this Chapter that do not conflict with Chapter 50 of this Code, apply to properties in the CBD.

105.20 Number of Spaces - Minimum

The number of parking spaces required for a use is the minimum required. The applicant shall provide at least that number of spaces, consistent with the provisions of this Chapter.

105.25 Number of Spaces - Not Specified in Use Zones

If this Code does not specify a parking space requirement for a particular use in a particular zone, the City Planning Official shall establish a parking requirement on a case-by-case basis. The City Planning Official shall base ~~his/her~~ this determination on the actual parking demand on existing uses similar to the proposed use.

105.30 Number of Spaces - Fractions

If the required formula for determining the number of parking spaces results in a fraction, the applicant shall provide the number of spaces equal to the next higher whole number.

105.35 Number of Spaces - Modification

An applicant may request a modification of the required number of parking spaces through Process I, described in Chapter 145 of this Code. The City may approve a modification for a decrease in the required number of spaces if the number of spaces proposed is sufficient to fully serve the use.

105.40 Location of Parking Areas - General

1. The applicant shall provide the required number of parking spaces either--

1+ a. On the subject property; or

2+ b. On a lot adjoining the subject property if that lot is in a zone that permits the use conducted on the subject property.

If the parking for a use is located on a lot, other than the lot upon which the use is located, the owner of the lot containing the parking must sign a statement in a form acceptable to the City Attorney, stating that the lot is devoted in whole or in part to required parking for the use on another lot. The applicant must file this statement with the King County Bureau of Elections and Records to run with the property.

2. The applicant may request a modification of the location requirements of paragraph 1 of this Section through Process I, described in Chapter 145 of this Code. The City may approve a modification if--

a. The proposed parking area will have no adverse impacts on adjacent properties.

b. It is reasonable to expect that the proposed parking area will be used by the subject use.

c. A safe pedestrian and/or shuttle connection exists, or will be created, between the subject use and the proposed parking area.

105.45 Location of Parking Areas - Shared Facilities

Two or more uses may share a parking area if the number of parking spaces provided is equal to the greatest number of required spaces for uses operating at the same time.

105.50 Location of Parking Areas - Adjoining Low Density Zones

The applicant shall locate a parking area for a use other than a detached dwelling unit as far as possible from any adjoining low density zone, or existing low density permitted use.

105.55 Location of Parking Areas - Required Setback Yards

For regulations on parking areas in required setback yards, see Chapter 115 of this Code.

105.60 Parking Area Design - General

The minimum dimensions for parking spaces and parking areas are displayed in plates in Chapter 180 of this Code. These plates apply to parking for all uses except detached dwelling units.

105.62 Parking Area Design - Turnaround Space

All parking stalls located at the end of a dead end parking aisle must be provided with adequate backing and turnaround space. The required depth of the turnaround space shall be determined as follows (see also Plate 20):

<u>Width of Driving Aisle</u>	<u>Depth of Turnaround Space</u>
24' or less	6'
25'	5'
26'	4'
27'	3'
28'	2'
29'	1'
30'	0'

105.65 Parking Area Design - Compact Car Spaces

The applicant may develop and designate up to 50% of the number of parking spaces for compact cars.

105.70 Parking Area Design - Parking Designed for the Handicapped

The applicant shall design the parking area using standards set forth in Chapter 75 of the Uniform Building Code regarding parking for handicapped persons.

105.75 Parking Area Design - Landscaping

1. General - Except as specified in paragraph 2 of this section, the applicant shall arrange the spaces so that there are no more than 8 contiguous spaces in each row of spaces. An island or peninsula of the same dimensions as the adjacent parking stalls must separate adjacent groups of spaces from one another and each row of spaces from any adjacent driveway which runs perpendicular to the row. This island or peninsula must be surrounded by a 6" high vertical curb and must be landscaped with at least one deciduous tree, 2" in diameter as measured using the standards of the American Association of Nurserymen or a coniferous tree 5' in height.
2. Exception - The requirements of paragraph 1 of this section do not apply to any parking area that--
  - a. Is within the CBD zone; or
  - b. Is within or under a building; or
  - c. Contains less than 14 parking spaces.
3. Modification - A modification of the requirements of paragraph 1 of this Section will be allowed if the applicant demonstrates to the satisfaction of the Planning Official that either:
  - a. The modification will result in an innovative and efficient use of space; or
  - b. The modification will result in increased retention of significant natural vegetation.

## 105.77 Parking Area Design - Curbing

1. All parking areas and driveways, for uses other than detached dwelling units must be surrounded by a 6" high vertical concrete curb.
2. Modification - A modification of the curbing requirement of paragraph 1 of this Section may be requested of the Planning Official. The Planning Official may approve a modification if--
  - a. The modification would result in superior landscaping and/or increased retention of significant natural vegetation; and
  - b. The modification will not result in increased hazards for pedestrians or vehicles; and
  - c. The modification will not result in increased erosion of unpaved areas onto the parking area, driveway or right-of-ways.

105.80 Parking Area Design - Buffering

1. General - Except as specified in paragraph 2 of this section, the applicant shall buffer the all parking areas and driveways from the right-of-way and from adjacent property with a 5-foot wide strip along the perimeter of the parking areas and driveways planted as follows:
  - a. One row of trees, 2" in diameter as measured using the standards of the American Association of Nurserymen; planted 30 feet on center along the entire length of the strip. No more than 25% of the required trees may be deciduous.
  - b. Ground cover planted to attain a coverage of at least 60% of the strip area within 2 years.
2. Exception - The requirements of paragraph 1 of this section do not apply to any parking area that--
  - a. Is within the CBD zone; or
  - b. Is within or under a building; or
  - c. Serves detached dwelling units exclusively.
  - d. Is a shared parking area serving two or more adjacent uses.
3. Overlapping Requirements - If buffering is required under Chapter 95 of this Code and by this Section, the applicant shall utilize the more stringent buffering requirement.
4. Significant Natural Vegetation
  - a. General - The applicant may use significant natural vegetation to meet all or part of the requirements of paragraph 1 of this Section.
  - b. Protection Techniques - The applicant shall use the protection techniques described in Chapter 95 of this Code to ensure the protection of significant natural vegetation.
  - c. Supplement - The City may require the applicant to plant trees and shrubs according to the requirements of paragraph 1 of this Section to supplement the retained significant natural vegetation in order to provide a buffer at least as efficient as the required standard.

5. Modification - The applicant may request a modification of the requirements of paragraph 1 of this Section through Process I, described in Chapter 145 of the Code. A modification of paragraph 1 of this Section may be requested of the Planning Official. The City Planning Official may approve a modification if--

- a. The existing topography of or adjacent to the subject property decreases or eliminates the need for visual screening; or
- b. The modification will be of more benefit to the adjoining property by causing less impairment of view or sunlight; or
- c. The modification will provide a visual screen that is comparable or superior to the buffer required by paragraph 1 of this Section.

105.85 Parking Area Design - Dedication

The City may require the applicant to dedicate development rights, air space, or an open space easement to the City in order to ensure the preservation of significant natural vegetation or planted materials.

105.90 Parking Area Design - Plant Choice

The provisions of Chapter 95 of this Code regarding plant choice apply to the landscaping and buffering required in this Chapter.

105.95 Parking Area Design - Traffic Control Devices

If the parking area serves a use other than a detached dwelling unit, the applicant shall clearly delineate parking spaces, traffic direction, and entrance and exitways. The City may require other traffic control devices necessary to ensure the safe and efficient flow of traffic.

105.97 Parking Area Design - Backing onto Street Prohibited

Parking areas for uses other than detached dwelling units must be designed so that traffic need not back onto any street.

105.100 Parking Area Design - Surface Materials

1. General - The applicant shall surface the parking area and driveway with a material comparable or superior to the right-of-way providing direct vehicle access to the parking area.



2. Modification - If an impervious surfacing material is required by Paragraph 1 of this Section, ~~the applicant may propose the use of a pervious surfacing material may be requested of the Planning Official through Process 1, described in Chapter 145 of this Code.~~ The City Planning Official may approve the use of a pervious surfacing material if--

- a. The surfacing material will not enter into the drainage system, or onto public or other private property; and
- b. The material will provide a parking surface which is usable on a year-round basis.

105.102 Parking Area Design - Streets Used in Circulation Pattern

If a parking lot is designed so that a street is used as part of the circulation pattern, the parking lot must be designed so that traffic turning into or out of the parking area need not cross any moving lanes of traffic in the street. See Plate 8a.

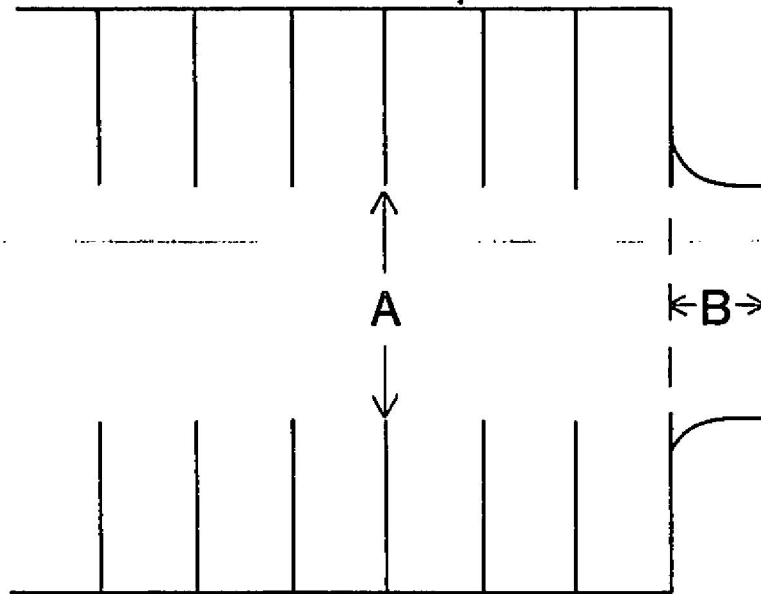
105.104 Appeals

Decisions made by the Planning Official under Sections 105.10, 105.75, 105.77, 105.80, and 105.100 may be appealed using the appeal provisions of Process 1 of this Code, Sections 145.55 through 145.100.

105.105 Bonds

The City may require or permit a bond under Chapter 175 of this Code to ensure compliance with any of the requirements of this Chapter.

# Turn-around Space



<u>A</u>	<u>B</u>
24' or less	6'
25'	5'
26'	4'
27'	3'
28'	2'
29'	1'
30' or more	0'

## CHAPTER 110 - REQUIRED PUBLIC IMPROVEMENTS

110.05	User Guide
110.10	General
110.15	Special Regulations Applicable in Certain Areas
110.20	Right-of-Way Designation Map Adopted
110.25	Required Public Improvements
110.30	Cul-de-Sac Street
110.35	Neighborhood Access Streets
110.40	Neighborhood-Collector Streets
<del>110.45</del>	<del>Commercial-Collector Streets</del>
110.545	Secondary Arterial Streets
<del>110.50</del>	<del>Collector-Arterial Streets</del>
110.6050	Primary Arterial Streets
110.650	Additional Requirements
110.7065	Engineering Standards
110.750	Modifications, Deferments and Waivers
110.8075	Bonds

110.05 User Guide

This Chapter establishes requirements for the improvements that an applicant must make within the public rights-of-way that abut the subject property. Consult the Use Zone charts in Chapter 15 through 65 of this Code for regulations in certain zones regarding similar improvements.

110.10 General

The applicant shall comply with the provisions of this Chapter if the applicant is granted a development permit unless -- (1) cost of the proposed improvements in any 12 month period is less than 50% of the replacement cost of any improvements that exist on the subject property; or (2) the applicant, or previous owner of the subject property installed improvements in the adjacent right-of-way as part of a subdivision or discretionary land use permit approved within 4 years prior to the present development permit application.

2. If paragraph 1 of this Section does not apply and if the subject property is zoned Central Business District, the Public Services Works Director will establish the extent and nature of required improvements in the right-of-way on a case-by-case basis.
3. If Paragraphs 1, 2, and 3 of this Section do not apply, the applicant must provide the improvements as established in the remainder of this Chapter.

110.20 Right-of-Way Designation Map Adopted.

The Director is directed to produce and keep current a Rights-of-Way Designation Map, designating each improved right-of-way other than alleys, according to the following criteria. When an unimproved right-of-way is to be improved, the Public Services Works Director is directed to designate that right-of-way according to the following criteria based on projections for that right-of-way.

Street Designation	General Description	Average Daily* Trips
Cul-de-sac	Permanently dead-ended streets.	Less than 500
Neighborhood Access	Streets providing access to adjacent residences and to cul-de-sacs and linking these areas with neighborhood collector streets.	Less than 1,000
Neighborhood-Collector	Streets providing access to adjacent residences and to cul-de-sacs; linking neighborhood access streets to arterials and linking two or more neighborhoods or areas together	500 -- 2,000
Commercial-Collector	Streets providing access to adjacent commercial sites and linking these areas with the arterial system.	500 -- 2,000
Collector-Arterial	Intra-community highways connecting residential neighborhoods with commercial areas and secondarily providing access to adjacent residence.	1,000 -- 10,000
<u>Collector Streets</u>	<u>Streets providing access to adjacent uses, linking neighborhoods and commercial areas together, and linking these areas to the arterial system.</u>	<u>up to - 10,000</u>
Secondary Arterial	Intra-community highways connecting community centers. Access to adjacent residences is not permitted when acceptable alternate access is available.	5,000 - 25,000
Primary Arterial	Intra and inter-community highways connecting major community centers, access to adjacent residences or single commercial sites is not permitted when acceptable alternate access is available.	15,000 - 40,000

\*"Average Daily Trips" is defined as the number of vehicles passing a given point, in either direction, during a 24 hour period, based on an average over seven consecutive days.

. 110.25 Required Public Improvements

1. General - Sections 25 through 60 of this Chapter establish different improvements for the different classifications of rights-of-way listed in Section 20 of this Chapter. Except as specified in paragraph 2 of this Section, the applicant shall install the specified improvements from the center line of the right-of-way to the applicant's property line. The applicant may increase the dimensions of any required improvement or install additional improvements in the right-of-way with the written consent of the Public Services Works Director.
2. Half Street Improvements - If the one-half of the right-of-way opposite the subject property has not been improved based on the provision of this Chapter, the applicant shall install improvements in the right-of-way as follows:
  - a. The applicant shall install the required improvements from his/her property line to and including the curb.
  - b. The applicant shall grade to finish grade all the required driving and parking lanes in the entire right-of-way and a five foot wide shoulder on the side of the right-of-way opposite the subject property.
  - c. The applicant shall pave outward 20 feet from the curb adjacent to his/her property ~~as follows~~ or as required by the Public Works Director.
    - 1) 24-feet-for-cul-de-sacs-and-neighborhood-access-rights-of-way
    - 2) 28-feet-for-all-other-rights-of-way
3. Required Connection - If the access point for the subject site is not connected to an existing improved street by an improved hard surface, the applicant shall provide a hard surface improvement, of at least 20 feet in width, to the existing improved street. The applicant may request a modification, deferment or waiver of this requirement through Section 110.70.

The chart below and diagrams on the next page establish the extent and nature of the improvements that must be provided in a Cul-de-Sac Street. See also Sections 65 60 through 75 of this Chapter for other requirements that apply to improvements in the right-of-way.

RIGHT-OF-WAY CATEGORY ↓	REGULATIONS ↓						
	RIGHT OF WAY WIDTH	PAVEMENT WIDTH	CURB/STORM SEWER	LANDSCAPE STRIP PLACEMENT AND WIDTH	STREET TREES	SIDEWALK PLACEMENT WIDTH	UTILITY STRIP PLACEMENT AND WIDTH
Cul-de-sac with Landscape Strip  See also Special Regulation #1	50' See also Spec. Reg. #5	28' See also Spec. Reg. #4	Must install vertical curb and underground storm sewer with through curb inlets and bicycle grates.	Must install a 4-1/2 foot landscape strip adjacent to the curb.	Must plant street trees approximately 30' on center along the landscape strip.	If required under Special Regulation #2, a sidewalk, 5' wide, must be installed adjacent to the landscape strip.	Must provide a utility strip adjacent to the property line. All excess right-of-way width must be in this utility strip. See also Special Regulation #4
Cul-de-sac without Landscape Strip  See also Special Regulation #1	50' See also Spec. Reg. #5	28' See also Spec. Reg. #4	Must install vertical curb and underground storm sewer with through curb inlets and bicycle grates.	None required	Must plant street trees approximately 30' on center on the property line.	If required under Special Regulation #2, a sidewalk, 5' wide, must be installed adjacent to the curb.	

1. A landscape strip is not required if:

A-landscape-strip-must-be-provided-unless-one-of-the-following-applies:

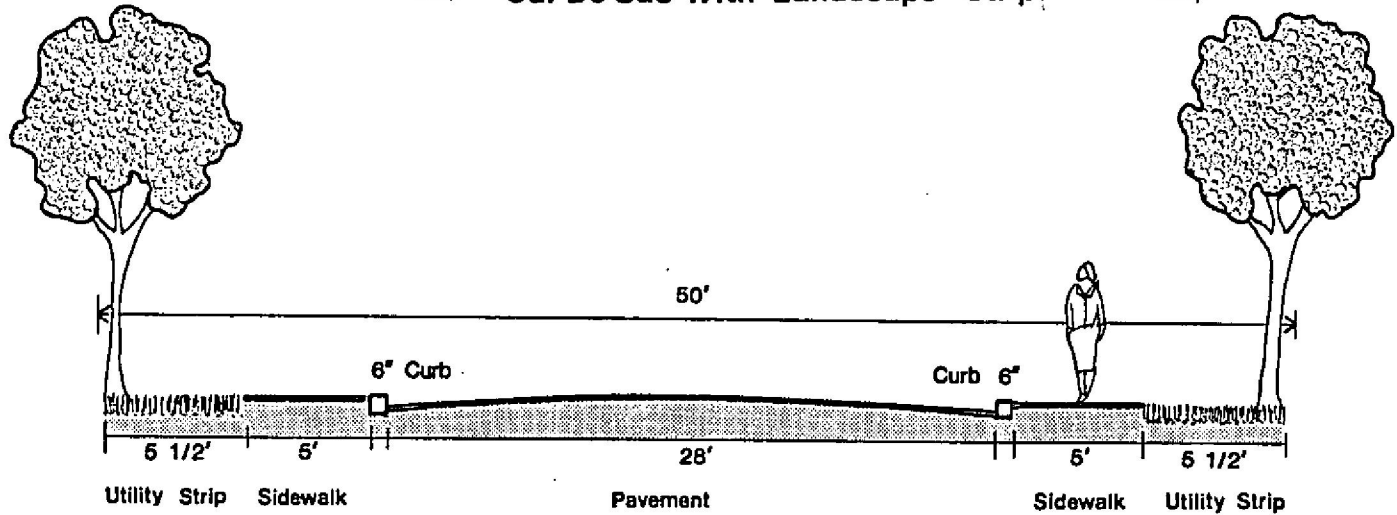
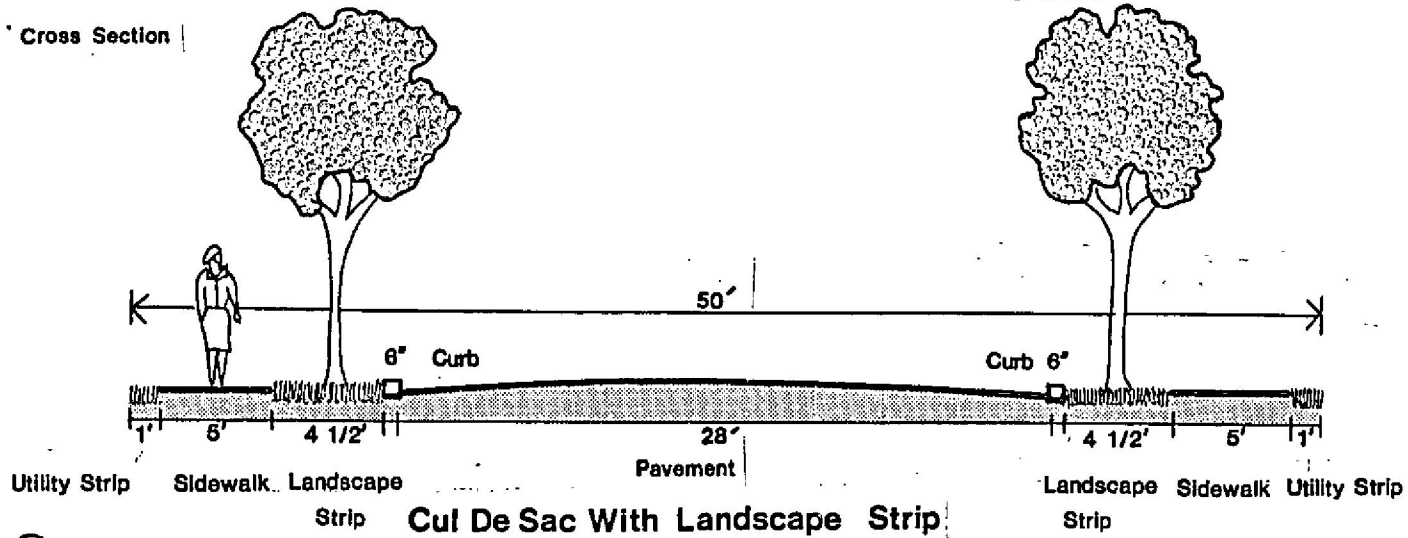
- a. A sidewalk is neither required nor proposed., or
- b. ~~The subject property is in other than a low-density residential zone.~~
- eb. The average slope of the ground from the right-of-way to the front yard setback line is more than 50% (22.5°)., or
- dc. The Public Works Director determines, in writing, that the frontage of the subject property is too short to provide a useful landscape strip; and it is unlikely that development on adjacent property will increase this strip in the future.

## Special Regulations

- 2. A sidewalk is required under the following circumstances:
  - a. If the cul-de-sac is more than 400' long, a sidewalk must be provided on both sides of the street and around the bulb of the cul-de-sac.
  - b. If a pedestrian access easement enters on to the cul-de-sac, a sidewalk must be provided to connect the easement to the next intersection.
- 3. The interior radius of the pavement in the bulb of the cul-de-sac must be a least 45' with a an optional landscaped center island protected by a vertical curb. Roadway width in the bulb must be 28'.
- 4. The Public Services Works Director shall establish the side-to-side placement of the improvements in the right-of-way.
- 5. If no sidewalk is required or proposed, right-of-way width shall be 40'.

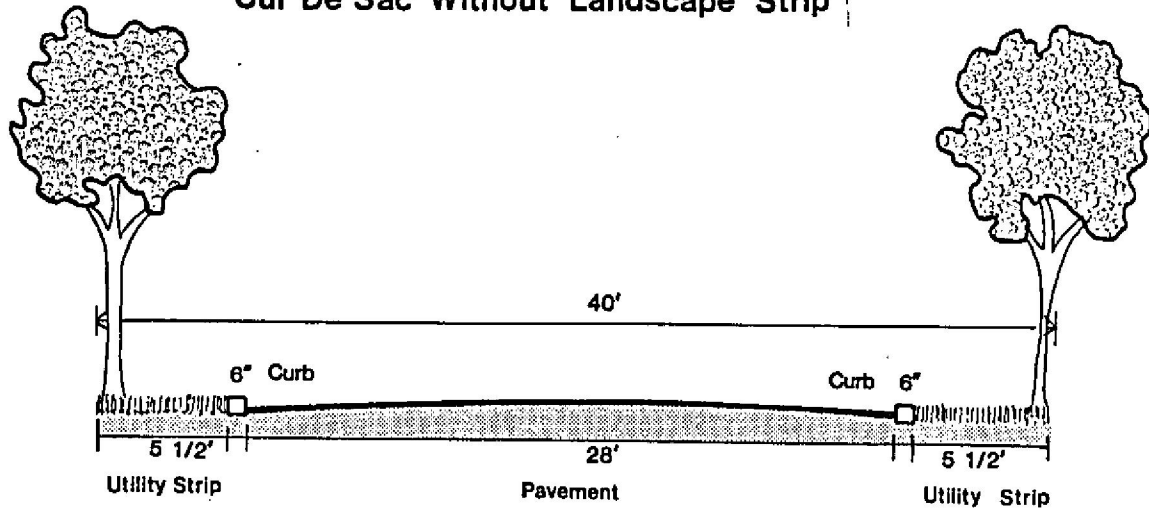


# Cross Section

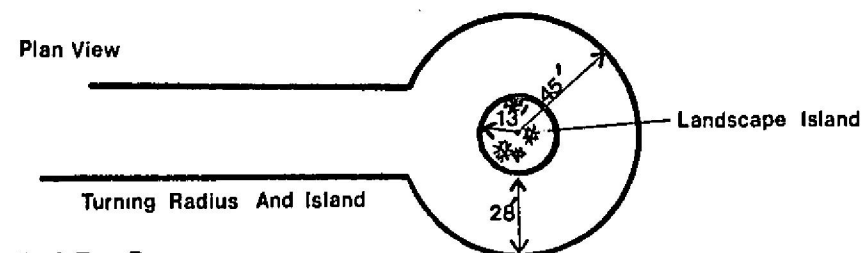


## Cul De Sac Without Landscape Strip

### Cross Section

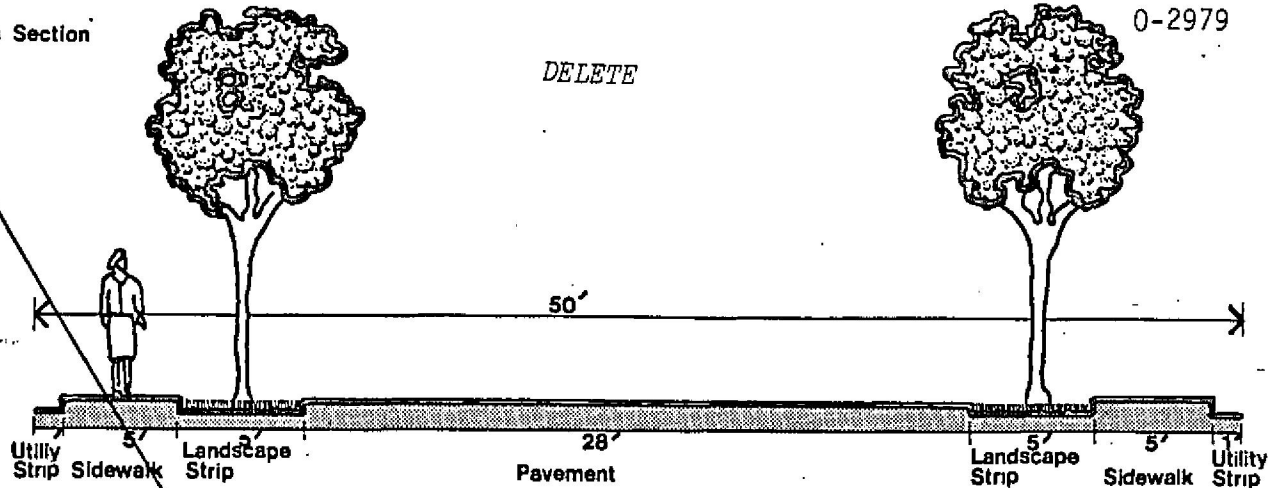


### Plan View



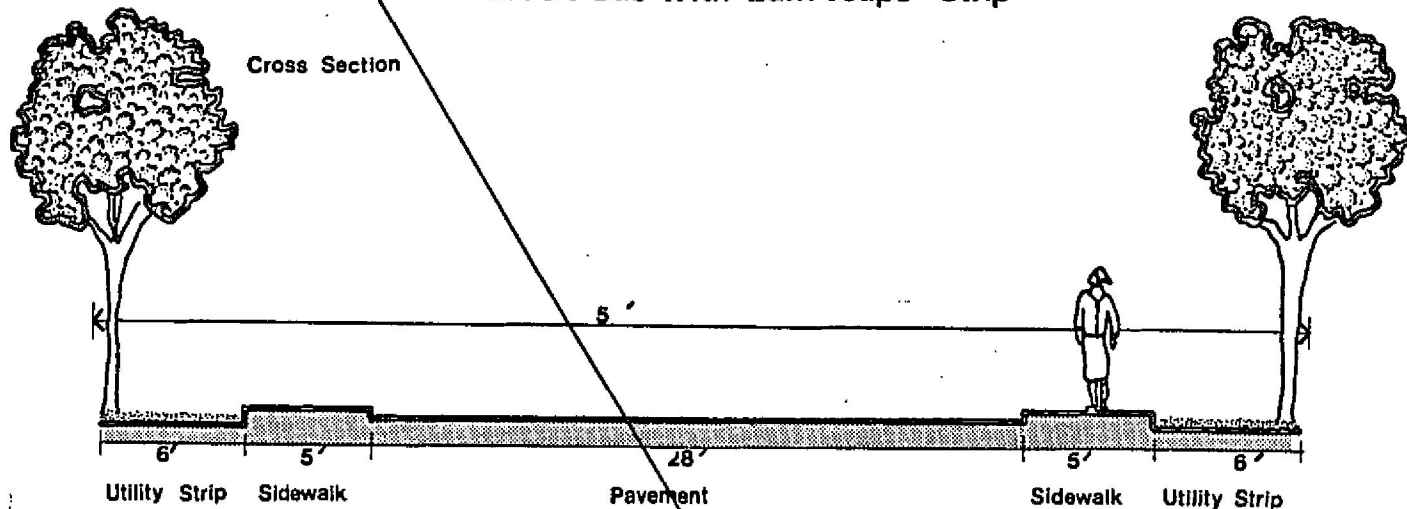
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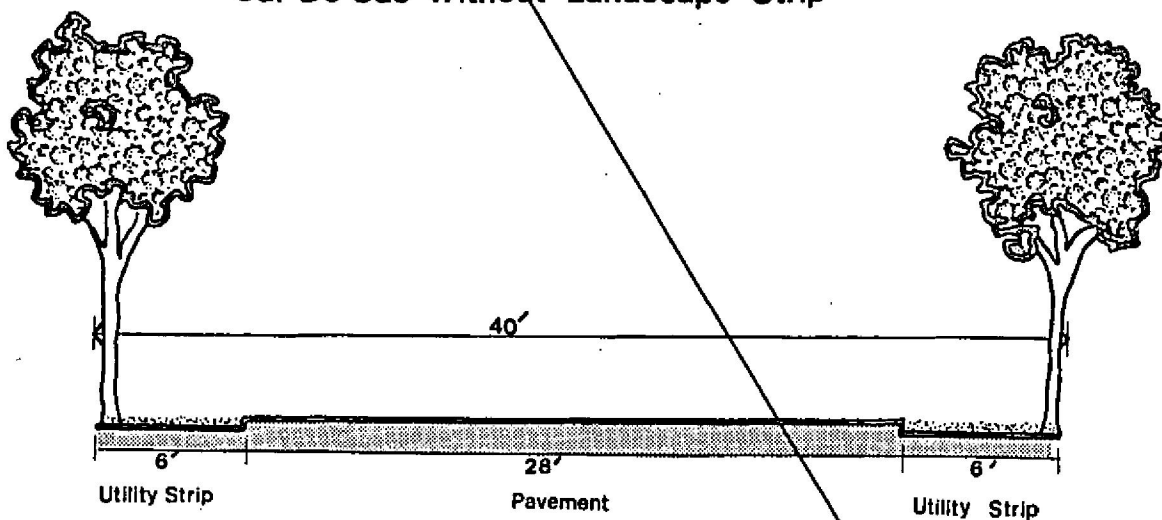
**Cul De Sac With Landscape Strip**

Cross Section



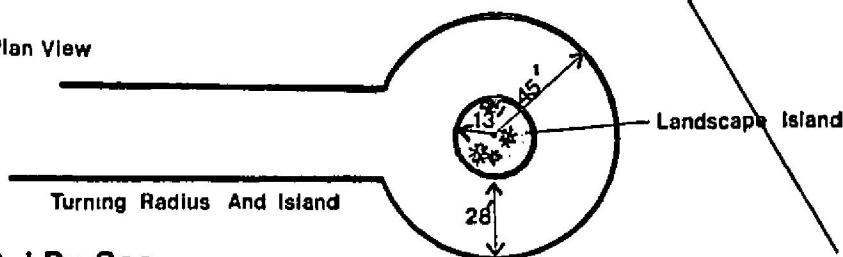
**Cul De Sac Without Landscape Strip**

Cross Section



**Cul De Sac Without Sidewalk**

Plan View



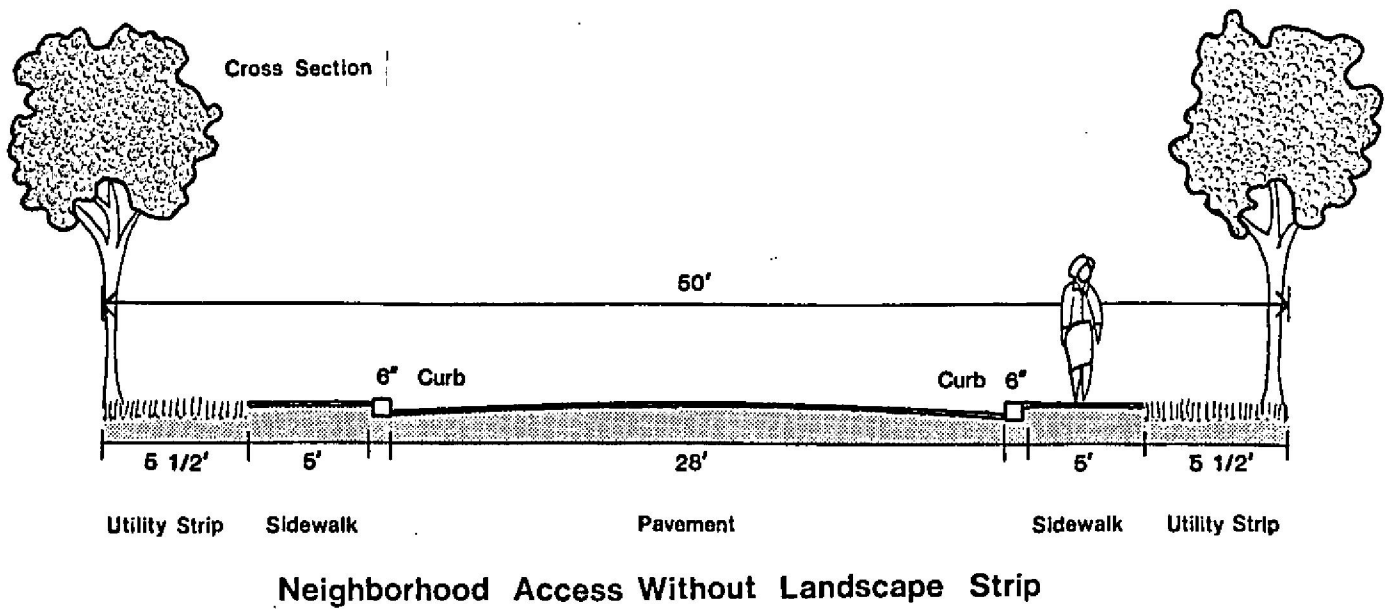
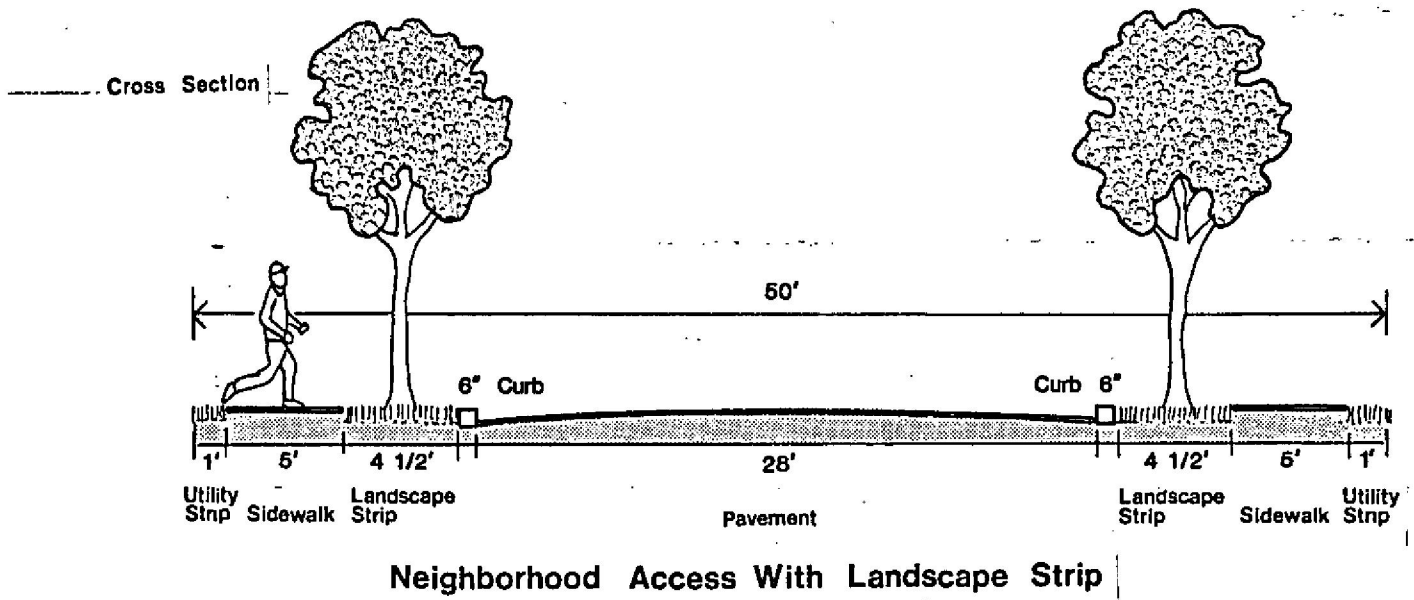
**Cul De Sac**

The chart below and diagrams on the next page establish the extent and nature of the improvements that must be provided on a Neighborhood Access Street. See also Sections 650 through 705 of this Chapter for other requirements that apply to improvements in the rights-of-way.

RIGHT-OF-WAY CATEGORY ↓	REGULATIONS ↓						
	RIGHT OF WAY WIDTH	PAVEMENT WIDTH	CURB/ STORM SEWER	LANDSCAPE STRIP PLACEMENT AND WIDTH	STREET TREES	SIDEWALK PLACEMENT WIDTH	UTILITY STRIP PLACEMENT AND WIDTH
Neighborhood Access with Landscape Strip See also Special Regulation #1	50 feet *a	28 ft. See also Spc. Reg. #2	Must install vertical curb and underground storm sewer with through curb inlets and bicycle grates.	Must install a 4-1/2 foot wide landscape strip adjacent to the curb.	Must plant street trees approximately 30 feet on center in the landscape strip.	A sidewalk, 5 foot wide, must be installed adjacent to the landscape strip.	Must provide a utility strip adjacent to the property line. All excess right-of-way width must be in this utility strip. See also Special Regulation #2.
Neighborhood Access without Landscape Strip See also Special Regulation #1	50 feet *a	28 ft. See also Spc. Reg. #2	Must install vertical curb and underground storm sewer with through curb inlets and bicycle grates.	None required	Must plant street trees approximately 30 feet on center on the property line.	A sidewalk, 5 foot wide, must be installed adjacent to the curb.	

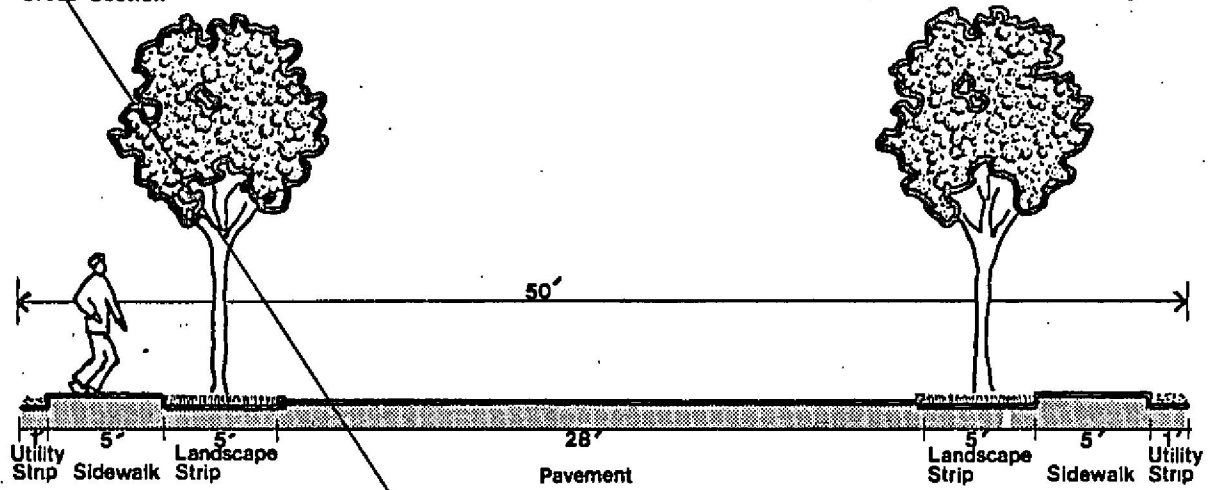
## Special Regulations

1. A landscape strip is not required if:  
~~A landscape strip must be provided unless one of the following applies:~~
  - a. A sidewalk is neither required nor proposed, or
  - ~~b. The subject property is in other than a low-density residential zone,~~
  - eb. The average slope of the ground from the right-of-way to the front yard setback line is more than 50% (22.5°), or
  - dc. The Public Works Director determines, in writing, that the frontage of the subject property is too short to provide a useful landscape strip; and it is unlikely that development on the adjacent property will increase this strip in the future.
2. The improvements must be centered in the right-of-way.



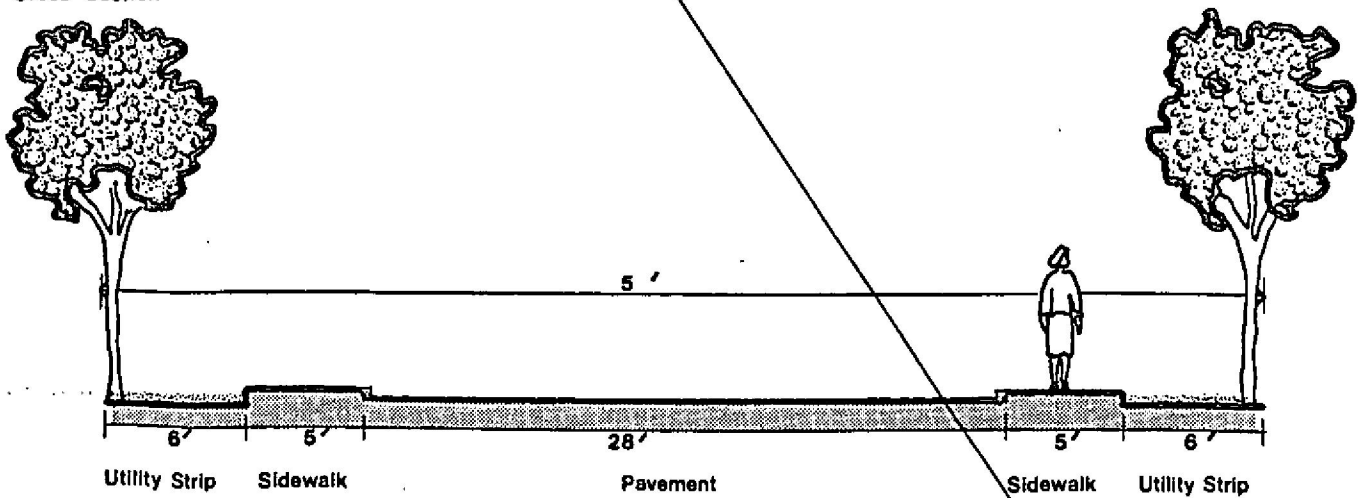
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Cross Section



Neighborhood Access With Landscape Strip

Cross Section



Neighborhood Access Without Landscape Strip

110.40     Collector Streets

The chart below and diagrams on the next page establishes the extent and nature of the improvements that must be provided in collector streets. See also Sections 60 through 75 of this Chapter for other requirements that apply to improvements in the right-of-way.

RIGHT-OF-WAY CATEGORY ↓	REGULATIONS ↓						
	RIGHT OF WAY WIDTH	PAVEMENT WIDTH	CURB/STORM SEWER	LANDSCAPE STRIP PLACEMENT AND WIDTH	STREET TREES	SIDEWALK PLACEMENT WIDTH	UTILITY STRIP PLACEMENT AND WIDTH
Collector Streets in Commercial Zone	60'	36' see also Spc. Reg. #1	Must install a vertical curb and underground storm sewer with through curb inlets and bicycle grates.	None Required	Must plant Street trees approximately 30' on center in the utility strip. Trees may not be closer than 36" to the curb and must be protected by a cast iron grate if the utility strip has a concrete surface.	Must Install a 65' wide concrete sidewalk between the utility strip and the property line.	Must Provide a utility strip at least 6' wide between the curb and sidewalk. If excess right-of-way exists, it must be in the utility strip. The utility strip must have a landscaped or concrete surface.
Collector Streets in Residential Zone	60'	36' see also Spc. Reg. #1	Must install a vertical curb and underground storm sewer with through curb inlets and bicycle grates.	Must install 4-1/2 foot wide landscape strip adjacent to curb. See Spec. Reg. #2	Must plant street trees approximately 30' on center in the landscaped strip. Trees may not be closer than 36" to the curb.	Must install a 5' wide concrete sidewalk between landscape strip and utility strip.	Must install a utility strip (minimum 2' wide) adjacent to the property line. All excess right-of-way must be in this utility strip.

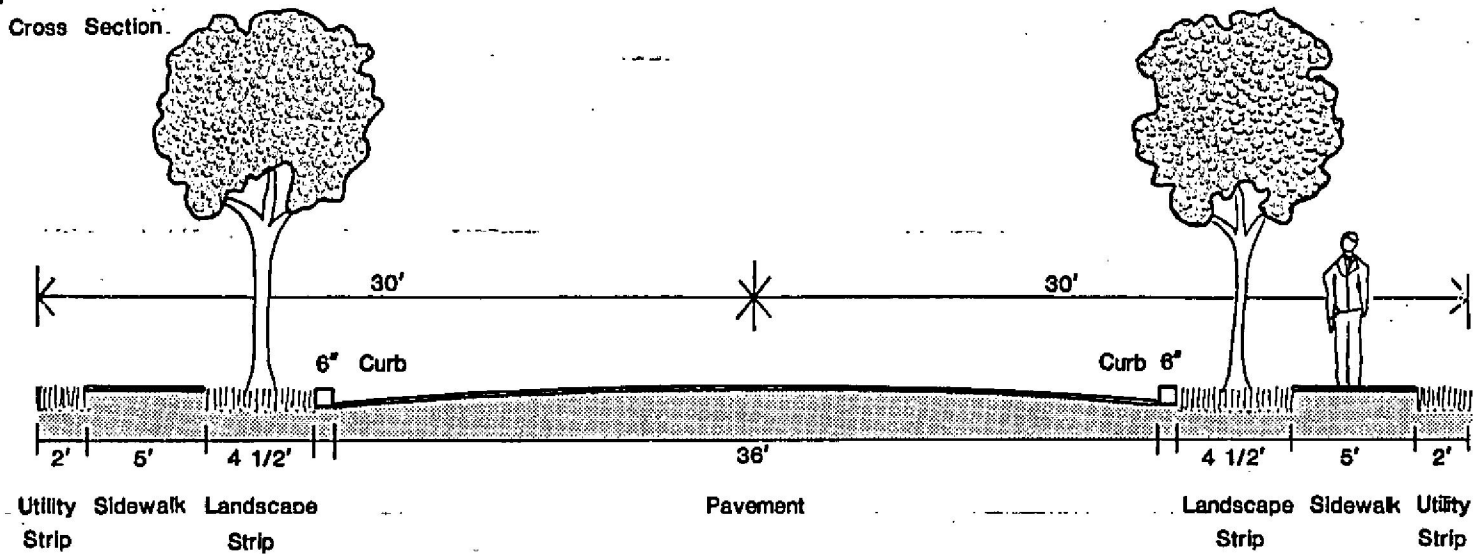
### Special Regulations

1. The improvements must be centered in the right-of-way.
2. A landscape strip is not required if:
  - a. A sidewalk is neither required nor proposed., or
  - b. The average slope of the ground from the right-of-way to the front yard setback line is more than 50% (22.5°), or
  - c. the Public Works Director determines, in writing, that the frontage of the subject property is too short to provide a useful landscape strip; and it is unlikely that development on adjacent property will increase this strip in the future.

2361C/308A/8-8-86/DM:d1c

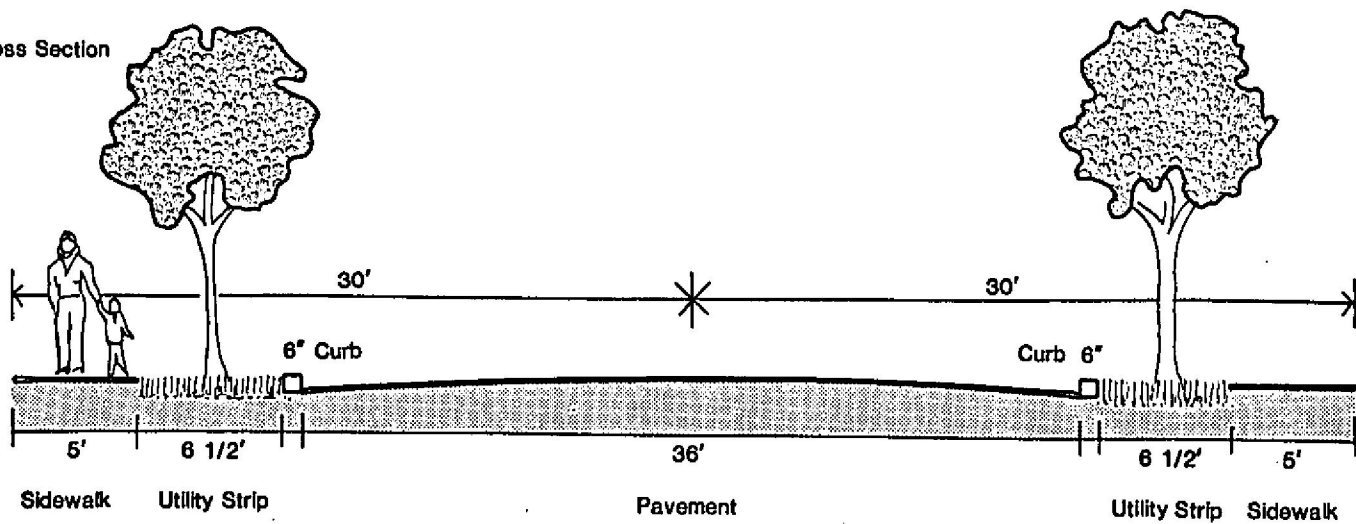


Cross Section



Collector Street in a Residential Zone

Cross Section



Collector Street in a Non-Residential Zone

110.40

Neighborhood-Collector-Streets

The chart below and diagrams on the next page establish the extent and nature of the improvements that must be provided in a Neighborhood Collector Street. See also Sections 65 through 75 of this Chapter for other requirements that apply to improvements in the right-of-way.

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2357C/233A(3605A/80A)7-9-86/DM:cw

DELETE

110.40 Neighborhood Collector Streets

The chart below and diagrams on the next page establish the extent and nature of the improvements that must be provided in a Neighborhood Collector Street. See also Sections 65 through 75 of this Chapter for other requirements that apply to improvements in the right-of-way.

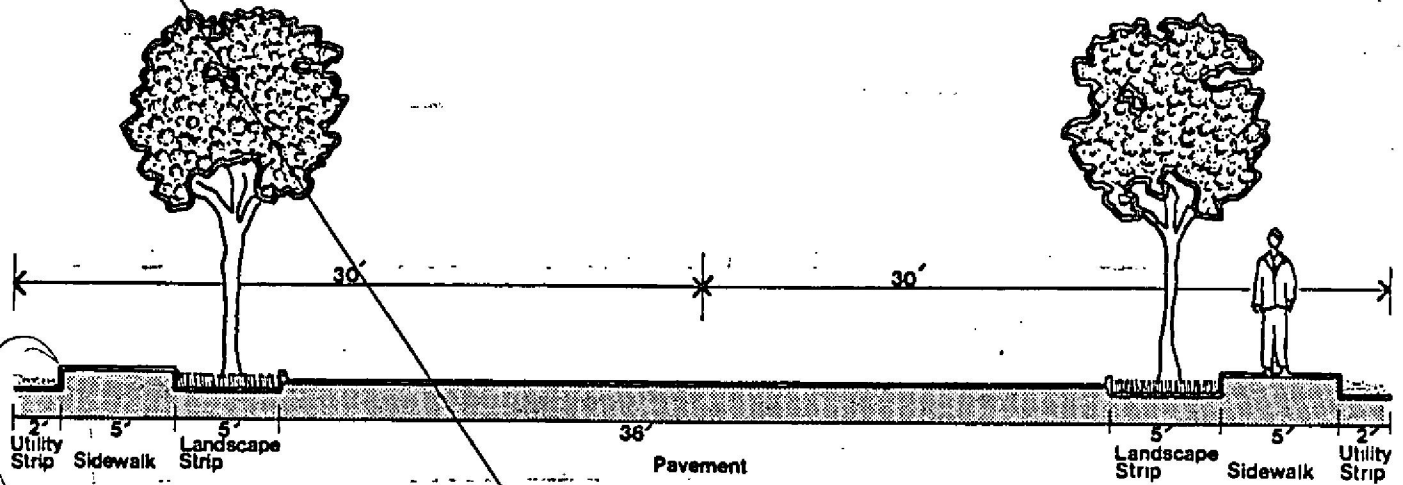
RIGHT-OF-WAY CATEGORY ↓	REGULATIONS ↓						
	RIGHT OF WAY WIDTH	PAVEMENT WIDTH	CURB/STORM SEWER	LANDSCAPE STRIP PLACEMENT AND WIDTH	STREET TREES	SIDEWALK PLACEMENT WIDTH	UTILITY STRIP PLACEMENT AND WIDTH
Neighborhood Collector with Landscape Strip See also Special Regulation #1	60'	36' See also Spc. Reg. #2	Must install vertical curb and underground storm sewer with through curb inlets and bicycle grates.	Must install a 5' wide landscape strip adjacent to the curb.	Must plant street trees approximately 30' on center in the landscape strip.	Must install a 5' wide sidewalk between the landscape strip and the utility strip.	Must provide a utility strip adjacent to the property line. All excess right-of-way width must be in this utility strip. See also Special Regulation #2.
Neighborhood Collector without Landscape Strip See also Special Regulation #1	60'	36' See also Spc. Reg. #2	Must install vertical curb and underground storm sewer with through curb inlets and bicycle grates.	None required	Must plant street trees approximately 30' on center on the property line.	Must install a 5' wide sidewalk between the utility strip and the curb.	

### Special Regulations

- A landscaping strip must be provided unless one of the following applies:
  - A sidewalk is neither required nor proposed.
  - The subject property is in other than a low density residential zone.
  - The average slope of the ground from the right-of-way to the front yard setback line is more than 50% (22.5°).
  - The Public Services Director determines, in writing, that the frontage of the subject property is too short to provide a useful landscape strip; and it is unlikely that development on adjacent property will increase this strip in the future.
- The improvements must be centered in the right-of-way.

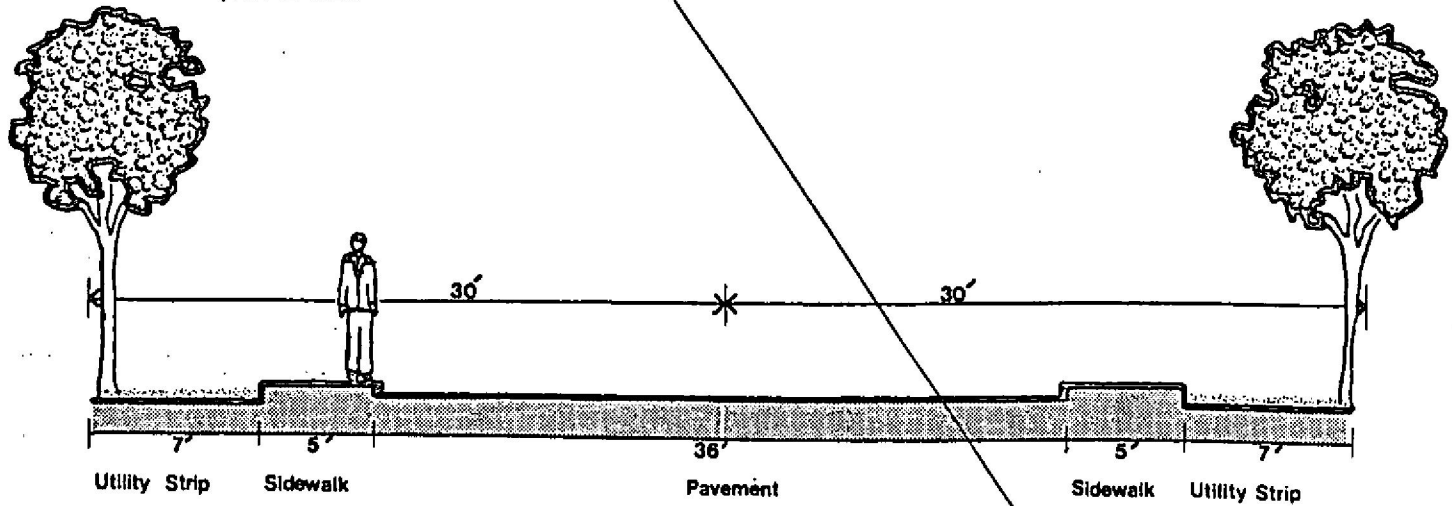
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Neighborhood Collector With Landscape Strip

Cross Section Not to scale



Neighborhood Collector Without Landscape Strip

110:45 Commercial-Collector-Streets

The-chart-below-and-diagrams-on-the-next-page-establish-the-extent-and-nature-of-the-improvements-that-must-be-provided-in-a-Commercial-Collector-Street.-- See-also-Sections-65-through-75-of-this-Chapter-for-other-requirements-that-apply-to-improvements-in-the-right-of-way.

301

110.45 Commercial Collector Streets

The chart below and diagrams on the next page establish the extent and nature of the improvements that must be provided in a Commercial Collector Street. See also Sections 65 through 75 of this Chapter for other requirements that apply to improvements in the right-of-way.

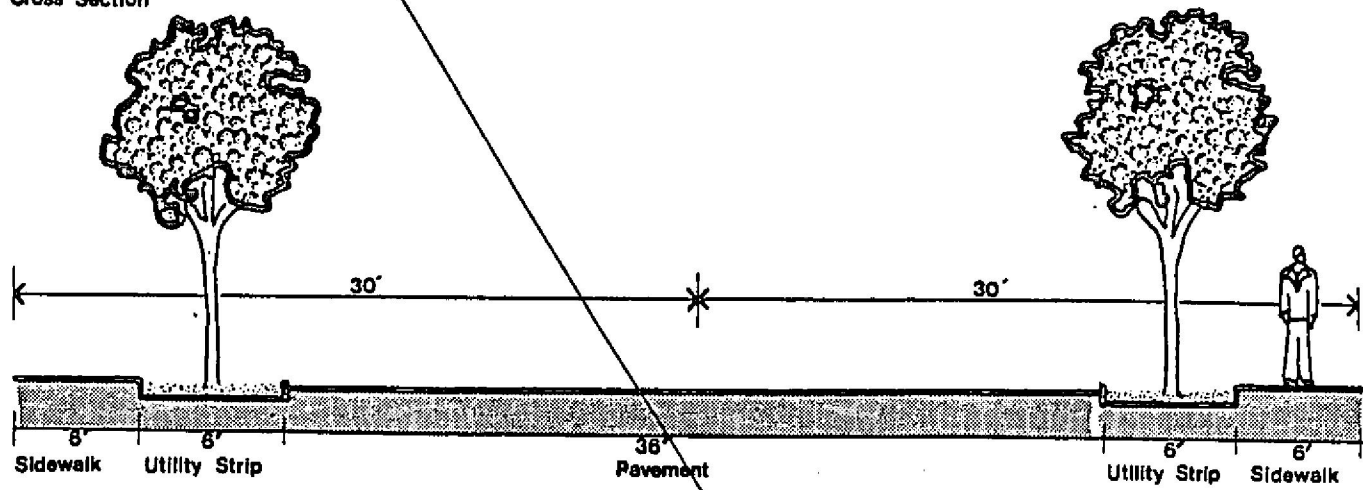
RIGHT-OF-WAY CATEGORY ↓	REGULATIONS ↓						
	RIGHT OF WAY WIDTH	PAVEMENT WIDTH	CURB / STORM SEWER	LANDSCAPE STRIP PLACEMENT AND WIDTH	STREET TREES	SIDEWALK PLACEMENT WIDTH	UTILITY STRIP PLACEMENT AND WIDTH
Commercial Collector	60'	36' See also Spc. Reg. #1	Must install a vertical curb and underground storm sewer with through curb inlets and bicycle grates.	Not required	Must plant street trees approximately 30' on center in the utility strip. Trees may not be closer than 36" to the curb and must be protected by a cast iron grate if the utility strip has a concrete surface.	If the subject is in a residential zone, must install a 5' wide sidewalk adjacent to the curb. If the subject property is not in a residential zone, a 6' wide sidewalk adjacent to the property line must be installed.	Must provide a utility strip containing all excess right-of-way width as follows: --If the property is in a residential zone, the strip must be adjacent to the property line. --If the subject property is not in a residential zone, the strip must be between the curb and the sidewalk, and either landscaped or have a concrete surface.

### Special Regulations

1. The improvements must be centered in the right-of-way.

~~DELETE~~

Cross Section



Commercial Collector

110.60 Collector-Arterial-Streets

The chart below and diagrams on the next page establish the extent and nature of the improvements that must be provided in Collector-Arterial Streets. See also Sections 65 through 75 of this Chapter for other requirements that apply to improvements in the right-of-way.



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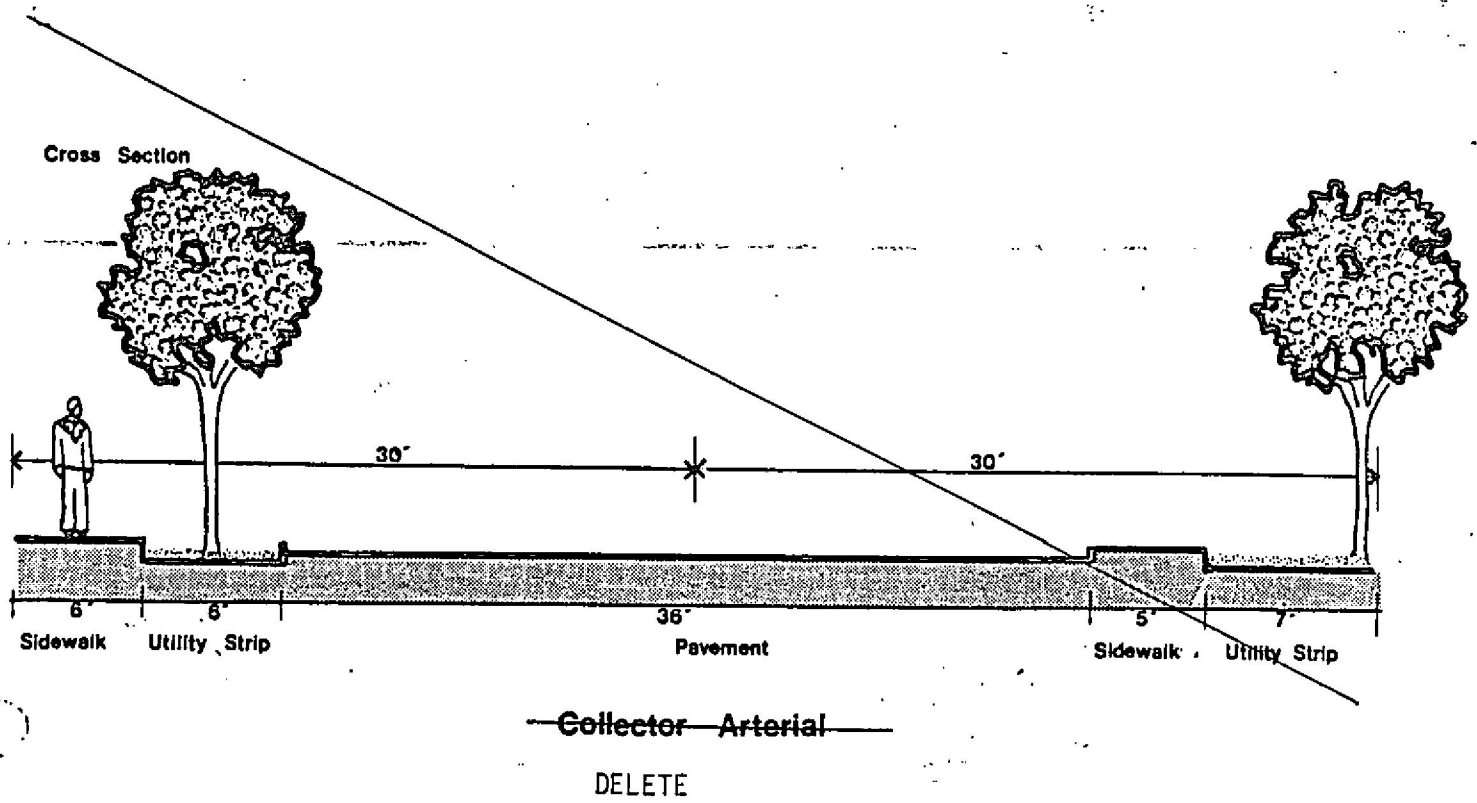
110.50 Collector Arterial Streets

The chart below and diagrams on the next page establish the extent and nature of the improvements that must be provided in Collector Arterial Streets. See also Sections 65 through 75 of this Chapter for other requirements that apply to improvements in the right-of-way.

RIGHT-OF-WAY CATEGORY ↓	REGULATIONS ↓						
	RIGHT OF WAY WIDTH	PAVEMENT WIDTH	CURB/ STORM SEWER	LANDSCAPE STRIP PLACEMENT AND WIDTH	STREET TREES	SIDEWALK PLACEMENT WIDTH	UTILITY STRIP PLACEMENT AND WIDTH
Collector Arterial	60'	36' See also Spc. Reg. #1	Must install a vertical curb and underground storm sewer with through curb inlets and bicycle grates.	None required	Must plant street trees approximately 30' on center as follows:  --If the subject property is in a residential zone, the trees must be planted on the property line. --If the subject property is not in a residential zone, the trees must be in the utility strip and protected by a cast iron grate if the utility strip has a concrete surface.	Must install a 6' wide sidewalk between the utility strip and the property line.	Must provide a utility strip, at least 6' side, between the curb and the sidewalk. If excess right-of-way width exists, the excess must be in this utility strip. This utility strip must either be landscaped or have a concrete surface.

### Special Regulations

1. The improvements must be centered in the right-of-way.



#### 110.645 Secondary Arterial Streets

The pavement width of a Secondary Arterial Street must be at least 44 feet. The Public Services Works Director shall determine the extent and nature of other improvements required in Secondary Arterial Streets on a case-by-case basis. See also Sections 65 through 75 of this Chapter for other requirements that apply to improvements in the right-of-way.

#### 110.650 Primary Arterial Streets

The Public Services Works Director shall determine the extent and nature of improvements required in Primary Arterial Streets on a case-by-case basis. See also Sections 650 through 75 of this Chapter for other requirements that apply to improvements in the right-of-way.

#### 110.650 Additional Requirements

This Section contains a series of requirements that apply to improvements required or proposed to be installed in the right-of-way.

1. Dedication of Right-of-Way - If a right-of-way abutting the subject property is not wide enough to contain the required improvements, the applicant shall dedicate as right-of-way a strip of land adjacent to the existing right-of-way equal to one-half of the needed additional width.
2. Fire Hydrants - The applicant shall install fire hydrants where and in the manner specified by the Department of Fire Services.
3. Incompatible Improvements - If improvements required by this Chapter will connect with existing improvements in the same right-of-way that do not conform to this Chapter, the following regulations apply:

- a. If the improvements will connect with existing improvements of a greater dimension, the new improvement must be built at the greater dimension unless the Public Services Works Director determines that the dimensions of the existing improvement will be decreased in the future.
- b. If the improvements will connect with existing improvements of a lesser dimension, the following regulations apply:

303a

- 1) If the Public Services Works Director determines that the dimension of the existing improvement will not be increased in the future, the new improvement must be permanently flared or tapered to match the existing improvements.
- 2) If the Public Services Works Director determines that the dimensions of the existing improvements will be increased in the future, the applicant shall install the required improvements in the full length of the right-of-way abutting the subject property with temporary flaring or tapering on the existing improve- ments.
4. Landscaped Islands in Cul-de-Sacs - All curbing shall be vertical cast in place curb. The applicant shall plant all landscaped islands in cul-de-sacs with vegetation approved by the City. The owners of properties abutting the island shall maintain the vegetation. The owner of the subject property shall sign a maintenance agreement in a form acceptable to the City Attorney to run with the subject property. The applicant shall record the agreement in the King County Bureau of Elections and Records. The City may also require a Bond under Chapter 175 of this Code for the maintenance of this vegetation for a two-year period.
5. Landscape Strip - The applicant shall plant all landscape strips with vegetation approved by the City. Root deflectors shall be provided for all street trees. The owner of the subject property shall maintain the vegetation in the strip. The owner of the subject property shall sign a maintenance agreement, in a form acceptable to the City Attorney, to run with the subject property. The applicant shall record this agreement in the King County Bureau of Elections and Records. It is a violation of this Code to pave or cover the land- scape strip with impervious material or to park motor vehicles on this strip.
6. Mailboxes - The applicant shall, to the maximum extent possible, group mailboxes for all units or uses in the development.
7. Street Signs and Traffic Control Devices - The applicant shall install all street signs and traffic control devices in the location and manner established by the Department of Public Services Works.

8. Trees - All trees planted in the right-of-way must be approved as to species by the City, and 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 eight feet above finished grade.
9. Utility Lines and Appurtenances - The location of sanitary sewer lines and water mains shall be as approved or required by the Public Works Director. Utility lines, water meters and other utility appurtenances must be located within the utility strip, unless an alternate location is approved or required by the Public Works Director. All utility lines between the right-of-way and the improvement, must be undergrounded. If the Public Works Department determines that it is feasible, all utility lines in the public right-of-way adjacent to the subject site must be undergrounded. If not feasible, the applicant must sign a concomitant agreement for future undergrounding. Utility appurtenances must be no higher than the finish grade whenever feasible.
10. If the subject development is for a non-residential use or contains more than two (2) dwelling units, the applicant shall do preliminary engineering and provide construction design for the improvements required by this Chapter. If the proposed development contains one or two dwelling units, the City will provide construction plans for the improvements required by this Chapter.
101. Other Necessary Improvements - The applicant shall install any other improvements that are necessary for the installation or proper operations or maintenance of the improvements required by this Code.

#### 110.7065 Engineering Standards

The Public Services Director is directed to develop and keep current full engineering standards and specifications for all improvements in the right-of-way. The applicant shall comply with these standards and specifications for all improvements in the right-of-way. These standards and specifications are available for public inspection and copying in the Public Services Department during regular business hours.

110.750 Modifications, Deferments and Waivers.

1. General - The provisions of this Section establish under what circumstances the requirement of this Chapter may be modified, deferred or waived.
2. Authority to Grant and Duration
  - a. If the proposed development of the subject property requires approval through Processes I, IIA, IIB or III, described in Chapters 145, 150, 152 and 155 of this Code respectively, a request for a modification, deferment or waiver will be considered as part of this process under the provisions of this Section. If granted under Process I, IIA, IIB or III, the modification, deferment, or

waiver is binding on the City for all development permits issued for that development under the Building Code within 5 years of the granting of the modification, deferment or waiver.

- b. If paragraph 2.a. above does not apply, the Public Services-Director Works Department may, after considering a written recommendation from the Planning Official, grant a modification, deferment or waiver in writing under the provisions of this section.
3. Modifications. The City-Public Works Department may require or grant a modification to the nature or extent of any required improvement for any of the following reasons:
    - a. If the improvement as required would not be harmonious-with match the existing improvements-and-construction-of improvements-as-required-would-not-be advantageous-to-the-neighborhood-or-the City-as-a-whole.
    - b. If unusual topographic or physical conditions preclude the construction of the improvements as required.
    - c. If other unusual circumstances preclude the construction of the improvements as required.
  4. Deferment. The City Public Works Department may require or permit that the required improvements be installed at a later time for-any-of-the following-reasons:
    - a. If-the-Public-Services-Director-concludes that-installation-of-the-required-improvements-could-create-a-serious-safety-hazard because-compatible-improvements-have-not-yet been-installed-in-the-right-of-way-fronting adjacent-property. If the required improvement is part of a larger project that has been scheduled for implementation in the City's Capital Improvement Program; or
    - b. If-the-proper-vertical-or-horizontal-alignment-for-the-required-improvements-cannot-be determined-because-the-streets-from-which the-alignment-must-be-determined-do-not-have correct-alignments. If the subject proposal is for a single detached dwelling unit and the installation of the improvement would not complete the lesser of a full block face or 300 feet of frontage; or



- c. If constructing the required improvements in the proper vertical and horizontal alignment will cause the new improvement not to function properly or safely with existing connecting improvements, -- If the proper alignment can be determined but has not been, and if the proposed development contains five or more dwelling units or 500 square feet or more of non-residential gross floor area, the applicant shall do preliminary engineering for the improvements to establish the proper alignment; -- If the proposed development contains less than 5 dwelling units and less than 500 square feet of non-residential gross floor area, the City will do this preliminary engineering. If installation of the required improvement would require substantial off-site roadway modifications; or
- d. If the subject property is not a corner lot; there are no permanent right-of-way improvements similar to the standards of this Chapter located on the same side of the adjacent right-of-way within 100' of the subject property; and the construction of the required improvements would not provide a useful link in the transportation and storm-water system If the Public Works Department determines that installation of the required improvement would result in a safety hazard.

5. Deferment Requirements - If the City approves a deferment;:

- a. The applicant and the City must sign a concomitant agreement to run with the property, in a form acceptable to the City Attorney, specifying that the applicant will install or reimburse the City for construction of the deferred improvements as directed by the City. The applicant must file this agreement with the King County Bureau of Elections and Records.
- b. The applicant must grade the subject portion of the right-of-way as though the improvement were to be immediately installed and stabilize the graded area in a manner approved by the Public Works Department. The applicant may be exempted from this requirement if the Public Works Department determines that unusual circumstances preclude the grading.

- 12
66. Waiver - The City may waive and not require or allow installations of a required improvement if the City determines that the current level and extent of the improvement in the right-of-way adjacent to the subject property will not be changed in the future.
67. Multiple Adjacent Right-of-Ways - When the subject property is adjacent to two or more right-of-ways; modifications, deferments or waivers must be considered separately for each right-of-way. If the subject property is a corner lot, the highest level of improvement required must be constructed around the angle formed by the intersecting streets.
8. Appeals - The decision of the Public Works Department regarding appeals, modifications, and waivers may be appealed using the appeal provisions, as applicable, of Process I of this code, Sections 145.55 through 145.100.

110.8075 Bonds

The City may require or permit a bond under Chapter 175 of this Code to ensure compliance with any of the requirements of this Chapter.

SUMMARY OF ORDINANCE 2979

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, PLANNING AND LAND USE AND AMENDING CHAPTERS 105 AND 110 OF ORDINANCE 2740, AS AMENDED, THE KIRKLAND ZONING ORDINANCE (FILE NO. IV-85-19).

Section 1. Amends the following sections as follows:

Section 105.10 Access Easements and Roadway Standards.  
Incorporates standards developed by the Planning Department and the Public Works Department for access easements and roadways. Requests for modification of standards to be decided by Planning official; rather than the more formal Process I.

Section 105.12 Computation of Area.  
Allows the area of an easement to be included in the lot area computation if the easement serves no more one lot abutting a right-of-way.

Section 105.40 Location of Parking Area.  
Allows an applicant to apply through Process I for a modification to the parking location requirements.

Section 105.62 Turn Around Space.  
Adopts a new section and illustrative plate which require that parking stalls located at the end of a dead end parking aisle be provided with adequate turn around space.

Section 105.77 Parking Area Design - Curbing.  
Adds a process to review requests for modification of the curbing requirement.

Section 105.80 Parking Area Design - Buffering.  
Requires that driveways as well as parking areas comply with the parking buffering standards. Reduces the request for modification review from the more formal Process I to a Planning official decision.

Section 105.100 Parking Area Design - Surface Materials.  
Reduces the procedure for request for modification from Process I to a Planning official decision.

Section 105.104 Appeals.  
Establishes an appeal procedure under Process I as to Planning officials' decisions.

Sections 110.20 and 110.30 through 110.50.  
Amendments to these Sections reduce and simplify the text and tables for required right-of-way standards. Eliminates the sections and subsections for neighborhood collector streets, commercial collector streets and collector arterial streets and replaces them with a single collector

streets designation.

Section 110.25 Required Public Improvements.

Reduces the pavement width for a one-half street improvement to twenty (20) feet. Requires that all new development be connected to an existing improved street by an improved hard surface.

Section 110.60 Additional Requirements.

Subsection 5 of this Section requires the installation of root deflectors for all street trees. Subsection 9 clarifies the requirement for undergrounding of utility lines. Subsection 10 clarifies the responsibility for preliminary engineering. The applicant shall provide the preliminary engineering for all projects larger than one or two dwelling units.

Section 110.70 Modifications, Deferrments and Waivers.

Changes in language are intended to allow the applicant and City staff to better judge, at the outset, the likelihood of obtaining a deferrment. Subsection 5 also requires that if a deferrment is granted, the applicant grade the right-of-way as though the improvements were to be installed. Subsection 8 adds an appeal procedure under Process I for decisions regarding appeals, modifications and waivers.

Section 2 is a savings clause providing that if any portion or part of the amendatory Ordinance is held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of the Ordinance.


Section 3 acknowledges the disapproval jurisdiction of the Houghton Community Council and provides that the Ordinance shall not become effective within the Houghton Community Municipal Corporation until it has been approved by the Houghton Community Council or said Council has failed to disapprove within sixty (60) days of the date of passage of the Ordinance.

Section 4 authorizes publication of the Ordinance by summary which summary is approved by the City Council pursuant to Section 1.08.17, Kirkland Municipal Code, and establishes the effective date of as five (5) days after summary publication.

The full text of this Ordinance will be mailed without charge to any person upon request made to the Director of Administration and Finance for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its regular meeting on the 15th day of September, 1986.

0-2979

I certify that the foregoing is a summary of Ordinance  
2979 approved by the Kirkland City Council for  
summary publication.

  
\_\_\_\_\_  
Director of Administration & Finance  
(ex officio City Clerk)