

KZC Chapter 5.10- Definitions Proposed Code Amendments

Section 5.10.202 Design Districts – Business Districts containing zones subject to the Design Review process described in Chapter 142, KZC.

Section 5.10.XXX Pedestrian Oriented Street – A street that is designed to encourage pedestrian movement and pedestrian orientation in relationship to buildings and designated to be located in Plate 34, Chapter 180, KZC. See also Chapters 110, 105 and 92 for development standards.

Section 5.10.XXX Pedestrian Walkway – A public or private pedestrian walkway that is designated to be located and installed as shown in Plate 34, Chapter 180, KZC, the Comprehensive Plan, Nonmotorized Transportation Plan or elsewhere in the Zoning Code. See also Chapters 110, 105 and 92 for development standards.

Section 5.10.XXX Major Pedestrian Sidewalk – A sidewalk that is designated to be located and installed as shown in Plate 34, Chapter 180, KZC, the Comprehensive Plan, Nonmotorized Transportation Plan or elsewhere in the Zoning Code. See also Chapters 110, 105 and 92 for development standards.

Section 5.10.XXX Through Block Pathway – A public or private pedestrian pathway designated to be located and installed as shown in Plate 34, Chapter 180, KZC, the Comprehensive Plan, Nonmotorized Transportation Plan or elsewhere in the Zoning Code. See also Chapters 110, 105 and 92 for development standards.





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Chapter 95 – TREE MANAGEMENT AND REQUIRED LANDSCAPING_ Proposed Code Amendments-revised 3-16-07

95.40 Required Landscaping

1. User Guide. Chapters 15 through 60 KZC containing the use zone charts assign a landscaping category to each use in each zone. This category is either "A," "B," "C," "D," or "E." If you do not know what landscaping category applies to the subject property, you should consult the appropriate use zone chart.

Requirements pertaining to each landscaping category are located throughout this chapter, except that Landscaping Category E is not subject to this section.

Landscape Categories A, B, C, D, and E may be subject to additional related requirements in the following other chapters:

- a. Various use zone charts, in Chapters 15 through 60 KZC, establish additional or special buffering requirements for some uses in some zones.
 - b. Chapter 85 KZC, Geologically Hazardous Areas, addresses the retention of vegetation on steep slopes.
 - c. Chapter 90 KZC, Drainage Basins, addresses vegetation within sensitive areas and sensitive area buffers.
 - ~~d. Chapter 92 KZC describes landscaping standards related to site design.~~
 - de. Chapter 110 KZC and Chapter 19.36 KMC address vegetation within rights-of-way, except for the I-405, SR-520, and Burlington Northern rights-of-way.
 - ef. KZC 115.135, Sight Distance at Intersections, which may limit the placement of landscaping in some areas.
 - fg. Chapter 22 KMC addresses trees in subdivisions.
2. Use of Significant Existing Vegetation.
 - a. General. The applicant shall apply subsection KZC 95.35(4) to retain existing trees and vegetation in areas subject to the landscaping standards of this section. The Planning Official shall give substantial weight to the retained trees and vegetation when determining the applicant's compliance with this section.
 - b. Supplement. The City may require the applicant to plant trees, shrubs, and groundcover according to the requirements of this section to supplement the existing vegetation in order to provide a buffer at least as effective as the required buffer.
 - c. Protection Techniques. The applicant shall use the protection techniques described in KZC 95.35(6) to ensure the protection of significant existing vegetation.
 3. Landscape Plan Required. In addition to the tree plan required pursuant to KZC 95.35(2), application materials shall clearly depict the quantity, location, species, and size of plant materials proposed to comply with the requirements of this section, and shall address the

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5. Supplemental Plantings.

a. General. The applicant shall provide the supplemental landscaping specified in subsection (5)(b) of this section in any area of the subject property that:

- 1) Is not covered with a building, vehicle circulation area or other improvement; and
- 2) Is not a critical area, critical area buffer, or in an area to be planted with required landscaping; and
- 3) Is not committed to and being used for some specific purpose.

b. Standards. The applicant shall provide the following at a minimum:

- 1) Living plant material which will cover 80 percent of the area to be landscaped within two years. If the material to be used does not spread over time, the applicant shall re-plant the entire area involved immediately. Any area that will not be covered with living plant material must be covered with nonliving groundcover.
- 2) One tree for each 1,000 square feet of area to be landscaped. At the time of planting, deciduous trees must be at least two inches in caliper and coniferous trees must be at least five feet in height.
- 3) If a development requires approval through Process I, IIA, IIB or III as described in Chapters 145, 150, 152 and 155 KZC, respectively, the City may require additional vegetation to be planted along a building facade if:
 - a) The building facade is more than 25 feet high or more than 50 feet long; or
 - b) Additional landscaping is necessary to provide a visual break in the facade.
- 4) In RHBD- varieties of rose shrubs or ground cover, along with other plant materials shall be included in the on-site landscaping.
- 5) If development is subject to Design Review as described in Chapter 142, the City will review plant choice and specific plant location as part of the Design Review approval. The City may also require or permit modification to the required plant size as part of Design Review approval.

6. Land Use Buffering Standards.

___The chart in subsection (4) of this section establishes which buffering standard applies in a particular case. The following subsections establish the specific requirement for each standard:

- a. For standard 1, the applicant shall provide a 15-foot-wide landscaped strip with a six-foot-high solid screening fence or wall. Except for public utilities, the fence or wall must be placed on the outside edge of the land use buffer or on the property line when adjacent to private property. For public utilities, the fence or wall may be placed either on the outside or inside edge of the landscaping strip. A fence or wall is not required when the land use buffer is adjacent and parallel to a public right-of-way that is improved for vehicular use. See KZC 115.40 for additional fence standards. The land use buffer must be planted as follows:
 - 1) Trees planted at the rate of one tree per 20 linear feet of land use buffer, with deciduous trees of two and one-half inch caliper, minimum, and/or coniferous trees eight feet in height, minimum. At least 70 percent of trees shall be evergreen. Evergreen and deciduous trees shall be spaced no more than 20 feet apart on center.
 - 2) Large shrubs or a mix of shrubs planted to attain coverage of at least 60 percent of the land use buffer area within two years, planted at the following sizes and spacing, depending on type:
 - a) Low shrub – (mature size under three feet tall), one- or two-gallon pot or balled and burlapped equivalent);
 - b) Medium shrub – (mature size from three to six feet tall), two- or three-gallon pot or balled and burlapped equivalent);
 - c) Large shrub – (mature size over six feet tall), five-gallon pot or balled and burlapped equivalent).
 - 3) Living ground covers planted from either four-inch pot with 12-inch spacing or one-gallon pot with 18-inch spacing to cover within two years 60 percent of the land use buffer not needed for viability of the shrubs or trees.
- b. For standard 2, the applicant shall provide a five-foot-wide landscaped strip with a six-foot-high solid screening fence or wall. Except for public utilities, the fence or wall must be placed on the outside edge of the land use buffer or on the property line when adjacent to private property. For public utilities, the fence or wall may be placed either on the outside or inside edge of the landscaping strip. A fence or wall is not required when the land use buffer is adjacent and parallel to a public right-of-way that is improved for vehicular use. See KZC 115.40 for additional fence standards. The landscaped strip must be planted as follows:
 - 1) One row of trees planted no more than 10 feet apart on center along the entire length of the buffer, with deciduous trees of two inch caliper, minimum, and/or coniferous trees at least six feet in height, minimum. At least 50 percent of the required trees shall be evergreen.

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- 2) Living ground covers planted from either four-inch pot with 12-inch spacing or one-gallon pot with 18-inch spacing to cover within two years 60 percent of the land use buffer not needed for viability of the trees.
- c. Plant Standards. All plant materials used shall meet the most recent American Association of Nurserymen Standards for nursery stock: ANSI Z60.1.
- d. Location of the Land Use Buffer. The applicant shall provide the required buffer along the entire common border between the subject property and the adjoining property.
- e. Multiple Buffering Requirement. If the subject property borders more than one adjoining property along the same property line, the applicant shall provide a gradual transition between different land use buffers. This transition must occur totally within the area which has the less stringent buffering requirement. The specific design of the transition must be approved by the City.
- f. Adjoining Property Containing Several Uses. If the adjoining property contains several permitted uses, the applicant may provide the least stringent land use buffer required for any of these uses.
- g. Subject Property Containing Several Uses. If the subject property contains more than one use, the applicant shall comply with the land use buffering requirement that pertains to the use within the most stringent landscaping category that abuts the property to be buffered.
- h. Subject Property Containing School. If the subject property is occupied by a school, land use buffers are not required along property lines adjacent to a street.
- i. Encroachment into Land Use Buffer. Typical incidental extensions of structures such as chimneys, bay windows, greenhouse windows, cornices, eaves, awnings, and canopies may be permitted in land use buffers as set forth in KZC 115.115(3)(d); provided, that:
 - 1) Buffer planting standards are met; and
 - 2) Required plantings will be able to attain full size and form typical to their species.
- j. Modification. The applicant may request a modification of the requirements of the buffering standards of subsection (6) of this section. The Planning Official may approve a modification if:
 - 1) The owner of the adjoining property agrees to this in writing; and
 - 2) The existing topography or other characteristics of the subject property or the adjoining property, or the distance of development from the neighboring property decreases or eliminates the need for buffering; or
 - 3) The modification will be more beneficial to the adjoining property than the required buffer by causing less impairment of view or sunlight; or
 - 4) The Planning Official determines that it is reasonable to anticipate that the adjoining property will be redeveloped in the foreseeable future to a use that would require no, or a less intensive, buffer; or

- 5) The location of pre-existing improvements on the adjoining site eliminates the need or benefit of the required landscape buffer.
- k. Outdoor use, activity, and storage (KZC 115.105(2)) must comply with required land use buffers for the primary use, except that the following outdoor uses and activities, when located in commercial or industrial zones, are exempt from KZC 115.105(2)(c)(1) and (2)(c)(2) as stated below:
 - 1) That portion of an outdoor use, activity, or storage area which abuts another outdoor use, activity, or storage area which is located on property zoned for commercial or industrial use.
 - 2) Outdoor use, activity, and storage areas which are located adjacent to a fence or structure which is a minimum of six feet above finished grade; and do not extend outward from the fence or structure more than five feet; provided, that the total horizontal dimensions of these areas shall not exceed 50 percent of the length of the facade or fence (see Plate 11).
 - 3) If there is an improved path or sidewalk in front of the outdoor storage area, the outdoor use, activity or storage area may extend beyond five feet if a clearly defined walking path at least three feet in width is maintained and there is adequate pedestrian access to and from the primary use. The total horizontal dimension of these areas shall not exceed 50 percent of the length of the facade of the structure or fence (see Plate 11).
 - 4) Outdoor dining areas.
 - 5) That portion of an outdoor display of vehicles for sale or lease which is adjacent to a public right-of-way that is improved for vehicular use; provided, that it meets the buffering standards for driving and parking areas in subsections (7)(b)(1)(a) and (7)(b)(1)(b) of this section; and provided further, that the exemptions of subsection (7)(b)(2) of this section do not apply unless it is fully enclosed within or under a building, or is on top of a building and is at least one story above finished grade.
 - 6) Outdoor Christmas tree lots and fireworks stands if these uses will not exceed 30 days, and outdoor amusement rides, carnivals and circuses, and parking lot sales which are ancillary to the indoor sale of the same goods and services, if these uses will not exceed seven days.

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7. Landscaping and Buffering Standards for Driving and Parking Areas.

a. Landscaping General.

1) General. Except as specified in subsection (7)(a)(2) of this section, the applicant shall arrange all surface parking spaces so that there are no more than eight contiguous parking spaces in each row of spaces. An island or peninsula of the same dimensions of the adjacent parking stalls must separate adjacent groups of spaces from one another and each row of spaces from any adjacent driveway that runs perpendicular to the row. This island or peninsula must be surrounded by a six-inch-high vertical curb and must be landscaped with at least one deciduous tree, two inches in caliper as measured using the standards of the American Association of Nurserymen or a coniferous tree five feet in height.

2) Exception. The requirements of subsection (7)(a)(1) of this section do not apply to any area that:

a) Is within the CBD Zone; or

b) Is fully enclosed within or under a building; or

c) Contains less than 14 parking spaces; or

d) Is within any zone that requires design regulation compliance.

1) The following standards apply to each parking lot or portion thereof containing more than 8 parking stalls.

a. The parking lot must contain 25 square feet of landscape area per parking stall planted pursuant to c. below (see Figure 95.40.A):

b. 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 that runs perpendicular to the row. This island or peninsula must be surrounded by a six-inch-high vertical curb and must be landscaped with the standards in c. below.

c. Landscaping shall be installed pursuant to the following standards:

1) At least one deciduous tree, two inches in caliper as measured using the standards of the American Association of Nurserymen or a coniferous tree five feet in height for every eight parking stalls.

2) At least one shrub for every 20 square feet of landscaped area. Up to 50 percent of the shrubs may be deciduous.

3) Groundcover shall be selected and planted to achieve 90 percent coverage within two years.

d. Exception. The requirements of this subsection do not apply to any area that is fully enclosed within or under a building.

23) Rooftop Parking Landscaping. For a driving or parking area on the top level of a structure that is not within the CBD zone or within any zone that requires design

regulation compliance, one planter that is 30 inches deep and five feet square must be provided for every eight stalls on the top level of the structure. Each planter must contain a small tree or large shrub suited to the size of the container and the specific site conditions, including desiccating winds, and be clustered with other planters near driving ramps or stairways to maximize visual effect.

- 3) If development is subject to Design Review as described in Chapter 142, the City will review plant choice and specific plant location as part of the Design Review approval. The City may also require or permit modification to the required plant size as part of Design Review approval.

Internal Parking Lot Landscaping *(revise graphic to delete 6 stalls and show 8 stalls)*

At least 25 SF of landscaping per stall is required.

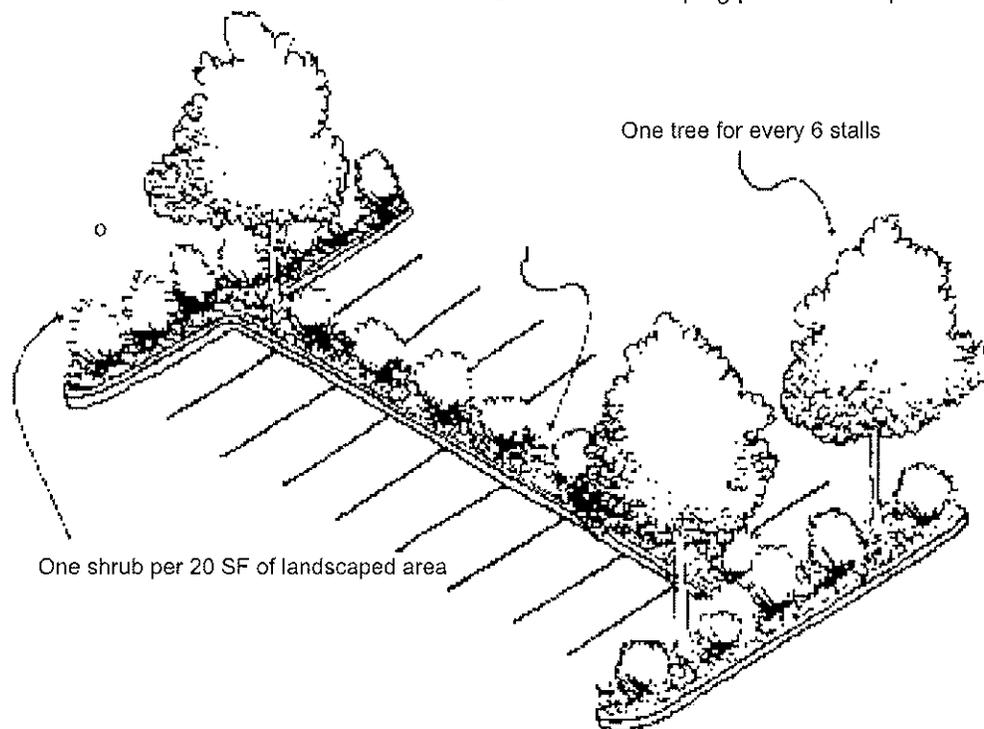


Figure 95.40.A

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b. Buffering.

- 1) Perimeter Buffering. General. Except as specified in subsection (7.)(b.)(22) of this section, the applicant shall buffer all parking areas and driveways from abutting the rights-of-way, and from adjacent properties, and through block pedestrian pathways by using one or a combination of the following methods with a five-foot-wide strip along the perimeter of the parking areas and driveways planted as follows see Figures 95.40.B, C, D):

a. A five foot wide landscape strip planted as follows:

1. One row of trees, two inches in caliper and planted 30 feet on center along the entire length of the strip.
2. At least one shrub for every 20 square feet of landscaped strip.
3. Living groundcover planted to attain coverage of at least 60 90 percent of the strip area within two years.
4. RHBD District- Within the RHBD Regional Center design district, the buffer width shall be 10 feet wide along NE 85th Street.

b. As an alternative to the standards in subsection 1.a above, by installing a compact evergreen hedge or wall consistent with the following standards as applicable (see Figures 95.40.B, C, D):

1. The hedge or wall must extend at least two feet, six inches, and not more than three feet above the ground directly below it.
2. The wall may be constructed of masonry or concrete, if consistent with the provisions of Section 92.35.1.g, in building material, color and detail, or of wood if the design and materials match the building on the subject property.
3. In JBD zones:
 - a. If the street is a pedestrian-oriented street, the wall may also include a continuous trellis or grillwork, at least five feet in height above the ground, placed on top of or in front of the wall and planted with climbing vines. The trellis or grillwork may be constructed of masonry, steel, cast iron and/or wood.
 - b. If the wall abuts a pedestrian-oriented street, the requirements of this subsection may be fulfilled by providing pedestrian weather protection along at least 80 percent of the frontage of the subject property.

- 2) Exception. The requirements of subsection 7.b.1 of this section do not apply to any parking area that:
 - a) ~~Is within the CBD zone; or~~
 - b) Is fully enclosed within or under a building; or
 - b.c) Is on top of a building and is at least one story above finished grade; or
 - c.d) Serves detached dwelling units exclusively; or
 - e) ~~Is within any zone that requires design regulation compliance.~~
- 3) If development is subject to Design Review as described in Chapter 142, the City will review plant choice and specific plant location as part of the Design Review approval. The City may also require or permit modification to the required plant size as part of Design Review approval.
- 4) Overlapping Requirements. If buffering is required under subsection ~~6.(6)~~ Land Use Buffering Standards of this section and by this subsection, the applicant shall utilize the more stringent buffering requirement.

Perimeter Parking Lot Landscaping

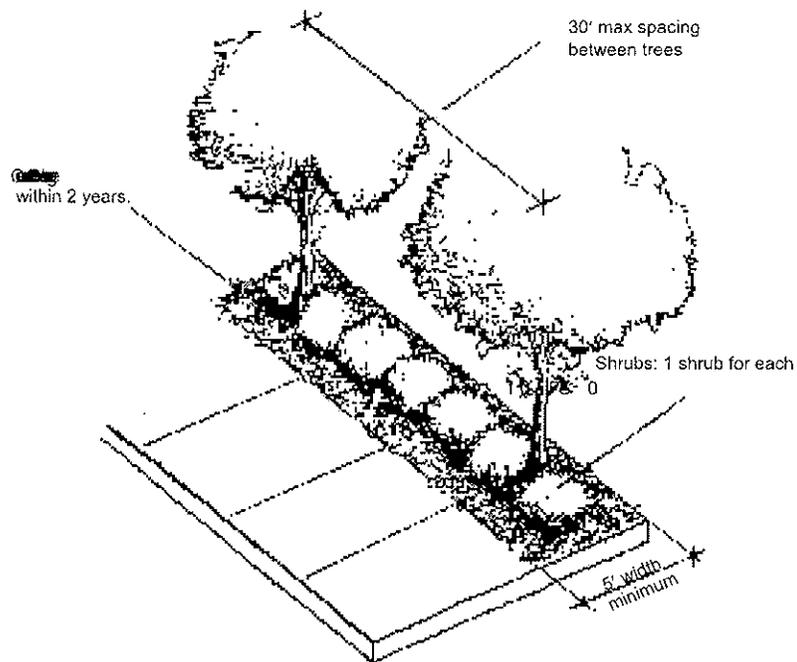


Figure 95.40.B

Perimeter Parking – Examples of Various Screen Wall Designs

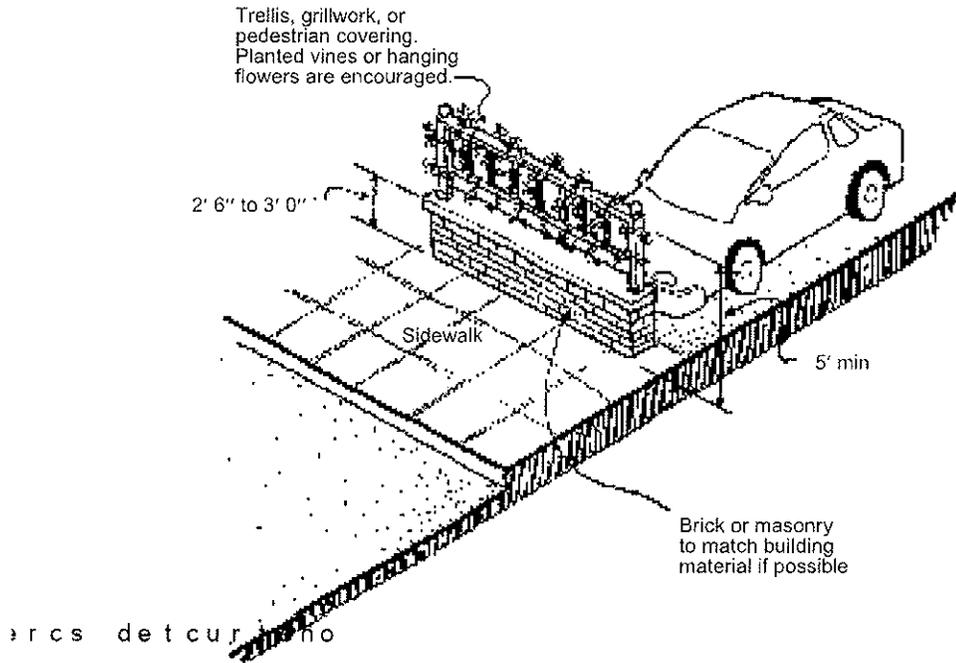
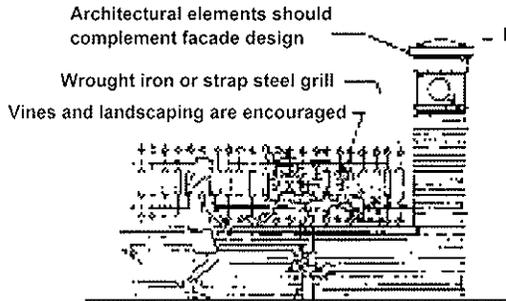
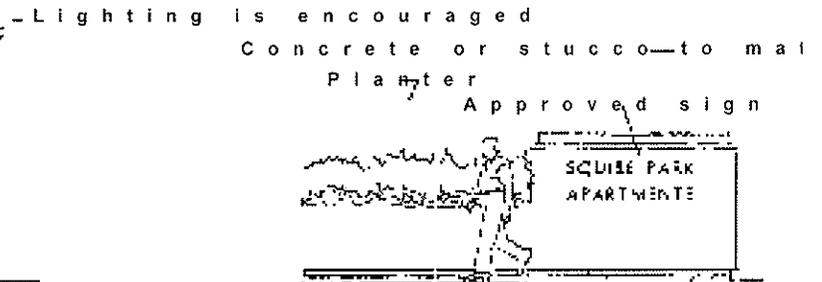


Figure 95.40.C

Perimeter Parking – Examples of Various Screen Wall Designs

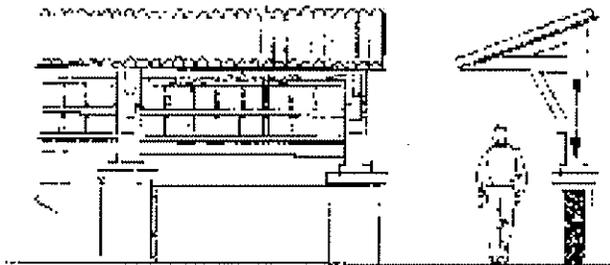


Traditional

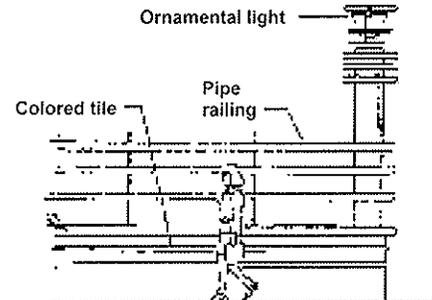


Contemporary

Pedestrian covering is encouraged —



Mission Style with Canopy



Deco-Moderne Style

Figure 95.40.D

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c. Modifications of Landscaping and Buffering Standards for Driving and Parking Areas.

1) Authority to Grant and Duration.

- a) If the proposed development of the subject property requires approval through Design Review or Process I, IIA, IIB, or III, described in Chapters 142, 145, 150, 152, and 155 KZC, respectively, a request for a modification will be considered as part of that process under the provisions of this section. The City must find that the applicant meets the criteria listed in subsection ~~(7)(c)(2)~~ of this section. If granted under Design Review or Process I, IIA, IIB, or III, the modification is binding on the City for all development permits issued for that development under the building code within five years of the granting of the modification.
- b) If subsection ~~(7)(c)(1)(a)~~ of this section does not apply, the Planning Official may grant a modification in writing under the provisions of this section.

2) Modifications.

- a) For a modification of subsection ~~(7)(a)~~ of this section, the landscape requirements may be modified if:
 - i. The modification will produce a landscaping design in the parking area comparable or superior to that which would result from adherence to the adopted standard; or
 - ii. The modification will result in increased retention of significant existing vegetation; or
 - iii. The purpose of the modification is to accommodate low impact development techniques as approved by the Planning Official.
- b) For a modification to subsection ~~(7)(b)~~ of this section, the buffering requirements for parking areas and driveways may be modified if:
 - i. The existing topography of or adjacent to the subject property decreases or eliminates the need for visual screening; or
 - ii. The modification will be of more benefit to the adjoining property by causing less impairment of view or sunlight; or
 - iii. The modification will provide a visual screen that is comparable or superior to the buffer required by subsection ~~(7)(b)~~ of this section; or
 - iv. The modification eliminates the portion of the buffer that would divide a shared parking area serving two or more adjacent uses, but provides the buffer around the perimeter of the shared parking area.

8. Nonconforming Landscaping and Buffers.
 - a. The landscaping requirements of subsections (5)₂ and (7)₂ of this section must be brought into conformance as much as is feasible, based on available land area, in either of the following situations:
 - 1) An increase of at least 10 percent in gross floor area of any structure; or
 - 2) An alteration to any structure, the cost of which exceeds 50 percent of the replacement cost of the structure.
 - b. Land use buffers must be brought into conformance with subsection (6)₂ of this section in either of the following situations:
 - 1) An increase in gross floor area of any structure (the requirement to provide conforming buffers applies only where new gross floor area impacts adjoining property); or
 - 2) A change in use on the subject property and the new use requires larger buffers than the former use.