

CITY OF KIRKLAND

123 FIFTH AVENUE • KIRKLAND, WASHINGTON 98033-6189 • (425) 587-3800

DEPARTMENT OF PUBLIC WORKS PRE-APPROVED PLANS POLICY

Policy R-14: Neighborhood Access Street Improvement Modification and Waiver Process

The traditional street standard within the City of Kirkland consists of paving, storm drainage, vertical curb and gutter, landscape strip with street trees, and a sidewalk. However, the City also recognizes that the traditional improvements may not be desired by property owners in certain neighborhoods or along certain streets. And, the City encourages the use of Low Impact Development (LID) techniques to reduce the surface water impacts associated with the addition of new impervious surfaces. Given this, the City Council has directed the Public Works Staff to:

- Seek opportunities to use LID techniques when constructing street improvements.
- Work with property owners on a case-by-case basis to determine if the traditional street improvements should be modified with LID improvements, or if all street improvements should be waived to meet the desire of the neighborhood.

When considering the modification or waiver, the following criteria shall be followed or met:

A. Modifications

1. Only Neighborhood Access type streets are eligible for modified street improvements. Collector and Arterial type streets shall have traditional street improvements unless otherwise approved by the Public Works Director.
2. A modified street improvement shall still include sidewalk, street trees, storm drainage collection, but include a concrete edge treatment only (no curb).
3. Generally, the modification area should be at least one block long, and shall not have any existing traditional street improvements. In cases where the property owners desire to have modified street improvements, but there are islands of existing traditional street improvements, the Public Works Department shall review the street and determine if it is feasible and safe to install modified improvements along the remainder of the street.
4. Property owners along dead-end streets 300 to 400 feet in length, or looped streets less than 1000 feet in length, may also propose to modify their street improvements by designating only one side of the street for sidewalk.

B. Waivers

1. Only Neighborhood Access type streets are eligible for a street improvement waiver. In addition, the street is not eligible for a waiver if it has any of the following designations:
 - School walk route.

Policy R.14 Neighborhood Access Street Improvement Modification and Waiver Process

- Walking routes adopted within a Neighborhood Plan or the City-wide Non-motorized Plan.
 - Commercial, multi-family, or medium density residential (RS 5000 or lower) land use designations.
 - Streets with greater than 500 total vehicle trips per day (if the City does not have trip data for particular street, it will be assumed that it is less than 500 trips per day)
2. Generally, the street improvement waiver area should be at least one block long and shall not have any existing street improvements. In cases where the property owners desire to have the street improvements waived, but there are islands of existing street improvements, the Public Works Department shall review the street and determine if it is feasible and safe to grant a street improvement waiver along the remainder of the street. Granting of street improvement waivers should be avoided when there are several existing islands of improvements and there is a potential for redevelopment of other adjacent properties.
 3. If the City and a Neighborhood approve a street improvement waiver, all future development permits along the subject street, including subdivisions, will receive a street improvement waiver. A waiver of street improvements can be changed by a future vote of the subject neighborhood.
 4. If a new public street (typically occurring as a result of a new subdivision) intersects with a street that has received a street improvement waiver, the new public street shall be improved with traditional or modified street improvements unless otherwise approved by the Public Works Director.

C. Neighborhood Voting Process

1. An individual, a group, or the City may initiate the process to determine if there is desire by the respective property owners to have the street improvements modified or waived.
2. Before approving a modification or a waiver, the Public Works Department will send a ballot to the property owners along the subject street.
 - When less than 70 tax parcels are impacted by the street improvements:
At least 70% of those property owners that receive a ballot must vote "yes" for the street improvement modification or waiver.
 - Where 70 or more tax parcels are impacted by the street improvements:
At least 70% of the property owners that return a ballot must vote "yes" for the improvement modification or waiver. In addition, at least 70% of the ballots must be returned to constitute a valid vote.
3. After the ballots are returned, a letter will be sent to each owner letting them know of the voting results.

- D. Appeals - The decision of the Public Works Director regarding street improvement modifications or waivers may be appealed using the appeal provisions, as applicable, of Process I of this code, KZC 145.60 through 145.110.