

CITY OF KIRKLAND

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**DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
MEMORANDUM**

To: Kurt Triplett, City Manager

From: Angela Ruggeri, AICP, Senior Planner
Eric Shields, AICP, Director
Paul Stewart, AICP, Deputy Director

Date: September 13, 2010

Subject: Parkplace Comprehensive Plan and Zoning Code Amendments (File No. ZON07-00016)

RECOMMENDATION

Approve the enclosed two ordinances which are described below:

First Ordinance: This ordinance expresses the City's continued approval of Comprehensive Plan and Zoning amendments adopted by ordinances 4170 and 4171 in December of 2008. These ordinances were remanded to the City by the Central Puget Sound Growth Management Hearings Board for the purpose of correcting the Final Environmental Impact Statement which the Board determined did not include reasonable alternatives to the Touchstone proposal, including offsite alternatives. The City completed a Supplemental EIS to address these concerns in August 2010.

Following is a summary of the two ordinances adopted in 2008:

Ordinance #4170 (see Attachment 1)

The Comprehensive Plan amendments to the Downtown Plan include the following key revisions:

- East Core Frame Land Use District: Addition of retail as a significant part of any Parkplace mixed-use development and clarification of where and when residential uses are allowed.
- Urban Design: reference to a new design review document titled "Master Plan and Design Guidelines for Parkplace", and emphasis on public views near I 405 rather than at 6th Street and Central Way.
- Height and Design District 5: Divides the district into Design District 5 (properties in the southern portion) and Design District 5A (the Parkplace site). Policies for Design District 5 stay largely the same with minor text edits and clarifications. Design District 5A policies establish:
 - Height range of 3-8 stories with maximum heights allowed as a tradeoff for public open space and creation of a retail destination.
 - Emphasis on vehicular and pedestrian circulation, landscaping, and open space.

- Special attention to building design and size at downtown gateway, along Central Way, and adjoining Peter Kirk Park.
- Sustainability measures including green building, transportation demand management measures, and low impact development techniques.
- Various other minor text edits and corrections to the Downtown Plan.
- Updates to two Transportation Element Charts relating to State Routes (T-6 and T-7).

Ordinance #4171 (see Attachment 2)

The amendments to the Zoning Map and Kirkland Zoning Code include the following key revisions:

- Creation of a new CBD 5A zone covering the Parkplace center site with regulations that establish the following:
 - The primary allowed use is mixed-use development with office, retail, and restaurant uses. The square footage of retail and restaurant uses must be equal to or exceed at least 25% of the office square footage.
 - Development must be pursuant to the Master Plan and Design Guidelines.
 - Maximum heights are established in four height sub-districts: the center/southeast portion of the zone allowing 115' buildings with a maximum of 8 stories, the Central Way frontage portion allowing 100' buildings with a maximum of 7 stories along Central Way, the Peter Kirk Park frontage portion allowing 60' buildings with a maximum of 4 stories, and a transitional area between the Park portion and the center portion allowing 100' buildings with a maximum of 7 stories.
 - The minimum setbacks are 55' from Peter Kirk Park, 20' from properties to the south and east, and 0' from Central Way and 6th Street.
 - Big box retail (over 70,000 square feet) and drive through uses are prohibited.
 - Rooftop appurtenances are allowed to exceed height limits by 16' with a maximum 25% coverage of rooftops.
 - Parking for mixed-use development using a shared parking method is allowed. Parking reductions through parking management and a transportation management program may be considered.
- Amendments to Chapter 142 (Design Review) to incorporate the Master Plan and Design Guidelines under design review authority.

Second Ordinance: This ordinance adopts amendments to the Introduction, Land Use, Transportation and Capital Facilities Elements of the Comprehensive Plan in response to the Growth Management Hearings Board direction to incorporate a multi-year financing plan in the Comprehensive Plan.

These amendments include:

- General wording changes to the text of the Transportation and Capital Facilities elements of the Comprehensive Plan.

- Amendments to Table CF-8 of the Capital Facilities element showing 6-year funding and projects. The portion of the table showing funded projects adds the Totem Lake and Parkplace projects in the appropriate years.
- Creation of a new table in the Capital Facilities element (Table CF-8A) showing a financing plan for an additional 6 years of projects, creating a 12 year list.
- Amendments to the Transportation element of the Comprehensive Plan including an update of Table T-5 and Figure T-6 to include the Parkplace and Totem Lake projects.
- Minor amendments to the Comprehensive Plan Introduction and Land Use element. The amendments are to Tables I-7 and LU-4 in the Plan, specifically the “Available Capacity” column since the approved proposals added growth capacity. The figures in Tables I-7 and LU-4 have been revised to be in conformance with each other and to correct slight discrepancies in how the “Available Capacity” column was handled.

BACKGROUND DISCUSSION

These amendments were provided to the City Council for review at a study session on September 1, 2010 when the Planning Commission’s recommendation was transmitted by Jay Arnold, Vice Chair of the Commission. Planning Commissioners, Andy Held and Mike Miller were also present at the study session to answer Council questions. Additional information on the Planning Commission recommendation to City Council is included as Attachment 3.

The Planning Commission held a public hearing on the proposed amendments on June 24, 2010 and developed its recommendation to the City Council at the August 26 Planning Commission meeting. A record of all Planning Commission minutes and audio recordings for these meetings and their additional study sessions relating to the Parkplace project is available on line at the following link:

http://www.ci.kirkland.wa.us/depart/Planning/Planning_Commission.htm

Public comment on the project has been forwarded to the City Council as it is received. Paper copies of correspondence are also available in the Council Study and in the official City file.

Attachments

1. Ordinance #4170
2. Ordinance #4171
3. Planning Commission Recommendation memo

cc: ZON07-00016
Planning Commission
A-P Hurd, Touchstone, 2025 First Avenue, Suite 1212, Seattle, WA 98121

ORDINANCE NO. 4170

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO COMPREHENSIVE PLANNING AND LAND USE AND AMENDING THE COMPREHENSIVE PLAN, ORDINANCE 3481 AS AMENDED, TO IMPLEMENT CHANGES TO THE DOWNTOWN PLAN SECTION OF THE MOSS BAY NEIGHBORHOOD PLAN AND THE TRANSPORTATION ELEMENT, AND APPROVING A SUMMARY FOR PUBLICATION, FILE NO ZON07-00016.

WHEREAS, the City Council has received a recommendation from the Kirkland Planning Commission to amend certain portions of the Comprehensive Plan for the City, Ordinance 3481 as amended, all as set forth in that certain report and recommendation of the Planning Commission dated November 20, 2008, and bearing Kirkland Department of Planning and Community Development File No. ZON07-00016; and

WHEREAS, prior to making said recommendation the Planning Commission, following notice thereof as required by RCW 35A.63.070, held public hearings on April, 24, 2008, June 12, 2008, and October 23, 2008 on the amendment proposals and considered the comments received at said hearings; and

WHEREAS, pursuant to the State Environmental Policy Act (SEPA), there has accompanied the legislative proposal and recommendation through the entire consideration process, a Planned Action Environmental Impact Statement. The draft of which was issued on April 4, 2008, and the final of which was issued on October 16, 2008 by the responsible official pursuant to WAC 197-11-400 through 197-11 560; 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; and

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

Section 1. Comprehensive Plan Text, Tables, and Graphics amended: The following specific portions of the text of the Comprehensive Plan, Ordinance 3481 as amended, be and they hereby are amended to read as follows:

- A. Section IX. Transportation Element:
Amendments to Table T-6: State Routes as set forth in **Exhibit A** attached to this ordinance and incorporated by reference.
- B. Section IX. Transportation Element:
Amendments to Table T-7: Signalized State Route Intersections as set forth in **Exhibit B** attached to this ordinance and incorporated by reference.
- C. Section XV.D. Moss Bay Neighborhood:

O-4170

Amendments to 3. Downtown Plan as set forth in **Exhibit C** attached to this ordinance and incorporated by reference.

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. This ordinance shall be in full force and effect five days from and after its passage by the City Council and publication pursuant to Kirkland Municipal Code 1.08.017, in the summary form attached to the original of this ordinance and by this reference approved by the City Council as required by law.

Section 4. A complete copy of this ordinance shall be certified by the City Clerk, who shall then forward the certified copy to the King County Department of Assessments.

Passed by majority vote of the Kirkland City Council in open meeting this 16th day of December, 2008.

SIGNED IN AUTHENTICATION THEREOF this 16th day of December, 2008.



Mayor

Attest:



City Clerk

Approved as to Form:



City Attorney

Table T-6 State Routes

State Route		PM Peak Hour Two-Way Traffic Volumes					WSDOT RCA-LOS		
I-405									
		Roadway Capacity 2005/2022	Existing 2006 PM Peak Hour	Forecasted 2022 Traffic Volumes	Existing AADT	2022 AADT	Adopted LOS Standard	Existing 2005 V/C LOS	Future 2022 V/C LOS
From	To								
NE 39th St.	NE 70th St.	15,000/19,000	14260	19423	199870	271635	10	13	14
NE 70th St.	NE 85th St.	15,000/19,000	13550	18975	189680	265366	10	13	14
NE 85th St.	NE 116th St.	15,000/19,000	13820	18944	192660	264940	10	13	14
NE 116th St.	NE 124th St.	15,000/19,000	10136	15705	141749	219641	10	9	12
NE 124th St.	NE 132nd St.	15,000/19,000	8550	12218	119579	170865	10	8	9
SR 908 (NE 85th St.)									
SB 405 Ramp	NB 405 Ramp	4,172	3926	4596	-	-	E-Mitigated	0.94	1.10
NB 405 Ramp	120th Ave NE	4,172	3660	4764	-	-	E-Mitigated	0.88	1.14
120th Ave NE	122nd Ave NE	4,000	3186	4081	-	-	E-Mitigated	0.80	1.02
122nd Ave NE	124th Ave NE	4,000	3379	3904	-	-	E-Mitigated	0.84	0.98
124th Ave NE	126th Ave NE	4,000	3241	3728	-	-	E-Mitigated	0.81	0.93
126th Ave NE	128th Ave NE	4,000	3285	4275	-	-	E-Mitigated	0.82	1.07
128th Ave NE	132nd Ave NE	4,000	2558	3624	-	-	E-Mitigated	0.64	0.91

Table T-7 Signalized State Route Intersections

Signalized State Route Intersections	PM Peak Hour Traffic Volumes		PM Peak Hour LOS		Corresponding Letter Grade LOS for 2022	Planned Improvement Projects
	Existing 2007	Future 2022	Existing 2007	Future 2022		
I-405						
116th Ave NE/NB Ramp	2,295	3,017	0.92	1.35	F	None
NE 72nd Pl/SB Ramp	2,195	2,880	0.89	1.22	F	HOV queue bypass
NE 116th St/NB Ramp	2,914	3,471	0.78	0.90	E	None
NE 124th St/NB Ramp	3,711	4,552	0.52	0.60	B	HOV queue bypass
NE 124th St/SB Ramp	4,396	4,878	0.68	0.74	C	HOV queue bypass
Totem Lake Blvd/120th Ave NE	3,294	3,181	0.80	0.89	D	None
SR 908						
NE 85th St/114th Ave NE	4,071	6,090	0.97	1.16	F	Signal interconnect, add SB left-turn lane
NE 85th St/ 120th Ave NE	4,004	5,245	0.83	1.04	F	Signal interconnect, add NB left-turn lane
NE 85th St/122nd Ave NE	3,490	4,159	0.78	0.90	E	Signal interconnect
NE 85th St/124th Ave NE	4,550	5,176	0.88	1.01	F	Signal interconnect, add EB left-turn lane
NE 85th St/ 132nd Ave NE	3,472	4,996	0.81	1.13	F	Signal interconnect, add NB left-turn lane, SB right-turn lane, WB right-turn lane, add WB and EB through lanes

The following text is excerpted from the Downtown Plan section of the Moss Bay Neighborhood Plan to indicate revisions related to the Parkplace PAR within the context of the Plan. Edited paragraphs are indicated in shaded text. Graphics showing modifications to neighborhood maps are included as at the end of this document.

A. VISION STATEMENT

Downtown Kirkland provides a strong sense of community identity for all of Kirkland. This identity is derived from Downtown's physical setting along the lakefront, its distinctive topography, and the human scale of existing development. This identity is reinforced in the minds of Kirklanders by Downtown's historic role as the cultural and civic heart of the community.

Future growth and development of the Downtown must recognize its unique identity, complement ongoing civic activities, clarify Downtown's natural physical setting, enhance the open space network, and add pedestrian amenities. These qualities will be encouraged by attracting economic development that emphasizes diversity and quality within a hometown setting of human scale.

B. LAND USE

A critical mass of retail uses and services is essential to the economic vitality of the Downtown area.

The Downtown area is appropriate for a wide variety of permitted uses. The area's economic vitality and identity as a commercial center will depend upon its ability to establish and retain a critical mass of retail uses and services, primarily located west of 3rd Street. If this objective is not reached, it relegates the Downtown to a weaker and narrower commercial focus (i.e., restaurant and offices only) and lessens the opportunities and reasons for Kirklanders to frequent the Downtown.

The enhancement of the area for retail and service businesses will best be served by concentrating such uses in the pedestrian core and shoreline districts and by encouraging a substantial increase in the amount of housing and office floor area either within or adjacent to the core. In implementing this land use concept as a part of Downtown's vision, care must be taken to respect and enhance the existing features, patterns, and opportunities discussed in the following plan sections on urban design, public facilities, and circulation.

Land use districts in the Downtown area are identified in Figure C-3.

Figure C3 identifies five land use districts within the Downtown area. The districts are structured according to natural constraints such as topographical change, the appropriateness of pedestrian and/or automobile-oriented uses within the district, and linkages with nearby residential neighborhoods and other commercial activity centers.

CORE AREA

Pedestrian activity in the core area is to be enhanced.

The core area should be enhanced as the pedestrian heart of Downtown Kirkland. Land uses should be oriented to the pedestrian, both in terms of design and activity type. Appropriate uses include retail, restaurant, office, residential, cultural, and recreational.

Restaurants, delicatessens, and specialty retail shops, including fine apparel, gift shops, art galleries, import shops, and the like constitute the use mix and image contemplated in the Vision for Downtown. These uses provide visual interest and stimulate foot traffic and thereby provide opportunities for leisure time strolling along Downtown walkways for Kirklanders and visitors alike.

Drive-through facilities and ground-floor offices are prohibited.

The desired pedestrian character and vitality of the core area requires the relatively intensive use of land and continuous compact retail frontage. Therefore, automobile drive-through facilities should be prohibited. Similarly, office uses should not be allowed to locate on the ground level. These uses generally lack visual interest, generate little foot traffic, and diminish prime ground floor opportunities for the retail uses that are crucial to the ambiance and economic success of the core area.

The attractiveness of the core area for pedestrian activity should be maintained and enhanced. Public and private efforts toward beautification of the area should be promoted. Mitigation measures should be undertaken where land uses may threaten the quality of the pedestrian environment. For example, in areas where take-out eating facilities are permitted, a litter surcharge on business licenses should be considered as a means to pay for additional trash receptacles or cleaning crews.

The creation and enhancement of public open spaces is discussed.

Public open spaces are an important component of the pedestrian environment. They provide focal points for outdoor activity, provide refuge from automobiles, and stimulate foot traffic which in turn helps the retail trade. The establishment and use of public spaces should be promoted. Surface parking lots should be eliminated in favor of structured parking. In the interim, their role as one form of open area in the Downtown should be improved with landscaped buffers adjacent to rights-of-way and between properties. Landscaping should also be installed where rear sides of buildings and service areas are exposed to pedestrians.

EXHIBIT C

A high-priority policy objective should be for developers to include only enough parking stalls in their projects within the core area to meet the immediate need and to locate the majority of their parking in the core frame. This approach would reserve the majority of core land area for pedestrian movement and uses and yet recognize that the adjacent core frame is within a very short walk.

The City should generally avoid vacating alleys and streets in the core area. The existing network of street and alleys provides a fine-grained texture to the blocks which allows service access and pedestrian shortcuts. The small blocks also preclude consolidation of properties which might allow larger developments with less pedestrian scale. Vacations may be considered when they will not result in increased building mass and there is a substantial public benefit. Examples of public benefit might include superior pedestrian or vehicular linkages, or superior public open space.

NORTHWEST CORE FRAME

Office and office/multifamily mixed-use projects are appropriate in the Northwest Core Frame.

The Northwest Core Frame includes the area south of City Hall and north of the core area. This area should develop with office, or office/multifamily mixed-use projects, whose occupants will help to support the commercial establishments contained in the core. Retail and restaurant uses are desirable provided that they have primary access from Central Way.

This area presents an excellent opportunity for the development of perimeter parking for the core area and is so shown in the Downtown Master Plan (Figure C4). Developers should be encouraged to include surplus public parking in their projects, or to incorporate private parking “transferred” from projects in the core or funded by the fee-in-lieu or other municipal source. While pedestrian pathways are not as critical in this area as they are in the core, drive-through facilities should nevertheless be encouraged to locate elsewhere, to the east of 3rd Street.

Northeast Core Frame

A broad range of commercial uses should be encouraged in the Northeast Core Frame.

The Northeast Core Frame currently contains the bulk of the Downtown area’s automobile-oriented uses. Redevelopment or new development in this area should be encouraged to represent a broader range of commercial uses.

Future development should set the bulk of structures back from the street while providing low, one-story retail shops at the edge of the sidewalk. Development should also underground utilities, and incorporate parking lot landscaping and a reduction in lot coverage in site design. This will present an open, green face to Central Way and, in conjunction with Peter Kirk Park on the south side of the street, create a tree-lined boulevard effect as one approaches the core area from the east.

EAST CORE FRAME

Development in the East Core Frame should be in large, intensively developed mixed-use projects.

The East Core Frame is located east of Peter Kirk Park, extending from Kirkland Way northerly to 7th Avenue. The area includes the area where the Kirkland Parkplace shopping center as well as several large office buildings and large residential complexes. South of Central way, the area is largely commercial and provides significant opportunities for redevelopment. is located, and extends northerly to 7th Avenue. Developments in this area should continue to represent a wide range of uses, in several large, mixed use projects. However, bBecause this area between Central Way and Kirkland Way provides the best opportunities in the Downtown for creating a strong vital employment base, redevelopment for this area should continue to emphasize office use should be emphasized redevelopment over residential. Within the Parkplace center site, however, retail uses should be a significant component of a mixed use complex.

Limited residential use should be allowed as a complementary use adjoining the eastern edge of Peter Kirk Park as a complementary use. These residential uses should be designed to accommodate the active nature of the park (e.g., noise, lighting, etc.) to avoid potential conflicts between future residents and park uses.

The north side of Central Way, within the East Core Frame, has been redeveloped to nearly its full potential with high density residential uses.

SOUTH CORE FRAME

Retail, office, and office/multifamily mixed-use projects are suitable for the South Core Frame.

The South Core Frame immediately abuts the southern boundary of the core area. This area is suitable for retail, office, and office/multifamily mixed-use projects.

Public parking may be provided in the South Core Frame.

The South Core Frame, like the Northwest Core Frame, presents an excellent opportunity for the development of close-in public parking. Developers should be allowed to include surplus public parking in their projects in this area or to accommodate private parking “transferred” from the core or funded by “fee-in-lieu” or other municipal source.

The western half of the South Core Frame should develop more intensively than the eastern half of this area, due to its proximity to the Downtown core. The vacation of 1st Avenue South, west of 2nd Street South, and 1st Street South should be considered as a means of concentrating more intensive development to the west.

Mitigation measures to reduce impacts on single-family residences may be required.

As this area lies just north of an established single-family neighborhood, mitigation measures may be required to minimize the impacts of any new nonresidential development on these single-family homes. These measures may include the restriction of vehicle access to projects within the South Core Frame to nonresidential streets. Public improvements, such as physical barriers to restrict traffic flow in these areas, may be considered. The architectural massing of projects in this area should be modulated both horizontally and vertically to reduce their visual bulk and to reflect the topography which presently exists.

C. URBAN DESIGN

The urban design of Downtown Kirkland consists of many disparate elements which, together, define its identity and “sense of place.” This document provides policy guidelines for the design of private development and a master plan for the development of the public framework of streets, pedestrian pathways, public facilities, parks, public buildings, and other public improvements (see Figure C4).

The following discussion is organized into three sections:

- A. Downtown Design Guidelines and Design Review;
- B. Building Height and Design Districts; and
- C. The Image of the City: Urban Design Assets.

DOWNTOWN DESIGN GUIDELINES AND DESIGN REVIEW

Mechanics of Design Review are described.

The booklet entitled “Design Guidelines for Pedestrian-Oriented Business Districts,” which is adopted in Chapter 3.30 of the Kirkland Municipal Code, contains policy guidelines and concepts for private development in Downtown Kirkland. The booklet includes an explanation of the mechanics of the Design Review process to be used for all new development and major renovations in the Downtown area. The booklet entitled “Master Plan and Design Guidelines for Kirkland Parkplace” contains guidelines for the master planned development of the Kirkland Parkplace site (Design District 5A). Discretion to deny or condition a design proposal is based on specific Design Guidelines or a master plan adopted by the City Council and administered by the Design Review Board and Planning Department. Design Review enables the City to apply the Guidelines in a consistent, predictable, and effective manner.

The Guidelines are intended to balance the desired diversity of project architecture with the equally desired overall coherence of the Downtown’s visual and historic character. This is to be achieved by injecting into each project’s creative design process a recognition and respect of design principles and methods which incorporate new development into Downtown’s overall pattern. The Guidelines would be applied to any specific site in conjunction with the policy guidance provided by the Downtown Master Plan and the following text regarding Design Districts.

The Design Review Process enables the City to require new development to implement the policy guidance contained in the Guidelines, the Master Plan for Downtown, and to protect and enhance the area's urban design assets. A more complete description of how Design Review should operate is found in the Zoning Code.

BUILDING HEIGHT AND DESIGN DISTRICTS

Figure C5 identifies eight height and design districts within Downtown Kirkland. The boundaries of these districts are determined primarily by the topographical characteristics of the land and the area's proximity to other noncommercial uses.

Design District 1

Maximum building height in Design District 1 is between two and five stories, depending on location and use.

This district is bordered by Lake Street, Central Way, 3rd Street, and generally 1st Avenue South. When combined with District 2, this area corresponds to the core area as shown in Figure C3.

The maximum building height in this area should be between two and five stories with no minimum setback from property lines. Stories above the second story should be set back from the street. To preserve the existing human scale of this area, development over two stories requires review and approval by the Design Review Board based on the priorities set forth in this plan.

Buildings should be limited to two stories along all of Lake Street South to reflect the scale of development in Design District 2. Along Park Lane west of Main Street, Third Street, and along Kirkland Avenue, a maximum height of two stories along street frontages will protect the existing human scale and pedestrian orientation. Buildings up to three stories in height may be appropriate along Central Way to reflect the scale of development in Design District 8 and as an intermediate height where adequately set back from the street. A continuous three-story street wall should be avoided by incorporating vertical and horizontal modulations into the design of buildings.

The portions of Design District 1 designated as 1A in Figure C-5 should be limited to a maximum height of three stories. As an incentive to encourage residential use of upper floors and to strengthen the retail fabric of the Core Area, a fourth story of height may be allowed. This additional story may be considered by the Design Review Board for projects where at least two of the upper stories are residential, the total height is not more than four feet taller than the height that would result from an office project with two stories of office over ground floor retail, stories above the second story are set back significantly from the street and the building form is stepped back at the third and fourth stories to mitigate the additional building mass, and the project provides superior retail space at the street level. Rooftop appurtenances and related screening should not exceed the total allowed height, and should be integrated into the height and design of any peaked roofs or parapets.

The portions of Design District 1 designated as 1B in Figure C-5 provide the best opportunities for new development that could contribute to the pedestrian fabric of the Downtown. Much of the existing development in these areas consists of older auto-oriented uses defined by surface parking lots and poor

pedestrian orientation. To provide incentive for redevelopment and because these larger sites have more flexibility to accommodate additional height, a mix of two to four stories in height is appropriate. East of Main Street, development should combine modulations in building heights with modulations of facade widths to break large buildings into the appearance of multiple smaller buildings. South of Kirkland Avenue, building forms should step up from the north and west with the tallest portions at the base of the hillside to help moderate the mass of large buildings on top of the bluff. Buildings over two stories in height should generally reduce the building mass above the second story.

As with Design District 1A, an additional story of height may be appropriate in 1B to encourage residential use of the upper floors and to strengthen the retail fabric in the Core Area. This additional story may be considered by the Design Review Board for projects where at least three of the upper stories are residential, the total height is not more than one foot taller than the height that would result from an office project with three stories of office over ground floor retail, stories above the second story are set back significantly from the street and the building form is stepped back at the at the third, fourth, and fifth stories to mitigate the additional building mass, and the project provides superior retail space at the street level. Rooftop appurtenances and related screening should not exceed the total allowed height, and should be integrated into the height and design of any peaked roofs or parapets.

Design considerations of particular importance in this area are those related to pedestrian scale and orientation. Building design at the street wall should contribute to a lively, attractive, and safe pedestrian streetscape. This should be achieved by the judicious placement of windows, multiple entrances, canopies, awnings, courtyards, arcades, and other pedestrian amenities. Service areas, surface parking, and blank facades should be located away from the street frontage.

Design District 2

One to three stories in building height above Central Way or Lake Street are appropriate in Design District 2, depending on location.

This area is bordered by the shoreline, Central Way, Lake Street, and 3rd Avenue South. This area serves as the link between Downtown and the Lake and helps define the traditional pedestrian-oriented retail environment. In addition, the existing low development allows public views of the Lake from many vantages around the Downtown and allows evening sun into the Downtown core. To emphasize this link and the traditional role, building heights in this area should remain low. Two stories above the street are appropriate along Central Way and south of Kirkland Avenue. Along Lake Street South between Kirkland Avenue and Central Way, buildings should be limited to one story above the street. Two stories in height may be allowed in this area where the impacts of the additional height are offset by substantial public benefits, such as through-block public pedestrian access or view corridors. Buildings over one story in this area should be reviewed by the Design Review Board for both design and public benefit considerations. These benefits could also be provided with the development of the Lakeshore Plaza project identified in the Downtown Master Plan (see Figure C-4). Building occurring in conjunction with that project or thereafter should be reviewed in relation to the new context to determine whether two stories are appropriate. South of Second Avenue South, buildings up to three stories above Lake Street South are appropriate. Buildings over two stories should be reviewed by the Design Review Board to ensure an effective transition along the street and properties to the south.

EXHIBIT C

As in District 1, pedestrian orientation is an equally important design consideration in District 2. In addition, improvements related to the visual or physical linkage between building in this area and the lake to the west should be incorporated in building design.

The public parking lot located near Marina Park at the base of Market Street is well suited for a parking structure of several levels, due to its topography. Incentives should be developed to encourage the use of this site for additional public parking.

Design Districts 3 and 7

Maximum building height is three stories in Design Districts 3 and 7.

These districts are east of 3rd Street, north of Central Way, and south of Peter Kirk Park. Maximum building height should be three stories, with a minimum front yard setback of 20 feet and maximum lot coverage of 80 percent. Lower portions of projects with a pedestrian orientation should be allowed to encroach into the setbacks to stimulate pedestrian activity and links to eastern portions of the Downtown. Street trees and ground cover are appropriate along Kirkland Avenue and Central Way. By keeping structures in this area relatively low-rise and set back from the street, views from upland residences can be preserved and the openness around Peter Kirk Park enhanced.

In Design District 3, the restriction of access points to nonresidential streets may be necessary in order to prevent a negative impact of development in this area on the single-family enclave which exists to the south.

Design District 4

Maximum building height to be four stories.

This district is located south of 1st Avenue South, east of 1st Street South. Land in this area is appropriate for developments of four stories in height.

The method for calculating building height should be modified for this area as described in the discussion of height calculation for structures in District 8. The opportunity to take advantage of substantial grade changes with terraced building forms also exists in the western half of District 4.

Vehicular circulation will be an important consideration in project design in this area. The restriction of access points to nonresidential streets in order to prevent a negative impact of development in this area on the single-family enclave which exists to the south may be necessary.

Design District 5

Building heights of two to five stories are appropriate in Design District 5.

This district lies at the east side of Downtown between ~~Central Way~~ Design District 5A and Kirkland Way. Maximum building height should be between three and five stories. The existing mix of building heights and

arrangement of structures within the district preserves a sense of openness within the district and around the perimeter. Placement, size, and orientation of new structures in this district should be carefully considered to preserve this sense of openness. Buildings over two stories in height should be reviewed by the Design Review Board for consistency with applicable policies and criteria. Within the district, massing should generally be lower toward the perimeter and step up toward the center. ~~Facades~~ Portions of buildings facing Central Way, Kirkland Way, and Peter Kirk Park should be limited to between two and three stories, with taller portions of the building stepped back significantly. Buildings over three stories in height should generally reduce building mass above the third story.

Buildings fronting Peter Kirk Park and the Performance Center should be well modulated, both vertically and horizontally, to ease the transition to this important public space. Buildings should not turn their backs onto the park with service access ~~or~~; blank walls, etc. Landscaping and pedestrian linkages should be used to create an effective transition. ~~Residential development should be designed to integrate into both the office/retail character of the zone and the active urban nature of Peter Kirk Park. Residential development should also be limited to those portions of the property fronting on park green space, rather than those portions fronting the Teen Center and Performance Center.~~

Design considerations related to vehicular and pedestrian access, landscaping, and open space are particularly important in this area. ~~The intersection of 6th Street and Central Way is a prominent gateway to the Downtown. New development in this area should have a positive impact on the image of Kirkland and should be designed to enhance this entry.~~ Within the district, a north-south vehicular access between Central Way and Kirkland Way should be preserved and enhanced with pedestrian improvements.

Design Districts 5A

Building heights of 3 to 8 stories are appropriate in Design District 5A.

This district lies at the east side of Downtown between Central Way and Design District 5 and is commonly known as Parkplace. This property is distinguished from the remainder of Design District 5 by the following factors: it is a large parcel under common ownership; it is topographically distinct based on previous excavation to a level that is generally lower than Central Way and abutting properties to the south and east; it has frontage on Central Way; and it contains a mix of uses not found on other office or residential only properties in District 5. Design considerations related to vehicular and pedestrian access, landscaping, and open space are particularly important in this area. Within the district a north-south vehicular access between Central Way and Kirkland Way should be preserved and enhanced with pedestrian improvements.

Redevelopment of this area should be governed by the Kirkland Parkplace Master Plan and Design Guidelines as set forth in the Kirkland Municipal Code. Heights of up to eight stories are appropriate as an incentive to create a network of public open spaces around which is organized a dynamic retail destination. Development under the Master Plan and Design Guidelines should guide the transformation of this district from an auto-oriented center surrounded by surface parking into a pedestrian-oriented center integrated into the community by placing parking underground; activating the streets with retail uses; and creating generous pedestrian paths, public spaces and gathering places. Pedestrian connections to adjoining streets, Peter Kirk Park, and adjoining developments should be incorporated to facilitate the integration of the district into the neighborhood. Residential development could be designed to integrate into both the office/retail character of the zone and the active urban nature of Peter Kirk Park. Special attention to building design, size, and location should be provided at three key locations: at the intersection of Central Way and Sixth Street to define and enhance this

important downtown gateway; along Central Way to respond to the context along the north side of street; and facing Peter Kirk Park to provide a transition in scale to downtown's central greenspace.

Because of the intensity of land use in 5A, the design of the buildings and site should incorporate aggressive sustainability measures, including low impact development measures, deconstruction, green buildings, and transportation demand management.

Design District 6

Maximum building heights of two to four stories are appropriate for Design District 6.

This large block of land located between 5th Street and 6th Street, north of Central Way, and south of 7th Avenue, is identified as a major opportunity site for redevelopment elsewhere in this document. Figure C6 contains a schematic diagram of design and circulation considerations that should be incorporated in the redevelopment of this district. Development of this district should be relatively intensive and should be physically integrated through pedestrian access routes, design considerations, and intensive landscaping.

Safe, convenient, and attractive pedestrian connections across the district should be provided. This path should be designed under a covered enclosure or arcade along the storefronts in this area. Visual interest and pedestrian scale of these storefronts will contribute to the appeal of this walkway to the pedestrian. A connection of this pathway to Central Way should be made, with a continuation of the overhead enclosure to unify this pedestrian route.

Design considerations related to vehicular and pedestrian access, landscaping, and open space are particularly important in this area. The intersection of 6th Street and Central Way is a prominent gateway to the Downtown. New development in this area should have a positive impact on the image of Kirkland and should be designed to enhance this entry.

A substantial building setback or mitigating design such as the site configuration on the south side of Central Way is necessary in order to preserve openness at this important gateway site. The northeast and southeast corners of this block should be set aside and landscaped to provide public open spaces or miniparks at these gateways. Side-yard setbacks, however, should be minimal to reduce the appearance of a building surrounded by a parking area.

The northern portion of this district should be developed in uses that are residential both in function and scale. Access to this portion of the site may be either from 7th Avenue or from one of the adjacent side streets. Some of the significant trees along 7th Avenue should be incorporated into the site design as a means of softening the apparent mass of any new structures and to provide additional elements of continuity facing the single-family residences along 7th Avenue. In addition, building mass should step down toward 7th Avenue and design consideration should be given to the massing and form of single-family homes to the north.

Design District 8

Building heights of two to four stories are appropriate, depending on location.

This district is located north of Central Way and south of 4th Avenue, between Market Street and 3rd Street. Maximum building height should be three stories abutting Central Way and two stories at 3rd and 4th Avenues. Structures which do not abut either of these streets should be allowed to rise up to four stories.

Building height calculation should require terracing of building forms on sloped sites.

Where dramatic elevation changes exist in this district, an innovative method of calculating height is appropriate. In order to encourage the terracing of building forms on the hillside, building height should be calculated relative to the ground elevation above which the individual planes of the structure lie. Additional bulk controls should apply to restrict the height within 100 feet of noncommercial neighborhoods to the same height allowed in the adjacent zone. Heights on the north side should step down to ease the transition to the core area and moderate the mass on top of the hillside.

Vehicular circulation to nonresidential portions of projects within this area should not occur on primarily residential streets. In addition, design elements should be incorporated into developments in this area which provide a transition to the residential area to the north.

THE IMAGE OF THE CITY: URBAN DESIGN ASSETS

Many of Downtown's urban design assets are mapped on the Master Plan (Figure C4) or are discussed explicitly in the text of the Height and Design Districts or the Downtown Design Guidelines. The following text should read as an explanation and amplification of references made in those two parts of the Downtown Plan.

Visual Landmarks

Lake Washington is a major landmark in Downtown Kirkland.

The most vivid landmark in Downtown Kirkland is Lake Washington. The lake provides a sense of openness and orientation and is a prominent feature from two of the three main approaches to the Downtown. Many residents and visitors to Kirkland form their impressions of the community from these important vantage points. The preservation and enhancement of views from the eastern (NE 85th Street/Central Way) and northern (Market Street) approaches/gateways is a high-priority policy objective.

Despite the prominence from these vantage points, the core area is not well oriented to capitalize on its waterfront setting. The existing activity centers of the retail core and the lake are separated by large surface parking lots. The City and property owners around Marina Park should aggressively pursue opportunities to correct this deficiency by structuring the existing surface parking below a public plaza. This open space amenity could redefine the Downtown and become the focal point of the community.

Other outstanding visual landmarks include the large green expanse of Peter Kirk Park, which provides an open space relief to the densely developed Downtown core to the west. The Peter Kirk Park civic and cultural facilities (Library, Municipal Garage, Peter Kirk Pool, Kirkland Performance Center, Peter Kirk Community Center, Teen Union Building)library and Senior Center building located at the southeast edge of Peter Kirk

Park, as well as the METRO transit center at the western boundary of the park, are also well-known local landmarks.

The City Hall facility provides an important visual and civic landmark on the northern slope above the Downtown. Marina Park and the pavilion structure situated there are also symbolic reference points of community, recreational, and cultural activities.

There are a number of features in and nearby the Downtown area with historic significance which add to its visual character and historic flavor. These landmarks include the historic buildings on Market Street and the old ferry clock on Lake Street at Kirkland Avenue. These structures should be recognized for their community and historic value, and their preservation and enhancement should have a high priority. In contrast to the bland architecture of many of the buildings in the Downtown constructed since the 1940's, some of the older structures help define the character of the Downtown. The City will consider preserving this character through a process of inventorying these structures and adopting historic protection regulations. New regulations could range from protecting the character of designated historic buildings to protecting the actual structure. Some form of preservation would provide continuity between the Downtown vision and its unique past.

Public Views

Important Downtown views are from the northern, southern, and eastern gateways.

A number of dramatic views exist in the Downtown and its immediate vicinity due to the hills, the valley, and the sloping land areas which form the bowl-like topography ~~which characterizes~~ the City's center. One of the views most often associated with Downtown Kirkland is from NE 85th Street just west of Interstate 405 ~~the eastern gateway, where Central Way meets 6th Street~~. From this vantage point, the hills north and south of the core area form a frame for a sweeping view of Lake Washington in the distance and the Olympic mountain range beyond.

Another striking view, identified in Figure C4, is from the Market Street entry into Downtown. This approach is met with a view of the lake, Marina Park and its pavilion, and the City's shoreline. This view could be enhanced with redevelopment of the GTE site, where the existing massive building substantially diminishes this broad territorial view.

Where the Kirkland Avenue and 2nd Avenue South rights-of-way cross Lake Street and continue to Lake Washington, an unobstructed view of open water is visible to pedestrians and people traveling in vehicles. These views are very valuable in maintaining the visual connection and perception of public accessibility to the lake. These views should be kept free of obstruction.

Gateways

Topographic changes define gateways into the Downtown area.

The gateways into Downtown Kirkland are very clear and convey a distinct sense of entry. Two of the Downtown's three major gateways make use of a change in topography to provide a visual entry into the area.

At the eastern boundary of the Downtown area, Central Way drops toward the lake, and the core area comes clearly into view. This gateway could be enhanced by an entry sign, similar to one located farther up the hill to the east, or some other distinctive structure or landscaping feature.

A second major gateway is the Downtown's northern entrance where Market Street slopes gradually down toward Marina Park. The historic buildings at 7th Avenue begin to form the visual impression of Downtown's character and identity, and the landscaped median adds to the boulevard feeling of this entryway. Some type of sign or other feature could be incorporated into the improvements to the Waverly site.

At the Downtown's southern border, the curve of Lake Street at about 3rd Avenue South provides a very clear gateway into the commercial core. It is at this point that the transition from residential to retail uses is distinctly felt. Here, also, is an opportunity to enhance this sense of entry by creation of literal gateposts, signs, or landscape materials.

Pathways

An extensive network of pedestrian pathways covers the Downtown area.

The size and scale of Downtown Kirkland make walking a convenient and attractive activity. An extensive network of pedestrian pathways covers the Downtown area, linking residential, recreational, and commercial areas. Downtown Kirkland is a pedestrian precinct unlike virtually any other in the region. It is almost European in its scale and quality.

The core of the shopping district, with its compact land uses, is particularly conducive to pedestrian traffic. Both sides of Lake Street, Park Lane, and Kirkland Avenue are major pedestrian routes. Many residents and visitors also traverse the land west of Lake Street to view and participate in water-oriented activities available there.

The Downtown area's major east/west pedestrian route links the lake with Peter Kirk Park, the Kirkland Parkplace shopping center, and areas to the east. For the most part, this route is a visually clear pathway, with diversity and nearby destinations contributing to its appeal to the pedestrian. Enhancement and improved definition of this important east-west pedestrian corridor would help link Parkplace Place with the rest of the shopping district.

Minor pedestrian routes link the residential areas north of Central Way and south of Kirkland Avenue. These linkages need to be strengthened in order to accommodate the residential and office populations walking from the Norkirk Neighborhood and core frames, respectively. Additional improvements, such as brick paver crosswalks, pedestrian safety islands, and signalization, are methods to strengthen these north-south linkages.

Enhancement of Downtown pedestrian routes should be a high-priority objective.

Enhancement of the Downtown area's pedestrian routes should be a high-priority policy and design objective. For example, minor architectural features and attractive and informative signs should be used to identify public pathways. Public and private efforts to make pedestrian walkways more interesting, functional, convenient,

and safe, should be strongly supported. Figure C4 highlights a number of projects proposed for this purpose. These projects are discussed in detail elsewhere in this text.

D. PUBLIC FACILITIES

OPEN SPACE/PARKS

Four major park sites are critical to the Downtown's feeling of openness and greenery. These parks weave a noncommercial leisure-time thread into the fabric of the area and provide a valuable amenity, enhancing Downtown's appeal as a destination. Each of the major approaches to the Downtown is met with a park, with the Waverly site and Marina Park enhancing the northern entry, and Peter Kirk Park and Dave Brink Park augmenting the eastern and southern approaches. Physical improvements in and near these parks should strengthen their visual prominence and prevent view obstruction.

Marina Park and Peter Kirk Park in particular are well-used by families and recreational groups. Public facilities at these parks should continue to expand opportunities for residents, such as the installation of permanent street furniture and play equipment for children at Marina Park.

Pedestrian improvements should be made to improve connections between parks and nearby facilities.

Downtown projects which are not directly related to the parks should continue to locate adjacent to the parks, and in some cases, should share access or parking. Impacts from projects, such as the tour boat dock at Marina Park and the METRO transit center at Peter Kirk Park, should be minimized. Efforts to provide continuity between these facilities and the parks through the use of consistent walkway materials, landscaping, and other pedestrian amenities, will help to reduce the appearance of a separation of uses at these locations.

The boat launch ramp which exists at Marina Park is an important amenity in the community. It should be retained until another more suitable location is found.

OTHER PUBLIC FACILITIES

City Hall and the Peter Kirk Park civic and cultural center Library/Senior Center facility add to the community atmosphere and civic presence in the Downtown area. The plan for Downtown developed in 1977 recommended that the City Hall facility be moved from its previous location in the core area to its present site overlooking the Downtown from the northern slope. In its new location, City Hall is close enough to Downtown to contribute workers to the retail and restaurant trade, as well as to provide a visually prominent and symbolic landmark when viewed from the Downtown.

Public efforts to assist the Downtown business district should be continued.

The City should help to foster economic vitality in the Downtown by working with the private sector and by encouraging independent efforts toward economic development by the private sector. Such assistance to the business community might include supporting efforts to establish local improvement or business improvement districts. This could take the form of seed money for preliminary studies and the dissemination of information.

Other public efforts to strengthen the Downtown business climate should include the continued promotion of public projects such as the tour boat dock, in addition to continued support for private projects such as the Lakeshore Plaza Boardwalk, which would help to implement public policy goals.

E. CIRCULATION

PEDESTRIAN

Pedestrian routes should have equal priority to vehicular routes in Downtown circulation.

Pedestrian amenities and routes should continue to be improved, and should be given equal priority with that of vehicular routes for circulation within the Downtown. Modifications to the street network and traffic patterns should not be allowed to disrupt Downtown pedestrian activity and circulation.

To be a truly successful walking environment, the core area of the Downtown must be safe, convenient, and pleasant for the pedestrian. Pedestrian safety would be increased greatly by reducing opportunities for conflicts with cars. The reprogramming of crosswalk signals to favor the pedestrian would discourage jaywalking and allow sufficient time for slower walkers to cross the street.

Convenience to the pedestrian will be enhanced by improving the directness and ease of pedestrian routes. "Shortcuts" between streets, or even between buildings, can link pedestrian routes over large distances where vehicles cannot circulate. Coordinated public directory signs and maps of walkways should be developed to clearly identify public pathways for the pedestrian.

A system of overhead coverings should be considered to improve the quality of pedestrian walkways year-round.

The pleasures of walking in the Downtown area would be enhanced by the installation of minor public improvements, such as street furniture (benches, planters, fountains, sculptures, special paving treatments), flower baskets, and coordinated banners and public art. The creation of a system of overhead coverings such as awnings, arcades, and marquees would provide protection to the pedestrian during inclement weather, allowing for pedestrian activity year-round. All of these features would add visual interest and vitality to the pedestrian environment.

Brick crosswalks have been installed at 3rd Street and Park Lane in conjunction with the METRO transit center facility. The expansion of the use of brick for crosswalks throughout the Downtown should be considered. In any case, additional restriping of crosswalks in the Downtown area should be actively pursued.

The establishment and improvement of pedestrian pathways between activity centers should be a high-priority policy objective. Major pedestrian routes within the Downtown area are identified in Figure C4. Major pathways include the extensive east-west “spine” or “Park Walk Promenade,” which links the lake with points east of 6th Street and the shoreline public access trail.

The Downtown Master Plan also identifies other important pedestrian routes which provide north-south pedestrian access. Improvements to these pathways should be promoted, particularly at the intersection of 6th Street and Central Way. Elevated crosswalks should be considered among the alternatives reviewed for pedestrian access across Central Way. Disadvantages to elevated crosswalks which should be considered are potential view blockage and the loss of on-street pedestrian traffic.

The portion of the Park Walk Promenade spanning Peter Kirk Park was installed by the City during renovation of the park facilities. The walk serves the ~~Senior Center~~ Peter Kirk Park civic and cultural center and library, as well as commercial areas to the east and west. This walkway should be expanded upon when the remaining land south of Kirkland Parkplace develops.

Figure C4 illustrates pedestrian system improvements for the two major routes which are intended to serve several purposes. These projects would improve the safety, convenience, and attractiveness of foot traffic in the Downtown, provide shelter from the weather, and create a unifying element highlighting the presence of a pedestrian linkage.

A large public plaza should be constructed west of buildings on Lake Street to enhance the Downtown’s lake front setting (See Figure C-4).

The Lakeshore Plaza shown on the Downtown Master Plan envisions a large public plaza constructed over structured parking. Ideally, the plaza would be developed through public/private partnerships to provide a seamless connection between the Downtown and the lake. The plaza would be at the same grade as Lake Street and would provide visual and pedestrian access from a series of at-grade pedestrian connections from Central Way and Lake Street.

The Park Walk Promenade identified on the Downtown Master Plan should consist of a series of minor structures placed at prominent locations along the walkway in order to clearly identify the pathway throughout its length, as well as to provide some protection during wet weather. The plexiglas and metal “space frames” used at Mercer Island’s Luther Burbank Park and at the Seattle Center are possible design options for protective structures. The concrete and metal gateway feature where Parkplace abuts Peter Kirk Park is a good model for visual markers along the east-west pedestrian spine.

VEHICULAR

Automobiles and public transit are the modes of transportation which move people in and out of the Downtown, and often between the core area and the frame. Within the Downtown, pedestrian circulation should be given equal priority with vehicular circulation. A primary circulation goal should be to emphasize pedestrian circulation within the Downtown, while facilitating vehicle access into and out of the Downtown.

Alternate traffic routes should be considered.

Lake Street should be designated to function as a major pedestrian pathway. The objectives for land use and pedestrian circulation should be seriously considered during any plans for traffic and roadway improvements on Lake Washington Boulevard. The goal to discourage commuter traffic on the boulevard should not be viewed independently from the need to retain vehicle access for tourists, shoppers, and employees to the Downtown.

State Street should continue to serve as a major vehicular route, bringing shoppers and workers into the Downtown area. Sixth Street should be developed to accommodate additional vehicles. Future plans for Lake Street and Lake Washington Boulevard may include the diversion of cars from the Downtown area, and 6th Street would provide the most appropriate north/south alternative route. The existence of commercial development on this street renders it more appropriate than State Street to handle substantial commuter traffic.

The use of public transportation to the Downtown should be encouraged.

Third Street has been designed for the pedestrian and public transit user, with the METRO transit center located on this street. The use of public transportation as an alternative for people who work or shop in the Downtown should be encouraged. Increased use of this mode of transportation would help to reduce traffic congestion and parking problems in the core area.

The number of vehicular curb cuts in the Downtown area should be limited. Both traffic flow in the streets and pedestrian flow on the sidewalks are disrupted where driveways occur. In the core frame in particular, the placement of driveways should not encourage vehicles moving to and from commercial areas to travel through residential districts.

PARKING

The core area is a pedestrian-oriented district, and the maintenance and enhancement of this quality should be a high priority. Nevertheless, it should be recognized that pedestrians most often arrive in the core via an automobile which must be parked within easy walking distance of shops and services. To this end, as discussed elsewhere in this chapter, private projects which include a substantial amount of surplus parking stalls in their projects should be encouraged to locate these parking stalls in the core frame.

The Downtown area contains a variety of parking opportunities. Four public parking lots exist in the Downtown area: at the west side of Peter Kirk Park, the street-end of Market Street at Marina Park, in Lakeshore Plaza, and at the intersection of Central Way and Lake Street. These lots are shown on the Downtown Master Plan (Figure C4).

Public parking to be a permitted use on private properties north and south of the core area.

Other sites that would be appropriate for public parking include the north and south slope of the Downtown as shown in Figure C4. Public parking in these areas would help to serve core-area businesses, while not detracting from the dense pattern of development critical to the pedestrian environment there.

More intensive development of existing parking areas should be considered as a way to provide more close-in public parking. Certain sites, such as the Market Street-End lot and the Peter Kirk lot would adapt well to structured parking due to the topography in the immediate vicinity of these lots. Structuring parking below Lakeshore Plaza could make more efficient use of the available space and result in a dramatic increase in the number of stalls available.

The fee-in-lieu of parking alternative allows developers in the core area to contribute to a fund instead of providing required parking on site. The City's authority to spend the monies in this fund should be expanded to include the use of the funds on private property in conjunction with parking facilities being provided by private developers.

Another option for off-site parking should be considered which would allow developers to provide the parking required for their projects elsewhere in the core area or core frame. This alternative should include the construction of parking stalls in conjunction with another developer, if it can be shown that the alternative parking location will be clearly available to the public and is easily accessible to the core area.

The City's parking management and enforcement program should be maintained. The program should be evaluated periodically to assess its effectiveness, with revisions made when necessary.

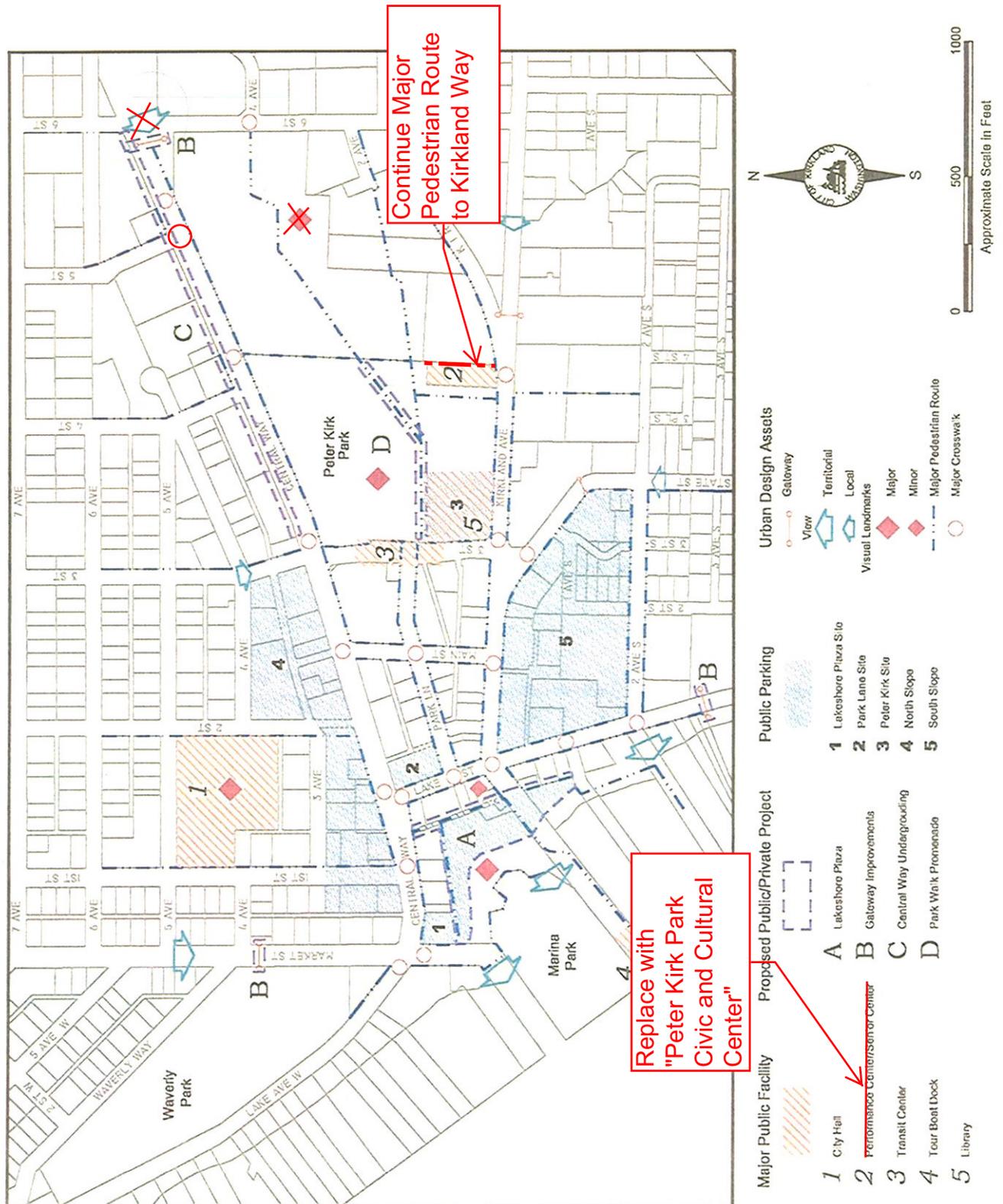


Figure C-4: Downtown Master Plan



- Maximum Number of Stories
(See Text for Specific Allowances)**
- 1-2
 - * 1A Discretionary Approval for Heights over 2 Stories
 - * 1B Discretionary Approval for Heights over 2 Stories
 - 3
 - 5 Discretionary Approval for Heights over 2 Stories
 - 4
 - # of stories on street (height steps up from street)
 - # Design District
 - ▲ Height Measured Relative to Slope
 - * One Additional Story Allowed for Upper Story Residential

5A 3-8: Pursuant to KZC and Parkplace Master Plan and Design Guidelines

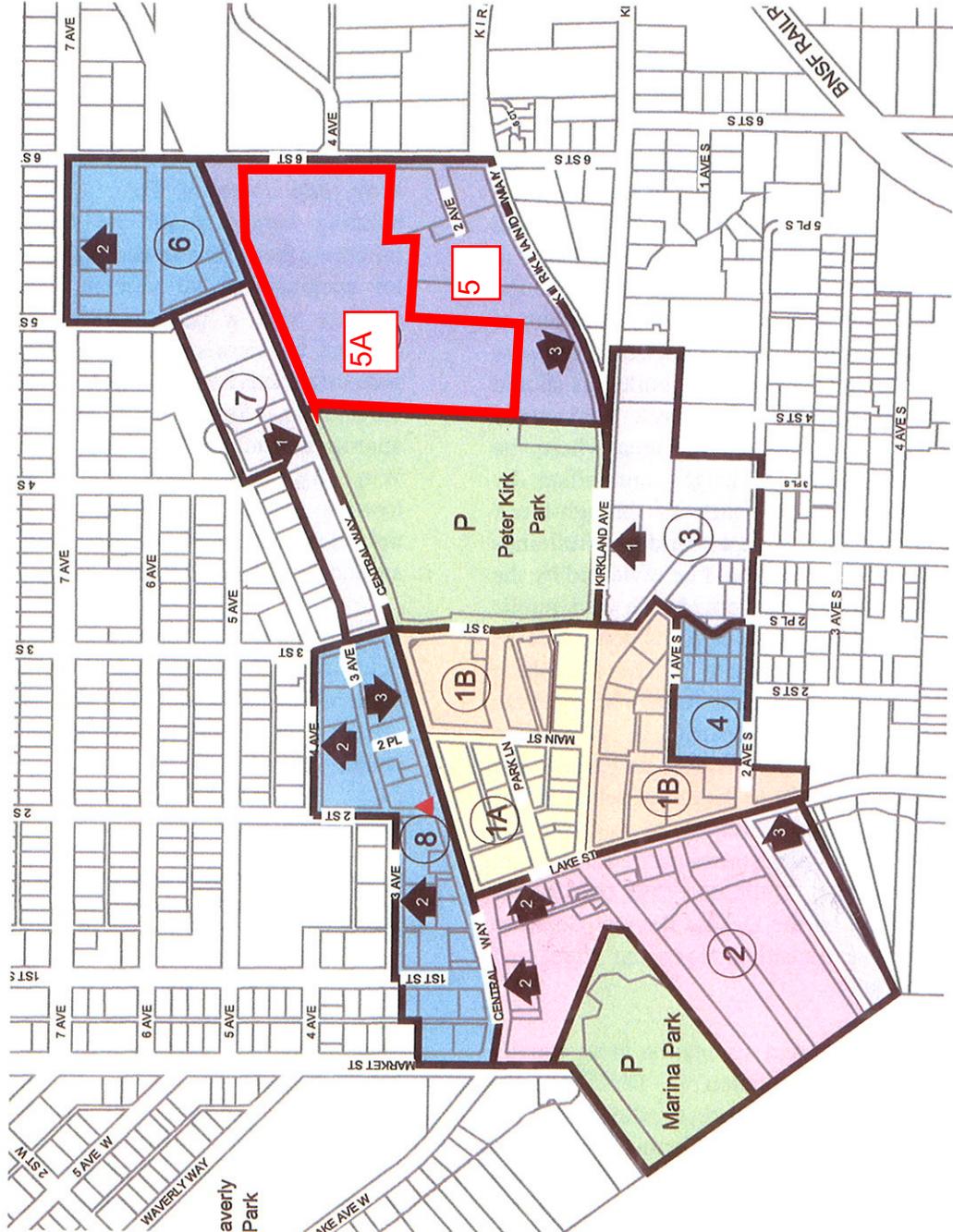


Figure C-5: Downtown Height and Design Districts

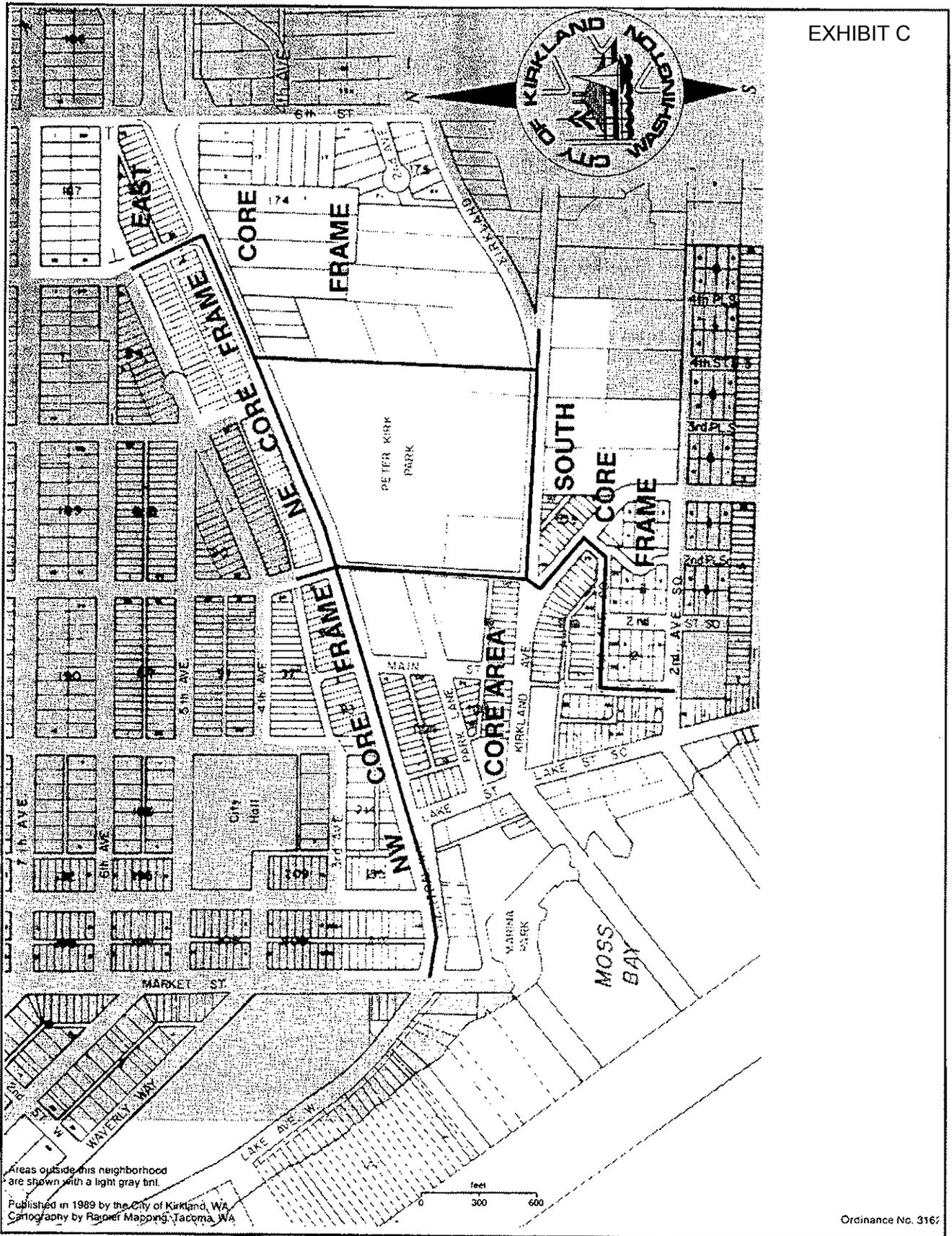


Figure C-3: Downtown Land Use Districts

XV.D. MOSS BAY NEIGHBORHOOD
3. DOWNTOWN PLAN

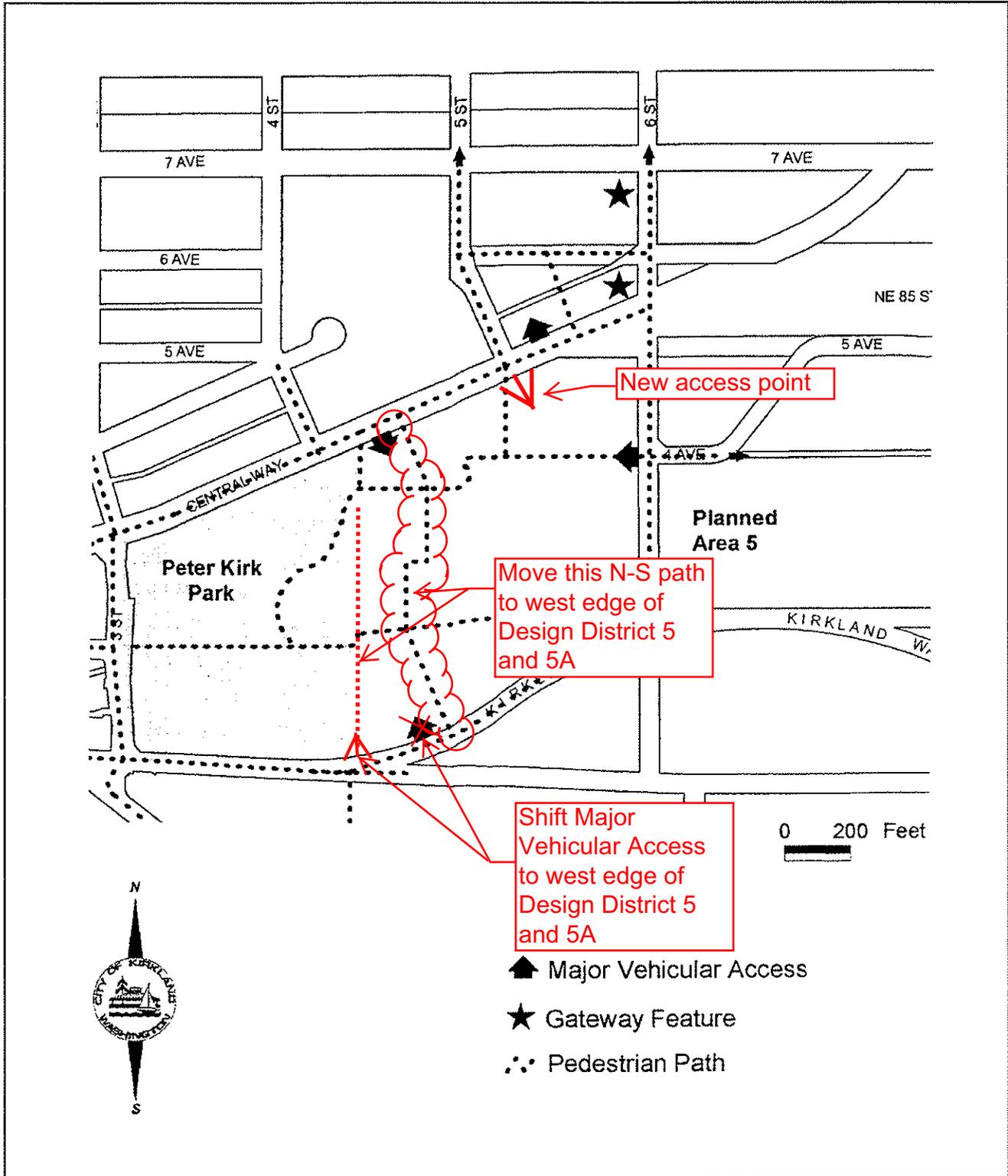


Figure C-6: Design Districts 5 and 6 - Circulation and Gateways

PUBLICATION SUMMARY
OF ORDINANCE NO. 4170

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO COMPREHENSIVE PLANNING AND LAND USE AND AMENDING THE COMPREHENSIVE PLAN, ORDINANCE 3481 AS AMENDED, TO IMPLEMENT CHANGES TO THE DOWNTOWN PLAN SECTION OF THE MOSS BAY NEIGHBORHOOD PLAN AND THE TRANSPORTATION ELEMENT, AND APPROVING THIS SUMMARY FOR PUBLICATION, FILE NO ZON07-00016

SECTION 1. Amends the following specific portions of the Kirkland Comprehensive Plan:

- A. Amends Table T-6: State Routes in the Transportation Element,
- B. Amends Table T-7: Signalized State Route Intersections in the Transportation Element'
- C. Amendments Downtown Plan (3) in the Moss Bay Neighborhood Plan section.

SECTION 2. Provides a severability clause for the ordinance.

SECTION 3. Authorizes publication of the ordinance by summary, which summary is approved by the City Council pursuant to Kirkland Municipal Code 1.08.017 and establishes the effective date as five days after publication of summary.

SECTION 4. Establishes certification by City Clerk and notification of King County Department of Assessments.

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the 16th day of December, 2008.

I certify that the foregoing is a summary of Ordinance 4170 approved by the Kirkland City Council for summary publication.



City Clerk

ORDINANCE NO. 4171

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO COMPREHENSIVE PLANNING AND LAND USE AND AMENDING THE KIRKLAND ZONING CODE (TITLE 23 OF THE KIRKLAND MUNICIPAL CODE), AND THE KIRKLAND ZONING MAP, ORDINANCE 3710 AS AMENDED, TO IMPLEMENT THE NEW CBD5A ZONE, AND APPROVING A SUMMARY FOR PUBLICATION, FILE NO ZON07-00016.

WHEREAS, the City Council has received a recommendation from the Kirkland Planning Commission to amend certain portions of the Kirkland Zoning Code (Title 23 of the Kirkland Municipal Code), all as set forth in that certain report and recommendation of the Planning Commission dated November 20, 2008, and bearing Kirkland Department of Planning and Community Development File No. ZON07-00016; and

WHEREAS, prior to making said recommendation the Planning Commission, following notice thereof as required by RCW 35A.63.070, held public hearings on April 24, 2008, June 12, 2008, and October 23, 2008 on the amendment proposals and considered the comments received at said hearings; and

WHEREAS, pursuant to the State Environmental Policy Act (SEPA), there has accompanied the legislative proposal and recommendation through the entire consideration process, a Planned Action Environmental Impact Statement. The draft of which was issued on April 4, 2008 and the final of which was issued on October 16, 2008 by the responsible official pursuant to WAC 197-11-400 through 197-11 560; 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; and

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 the Kirkland Zoning Code (Title 23 of the Kirkland Municipal Code) are amended as follows:

- A. Table of Contents:
Add CBD5A to Chapter 50: Central Business District (CBD) Zones as set forth in **Exhibit A** attached to this ordinance and incorporated by reference.
- B. Chapter 1. User Guide:
Add CBD5A to Section 1.05: How To Use This Code as set forth in **Exhibit B** attached to this ordinance and incorporated by reference.
- C. Chapter 5. Definitions:
Add CBD5A to Section 5.960: Use Zone as set forth in **Exhibit C** attached to this ordinance and incorporated by reference.

- D. Chapter 50. Central Business District (CBD) Zones:
Add new use zone chart CBD5A as set forth in **Exhibit D** attached to this ordinance and incorporated by reference.
- E. Chapter 142. Design Review:
Text amendments to Sections 142.35 as set forth in **Exhibit E** attached to this ordinance and incorporated by reference.

Section 2. Zoning Map amended: The following specified zones of Ordinance 3710 as amended, the Kirkland Zoning Map, are amended as follows:

As set forth in **Exhibit F**, which by this reference is incorporated herein.

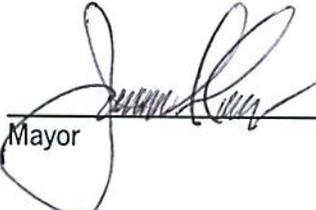
Section 3. If any section, subsection, sentence, clause, phrase, part or portion of this ordinance, including those parts adopted by reference, is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining 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 pursuant to Kirkland Municipal Code 1.08.017, in the summary form attached to the original of this ordinance and by this reference approved by the City Council as required by law.

Section 5. A complete copy of this ordinance shall be certified by the City Clerk, who shall then forward the certified copy to the King County Department of Assessments.

Passed by majority vote of the Kirkland City Council in open meeting this 16th day of December, 2008.

SIGNED IN AUTHENTICATION THEREOF this 16th day of December, 2008.



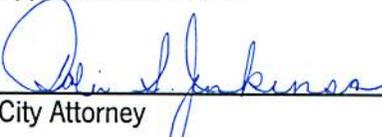
Mayor

Attest:



City Clerk

Approved as to Form:



City Attorney

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[Click here](#) to view adopted ordinances that have not yet been inserted into the Zoning Code as well as pending regulations under consideration.

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[Chapter 10](#) – Legal Effect/Applicability

[Chapter 15](#) – Single-Family Residential (RS) Zones

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[50.60](#) Special Parking Provisions in the CBD 1, 2, and 8 Zones

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[Chapter 51](#) – Market Street Corridor (MSC) Zones

[MSC 1, 4](#)

[MSC 2](#)

[MSC 3](#)

[Chapter 52](#) – Juanita Business District (JBD) Zones

[JBD-1](#)

[JBD-2](#)

[JBD-3](#)

[JBD-4](#)

[JBD-5](#)

[JBD-6](#)

[Chapter 53](#) – Rose Hill Business District (RHBD) Zones

1.05 How To Use This Code

This code has been designed and drafted to make it as easy as possible for the user to determine all land use regulations that apply to a particular piece of property and to uses, structures, and activities on that piece of property. Follow the step-by-step procedure laid out below to find applicable regulations.

1. Find the subject property on the Zoning Map. The subject property will be within one of the following use zones sequentially listed:

Add **CBD 5A** to following chart.

RS	CBD 3	RH 2C	TL 1B	TL 10C
RSX	CBD 4	RH 3	TL 2	TL 10D
RM	CBD 5	RH 4	TL 3A	TL 10E
PR	CBD 6	RH 5A	TL 3B	TL 11
PO	CBD 7	RH 5B	TL 3C	PLA 1
WD I	CBD 8	RH 5C	TL 3D	PLA 2
WD II	JBD 1	RH 7	TL 4A	PLA 3
WD III	JBD 2	RH 8	TL 4B	PLA 5
FC III	JBD 3	NRH1A	TL 4C	PLA 6
BN	JBD 4	NRH1B	TL 5	PLA 7
BC	JBD 5	NRH2	TL 6A	PLA 9
BCX	JBD 6	NRH3	TL 6B	PLA 14
LIT	RH 1A	NRH4	TL 7	PLA 15
P	RH 1B	NRH5	TL 8	PLA 16
CBD 1	RH 2A	NRH6	TL 10A	PLA 17
CBD 2	RH 2B	TL 1A	TL 10B	PLA 17A

2. Refer to the text of this code and find the chapter that corresponds to the use zone in which the subject property is located.
3. Each of these use zone chapters contains a series of charts. Read down the first vertical column of each chart to find the use in which you are interested. In some zones, certain uses are listed specifically (e.g., “Retail variety or department store” in Neighborhood Business Zones). In other zones, uses are listed generally (e.g., “Any retail establishment ... selling goods or providing services...” in Community Business Zones). In many cases, the general listing encompasses what could otherwise be numerous separate uses.

Uses and activities that fall under the definition of “adult entertainment use or activity” are not permitted except as allowed in Chapter [72](#) KZC.

Chapter 5 – DEFINITIONS

Sections:

[5.05](#) User Guide

[5.10](#) Definitions

5.05 User Guide

The definitions in this chapter apply for this code.

5.10 Definitions

The following definitions apply throughout this code unless, from the context, another meaning is clearly intended:

*****Definitions numbered .005 through .945.5 will not change and so are not shown.***

.955 Use – The nature of the activities taking place on private property or within structures thereon. Each separate listing under the “Use” column in the Chapters [15](#) through 60 KZC is a separate use.

.960 Use Zone – The zoning designations on the Zoning Map as follows:

Add CBD-5A to the chart below.

RS 35	LIT	RH 5B	TL 10E
RSX 35		RH 5C	TL 11
RS 12.5	P	RH 7	
RSX 12.5		RH 8	PLA 1
RS 8.5	CBD 1		PLA 2
RSX 8.5	CBD 2	NRH 1A	PLA 3A
RS 7.2	CBD 3	NRH 1B	PLA 3B
RS 6.3	CBD 4	NRH 2	PLA 5A
RS 5.0	CBD 5	NRH 3	PLA 5B
RSX 5.0	CBD 6	NRH 4	PLA 5C
	CBD 7	NRH 5	PLA 5D
RM 5.0	CBD 8	NRH 6	PLA 5E
RM 3.6			PLA 6A
RM 2.4	MSC 1	TL 1A	PLA 6B
RM 1.8	MSC 2	TL 1B	PLA 6C
	MSC 3	TL 2	PLA 6D
WD I	MSC 4		PLA 6E
WD II		TL 3A	PLA 6F
WD III	JBD 1	TL 3B	PLA 6G
	JBD 2	TL 3C	PLA 6H
PR 8.5	JBD 3	TL 3D	PLA 6I

PR 5.0	JBD 4	TL 4A	PLA 6J
PR 3.6	JBD 5	TL 4B	PLA 6K
PR 2.4	JBD 6	TL 4C	PLA 7A
PR 1.8		TL 5	PLA 7B
	RH 1A	TL 6A	PLA 7C
PO	RH 1B	TL 6B	PLA 9
	RH 2A	TL 7	PLA 15A
FC III	RH 2B	TL 8	PLA 15B
	RH 2C	TL 10A	PLA 16
BN	RH 3	TL 10B	PLA 17
BC	RH 4	TL 10C	PLA 17A
BCX	RH 5A	TL 10D	

- .965 Vehicle Service Station – A commercial use supplying petroleum products that are for immediate use in a vehicle.
- .970 Vehicle Storage Area – An outside area which is used for the storage of operational vehicles.
- .973 Vehicular Access Easement or Tract – A privately owned right-of-way, but not including a driveway easement.
- .974 View Corridor – An open area that provides an unobstructed view across the subject property to and beyond Lake Washington from the adjacent right-of-way.
- .975 Wall Sign – A sign attached to and extending not more than 18 inches from the facade or face of a building with the exposed face of the sign parallel to the facade or face of the building.
- .980 Waterward – Toward the body of water.
- .985 Wetland – As defined in Chapter [90](#) KZC.
- .990 Wholesale Trade – A commercial establishment which sells to retail establishments.
- .995 Zones – Use zones.
- .1000 Zoning Map – The map designated as such and adopted by the City showing the geographical location of use zones within the municipal boundaries.

CBD 5A USE ZONE CHART

KZC 50.38.A User Guide. The charts in KZC 50.38.C contain the basic zoning regulations that apply in the CBD 5A zones of the City. Use these charts by reading down the left hand column entitled Use. Once you locate the use in which you are interested, read across to find the regulations that apply to that use.

Section 50.38.B - GENERAL REGULATIONS

The following regulations apply to all uses in this zone unless otherwise noted:

1. Refer to Chapter 1 KZC to determine what other provisions of this code may apply to the subject property.

USE ZONE CHART

Section 50.38.C

Use: Mixed Use Development containing office, retail and restaurant uses. See Special Regulations 1, 2, 3 and 4.

Required Review Process: DR, Chapter 142 KZC. See Special Regulation 1

Minimums:

Lot Size: None

Required Yards: see Plate X-1.

Maximums:

Lot Coverage: 100%.

Height of Structures: See Special Regulation 5 and Plate X-2A and X2-B.

Landscape Category: None

Sign Category: E. See Special Regulation 6.

Required Parking: See Special Regulation 7.

Special Regulations:

1. Development under this Use shall be pursuant to the Parkplace Master Plan and Design Guidelines contained in Kirkland Municipal Code 3.30. Compliance with the Master Plan and Design Guidelines shall be determined through DR, Chapter 142.
2. The gross floor area of retail and restaurant uses in this zone shall be equal to or greater than 25% of the gross floor area of office uses in this zone. Retail uses may include accessory short term drop-off children's play facilities.
3. The following additional uses are allowed subject to restrictions listed:
 - a. Hotel; or Athletic Club. Accessory retail or restaurant uses shall be included as retail uses under Special Regulation 2 provided they are open to the public.
 - b. Movie theater. This use may be included as a retail use under Special Regulation 2 provided that the gross floor area of this use shall not count toward more than 10% of the required minimum gross floor area of retail and restaurant uses.
 - c. Private Lodge or Club; Church; School, Day-care Center, or Mini-School or Day-care Center; Public Utility, Government Facility, or Community Facility; Public Park.
 - d. Assisted Living Facility (including a nursing home if part of the facility); Stacked or Attached Dwelling Units; provided that the gross floor area of these uses does not exceed 10% of the total gross floor area for the Master Plan.
4. The following uses are prohibited:
 - a. Any retail establishment exceeding 70,000 square feet.
 - b. At grade drive-through facilities.
 - c. The outdoor storage, sale, service and/or rental of motor vehicles, sailboats, motor boats, and recreational trailers.
5. Rooftop appurtenances may exceed the applicable height limitation by a maximum of 16 feet if the area of all appurtenances and screening does not exceed 25 percent of the total area of the building rooftop. All other regulations for rooftop appurtenances in Chapter 115 shall apply.
6. Prior to installation of permanent signs, the development must submit and receive approval of a Master Sign Plan pursuant to Chapter 100.
7. The following establishes the number of parking spaces required:
 - a. Residential uses must provide 1.7 parking spaces for each dwelling unit and one parking space for each assisted living unit.
 - b. Restaurants and taverns must provide one parking space for each 125 square feet of gross floor area
 - c. All other uses must provide one parking space for each 350 square feet of gross floor area.

A mix of uses with different peak parking times makes a project eligible for applying a shared parking methodology to parking calculations. Further parking reductions may be appropriate through a transportation management plan (TMP) and parking management measures. The development may propose and the Planning Official may permit a reduction in the required number of parking spaced based on a demand and utilization study prepared by a licensed transportation engineer. The study shall include an analysis of shared parking demonstrating that the proposed parking supply is adequate to meet the peak parking demand of all uses operating at the same time. A TMP and parking management measures shall be incorporated into the analysis. An analysis of the effectiveness of the TMP and parking management measures shall be provided for City review. The City's transportation engineer shall approve the scope and methodology of the study as well as the effectiveness of the TMP and parking management measures.

Plate X-1
CBD 5A Required Yards

Exhibit D

O-4171

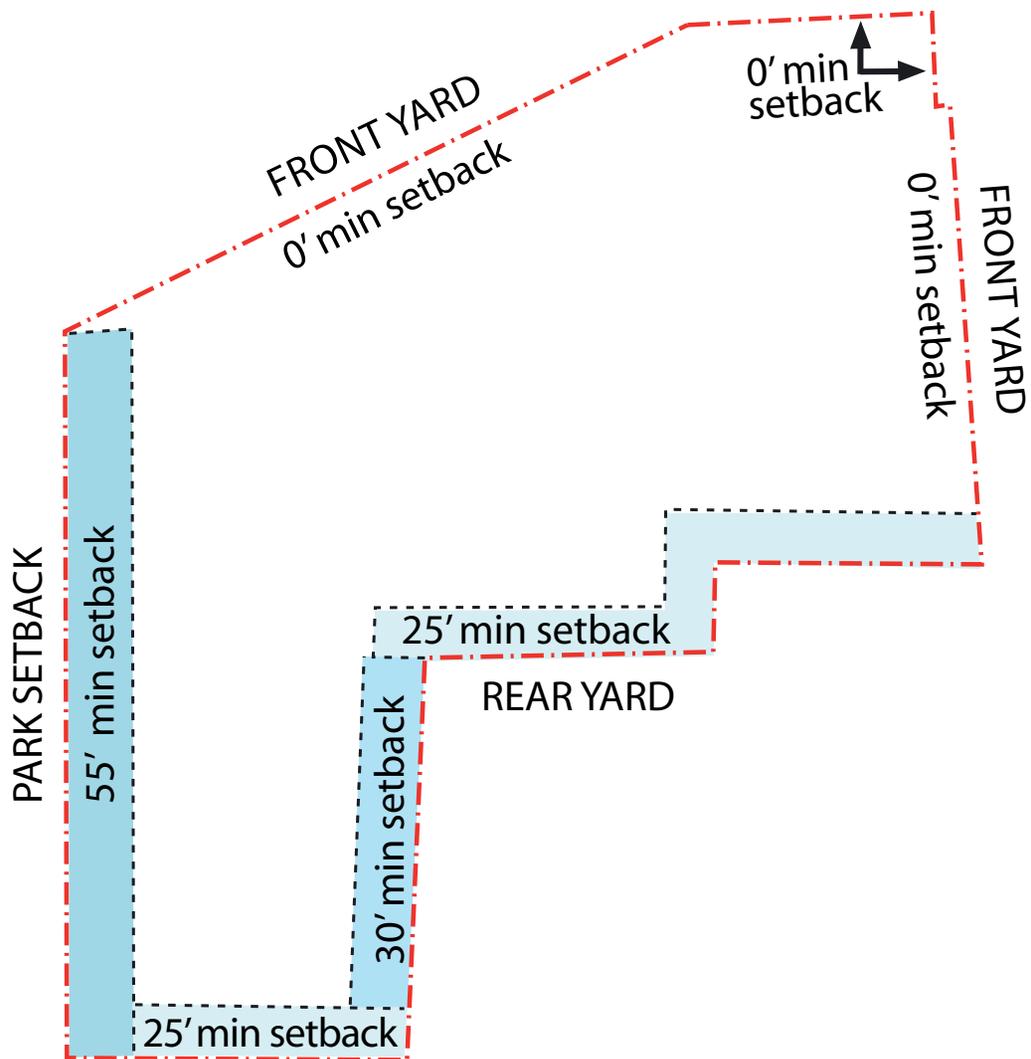
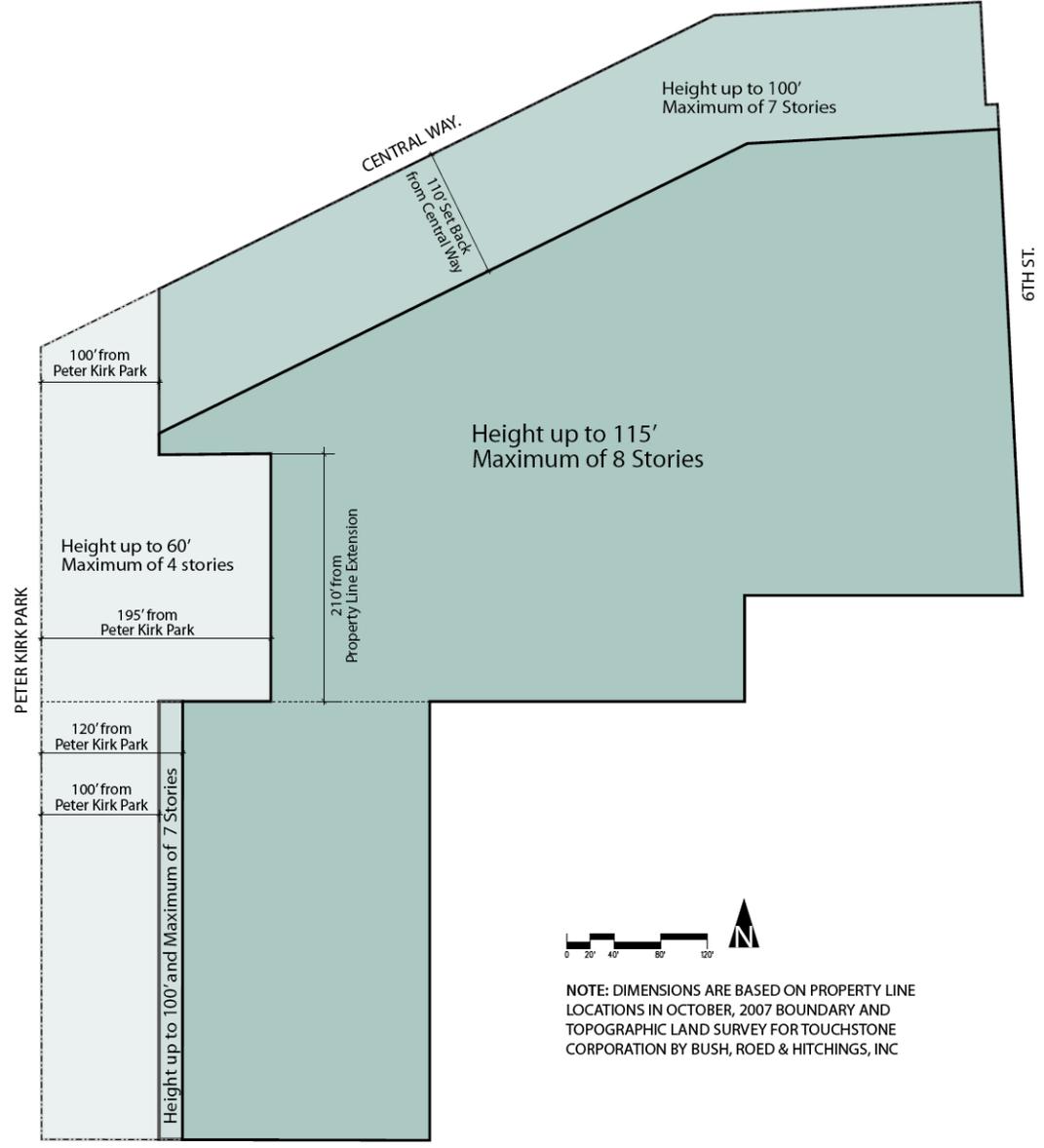


Plate X-2A CBD 5A Maximum Building Heights

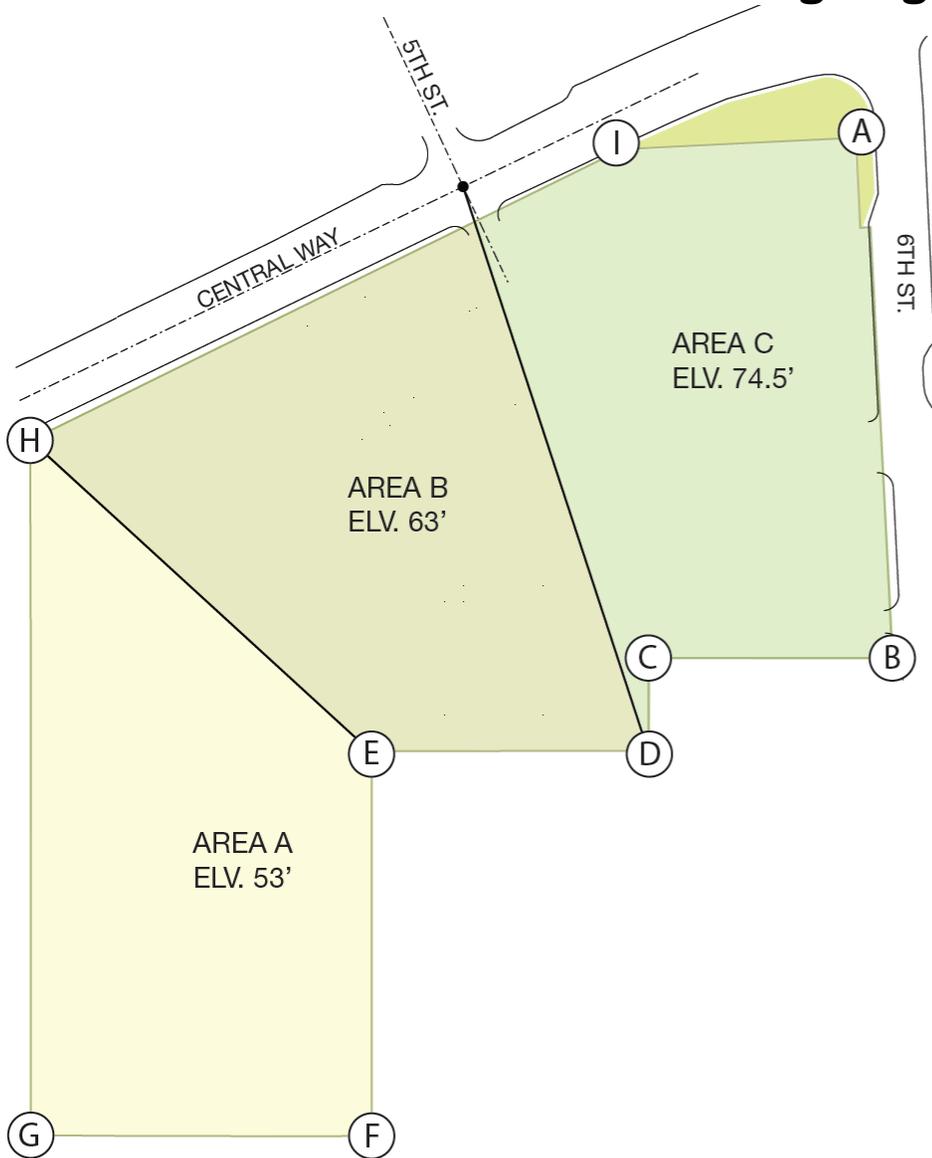
Building height and story maximums shall be measured from elevations points established by Plate X-2B



NOTE: DIMENSIONS ARE BASED ON PROPERTY LINE LOCATIONS IN OCTOBER, 2007 BOUNDARY AND TOPOGRAPHIC LAND SURVEY FOR TOUCHSTONE CORPORATION BY BUSH, ROED & HITCHINGS, INC

Plate X-2B

CBD 5A Maximum Building Height and Stories Measurement Points



Building Height & Number of Stories: Measurement Points

GENERAL NOTES:

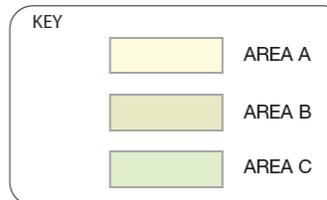
1. Where a minimum of 75% of the Gross Floor Area of a building is located in area "A", the Building Measuring Point will be elevation 53.0 feet above sea level
2. Where a minimum of 75% of the Gross Floor Area of a building is located in area "B", the Building Measuring Point will be elevation 63.0 feet above sea level
3. Where a minimum of 75% of the Gross Floor Area of a building is located in area "C", the Building Measuring Point will be elevation 74.5 feet above sea level

Area A: That portion of property area that lies west and south of a line between Property Corner H and Property Corner E.

Area B: That portion of property area that lies east of a line between Property Corner H and Property Corner E and west of a line from the centerline of the intersection of 5th Street and Central Way and property corner D.

Area C: That portion of property area that lies east of a line from the centerline of the intersection of 5th Street and Central Way and property corner D and west of 6th Street

note: Based on the Boundary and Topographic Survey for Park Place Center by Bush, Roed & Hitchings, INC., dated October 2007



KZC 142.35 Design Board Review (D.B.R.) Process

1. Timing of D.B.R. – For any development activity that requires D.B.R. approval, the applicant must comply with the provisions of this chapter before a building permit can be approved; provided, that an applicant may submit a building permit application at any time during the design review process. An applicant may request early design review, but such review shall not be considered a development permit or to in any way authorize a use or development activity. An application for D.R. approval may be considered withdrawn for all purposes if the applicant has not submitted information requested by the City within 60 calendar days after the request and the applicant does not demonstrate reasonable progress toward submitting the requested information.

2. Public Meetings – All meetings of the Design Review Board shall be public meetings and open to the public.

3. Authority – The Design Review Board shall review projects for consistency with the following:
 - a. Design guidelines for pedestrian-oriented business districts, as adopted in Chapter 3.30 KMC.
 - b. Design Guidelines for the Rose Hill Business District (RHBD) and the Totem Lake Neighborhood (TLN) as adopted in Chapter 3.30 KMC.
 - c. The applicable neighborhood plans contained in the Comprehensive Plan for areas where Design Review is required.
 - d. The Design Principles for Residential Development contained in Appendix C of the Comprehensive Plan for review of attached and stacked dwelling units located within the NE 85th Street Subarea and the Market Street Corridor.
 - e. [The Parkplace Master Plan and Design Guidelines for CBD 5A as adopted in Chapter 3.30 KMC.](#)

4. The Design Review Board is authorized to approve minor variations in development standards within certain Design Districts described in KZC 142.25(6)(a) provided the variation complies with the criteria of KZC 142.25(6)(b).

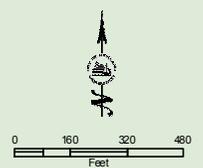
Current Zoning

O-4171

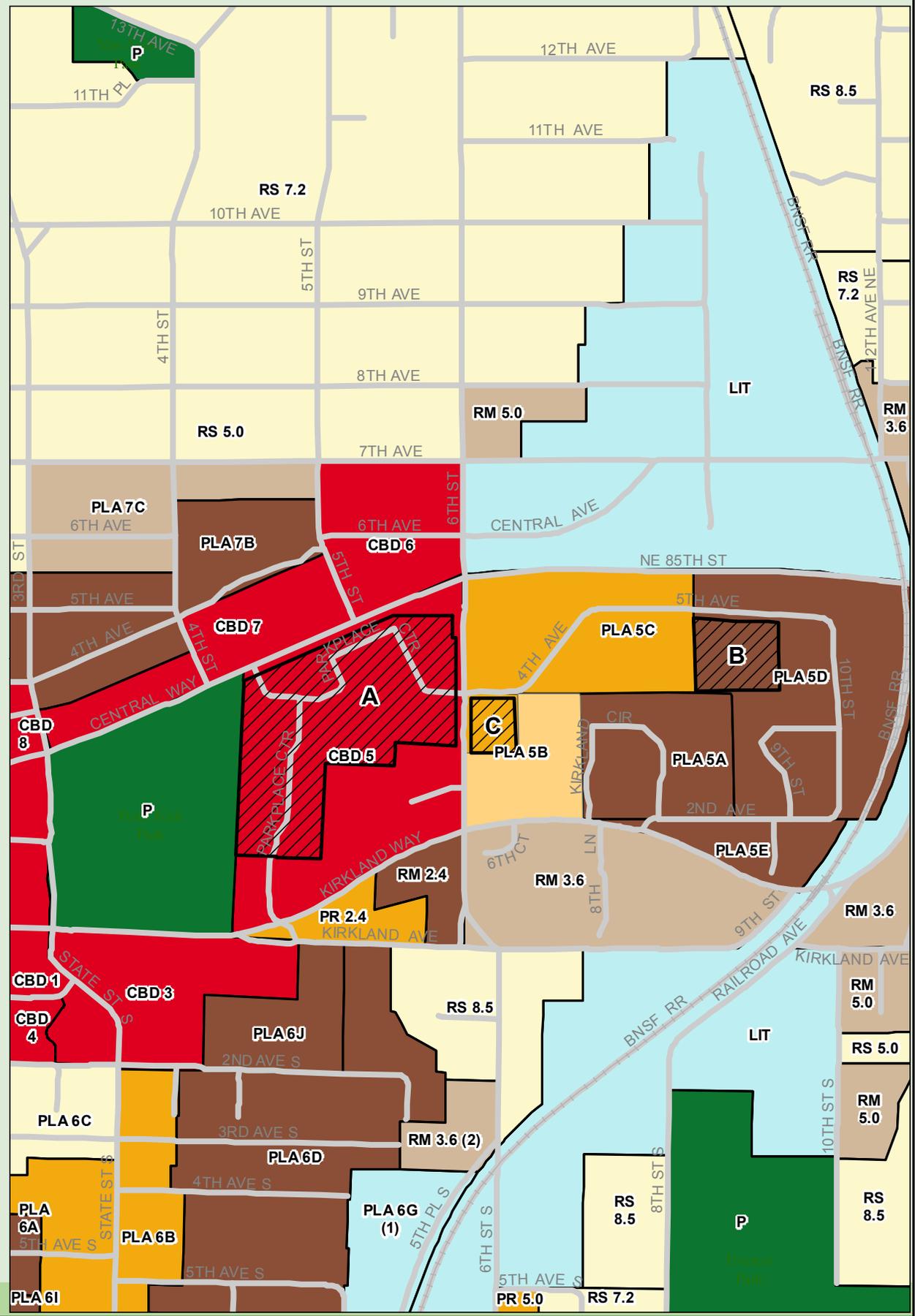


Vicinity Map
0 6,000 12,000 18,000
Feet

- Map Legend**
- Planned Action Areas
 - Railroad Centerline
 - Commercial
 - Industrial
 - Light Manufacturing Park
 - Office
 - High Density Residential
 - Medium Density Residential
 - Low Density Residential
 - Institutions
 - Park/Open Space



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No warranties of any sort, including but not limited to accuracy, fitness or merchantability, accompany this product.



PUBLICATION SUMMARY
OF ORDINANCE NO. 4171

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO COMPREHENSIVE PLANNING AND LAND USE AND AMENDING THE KIRKLAND ZONING CODE (TITLE 23 OF THE KIRKLAND MUNICIPAL CODE), AND THE KIRKLAND ZONING MAP, ORDINANCE 3710 AS AMENDED, TO IMPLEMENT THE NEW CBD5A ZONE, AND APPROVING A SUMMARY FOR PUBLICATION, FILE NO ZON07-00016.

SECTION 1. Amends the following specific portions of the Kirkland Zoning Code:

- A. Amends Table of Contents, Central Business District CBD Zones;
- B. Amends Chapter 1. User Guide Section 1.05;
- C. Amends Chapter 5. Definitions Section 5.960;
- D. Adds new zone to Chapter 50. Central Business District (CBD) Zones;
- E. Amends Chapter 142. Design Review Section 142.35

SECTION 2. Amends the Kirkland Zoning Map as set forth in Exhibit F.

SECTION 3. Provides a severability clause for the ordinance.

SECTION 4. Authorizes publication of the ordinance by summary, which summary is approved by the City Council pursuant to Kirkland Municipal Code 1.08.017 and establishes the effective date as five days after publication of summary.

SECTION 5. Establishes certification by City Clerk and notification of King County Department of Assessments.

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the 16th day of December, 2008.

I certify that the foregoing is a summary of Ordinance 4171 approved by the Kirkland City Council for summary publication.



City Clerk

CITY OF KIRKLAND123 FIFTH AVENUE, KIRKLAND, WASHINGTON 98033-6189 (425) 587-3249

**DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
MEMORANDUM**

To: Kurt Triplett, City Manager

From: Angela Ruggeri, AICP, Senior Planner
Eric Shields, AICP, Director
Paul Stewart, AICP, Deputy Director

Date: August 27, 2010

Subject: Parkplace Comprehensive Plan and Zoning Amendments
File Number ZON07-00016

UPDATE ON PLANNING COMMISSION RECOMMENDATION

The Planning Commission completed its deliberations and recommendation to the City Council at its August 26 meeting. The Commission members present unanimously recommended that the Council:

1. Re-adopt Ordinances 4170 and 4171, which originally adopted changes to the Comprehensive Plan and Zoning for the Parkplace property; and
2. Adopt the proposed amendments to the Introduction, Land Use, Transportation and Capital Facilities Elements of the Comprehensive Plan to comply with the order of the Central Puget Sound Growth Management Hearings Board.

In their deliberations, Commissioners made the following observations:

- The SEIS was well done and did a good job of discussing the impacts of alternative locations for growth in the downtown;
- The SEIS demonstrated that the original decision made in 2008 was a good one. Commissioners involved with the 2008 review indicated that the SEIS reinforced their previous decision. New Commissioners stated that they had a better appreciation for the issues discussed in 2008 and that they agreed with the previous decision;
- The Parkplace site is clearly the best location in the downtown to accommodate additional growth;
- The downtown will benefit from the proposed redevelopment of Parkplace.

Representatives of the Planning Commission will be in attendance at the City Council's study session on September 1 to provide additional information and answer any questions that the Council may have.

cc: ZON07-00016
Planning Commission
A-P Hurd, 2025 First Avenue, Suite 1212, Seattle, WA 98121

ORDINANCE NO. 4257

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO LAND USE AND PLANNING; AND REAFFIRMING THE CITY'S ADOPTION OF THE COMPREHENSIVE PLAN AND ZONING CODE AMENDMENTS MADE IN ORDINANCES 4170 AND 4171 AFTER CONSIDERATION OF THE PLANNED ACTION SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT ISSUED ON AUGUST 16, 2010 IN CONNECTION WITH CITY FILE NO. ZON07-00016.

WHEREAS, the City Council received a recommendation from the Kirkland Planning Commission to amend certain portions of the Comprehensive Plan for the City, Ordinance 3481, as amended, and to amend certain portions of the Kirkland Zoning Code (Title 23 of the Kirkland Municipal Code), all as set forth in that certain report and recommendation of the Planning Commission dated November 20, 2008, and bearing Kirkland Department of Planning and Community Development File No. ZON07-00016; and

WHEREAS, prior to making said recommendation, the Planning Commission, following notice thereof as required by RCW 35A.63.070, held public hearings on April 24, 2008, June 12, 2008 and October 23, 2008 on the amendment proposals and considered the comments received at said hearings; and

WHEREAS, pursuant to the State Environmental Policy Act ("SEPA"), the legislative proposals and recommendations were, through the entire consideration process, accompanied by a Planned Action Environmental Impact Statement, the draft of which was issued on April 4, 2008 and the final of which was issued on October 16, 2008 by the responsible official pursuant to WAC 197-11-400 through 197-11-560; and

WHEREAS, on December 16, 2008, the City Council, after consideration of the environmental documents received from the responsible official, together with the report and recommendation of the Planning Commission, adopted Ordinance No. 4170 (An Ordinance of the City of Kirkland Relating to Comprehensive Planning and Land Use and Amending the Comprehensive Plan, Ordinance 3481 as Amended, to Implement Changes to the Downtown Plan Section of the Moss Bay Neighborhood Plan and the Transportation Element, and Approving a Summary for Publication, File No. ZON07-00016) and Ordinance No. 4171 (An Ordinance of the City of Kirkland Relating to Comprehensive Planning and Land Use and Amending the Kirkland Zoning Code (Title 23 of the Kirkland Municipal Code) and the Kirkland Zoning Map, Ordinance 3710 as Amended, to Implement the New CBD5A Zone, and Approving a Summary for Publication, File No. ZON07-00016; and

WHEREAS, on October 5, 2009, the Central Puget Sound Growth Management Hearings Board (CPSGMHB), in the case of Davidson Serles, et al. v. City of Kirkland, et al. (Case No. 09-3-0007c) found that the City's Final Environmental Impact Statement ("FEIS") issued on October 16, 2008 was insufficient for failure to assess reasonable alternatives to the proposal, including offsite alternatives to the nonproject action and that Ordinances 4170 and 4171 failed to meet the consistency requirement of RCW

36.70A.070 (preamble), .070(3)(b, c) and .070(6)(a)(iv) because of the failure to amend the capital facilities plan to include all necessary capital improvements and because of the lack of a multi-year financing plan based on the ten-year transportation needs identified in the Comprehensive Plan; and

WHEREAS, the CPSGMHB did not invalidate Ordinance Nos. 4170 and 4171 but instead remanded the case to the City for additional environmental review under SEPA and; and

WHEREAS, on May 27, 2010, the City issued a Draft Planned Action Supplemental Environmental Impact Statement ("DSEIS") for its Downtown Planned Action Ordinance and related Comprehensive Plan and Zoning Code and Map amendments, which, among other things, addresses the SEPA insufficiencies identified by the CPSGMHB; and

WHEREAS, on June 24, 2010, the Kirkland Planning Commission conducted a public hearing to receive comments on the amendments to the Capital Facilities and Transportation Elements of the Comprehensive Plan and to receive comments on the DSEIS (written comments were also accepted throughout the 30 day comment period); and

WHEREAS, on August 16, 2010 the responsible official issued the final Planned Action Supplemental Environmental Impact Statement; and

WHEREAS, on August 16, 2010, a Notice of Adoption of Existing Environmental Documents was issued for amendments to the City's Capital Facilities and Transportation Elements of the Comprehensive Plan to include necessary capital improvements and a multi-year financing plan based on the ten-year transportation needs identified in the Comprehensive Plan for Totem Center growth; and

WHEREAS, on August 27, 2010, the Kirkland Planning Commission issued a report recommending that the City Council reaffirm its adoption of Ordinance No. 4170 and Ordinance No. 4171; 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, the City Council of the City of Kirkland do ordain as follows:

Section 1. Ordinances 4170 and 4171 Reaffirmed. The City Council hereby reaffirms its adoption of Ordinance No. 4170 and Ordinance No. 4171.

Section 2. Severability. Should any section, subsection, paragraph, sentence, clause or phrase of this Ordinance or its application be declared unconstitutional or invalid or unconstitutional for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance or its application to any other person or situation.

Section 3. This Ordinance shall be in 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 open meeting this ____ day of _____, 2010.

Signed in authentication thereof this ____ day of _____, 2010.

MAYOR

Attest:

City Clerk

PUBLICATION SUMMARY
OF ORDINANCE NO. 4257

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO LAND USE AND PLANNING; AND REAFFIRMING THE CITY'S ADOPTION OF THE COMPREHENSIVE PLAN AND ZONING CODE AMENDMENTS MADE IN ORDINANCES 4170 AND 4171 AFTER CONSIDERATION OF THE PLANNED ACTION SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT ISSUED ON AUGUST 16, 2010 IN CONNECTION WITH CITY FILE NO. ZON07-00016

Section 1. Reaffirms City Council adoption of Ordinance No. 4170 and Ordinance No. 4171.

Section 2. Provides severability clause for the ordinance.

Section 3. Authorizes publication of the ordinance by summary, which summary is approved by the City Council pursuant to Kirkland Municipal Code 1.08.017, and establishes the effective date as five days after publication of summary.

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the _____ day of _____, 2010.

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

City Clerk

ORDINANCE NO. 4258

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO COMPREHENSIVE PLANNING AND LAND USE AND AMENDING THE COMPREHENSIVE PLAN, ORDINANCE 3481 AS AMENDED, TO IMPLEMENT CHANGES TO THE INTRODUCTION, LAND USE, CAPITAL FACILITIES AND TRANSPORTATION ELEMENTS, AND APPROVING A SUMMARY FOR PUBLICATION, FILE NO ZON07-00016.

WHEREAS, the City Council has received a recommendation from the Kirkland Planning Commission to amend certain portions of the Comprehensive Plan for the City, Ordinance 3481 as amended, all as set forth in that certain report and recommendation of the Planning Commission dated August 27, 2010, and bearing Kirkland Department of Planning and Community Development File No. ZON07-00016; and

WHEREAS, prior to making said recommendation the Planning Commission, following notice thereof as required by RCW 35A.63.070, held public hearing on June 24, 2010 on the amendment proposals and considered the comments received at said hearings; and

WHEREAS, pursuant to the State Environmental Policy Act (SEPA), there has accompanied the legislative proposal and recommendation through the entire consideration process, a Planned Action Supplemental Environmental Impact Statement, the Draft of which was issued on May 27, 2010 and the Final of which was issued on August 16, 2010 by the responsible official pursuant to WAC 197-11-400 through 197-11 640; and

WHEREAS, pursuant to the State Environmental Policy Act (SEPA), a Notice of Adoption of Existing Environmental Documents was issued on August 16, 2010 for amendments to the City's Capital Facilities and Transportation Elements of the Comprehensive Plan to include necessary capital improvements and a multi-year financing plan based on the 10-year transportation needs identified in the comprehensive Plan for Totem Center growth; 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. Comprehensive Plan Text, Tables, and Graphics amended: The following specific portions of the text of

the Comprehensive Plan, Ordinance 3481 as amended, be and they hereby are amended to read as follows:

- A. Section I. Introduction:
Amendments to Figure I-7: Comparison of Growth Targets and Available Capacity as shown on Exhibit A attached to this ordinance and incorporated by reference.
- B. Section VI. Land Use:
Amendments to Table LU-4: Comparison of Growth Targets and Available Capacity as shown on Exhibit B attached to this ordinance and incorporated by reference.
- C. Section IX. Transportation Element:
Amendments to Pages IX-20 and IX-22 as shown on Exhibit C attached to this ordinance and incorporated by reference.
- D. Section IX. Transportation Element:
Amendments to Table T-5: Project Descriptions for the 2022 Transportation Project List (Funded-Unfunded) as shown on Exhibit D attached to this ordinance and incorporated by reference.
- E. Section IX. Transportation Element:
Replacement of Map: Figure T-6: 2009 Transportation Project List is withdrawn and replaced by a new map as shown on Exhibit E attached to this ordinance and incorporated by reference.
- F. Section XIII. Capital Facilities Element:
Amendments to Pages XIII-1, XIII-3, XIII-9 and XIII-15 as shown on Exhibit F attached to this ordinance and incorporated by reference.
- G. Section XIII. Capital Facilities Element:
Replacement of Chart: Table CF-8: Capital Facilities Plan: Transportation Projects is withdrawn and replaced by a new chart as shown on Exhibit G attached to this ordinance and incorporated by reference.
- H. Section XIII. Capital Facilities Element:
Addition of Table CF-8A: Capital Facilities Plan: Transportation Projects (Multi-year Financing Plan) as shown on Exhibit H attached to this ordinance and incorporated by reference.
- I. Appendix A: Level of Service Methodology:
Amendment to Page A-1: Titled "The Growth Management Act" as shown on Exhibit I attached to this ordinance and incorporated by reference.

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. This ordinance shall be in full force and effect five days from and after its passage by the City Council and publication pursuant to Kirkland Municipal Code 1.08.017, in the summary form attached to the original of this ordinance and by this reference approved by the City Council as required by law.

Section 4. A complete copy of this ordinance shall be certified by the City Clerk, who shall then forward the certified copy to the King County Department of Assessments.

Passed by majority vote of the Kirkland City Council in open meeting this _____ day of _____, 2010.

SIGNED IN AUTHENTICATION THEREOF this _____ day of _____, 2010.

Mayor

Attest:

City Clerk

Approved as to Form:

City Attorney

I. INTRODUCTION

Table I-7 below shows the 2000 existing household units and jobs, the total number of household units and jobs by 2022 based on the assigned growth targets and the 2000 available capacity for household units

and jobs. Based on certain assumptions for the 2000 available capacity, Kirkland will be able to accommodate its assigned 2022 growth targets.

Table I-7: Comparison of Growth Targets and Available Capacity

	2000 Existing ¹	2022 Growth Targets ²	Available Capacity ³
Housing Units	21,831	27,311 (at 5,480 new households)	28,751 ← 28,800
Employment	32,384	41,184 (at 8,800 new jobs)	58,400 → 54,565

Sources:

- 2000 housing units: Office of Financial Management (OFM). “Households” are occupied units, whereas “housing units” include households (occupied) and vacant units.
2000 employment: City estimate based on existing nonresidential floor area and information about the typical number of employees/ amount of floor area for different types of nonresidential uses. By comparison, the PSRC estimated 2000 employment was 38,828. Examination of PSRC records found errors suggesting this was a significant overestimate.
- Targets for household and employment growth between 2000 and 2022 were assigned by the King Countywide Planning Policies. Targeted growth was added to the 2000 totals to establish the 2022 totals.
- City estimates ~~as of June 2004~~.

B. ABOUT THE COMPREHENSIVE PLAN

Why are we planning?

In 1977, Kirkland adopted a new Comprehensive Plan establishing broad goals and policies for community growth and very specific plans for each neighborhood in the City. That plan, originally called the Land Use Policy Plan, has served Kirkland well. Since its adoption, the plan has been actively used and updated to reflect changing circumstances. The previous Comprehensive Plan has contributed to a pattern and character of development that makes Kirkland a very desirable place to work, live, and play.

Kirkland and the Puget Sound region, however, have changed significantly since 1977. Since the original plan was adopted, the City has not had the opportunity to reexamine the entire plan in a thorough, systematic manner. Passage of the 1990/1991 Growth Management Act (GMA) provided such an opportunity. The GMA requires jurisdictions, including Kirkland, to

adopt plans that provide for growth and development in a manner that is internally and regionally consistent, achievable, and affordable. The 1995 and 2004 updates of the Comprehensive Plan and annual amendments reflect Kirkland’s intention to both meet the requirements of GMA as well as create a plan that reflects our best understanding of the many issues and opportunities currently facing the City.

What is a Comprehensive Plan?

The Comprehensive Plan establishes a vision, goals and policies, and implementation strategies for managing growth within the City’s Planning Area over the next 20 years (see Figure I-2). The Vision Statement in the plan is a reflection of the values of the community – how Kirkland should evolve with changing times. The goals identify more specifically the end result Kirkland is aiming for; policies address how to get there. All regulations pertaining to development (such as the Zoning Code, Subdivision Ordinance, and Shoreline Master Program) must be consistent with the Comprehensive Plan. The end result will be a community that has grown along the lines anticipated by the Comprehensive Plan.

VI. LAND USE

Table LU-4
Comparison of Growth Targets and Available Capacity

	2000 Existing¹	2022 Growth Targets²	Available Capacity³
Housing Units	21,831	27,311 (at 5,480 new households)	28,900 ← 28,800
Employment	32,384	41,184 (at 8,800 new jobs)	54,600 ← 58,400

Sources:

- 2000 housing units: Office of Financial Management (OFM)
 2000 employment: City estimate based on existing nonresidential floor area and information about the typical number of employees/ amount of floor area for different types of nonresidential uses. By comparison, the PSRC estimated 2000 employment was 38,828. Examination of PSRC records found errors suggesting this was a significant overestimate.
- Targets for household and employment growth between 2000 and 2022 were assigned by the King County Countywide Planning Policies. Targeted growth was added to the 2000 totals to establish the 2022 totals.
- City estimates.

LAND USE/TRANSPORTATION LINKAGES

Land use/transportation linkage policies address the relationship between the land use pattern and a multi-modal transportation system. Separation of jobs and housing means longer commute trips – generally accommodated on the City’s roadways either by private automobile or transit. When shops and services are long distances from residential areas, this also translates into additional vehicle or transit trips. Allowing residential and nonresidential uses to locate in closer proximity provide transportation options making walking or bicycling more feasible.

Site design standards also impact the ability of drivers, transit riders, pedestrians, and bicyclists to get around. Policies in this section discuss the importance of considering connections and alternative transportation modes when planning new development. The special needs of industrial development are also addressed.

Goal LU-3: Provide a land use pattern that promotes mobility and access to goods and services.

Policy LU-3.1: Provide employment opportunities and shops and services within walking or bicycling distance of home.

Kirkland presently has a fairly complete network of commercial and employment centers, and many of the City’s residential neighborhoods can easily access a shopping area. This policy attempts to further strengthen the relationship between urban neighborhoods and commercial development areas.



Juanita Village as a mixed-use center

IX. TRANSPORTATION

Policy T-6.5: *Minimize change to topography to the extent feasible when building new rights-of-way.*

The provision of streets requires large public expenditures for construction and maintenance, as well as other nonmonetary costs to the living environment. This policy is intended to minimize these costs by preserving land and the natural landscape to the maximum extent possible.

Policy T-6.6: *Identify, evaluate, and minimize or mitigate the negative environmental impacts of transportation facilities and services whenever feasible.*

When planning and private, need to be evaluated for mitigation in transportation facilities and stream and stream quality deterioration, noise pollution, and landform changes.

The Capital Facilities Element also includes a list of projects over a 12 year period in time.

ies, both public and private, impacts of transportation facilities include wetland on removal, air

FINANCE

The Comprehensive Plan's funding strategy gives high priority to maintenance of the existing circulation system in a safe and serviceable condition. The strategy for the remaining transportation resources largely devotes them to creating a better balance among travel modes. These new systems include pedestrian, bicycle, transit, and ridesharing facilities and services. This support of new systems results in a funding trade-off, financing the creation of a new, more balanced, circulation environment that gets more use by pedestrians and transit users, instead of financing road improvements that could potentially make it easier to travel by single-occupant vehicle.

Through mitigation some of the forecasted congestion could be reduced (though not eliminated) by substantially increasing the amount of transportation funding and using the revenues to increase system capacity (particularly road capacity). However, it has been assumed in the Comprehensive Plan that available financial resources will continue to be substantially

limited. In addition, the region's jurisdictions have already reached a consensus not to base their transportation future (nor funding for it) on a vastly expanded road system or the dispersed patterns of development that these systems support. This consensus is supported by State and federal policies and funding guidelines. Kirkland's plan and funding strategy are consistent with these larger systems and financial commitments.

The Growth Management Act requires local jurisdictions, including Kirkland, to identify and fund transportation improvements that are sufficient to sustain the level of service standard that has been selected and approved by that jurisdiction. The program of improvements must be funded by revenues that Kirkland agrees to commit toward their construction over the next six-year period. Revenues may include sources such as transportation mitigation fees, State and federal grants, and others.

Section D of this chapter contains a list and map of transportation projects that have been identified for the 20-year planning period. The Capital Facilities Element includes the six-year program of improvements with identified funding sources. Each year the six-year program will be reassessed with regard to funding commitments, project feasibility, and relationship to the implementation of the Comprehensive Plan.

In addition to local projects managed and financed primarily by Kirkland, a number of regional projects are expected to be implemented during the planning period. These projects include improvements to I-405 and its interchanges as well as a regional high-capacity transit system. For this Comprehensive Plan, the high-capacity transit system is assumed to be funded and constructed within the planning period consistent with transportation plans for the adjoining cities of Bellevue and Redmond. The Kirkland Comprehensive Plan can be amended to reflect any future changes in the regional system.

IX. TRANSPORTATION

traffic which may impact intersections or streets in adjoining cities. Interlocal agreements are legally binding documents spelling out how two adjoining cities will handle mitigation of impacts in these cases.

Policy T-8.5: Cooperate with adjacent jurisdictions to develop a regional network of facilities for nonmotorized transportation.

Bicyclists and pedestrians, like vehicular traffic, have needs which cross City boundaries. The best regional nonmotorized system is one which is carefully coordinated to provide the most convenient and safe routes to major destinations.

Policy T-8.6: Strive to meet federal and State air quality standards.

Kirkland is part of the central Puget Sound region which is a federally designated non-attainment area. In order to comply with the Washington State Clean Air Conformity Act, the federal Clean Air Act, and to be consistent with the Growth Management Act and Metropolitan Transportation Plan, the City must commit to strategies to reduce pollutants. As described previously in this Element, the City is committed to creating a balanced multimodal transportation system. The emphasis on increasing travel options and reducing single-occupant vehicle use is the City's primary strategy for complying with air quality legislation. The City will also coordinate with the Puget Sound Air Pollution Control Agency as needed to address air quality issues.

Traffic Improvements (which includes transit projects). Projects are grouped under these broad categories for ease of reference.

Table CF-9 provides the following information for each transportation project listed:

- ◆ Cost;
- ◆ CIP project number (if funded in CIP);
- ◆ Source; and
- ◆ Supporting goal.

Table T-5 contains a narrative description and more information about each project. Figure T-6 is a map of the projects.

Figures T-2 and T-3 are the Potential Pedestrian System and Potential Bicycle System, respectively. The potential projects shown on these maps are also shown in Figure T-6 and listed in Table CF-9, located in the Capital Facilities Element. Figures T-2 and T-3 show both the existing and proposed system and, therefore, display the total potential nonmotorized transportation system.

Figure T-7 is a map of the existing signalized intersections. Proposed signals and signal improvements are mapped in Figure T-6 and listed in Table CF-9, located in the Capital Facilities Element.

D. TRANSPORTATION FACILITY PLAN

Tables CF-8 and CF-9, located in the Capital Facilities Plan, and Table T-5 and Figures T-2, T-3, T-6 and T-7 in this Element are interrelated. Together they comprise the overall transportation system and network for the City. Table CF-8 is a list of funded six-year transportation projects along with a financing plan and Table CF-9 is a list of all 2022 transportation projects. Table CF-9 is divided into three sections: (1) Nonmotorized; (2) Street Improvements; and (3)

, CF-8A

; Table CF-8A is a multi-year financing plan for transportation projects through 2020;

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Table T-5

Project Descriptions for the 2022 Transportation Project List (Funded – Unfunded)

Non-motorized Improvements

NM20-1	Sidewalk
Location:	NE 100th Street from 116th Avenue NE to approximately 114th Avenue NE
Description:	Installation of curb, gutter, sidewalk and storm drainage along the north side. Partially funded CIP project NM 0034; schedule for completion is dependent on grant funding.
NM20-2	Non-motorized Facilities
Location:	116th Avenue NE (south section) (NE 60th Street to south City limits)
Description:	Widen road to provide a paved five-foot bicycle lane north and southbound. Install pedestrian/equestrian trail along the east side of road. This trail will be separated from the roadway where possible. Partially funded CIP project NM 0001; schedule completion is dependent on grant funding.
NM20-3	Sidewalk
Location:	13th Avenue, Van Aalst Park to 3rd Street
Description:	Install sidewalk and planter strip along the south side of 13th Avenue. Funded CIP project NM 0054, included as a part of annual non-motorized program NM 8888 scheduled for completion by 2014.
NM20-4	Pedestrian/Bicycle Facility
Location:	18th Avenue at Crestwoods Park/NE 100th Street, from 6th Street to 111th Avenue NE across BNR right-of-way
Description:	Installation of paved path and overpass along the described corridor. Unfunded CIP project NM 0031.
NM20-5	Sidewalk
Location:	93rd Avenue NE from Juanita Drive to NE 124th Street
Description:	Installation of curb, gutter, sidewalk and planter strip along the east side. Unfunded CIP project NM 0032, included as a part of annual non-motorized program NM 8888 scheduled for completion by 2014.
NM20-6	Sidewalk
Location:	NE 52nd Street between approximately Lake Washington Boulevard and 108th Avenue NE
Description:	Install curb, gutter and sidewalk along the north side of the street. Improve storm drainage along project alignment. Unfunded CIP project NM 0007.

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NM20-7 Non-motorized Facilities

Location: Burlington Northern Santa Fe Railroad right-of-way, between south and north City limits (AKA “Cross Kirkland Trail”)

Description: 10- to 12-foot-wide two-way bike/pedestrian multi-purpose asphalt trail. Unfunded CIP project NM 0024.

NM20-8 Sidewalk

Location: 122nd Avenue NE, between NE 70th Street and NE 80th Street

Description: Install curb, gutter and sidewalk along the east side between NE 70th Street and NE 75th Street, and along the west side between NE 75th Street and NE 80th Street. Funded CIP project NM 0055; included as a part of annual non-motorized program NM 8888 scheduled for completion by 2014.

NM20-9 Sidewalk

Location: 116th Avenue NE from NE 94th Street to NE 100th Street

Description: Install curb, gutter, sidewalk and storm drain along east side. Funded CIP project NM 0044, scheduled for completion in 2010.

NM20-10 Bike Lane

Location: NE 100th Street, Slater Avenue NE to 132nd Avenue NE

Description: Provide markings, minor widening and other improvements to create a bicycle connection from the 100th Street overpass to 132nd Avenue NE. Funded CIP project NM 0036, included as a part of annual non-motorized program NM 8888 scheduled for completion by 2014.

NM20-11 Sidewalk

Location: NE 95th Street from 112th Avenue NE to 116th Avenue NE

Description: Install curb, gutter, sidewalk and storm drain along north side. Unfunded CIP project NM 0045.

NM20-12 Sidewalk

Location: 18th Avenue West from Market Street to Rose Point Lane

Description: Install curb, gutter, sidewalk and storm drain along roadway. Funded CIP project NM 0046, included as a part of annual non-motorized program NM 8888 scheduled for completion by 2014.

NM20-13 Sidewalk

Location: 116th Avenue NE from NE 70th Street to NE 75th Street

Description: Installation of curb, gutter, sidewalk and storm drainage along east side of roadway. Unfunded CIP project NM 0047.

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- NM20-14** Sidewalk
Location: 130th Avenue NE, NE 95th Street to NE 100th Street
Description: Installation of curb, gutter, sidewalk and storm drainage along west side of roadway. Unfunded CIP project NM 0037.
- NM20-15** Pedestrian/Bicycle Bridge
Location: NE 90th Street, 116th Avenue NE to Slater Avenue; across I-405
Description: Pedestrian/bicycle bridge approximately 10 feet wide, with approaches on each end. Unfunded CIP project NM 0030.
- NM20-16A** Sidewalk
Location: NE 90th Street, 124th Avenue NE to 128th Avenue NE (Phase I)
Description: Installation of curb, gutter and sidewalk along the north side. Unfunded CIP project NM 0056.
- NM20-16B** Sidewalk
Location: NE 90th Street, 120th Avenue NE to 124th Avenue NE, and 128th Avenue NE to 132nd Avenue NE (Phase II)
Description: Installation of curb, gutter and sidewalk along the north side. Unfunded CIP project NM 0026.
- NM20-17** Pathway/Sidewalk
Location: NE 60th Street from 116th Avenue NE to 132nd Avenue NE
Description: Half-street improvements along the north side to include pathway/sidewalk, curb and gutter (where appropriate), storm drainage/conveyance (natural and/or piped) and minor widening; accommodations for equestrians will be reviewed during the design. Unfunded CIP project NM 0048.
- NM20-18** Pedestrian Facility
Location: Forbes Creek Drive from Crestwoods Park to Juanita Bay Park
Description: Installation of curb, gutter and sidewalk along the north side of Forbes Creek Drive from approximately 108th Avenue NE to approximately Market Street. Unfunded CIP project NM 0041.
- NM20-19** Pedestrian/Bicycle Facility
Location: NE 126th Street/Totem Lake Way from 120th Avenue NE to 132nd Place NE
Description: Installation of paved multi-purpose path and storm drainage along corridor. Funded CIP project NM 0043, included as a part of annual non-motorized program NM 8888 scheduled for completion by 2014.

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- NM20-20** Crosswalk Upgrades
Location: Various locations throughout City
Description: Pedestrian crossing improvements. Projects are combined and funded every two years under CIP project NM 0012.
- NM20-21** Annual Pedestrian Improvements
Location: Various locations throughout City
Description: Continue to prioritize and install pedestrian improvements to meet the adopted level of service.
- NM20-22** Annual Bicycle Improvements
Location: Various locations throughout the City
Description: Continue to prioritize and install bicycle improvements to meet the adopted level of service.
- NM20-23** Sidewalk
Location: 112th Avenue NE from NE 87th Street to NE 90th Street
Description: Installation of curb, gutter, sidewalk and storm drain along west side of roadway. Funded CIP project NM 0049, included as a part of annual non-motorized program NM 8888 scheduled for completion by 2014.
- NM20-24** Sidewalk
Location: NE 80th Street from 126th Avenue NE to 130th Avenue NE
Description: Installation of curb, gutter, sidewalk and storm drain along south side of roadway. Funded CIP project NM 0050, included as a part of annual non-motorized program NM 8888 scheduled for completion by 2014.
- NM20-25** Sidewalk
Location: NE 85th Street from I-405 to 132nd Avenue NE and along 124th Avenue NE from NE 80th Street to NE 90th Street (AKA Rose Hill Business District Sidewalks)
Description: Install sidewalk, planter strip, storm drainage and other improvements to enhance Sound Transit bus route 540 ridership. Funded CIP project NM 0051, scheduled for completion in 2011.
- NM20-26** Sidewalk
Location: Kirkland Way from 8th Street to Ohde Avenue
Description: Installation of curb, gutter, sidewalk and storm drain along the roadway. Unfunded CIP project NM 0063.

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- NM20-27** Sidewalk
Location: NE 112th Street from 117th Place NE to the Burlington Northern Santa Fe Railroad crossing
Description: Installation of curb, gutter, sidewalk and storm drain along north side of roadway. Funded CIP project NM 0053, included as a part of annual non-motorized program NM 8888 scheduled for completion by 2014.
- NM20-28** Annual Sidewalk Maintenance Program
Location: Citywide
Description: Repair and replacement of existing sidewalks to provide safe pedestrian travel ways and to maintain the value of the sidewalk infrastructure. Funded CIP project NM 0057.
- NM20-29** Nonmotorized/Emergency Access Connection
Location: 111th Avenue from Burlington Northern Santa Fe Railroad north to Forbes Creek Drive
Description: Install paved nonmotorized facility with retractable bollards and/or emergency vehicle actuated gate(s) to prevent through traffic. Identified in the Highlands Neighborhood Plan; unfunded CIP project NM 0058.
- NM20-30** Sidewalk
Location: 6th Street from 1st Avenue South to Kirkland Way
Description: Installation of curb, gutter, sidewalk and storm drain along east side of roadway. Funded CIP project NM 0059, included as a part of annual non-motorized program NM 8888 scheduled for completion by 2014.
- NM20-31** Sidewalk
Location: 100th Avenue NE/99th Place NE from NE 112th Street to NE 116th Street
Description: Installation of curb, gutter, sidewalk and storm drain along east side of roadway. Funded CIP project NM 0060; scheduled for completion in 2009.
- NM20-32** Pedestrian Enhancements
Location: Park Lane from Lake Street to Peter Kirk Park
Description: Repair and replacement of aged and broken sidewalks, curb, gutter and storm drain along this heavily used downtown pedestrian corridor. Existing trees will be reviewed with the objective of improving the overall tree canopy; low impact development standards will be incorporated into the project. Unfunded CIP project NM 0064.
- NM20-33** Pedestrian Enhancements
Location: Central Way at Lake Street, Main Street, and 4th Street
Description: Based on the results of the ongoing Central Way pilot program that is monitoring the overall

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traffic impact of temporary parking along the south curb lane of Central Way, this project will formalize crossings with such treatments as “bulb-outs,” storm drainage, lighting and permanent parking configurations. Unfunded CIP project NM 0065.

NM 20-34 Sidewalk
Location: 12th Avenue from 6th Street to the BNSF Railroad adjacent to the east entrance to Peter Kirk Elementary School
Description: Install curb, gutter, sidewalk and storm drainage along north side of roadway. Partial funding by TIB Safe School Walking grant. Funded CIP project NM 0066.

NM 20-35 Annual Sidewalk and/or Bike Lanes
Location: City wide
Description: Install up to various funding levels in 2012, 2013, 2014 any number of funded or unfunded CIP projects based on the active transportation plan criteria. Funded CIP project NM 8888.

NM 20-36 Sidewalk
Location: NE 104th Street between 126th Avenue NE and 132nd Avenue NE
Description: Install curb, gutter, sidewalk and storm drainage along roadway to improve existing Mark Twain Elementary School walk route. Unfunded CIP project NM 0061.

NM 20-37 Sidewalk
Location: 19th Avenue from Market Street to 4th Street
Description: Install curb, gutter, sidewalk and storm drainage along south side of road to improve existing walk route to Kirkland Jr. High School. Unfunded CIP project NM 0062.

Street Improvements

ST20-1 New Street
Location: 118th Avenue NE, NE 116th Street to NE 118th Street
Description: Extend two-lane roadway, including sidewalk facilities, storm drainage and landscaping. Unfunded CIP project ST 0060.

ST20-2 New Street
Location: 119th Avenue NE, NE 128th Street to NE 130th Street
Description: Extend two-lane roadway, including sidewalk facilities, storm drainage and landscaping. Unfunded CIP project ST 0061.

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- ST20-3** Street Widening
Location: 120th Avenue NE, NE 128th Street to NE 132nd Street
Description: Reconstruct from the existing three-lane section to five lanes with sidewalks. Funded CIP project ST 0063, included as a part of the annual concurrency street improvements ST 8888 scheduled for completion by 2014.
- ST20-4** Street Widening
Location: 124th Avenue NE, NE 116th Street to NE 124th Street
Description: Widen to five lanes, from existing three lanes with sidewalks. Partially funded CIP project ST 0059; design began in 2007 however completion is dependent upon grant funding.
- ST20-5** Street Widening
Location: 124th Avenue NE, NE 85th Street to NE 116th Street
Description: Widen to three lanes, construct bicycle lanes, curb and gutter, sidewalk, storm drainage and landscaping. Unfunded CIP project ST 0064.
- ST20-6** Street Widening
Location: 132nd Avenue NE, NE 85th Street to NE 120th Street
Description: Widen to three lanes with bike lanes, sidewalks, curb and gutter, landscaping and storm drainage improvements. Unfunded CIP project ST 0056.
- ST20-7** Bridge Replacement
Location: 98th Avenue NE at Forbes Creek
Description: Reconstruct bridge across Forbes Creek from Market Street into Juanita area in order to meet current seismic requirements. Unfunded CIP project ST 0055.
- ST20-8** New Street
Location: 120th Avenue NE from NE 116th Street to Burlington Northern Santa Fe Railroad crossing
Description: Construct 2/3 lanes as needed with pedestrian/bicycle facilities. Unfunded CIP project ST 0073.
- ST20-9** New Street
Location: NE 120th Street (east section), from Slater Avenue NE to 124th Avenue NE
Description: Construct 2/3 lanes as needed with pedestrian/bicycle facilities. Funded CIP project ST 0057, design began in 2006 and completion is dependent upon grant funding.

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ST20-10 Street Improvements

Location: 120th Avenue NE, from Totem Lake Boulevard to NE 128th Street and Totem Lake Plaza

Description: Install various traffic calming measures, on-street parking, pedestrian and landscape improvements. Unfunded CIP ST 0070.

ST20-11 New Street

Location: NE 130th Street, Totem Lake Boulevard to 120th Avenue NE

Description: Extend two-lane roadway including nonmotorized facilities, storm drainage and landscaping. Unfunded CIP project ST 0062.

ST20-12 New Street

Location: NE 120th Street (west section) from 124th Avenue NE to Burlington Northern Santa Fe Railroad crossing

Description: Construct 2/3 lanes as needed with pedestrian/bicycle facilities. Unfunded CIP project ST 0072.

ST20-13 Annual Street Preservation Program

Location: Various sites throughout the City based on Pavement Management Program

Description: Patch and overlay existing streets to provide safe travel ways and maintain the value of the street infrastructure. Funded CIP project ST 0006.

ST20-14 Street Widening

Location: NE 132nd Street from 100th Avenue NE to the WSDOT interchange

Description: Addition of landscape and median islands, repair of curb, gutter and sidewalk. Repaving and restriping to accommodate bike lanes. Configuration as outlined in the 2008 NE 132nd Street master plan. Unfunded CIP project ST 0077.

ST20-15 Street Widening

Location: NE 132nd Street from WSDOT Interchange to 124th Avenue NE

Description: Addition of landscape and median islands, repair of curb, gutter and sidewalk. Repaving and restriping to accommodate bike lanes. Configuration as outlined in the 2008 NE 132nd Street master plan. Unfunded CIP project ST 0078.

ST20-16 Street Widening

Location: NE 132nd Street from 124th Avenue NE to 132nd Avenue NE

Description: Addition of landscape and median islands, repair of curb, gutter and sidewalk. Repaving and restriping to accommodate bike lanes. Configuration as outlined in the 2008 NE 132nd Street master plan. Unfunded CIP project ST0079.

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Intersection Improvements

TR20-1 Traffic Signal

Location: 100th Avenue NE/NE 124th Street

Description: Construct a northbound receiving lane on the north leg of the intersection and conversion of existing northbound right-turn lane to a through/right-turn configuration. Unfunded CIP project TR 0084.

TR20-2 Intersection Improvements

Location: Kirkland Way Underpass at Burlington Northern Santa Fe Railroad crossing

Description: New railroad undercrossing along Kirkland Way, installation of sidewalks and bike lanes in immediate vicinity, improve clearance between roadway surface and overpass, and improve sight distance. Unfunded CIP project TR 0067.

TR20-3 Traffic Signal

Location: 6th Street/Kirkland Way

Description: Construct a new signal at this intersection. The project will include controlled pedestrian crosswalks. Unfunded CIP project TR 0065.

TR20-4 Intersection Improvements

Location: NE 68th Street/108th Avenue NE

Description: Install westbound to northbound right-turn lane and other improvements identified as a part of Sound Transit's Route 540 improvements. Funded CIP project TR 0085, design began in 2009 and anticipate completion in 2010.

TR20-5 HOV Queue Bypass

Location: NE 124th Street and I-405, east to southbound

Description: Construct an additional lane and signal improvements to allow connection from NE 124th Street to the HOV lane on the southbound freeway access ramp. Unfunded CIP project TR 0057.

TR20-6 Intersection Improvements

Location: NE 85th Street/120th Avenue NE

Description: Project will add one northbound right-turn lane and one new westbound and one new eastbound travel lane on NE 85th Street. Funded CIP project TR 0088, included as a part of the annual concurrency traffic improvements TR 8888 scheduled for completion by 2014.

TR20-7 Intersection Improvements

Location: NE 85th Street/132nd Avenue NE

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Description: Project will add one new westbound and one new eastbound travel lane on NE 85th Street. Unfunded CIP project TR 0089.

TR20-8 HOV Queue Bypass

Location: NE 85th Street and I-405, east to southbound

Description: Construct an additional lane and signal improvements to allow connection from NE 85th Street to the HOV lane on the southbound freeway access ramp. Unfunded CIP project TR 0056.

TR20-9 HOV Queue Bypass

Location: Lake Washington Boulevard at Northup Way

Description: Add southbound Lake Washington Boulevard queue bypass lane from Cochran Springs to westbound SR 520. Unfunded CIP project TR 0068.

TR20-10 Queue Bypass and HOV Facilities

Location: Various as identified

Description: Intersection improvements or HOV lanes that are not included in other projects as follows:

1. NE 116th Street/I-405 queue bypass eastbound to southbound (unfunded CIP project TR 0072)
2. NE 85th Street/I-405 queue bypass westbound to northbound (unfunded CIP project TR 0074)
3. NE 70th Street/I-405 queue bypass eastbound to southbound (unfunded CIP project TR 0073)
4. NE 124th Street/I-405 westbound to northbound (unfunded CIP project TR 0075)

TR20-11 Intersection Improvements

Location: Various as identified

Description: New signals or signal improvements that are not included in other projects are as follows:

1. Kirkland Avenue/Lake Street South
2. Lake Street South/2nd Avenue South
3. Market Street/Central Way
4. Market Street/7th Avenue NE
5. Market Street/15th Avenue NE
6. NE 53rd Street/108th Avenue NE
7. NE 60th Street/116th Avenue NE
8. NE 60th Street/132nd Avenue NE
9. NE 64th Street/Lake Washington Boulevard
10. NE 70th Street/120th Avenue NE or 122nd Avenue NE

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11. NE 80th Street/132nd Avenue NE
12. NE 112th Street/124th Avenue NE
13. NE 116th Street/118th Avenue NE
14. NE 116th Street/124th Avenue NE (northbound dual left turn)
15. NE 126th Street/132nd Place NE
16. NE 128th Street/Totem Lake Boulevard
17. NE 100th Street/132nd Avenue NE
18. NE 132nd Street/Totem Lake Blvd
19. Market Street/Forbes Creek Drive
20. NE 112th Street/120th Avenue NE
21. Totem Lake Boulevard/120th Avenue NE

TR20-12 Intersection Improvements

Location: NE 70th Street/132nd Avenue NE

Description: Install westbound and northbound right-turn lanes. Funded CIP project TR 0086, included as a part of the annual concurrency traffic improvements TR 8888 scheduled for completion by 2014.

TR20-13 Intersection Improvements

Location: Lake Washington Boulevard at NE 38th Place

Description: Add one northbound travel lane on Lake Washington Boulevard through this intersection. Unfunded CIP project TR 0090.

TR20-14 Traffic Signal

Location: 124th Avenue NE at NE 124th Street

Description: Install traffic signal improvements and new railroad crossing on the north leg of this intersection. Funded CIP project TR 0091; project is anticipated to start in 2012.

TR20-15 Intersection Improvements

Location: 100th Avenue NE/NE 132nd Street

Description: Construct a northbound receiving lane on the north leg of the intersection and conversion of existing northbound right-turn lane to a through/right-turn configuration. Construct a second southbound left-turn lane. Funded CIP project TR 0083, included as a part of the annual concurrency traffic improvements TR 8888 scheduled for completion by 2014.

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TR20-16 Traffic Signal

Location: Central Way & Park Place entrance (between 4th St and 5th St)

Description: Install traffic signal to minimize traffic conflict, improve safety and traffic operation; in addition to these vehicular improvements, existing un-signalized crosswalks at 5th St and 4th St will be eliminated. It is anticipated that the design and construction timing is concurrent with the development of Park Place which will be required to install the traffic signal as part of SEPA mitigation. Unfunded CIP project TR 0082.

TR20-17 Intersection Improvements

Location: 132nd Street/124th Avenue NE

Description: Extend existing eastbound left turn lane to 500 feet and add a second 500 foot eastbound left turn lane. Widen and restripe east leg to match west leg, widen and restripe north leg for 1,000 feet to provide 2 northbound through lanes with 1 southbound left turn lane and 1 southbound through/right turn lane. Restripe south leg to match north leg; these improvements will allow this intersection to maintain a vehicular level of service less than the required 1.4 volume to capacity ratio. Unfunded CIP project TR 0096.

TR20-18 Intersection Improvements

Location: NE 132nd Street at 116th Way NE to Totem Lake Blvd / I-405

Description: Coordination of City ROW and intersection improvements in association with the WSDOT's Half-Diamond Interchange at NE 132nd Street and I-405 as recommended in the NE 132nd Street Master Plan. Unfunded CIP project TR 0098.

TR20-19 Intersection Improvements

Location: 6th Street/Central Way

Description: The installation of multiple upgrades to the existing signalized intersection. The intersection improvements will result in a new signature "Gateway" to the Central Downtown area of Kirkland with associated necessary upgrades to surface water elements and a sensitive area (stream). The project will result in the construction of a significant retaining wall structure and the acquisition of new right-of-way, in addition to general signal, pedestrian and ITS improvements. Funded CIP project TR 0100.

TR20-20 Not used

TR20-21 Intersection Improvements

Location: 6th Street S/4th Avenue

Description: Dual eastbound left turn, with widening on 6th Street. Funded CIP project TR 0104.

TR20-22 Intersection Improvements

IX. TRANSPORTATION

Location: Central Way/5th Street

Description: Install new traffic signal. These improvements will allow the intersection to maintain a level of service less than the required 1.4 volume to capacity ratio. Unfunded CIP project TR 0105.

TR20-23 Intersection Improvements

Location: 6th Street / 7th Avenue

Description: Add left turn lanes on northbound and southbound approaches. Unfunded CIP project TR 0106.

TR20-24 Intersection Improvements

Location: Central Way/4th Street

Description: Extend two-way-left turn by moving crosswalk to Parkplace Signal. Funded CIP project TR 0103.

TR20-25 Intersection Improvements

Location: NE 85th Street / 124th Avenue NE

Description: Add northbound right-turn-only pocket. Funded CIP project TR 0108.

TR20-26 Not used

TR20-27 Intersection Improvements

Location: Totem Lake Plaza/120th Ave NE Intersection Improvements

Description: Install traffic signal to minimize traffic conflict, improve safety and traffic operation. It is anticipated that the design and construction timing is concurrent with the development of Totem lake Mall which will be required to install the traffic signal as part of SEPA mitigation. Unfunded CIP project TR 0110.

TR20-28 Intersection Improvements

Location: Totem Lake Plaza/Totem Lake Blvd

Description: Install traffic signal and associated roadway improvements between Totem Lake Boulevard and NE 120th Avenue NE to minimize traffic conflict, improve safety and traffic operations through the Totem Lake Mall. It is anticipated that the design and construction timing is concurrent with the development of Totem lake Mall which will be required to install the improvements as part of SEPA mitigation. Unfunded CIP project TR 0109.

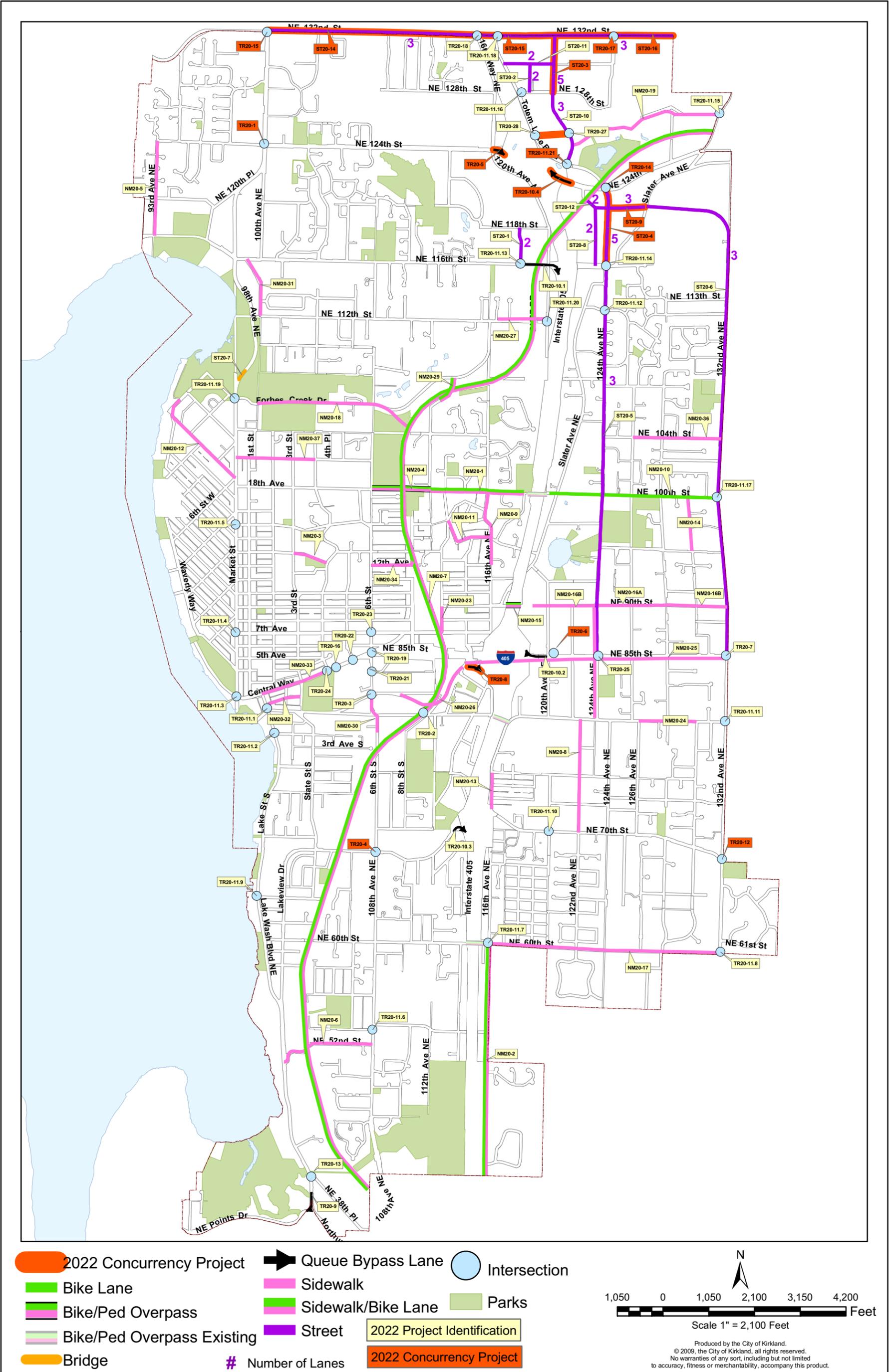


Figure T-6: 2009 Transportation Project List

XIII. CAPITAL FACILITIES

A. INTRODUCTION

Purpose of the Capital Facilities Element

The Capital Facilities Element is a six-year plan for fully funded capital improvements that supports the City's current and future population and economy. The principal criteria for identifying needed capital improvements are level of service standards (LOS). The Capital Facilities Element contains level of service standards for each public facility, and requires that new development be served by adequate facilities. The element also contains broad goals and specific policies that guide implementation of adequate public facilities.

The purpose of the Capital Facilities Element is three-fold:

- (1) To establish sound fiscal policies to guide Kirkland in planning for public facilities;
- (2) Identify facilities needed to support growth and development consistent with the policies of the Comprehensive Plan; and
- (3) Establish adopted standards for levels of service.

What is a capital facility or capital improvement project?

Capital improvements include: the construction of new facilities; the expansion, large-scale renovation, or replacement of existing facilities; and the acquisition of land or the purchase of major pieces of equipment, including major replacements funded by the equipment rental fund or those that are associated with newly acquired facilities.

A capital improvement must meet all of the following criteria:

- ◆ It is an expenditure that can be classified as a fixed asset.

- ◆ It has an estimated cost of \$50,000 or more (with the exception of land).
- ◆ It has a useful life of 10 years or more (with the exception of certain equipment which may have a short life span).

Why plan for capital facilities?

It also includes a list of transportation projects over a 12 year period in time.

MANAGEMENT

required in the Comprehensive Plan in order to:

- ◆ Provide capital facilities for land development that is envisioned or authorized by the Land Use Element of the Comprehensive Plan.
- ◆ Maintain the quality of life for the community by establishing and maintaining level of service standards for capital facilities.
- ◆ Coordinate and provide consistency among the many plans for capital improvements, including:
 - Other elements of the Comprehensive Plan;
 - Master plans and other studies of the local government;
 - The plans for capital facilities of State and/or regional significance;
 - The plans of other adjacent local governments; and
 - The plans of special districts.
- ◆ Ensure the timely provision of adequate facilities as required in the GMA.
- ◆ Document all capital projects and their financing.

The Capital Facilities Element is the element that guides the City in the construction of its physical improvements. By establishing levels of service as the basis for providing capital facilities and for achieving concurrency, the Element determines the quality of improvements in the community. The requirement to

XIII. CAPITAL FACILITIES

might be five acres per 1,000 population, but the current level of service may be 2.58 acres per 1,000, which is less than the desired standard.

Setting the Standards for Levels of Service

The GMA requires the Capital Facilities Plan to be based on standards for service levels that are measurable and financially feasible for the six fiscal years following adoption of the Plan.

Because the need for capital facilities is largely determined by the levels of service that are adopted, the key to influencing the Capital Facilities Element is to influence the selection of the level of service standards. Level of service standards are measures of the quality of life of the community. The standards should be based on the community's vision of its future and its values.

The needs for capital facilities are determined by comparing the inventory of existing facilities to the amount required to achieve and maintain the level of service standard. More details can be found in Appendix A, Level of Service Methodology.

Community values and desires change and evolve and funding levels fluctuate; therefore, adjustments to level of service standards will be required over time. Level of service standards may be modified depending on changing priorities. The challenge is to balance the need for reliability (i.e., development should be able to count on the timely provision of improvements) with being responsive to changing conditions.

While level of service standards are measurements of the performance of facilities, other goals and policies as well as the Vision Statement should also be considered when making decisions on capital improvement projects and facilities.

What is concurrency?

The concurrency requirement in the Growth Management Act mandates that capital facilities be coordinated with new development or redevelopment.

Kirkland's concurrency ordinance fulfills this requirement. The City has determined that roads, water and sewer facilities must be available concurrent with new development or redevelopment. This means that adequate capital facilities have to be finished and in place before, at the time, or within a reasonable time period (depending on the type of capital facility needed) following the impacts of development.

Adequate capital facilities are those facilities which have the capacity to serve the development without decreasing the adopted levels of service for the community below accepted standards.

Concurrency is determined by comparing the available capacity of road, water and sewer facilities to the capacity to be used by new development. Capacity is determined by the City's adopted LOS standards. If the available capacity is equal to or greater than the capacity to be used by new development, then concurrency is met. If the available capacity is less than the capacity to be used by new development, then concurrency is not met. Policies CF-4.3 and CF-5.2 below address what options are available to the developer and/or by the City if concurrency is not met.

Meeting concurrency requires a balancing of public and private expenditures. Private costs are generally limited to the services directly related to a particular development. The City is responsible for maintaining adequate system capacity that will meet adopted LOS standards.

Relationship to Other Elements

The Capital Facilities Plan ensures that the public facilities needed to support many of the goals and policies in the other elements are programmed for construction. Level of service standards for capital facilities are derived from the growth projections contained within the Land Use Element. The Land Use Element also calls for phasing increases in residential and commercial densities to correspond with the availability of public facilities necessary to support new growth. The Capital Facilities Element also en-

XIII. CAPITAL FACILITIES

special districts. The City should coordinate the provision of these facilities in order to ensure that the levels of service identified in the plan can be achieved.

CONCURRENCY

Goal CF-4: Ensure that water, sewer, and transportation facilities necessary to support new development are available and adequate concurrent with new development, based on the City's adopted level of service standards.

Policy CF-4.1:

Monitor the levels of service for water, sewer and transportation facilities and ensure that new development does not cause levels of service to decline below the adopted standards.

The City should evaluate the capacity needs of new development against existing or planned capacity to ensure that the adopted levels of service are maintained for water, sewer, and transportation.

Policy CF-4.2:

Ensure levels of service for water and sewer are adequate no later than occupancy and use of new development.

Water and sewer facilities are essential to public health, therefore they must be available and adequate upon first use of development.

Policy CF-4.3:

Ensure levels of service for road facilities are met no later than six years after occupancy and use of new development.

The Growth Management Act allows up to six years to achieve standards for transportation facilities because they do not threaten public health, and because they are very expensive, and are built in large "increments" (i.e., a section of road serves many users).

Concurrency is a benchmark for determining the extent to which new development must address the im-

pacts that it creates on selected facilities: water, sewer and roads. If concurrency is not met, several options (or a combination thereof) are available to meet concurrency:

- (a) Improve the public facilities to maintain the levels of service; or
- (b) Revise the proposed development to reduce impacts to maintain satisfactory levels of service; or
- (c) Phase the development to coincide with the availability of increased water, sewer, and transportation facilities.

FUNDING AND FINANCIAL FEASIBILITY

Financial feasibility is required for capital improvements by the Growth Management Act. Estimates for funding should be conservative and realistic based on the City's historical track record. Financial commitments should be bankable or bondable. Voter-approved revenue, such as bonds, may be used, but adjustments must be made if the revenue is not approved. Adjustments can include substituting a different source of revenue, reducing the level of service, and/or reducing the demand for public facilities.

In addition, facilities should not be built if the provider cannot afford to operate and maintain them or to arrange for another entity to operate and maintain the facilities.

Goal CF-5: Provide needed public facilities that are within the ability of the City to fund or within the City's authority to require others to provide.

Policy CF-5.1:

Base the ~~six-year~~ Capital Facilities Plan on conservative estimates of current local revenues and external revenues that are reasonably anticipated to be received by the City.

, Table CF8A is a multi-year financing plan for transportation projects through 2020,

FACILITIES

C. CAPITAL FACILITIES PLAN

Introduction

The following Tables CF-8 through CF-12 list the capital improvement projects for the six-year planning period for ~~transportation~~, utilities, parks, and fire. In each table, the projects are grouped into one or more of the three categories:

- ◆ Funded projects;
- ◆ Utility funded projects;
- ◆ Bond projects.

and a multi year period for transportation projects through 2020.

The cost of each capital improvement project ~~over the next six fiscal years~~ is shown. All costs are shown in current dollars – no inflation factor has been applied. Costs will be revised as part of the review and update of the Comprehensive Plan together with the Capital Improvement Program.

Most of the funded projects for transportation and utilities are needed to meet the adopted six-year LOS standards for concurrency. In addition, many of the capital improvement projects listed will meet the adopted LOS standards, eliminate existing deficiencies, make available adequate facilities for future growth, and repair or replace obsolete or worn out facilities.

Projects

FUNDED PROJECTS – TRANSPORTATION, UTILITIES, STORMWATER, PARKS, AND FIRE AND EMERGENCY SERVICES

Tables CF-8 through CF-12 contain a list of funded capital improvements along with a financing plan. Specific funding sources and amounts of revenue are shown which will be used to pay for the proposed funded capital projects. The funding sources for the funded projects are a reflection of the policy direction within the text of this Element.

The revenue forecasts and needed capital projects are based on the Capital Improvement Program. When the Capital Improvement Program (CIP) is updated, the projects within the Capital Facilities Plan should be changed to match the CIP doc, CF-8A

Transportation projects are found in Tables CF-8 and CF-9. They include nonmotorized, street and traffic intersection improvements. Transportation grants require matching City funds so the City should provide the funds from the funding sources found in Policy CF-5.3.

Table CF-8 contains the six-year project list and Table CF-9 contains the 20-year project list through 2022. As priorities change and/or projects on the ~~six-year list~~ are completed, projects from the 20-year list will be moved to the ~~six-year list~~. A descriptive list of the 20-year transportation projects is found in Table T-5 and a map showing the location of the projects is found in Figure T-6 contained in the Transportation Element

these tables

Tables CF-8 and CF-8A

Water, sewer and surface water utility projects are found in Table CF-10.

Park projects are found in Table CF-11. Several of the park projects are funded with voter-approved bonds.

Fire protection and emergency services projects are found in Table CF-12.

Table CF - 8*
Capital Facilities Plan: Transportation Projects (6 - year Capital Improvement Plan plus Project Specific Improvements)

SOURCES OF FUNDS

Revenue Type	Revenue Source	2009	2010	2011	2012	2013	2014	Six-Year Total
Local	Surface Water Fees	963,600	149,850	455,830	1,486,950	1,055,700	1,129,600	5,241,530
Local	Real Estate Excise Tax	1,907,500	2,382,000	2,226,000	2,366,000	2,583,800	2,733,100	14,198,400
Local	Sales Tax	270,000	270,000	270,000	270,000	270,000	270,000	1,620,000
Local	Gas Tax	534,000	545,000	549,000	554,000	558,000	561,000	3,301,000
Local	Impact Fees (excluding Park Place & Totem Lake Mall)	1,234,000	1,223,000	961,040	3,613,950	3,544,000	3,933,800	14,509,790
Local	Reserves	631,100	72,150		722,400			1,425,650
External	Sound Transit	60,000						60,000
External	Grants	710,000		616,030	1,914,300	1,669,800	1,853,500	6,763,630
External	Developer funded -- Park Place (including Impact Fees)	-	500,000	1,500,000	1,244,000	1,331,200	1,663,000	6,238,200
External	Developer funded -- Totem Lake (including Impact Fees)	-	1,500,000	1,500,000	-	-	-	3,000,000
Total Sources		6,310,200	6,642,000	8,077,900	12,171,600	11,012,500	12,144,000	56,358,200

USES OF FUNDS**Funded Projects**

Project Number	Project Title	2009	2010	2011	2012	2013	2014	Six-Year Total
ST 0006	Annual Street Preservation Program	2,000,000	2,000,000	2,500,000	2,000,000	2,000,000	2,000,000	12,500,000
ST 0057 ⁽¹⁾	NE 120th Street Roadway Extension (east section)	1,232,000		1,232,100	2,530,100			4,994,200
ST 0059 ⁽¹⁾	124th Ave NE Roadway Improvements (north section)	224,000						224,000
ST 0080	Annual Striping Program	250,000	250,000	250,000	250,000	250,000	250,000	1,500,000
ST 8888	Annual Concurrency Street Improvements				2,272,000	2,522,000	2,799,400	7,593,400
ST 9999	Regional Inter-Agency Coordination	25,000	25,000	25,000	25,000	25,000	25,000	150,000
NM 0012	Crosswalk Upgrade Program	70,000		70,000		70,000		210,000
NM 0034	NE 100th St at Spinney Homestead Park Sidewalk	56,000						56,000
NM 0044	116th Avenue NE Sidewalk (Highlands)	568,000	333,000					901,000
NM 0051	Rose Hill Business District Sidewalks	310,000	500,000					810,000
NM 0057	Annual Sidewalk Maintenance Program	200,000	200,000	200,000	200,000	200,000	200,000	1,200,000
NM 0060	100th Ave NE/99 th Place NE Sidewalk	494,000						494,000
NM 0065	Central Way Ped Enhancements (Phase II-southside)					151,800	374,100	525,900
NM 0066	12th Avenue Sidewalk		111,000	308,000	205,100			624,100
NM 8888	Annual Non-Motorized Program				1,100,000	1,100,000	1,100,000	3,300,000
TR 0078 ⁽¹⁾	NE 85th St/132nd Ave NE Intersection Improv. (Phase I)	22,500	475,000					497,500
TR 0079 ⁽¹⁾	NE 85th Street/114th Avenue NE Intersection Improv.	28,700	604,000					632,700
TR 0080 ⁽¹⁾	NE 85th Street/124th Avenue NE Intersection Improv.	158,000	144,000					302,000
TR 0085 ⁽¹⁾	NE 68th St/108th Ave NE Intersection Improvements	672,000						672,000
TR 0091 ⁽¹⁾	NE 124th St/124th Ave NE Intersection (Phase III)			492,800	547,000	1,366,200	1,516,600	3,922,600
TR 8888 ⁽¹⁾	Annual Concurrency Traffic Improvements				1,798,400	1,996,300	2,215,900	6,010,600
Subtotal Adopted 2009-2014 CIP Projects		6,310,200	4,642,000	5,077,900	10,927,600	9,681,300	10,481,000	47,120,000
TR 0065 ⁽²⁾	Kirkland Way/6th Street Intersection Improvements					200,000	364,000	564,000
TR 0082 ⁽²⁾	Central Way/Park Place entrance Intersection Improvements					200,000	366,000	566,000
TR 0090 ⁽²⁾	Lk Wa Blvd/NE 38th Place Intersection Improvements							-
TR 0096 ⁽²⁾	NE 132nd St/124th Ave NE Intersection Improvements							-
TR 0098 ⁽²⁾	NE 132nd Street/116th Way NE - Totem Lake Blvd Int Imps							-
TR 0100 ⁽²⁾	Central Way/6th Street Intersection Improvements		500,000	1,500,000	1,044,000			3,044,000
TR 0103 ⁽²⁾	Central Way/4th Street Intersection Improvements					31,200		31,200
TR 0104 ⁽²⁾	6th Street/4th Ave Intersection Improvements					200,000	380,000	580,000
TR 0105 ⁽²⁾	Central Way/5th Street Intersection Improvements					200,000	364,000	564,000
TR 0106 ⁽²⁾	6th Street/7th Ave Intersection Improvements							-
TR 0107 ⁽²⁾	Market Street/15th Ave Intersection Improvements							-
TR 0108 ⁽²⁾	NE 85th St/124th Ave NE Intersection Improvements				200,000	500,000	189,000	889,000
Subtotal Park Place Redevelopment-Related Projects		-	500,000	1,500,000	1,244,000	1,331,200	1,663,000	6,238,200
TR 0109 ⁽³⁾	Totem Lake Plaza/Totem Lake Blvd Intersection Improvements			1,500,000				1,500,000
TR 0110 ⁽³⁾	Totem Lake Plaza/120th Ave NE Intersection Improvements		1,500,000					1,500,000
Subtotal Totem Lake Mall Redevelopment-Related Projects		-	1,500,000	1,500,000	-	-	-	3,000,000
Total Funded Transportation Projects		6,310,200	6,642,000	8,077,900	12,171,600	11,012,500	12,144,000	56,358,200
SURPLUS (DEFICIT) of Resources		-	-	-	-	-	-	-

* The transportation capital projects totalling \$47,120,000 for the six-year period 2009-14 were adopted by the Council as part of the City's six-year capital improvement plan (CIP). Other projects in this table include capital improvements that will be undertaken only if the proposed redevelopments (Park Place and/or Totem Lake) are completed. Project costs and associated funding beyond 2014 are estimates and do not reflect the City's adopted CIP.

⁽¹⁾ These projects provide new capacity towards concurrency.

⁽²⁾ These projects are associated with Park Place redevelopment and are not part of the City's adopted 2009-2014 CIP.

⁽³⁾ These projects are associated with Totem Lake redevelopment and are not part of the City's adopted 2009-2014 CIP.

Table CF - 8A*
Capital Facilities Plan: Transportation Projects (Multi-year Financing Plan)

SOURCES OF FUNDS

Revenue Type	Revenue Source	2015	2016	2017	2018	2019	2020	Six-Year Total	Multi-year Total
Local	Surface Water Fees	950,000	950,000	950,000	950,000	950,000	950,000	5,700,000	10,941,530
Local	Real Estate Excise Tax	2,814,200	2,954,900	3,102,700	3,257,800	3,420,700	3,561,500	19,111,800	33,310,200
Local	Sales Tax	270,000	270,000	270,000	270,000	270,000	270,000	1,620,000	3,240,000
Local	Gas Tax	565,000	569,000	572,000	576,000	579,000	583,000	3,444,000	6,745,000
Local	Impact Fees (excluding Park Place & Totem Lake Mall)	4,137,500	4,137,500	4,137,500	4,137,500	4,137,500	4,137,500	24,825,000	39,334,790
Local	Reserves	480,000	480,000	480,000	480,000	480,000	480,000	2,880,000	4,305,650
External	Sound Transit							-	60,000
External	Grants	793,000	793,000	793,000	793,000	793,000	793,000	4,758,000	11,521,630
External	Developer funded -- Park Place (including Impact Fees)	1,589,400	2,017,000	1,438,000	2,000,000	-	-	7,044,400	13,282,600
External	Developer funded -- Totem Lake (including Impact Fees)	-	-	-	-	-	-	-	3,000,000
Total Sources		11,599,100	12,171,400	11,743,200	12,464,300	10,630,200	10,775,000	69,383,200	125,741,400

USES OF FUNDS

Funded Projects

Project Number	Project Title	2015	2016	2017	2018	2019	2020	Six-Year Total	Multi-year Total
ST 0006	Annual Street Preservation Program	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000	12,000,000	24,500,000
ST 0080	Annual Striping Program	250,000	250,000	250,000	250,000	250,000	250,000	1,500,000	3,000,000
ST 8888	Annual Concurrency Street Improvements	3,096,000	3,096,000	3,096,000	3,096,000	3,096,000	3,096,000	18,576,000	26,169,400
ST 9999	Regional Inter-Agency Coordination	25,000	25,000	25,000	25,000	25,000	25,000	150,000	300,000
NM 0012	Crosswalk Upgrade Program	70,000		70,000		70,000		210,000	420,000
NM 0057	Annual Sidewalk Maintenance Program	200,000	200,000	200,000	200,000	200,000	200,000	1,200,000	2,400,000
NM 8888	Annual Non-Motorized Program	1,100,000	1,100,000	1,100,000	1,100,000	1,100,000	1,100,000	6,600,000	9,900,000
TR 8888 (1)	Annual Concurrency Traffic Improvements	3,268,700	3,483,400	3,564,200	3,793,300	3,889,200	4,104,000	22,102,800	28,113,400
Subtotal Future Year Costs of Adopted 2009-2014 CIP Projects		10,009,700	10,154,400	10,305,200	10,464,300	10,630,200	10,775,000	62,338,800	94,802,800
TR 0065 (2)	Kirkland Way/6th Street Intersection Improvements							-	564,000
TR 0082 (2)	Central Way/Park Place entrance Intersection Improvements							-	566,000
TR 0090 (2)	Lk Wa Blvd/NE 38th Place Intersection Improvements	1,300,000	653,000					1,953,000	1,953,000
TR 0096 (2)	NE 132nd St/124th Ave NE Intersection Improvements		1,000,000	1,438,000	2,000,000			4,438,000	4,438,000
TR 0098 (2)	NE 132nd Street/116th Way NE - Totem Lake Blvd Int Imps							-	-
TR 0100 (2)	Central Way/6th Street Intersection Improvements							-	3,044,000
TR 0103 (2)	Central Way/4th Street Intersection Improvements							-	31,200
TR 0104 (2)	6th Street/4th Ave Intersection Improvements							-	580,000
TR 0105 (2)	Central Way/5th Street Intersection Improvements							-	564,000
TR 0106 (2)	6th Street/7th Ave Intersection Improvements	89,400						89,400	89,400
TR 0107 (2)	Market Street/15th Ave Intersection Improvements	200,000	364,000					564,000	564,000
TR 0108 (2)	NE 85th St/124th Ave NE Intersection Improvements							-	889,000
Subtotal Park Place Redevelopment-Related Projects		1,589,400	2,017,000	1,438,000	2,000,000	-	-	7,044,400	13,282,600
TR 0109 (3)	Totem Lake Plaza/Totem Lake Blvd Intersection Improvements							-	1,500,000
TR 0110 (3)	Totem Lake Plaza/120th Ave NE Intersection Improvements							-	1,500,000
Subtotal Totem Lake Mall Redevelopment-Related Projects		-	3,000,000						
NE 132nd Street/116th Way NE - Totem Lake Blvd Int Imps		-							
Total Funded Transportation Projects		11,599,100	12,171,400	11,743,200	12,464,300	10,630,200	10,775,000	69,383,200	125,741,400
SURPLUS (DEFICIT) of Resources		-							

* The transportation capital projects, related costs, and potential funding sources shown in Table CF-8A have not been adopted by the City Council as part of a 6-year CIP.

(1) These projects provide new capacity towards concurrency.

(2) These projects are associated with Park Place redevelopment and are not part of the City's adopted 2009-2014 CIP.

(3) These projects are associated with Totem Lake redevelopment and are not part of the City's adopted 2009-2014 CIP.

APPENDIX A – LEVEL OF SERVICE METHODOLOGY

THE GROWTH MANAGEMENT ACT

The Growth Management Act (GMA) requires the Capital Facilities Element (CFE) to identify public facilities that will be needed during the six years following adoption of the Comprehensive Plan. As required by GMA, the Capital Facilities Element must include the following:

- ◆ An inventory of existing capital facilities owned by public entities, showing the location and capacities of the capital facilities.
- ◆ A forecast of future needs for such capital facilities.
- ◆ The proposed locations and capacities of expanded or new capital facilities.
- ◆ At least a six-year plan that will finance such capital facilities within projected funding capacities and clearly identifies sources of public money for such purposes.
- ◆ A requirement to reassess the Land Use Element if probable funding falls short of meeting existing needs and to ensure that the Land Use Element, Capital Facilities Plan Element, and financing plan within the Capital Facilities Plan Element are coordinated and consistent.

One of the goals of the GMA is to have capital facilities in place concurrent with development. This concept is known as **concurrency** (also called “adequate public facilities”). In Kirkland, concurrency requires:

- (1) Facilities to serve the development to be in place at the time of development (or for some types of facilities, that a financial commitment is made to provide the facilities within a specified period of time); and
- (2) Such facilities have sufficient capacity to serve development without decreasing levels of service below minimum standards adopted in the CFE.

The GMA requires concurrency for transportation facilities. GMA also requires all other public facilities to be “adequate” (see RCW 19.27.097, 36.70A.020, 36.70A.030, and 58.17.110). This is noted in Goal 12 which states:

Public facilities and services. Ensure that those public facilities and services necessary to support development are available for occupancy and use without decreasing current service levels below locally established minimum standards.

The City has an adopted CFE and development regulations to implement the plan. The development regulations provide detailed rules and procedures for implementing the requirements of the plan, including concurrency management procedures that ensure sufficient public facility capacity is available for each proposed development.

The Capital Facilities Element of the Comprehensive Plan must be updated on a regular basis. The update should occur in conjunction with review of the City’s six-year Capital Improvement Program and budget. The update should be completed before the City’s budget is adopted in order to incorporate the capital improvements from the updated CFE in the City’s annual budget.

The level of service standards adopted in this element were based on an extensive inventory of capital facilities and the forecasted need based on growth. A six-year plan is included which identifies the projects as well as the costs and funding sources. Policies within the plan ensure that there are several options to choose from if the probable funding falls short of meeting the needs.

There is also a list of transportation projects over a 12 year period in time.

PUBLICATION SUMMARY
OF ORDINANCE NO. 4258

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO COMPREHENSIVE PLANNING AND LAND USE AND AMENDING THE COMPREHENSIVE PLAN, ORDINANCE 3481 AS AMENDED, TO IMPLEMENT CHANGES TO THE INTRODUCTION, LAND USE, CAPITAL FACILITIES AND TRANSPORTATION ELEMENTS, AND APPROVING A SUMMARY FOR PUBLICATION, FILE NO ZON07-00016.

Section 1. Amends the following specific portions of the Comprehensive Plan:

- A. Section I. Introduction:
Amendments to Figure I-7: Comparison of Growth Targets and Available Capacity,
- B. Section VI. Land Use:
Amendments to Table LU-4: Comparison of Growth Targets and Available Capacity.
- C. Section IX. Transportation Element:
Amendments to Pages IX-20 and IX-22.
- D. Section IX. Transportation Element:
Amendments to Table T-5: Project Descriptions for the 2022 Transportation Project List (Funded-Unfunded).
- E. Section IX. Transportation Element:
Replacement of Map: Figure T-6: 2009 Transportation Project List.
- F. Section XIII. Capital Facilities Element:
Amendments to Pages XIII-1, XIII-3, XIII-9 and XIII-15.
- G. Section XIII. Capital Facilities Element:
Replacement of Chart: Table CF-8: Capital Facilities Plan: Transportation Projects is withdrawn and replaced by a new chart.
- H. Section XIII. Capital Facilities Element:
Addition of Table CF-8A: Capital Facilities Plan: Transportation Projects (Multi-year Financing Plan).
- I. Appendix A: Level of Service Methodology:
Amendment to Page A-1: Titled "The Growth Management Act.

Section 2. Provides severability clause for the ordinance.

Section 3. Authorizes publication of the ordinance by summary, which summary is approved by the City Council pursuant to Kirkland Municipal Code 1.08.017, and establishes the effective date as five days after publication of summary.

Section 4. Establishes certification by City Clerk and notification of King County Department of Assessments.

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the _____ day of _____, 2010.

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

City Clerk