

ORDINANCE O-4482

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO TEMPORARY
SIDEWALK AND SHARED USE STREET REGULATIONS FOR PARK LANE.

1 WHEREAS, the City is nearing completion of the Park Lane
2 Pedestrian Corridor Improvement Project ("Project"); and

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4 WHEREAS, the Project will improve the walkability of Park Lane
5 and has a curb-less design that allows pedestrians to share vehicular
6 space more freely when coupled with slower vehicular speeds; and

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8 WHEREAS, current sidewalk cafe regulations set forth in Kirkland
9 Municipal Code ("KMC") Section 19.04.060 through KMC 19.04.068
10 require six feet of pedestrian corridor adjacent to outdoor seating for
11 sidewalk cafes and the use of barriers or fences to separate dining areas
12 from the pedestrian corridor; and

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14 WHEREAS, in April 2015 the Washington Liquor Control Board
15 revised its regulations to allow for surface demarcations on the surface
16 of the right of way instead of barriers or fences; and

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18 WHEREAS, in light of the Project improvements, the City desires
19 to adopt temporary regulations that modify the existing sidewalk cafe
20 regulations and allow for sidewalk retail displays that would be in effect
21 until December 31, 2015; and

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23 WHEREAS, based on the experience of these temporary
24 regulations for Park Lane, the City intends to adopt permanent Park
25 Lane regulations in 2016 as well as adapt some of the regulations for
26 City-wide use where appropriate.

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28 NOW, THEREFORE, the City Council of the City of Kirkland
29 ordains as follows:

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31 Section 1. Applicability. The temporary regulations set forth in
32 this Ordinance apply to the Park Lane right of way between Lake Street
33 and Main Street. This Ordinance is not in effect anywhere else.

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35 Section 2. Use of Surface Demarcations. Establishments with
36 approved sidewalk cafes on Park Lane may utilize surface demarcations
37 to delineate the sidewalk cafe area from the adjoining pedestrian
38 corridor. Any establishment seeking to utilize surface demarcations in
39 lieu of a fence or other vertical barrier shall comply with all applicable
40 Washington Liquor Control Board regulations, including but not limited
41 to WAC 314-02-130. This Section supersedes KMC 19.04.062(b) and
42 KMC 19.04.065(a)(i).

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44 Section 3. Public Pedestrian Corridor. An establishment with an
45 approved sidewalk cafe shall allow a minimum five-foot wide
46 unobstructed pedestrian corridor adjacent to the sidewalk cafe area.
47 This Section supersedes KMC 19.04.062(a).

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Section 4. Retailer Use of Park Lane. A retail establishment may use up to three feet of space along its building frontage to display retail products for sale. A retail establishment shall maintain a minimum six-foot wide unobstructed pedestrian corridor adjacent to the retail display area.

Section 5. Applicability of KMC. Except as provided in this Ordinance, the provisions of the KMC relating to street and sidewalk use remain in force and effect.

Section 6. Advisory Speed Limit for Park Lane. Upon completion of the Project, the portion of Park Lane between Lake Street and Main Street will be a "shared use street" in which pedestrians and vehicles will share common space. As a result, the City may post advisory speed limit signs indicating that Park Lane is a shared use street and recommending a five mile per hour maximum vehicle speed.

Section 7. Public Works Director. Due to the temporary and trial nature of the regulations in this Ordinance, the Director of Public Works shall have the authority to make administrative modifications to the regulations set forth in this Ordinance. Any modification to these regulations shall be based on the City's observations and experience with respect to implementation of these regulations. The City shall promptly notify affected establishments of any modifications to these regulations.

Section 8. Duration. This Ordinance shall expire on June 7, 2016.

Section 9. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication, as required by law.

Passed by majority vote of the Kirkland City Council in open meeting this 2nd day of June, 2015.

Signed in authentication thereof this 2nd day of June, 2015.



MAYOR

Attest:


City Clerk

Approved as to Form:

Publication Date: June 8, 2015


City Attorney