

ORDINANCE O-4618

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO SPECIAL REGULATIONS FOR SIDEWALK USE OF A PORTION OF PARK LANE AND 120TH AVE NE.

1 WHEREAS, the City of Kirkland ("City") has adopted special
2 regulations for establishments with approved sidewalk cafés on Park
3 Lane through Kirkland Municipal Code ("KMC") Section 19.04.069; and
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5 WHEREAS, such special regulations are well suited to
6 establishments with approved sidewalk cafés that may be located on
7 120th Avenue NE as part of the redevelopment of the Totem Lake Mall
8 (to be known as "The Village at Totem Lake"); and
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10 WHEREAS, the addition of 120th Avenue NE to KMC Section
11 19.04.069 will further and be consistent with the Amended and Restated
12 Redevelopment Agreement for the Totem Lake Mall between the City
13 and the redeveloper, Village at Totem Lake, LLC, which agreement is
14 now before the City Council for approval.
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16 The City Council of the City of Kirkland do ordain as follows:
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18 Section 1. Kirkland Municipal Code Section 19.04.069 is
19 amended to read as follows:
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21 **19.04.069 Special regulations for sidewalk use of a portion of**
22 **Park Lane and 120th Ave NE.**

23 (a) The regulations set forth in this section apply to the Park Lane
24 right-of-way between Lake Street and Main Street and 120th Ave. NE
25 between NE Totem Lake Way and NE 128th Street.

26 (b) Establishments with approved sidewalk cafes on Park Lane or
27 120th Ave. NE may utilize surface demarcations to delineate the sidewalk
28 cafe area from the adjoining pedestrian corridor. Any establishment
29 seeking to utilize surface demarcations in lieu of a fence or other vertical
30 barrier shall comply with all applicable Washington Liquor Control Board
31 regulations, including but not limited to WAC 314-02-130. This section
32 supersedes Sections 19.04.062(b) and 19.04.065(a)(i).

33 (c) An establishment with an approved sidewalk cafe shall allow a
34 minimum five-foot-wide unobstructed pedestrian corridor adjacent to
35 the sidewalk cafe area. This section supersedes Section 19.04.062(a).

36 (d) A retail establishment may use up to three feet of space along
37 its building frontage to display retail products for sale. A retail
38 establishment shall maintain a minimum six-foot-wide unobstructed
39 pedestrian corridor adjacent to the retail display area.

40 (e) Except as provided in this section, the provisions of Sections
41 19.04.060 through 19.04.068 apply to all sidewalk uses.

42 (f) The minimum height for umbrellas and other shade devices
43 shall be seven feet in order to provide unobstructed passage for
44 pedestrians.

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(g) The director of public works shall have the authority to approve administrative regulations that supplement the regulations set forth in this section. Any supplementation of these regulations shall be based on the city's observations and experience with respect to implementation of this section. The city shall promptly notify affected establishments of any supplementation of the regulations in this section.

Section 2. 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 21st day of November, 2017.

Signed in authentication thereof this 21st day of November, 2017.



Amy Waler, Mayor

Attest:



Kathi Anderson, City Clerk

Publication Date: November 27, 2017

Approved as to Form:



Kevin Raymond, City Attorney