

ORDINANCE NO. 4077

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO COMPREHENSIVE PLANNING AND LAND USE AND AMENDING THE COMPREHENSIVE PLAN, ORDINANCE 3481 AS AMENDED AND THE KIRKLAND ZONING MAP, ORDINANCE 3710 AS AMENDED TO IMPLEMENT THE MARKET NEIGHBORHOOD PLAN UPDATE, THE MARKET STREET COMMERCIAL CORRIDOR SUBAREA PLAN, REPEALING INTERIM ORDINANCE 4059 AS AMENDED REGULATING USES WITHIN A PR 3.6 ZONE IN THE MARKET NEIGHBORHOOD, AND APPROVING A SUMMARY FOR PUBLICATION, FILE NO IV-03-27 .

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, and to amend the Kirkland Zoning Map, Ordinance 3710 as amended, all as set forth in that certain report and recommendation of the Planning Commission dated November 6, 2006 and bearing Kirkland Department of Planning and Community Development File No. IV-03-27; and

WHEREAS, prior to making said recommendation the Planning Commission, following notice thereof as required by RCW 35A.63.070, held a public hearing on September 14, 2006, on the amendment proposals and considered the comments received at said hearing, and

WHEREAS, pursuant to the State Environmental Policy Act (SEPA), there has accompanied the legislative proposal and recommendation through the entire consideration process, a SEPA Addendum to Existing Environmental Documents, issued by the responsible official pursuant to WAC 197-11-600; 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 and Graphics amended: The following specific portions of the Comprehensive Plan, Ordinance 3481 as amended, are amended to read as follows:

- A. Section I. Introduction:
Map amendment to Figure I-3 City of Kirkland Neighborhoods as set forth in Exhibit A attached to this ordinance and incorporated by reference.
- B. Section VI. Land Use Element:
Map amendment to the City of Kirkland Comprehensive Land Use Map as set forth in Exhibit B attached to this ordinance and incorporated by reference.

- C. Section VI. Land Use Element:
Map amendment to Figure LU-2 Commercial Areas as set forth in Exhibit C attached to this ordinance and incorporated by reference.
- D. Section IX. Transportation Element:
Map amendment to Figure T-2 Bicycle Corridor System – Existing and Proposed as set forth in Exhibit D attached to this ordinance and incorporated by reference.
- E. Section IX. Transportation Element:
Map amendment to Figure T-3: Pedestrian Corridor System – Existing and Proposed as set forth in Exhibit E attached to this ordinance and incorporated by reference.
- F. Section XV. Market Neighborhood Plan:
Repeal existing Market Neighborhood Plan chapter and replace it with a new Market Neighborhood Plan chapter as set forth in Exhibit F attached to this ordinance and incorporated by reference.
- G. Section XV. Market Street Commercial Corridor Subarea Plan:
Add the Market Street Commercial Corridor Subarea Plan chapter as set forth in Exhibit G 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 H, which by this reference is incorporated herein.

Section 3. Repeal Interim Ordinance 4059 relating to the second renewal of the interim ordinance as amended regulating uses in a study area within a PR 3.6 zone in the Market Neighborhood under Chapter 25 of the Kirkland Zoning Code, as set forth in Exhibit I, which by this reference is incorporated herein.

Section 4. 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 5. 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 6. 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 12th day of December, 2006.

SIGNED IN AUTHENTICATION THEREOF this 12th
day of December, 2006.


Mayor

Attest:


City Clerk

Approved as to Form:


City Attorney

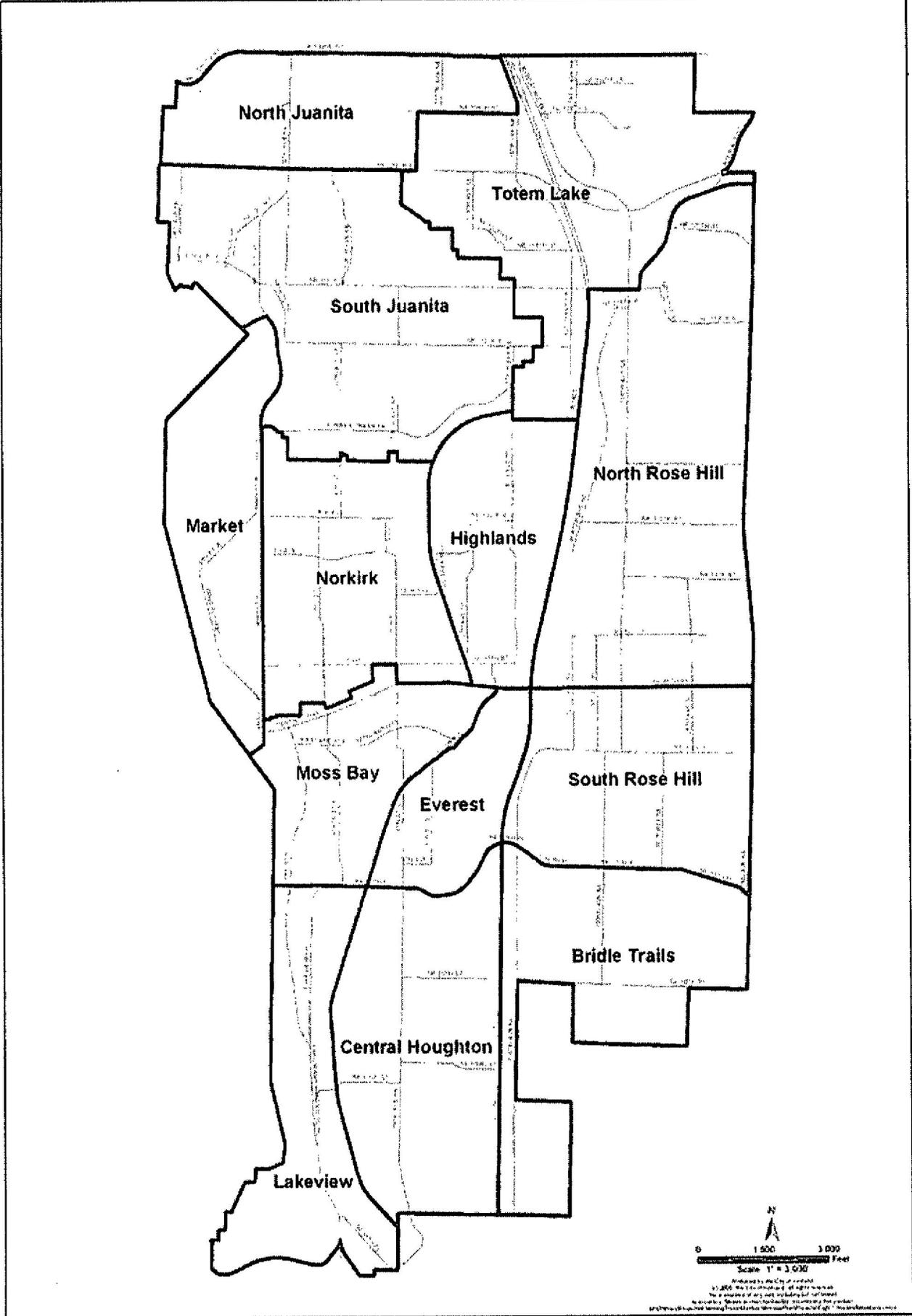
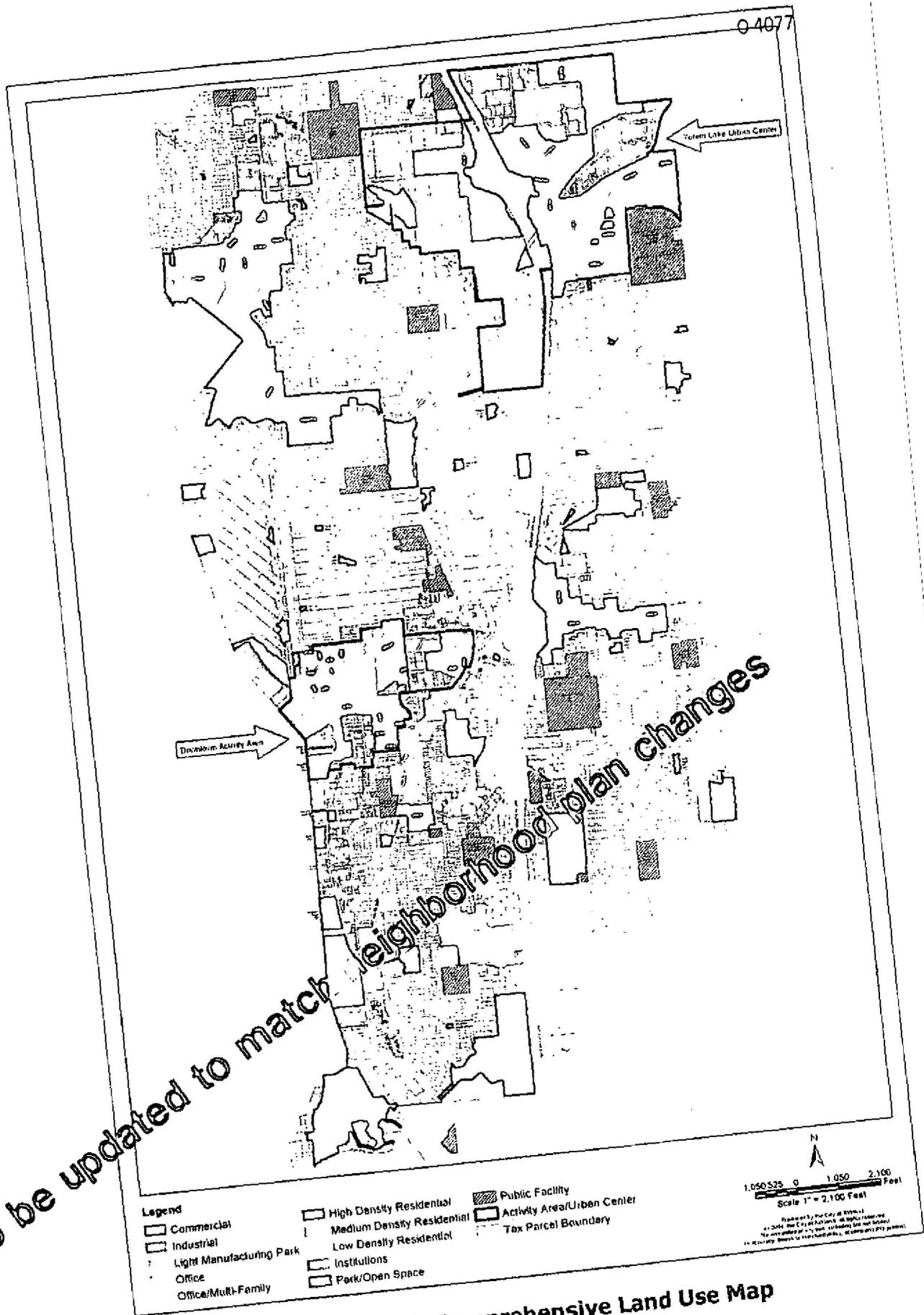


Figure I-3: City of Kirkland Neighborhoods

EXHIBIT A



To be updated to match neighborhood plan changes

EXHIBIT B



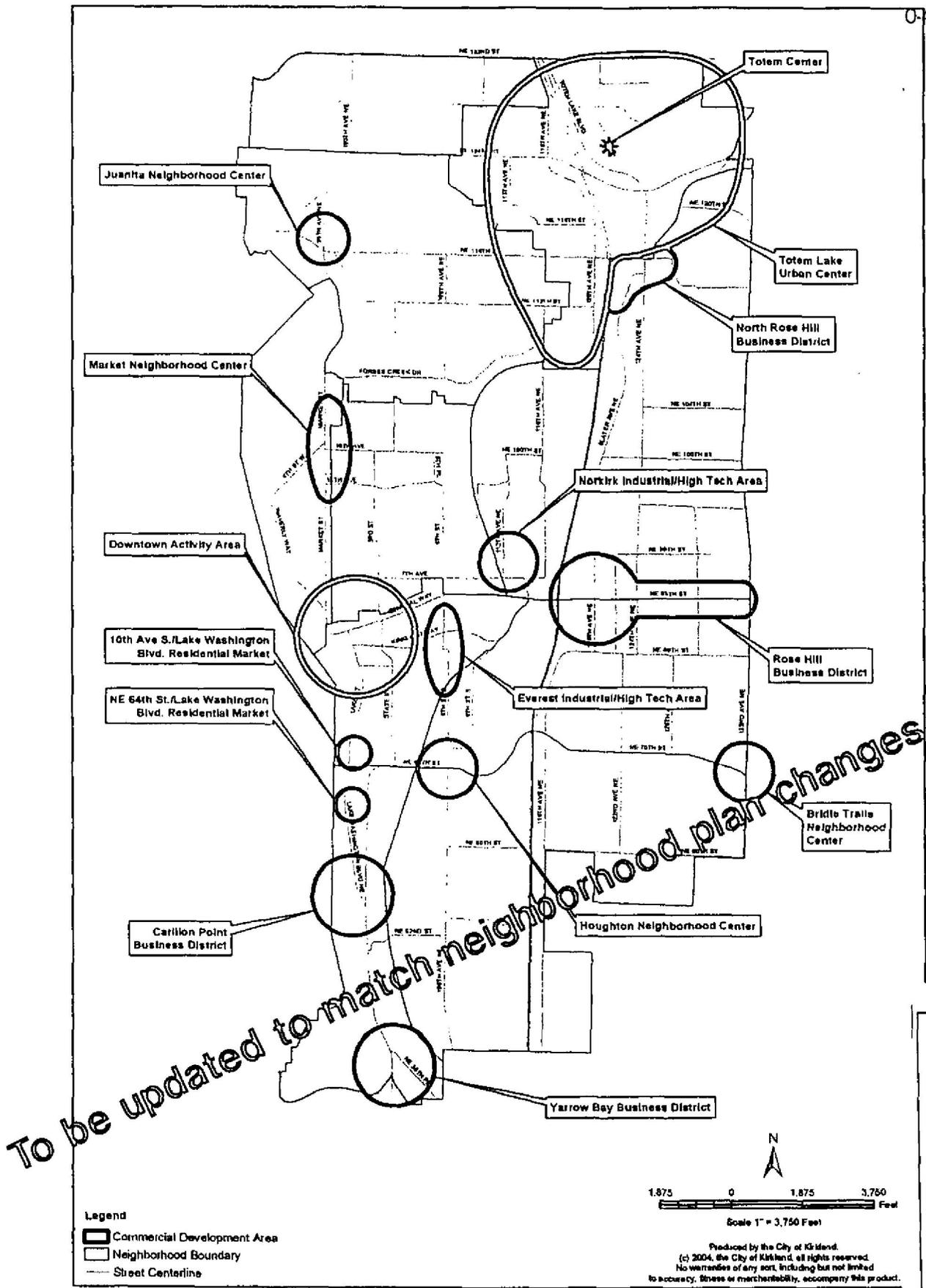
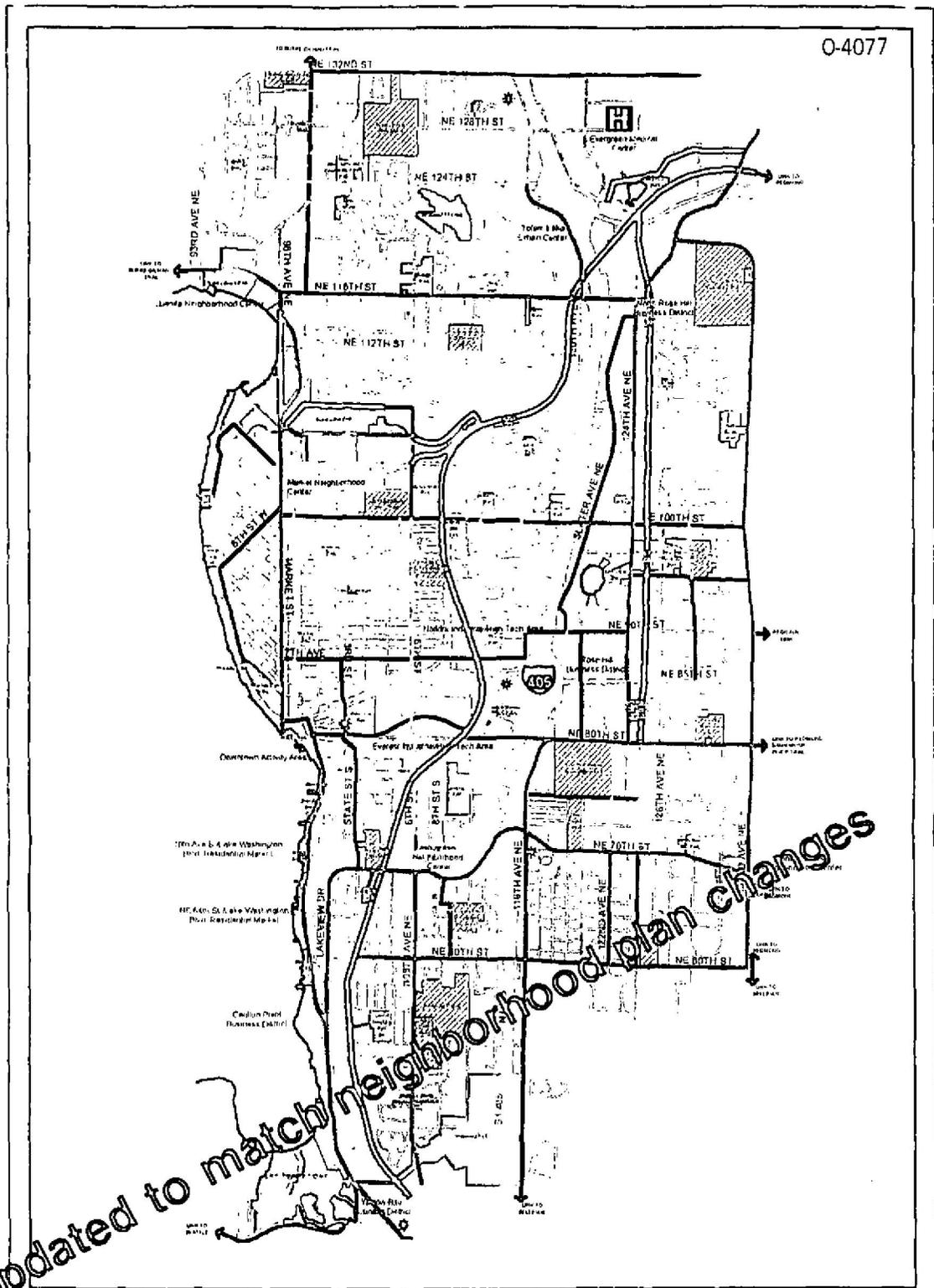


Figure LU-2: Commercial Areas

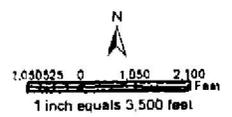
EXHIBIT C



To be updated to match neighborhood plan changes

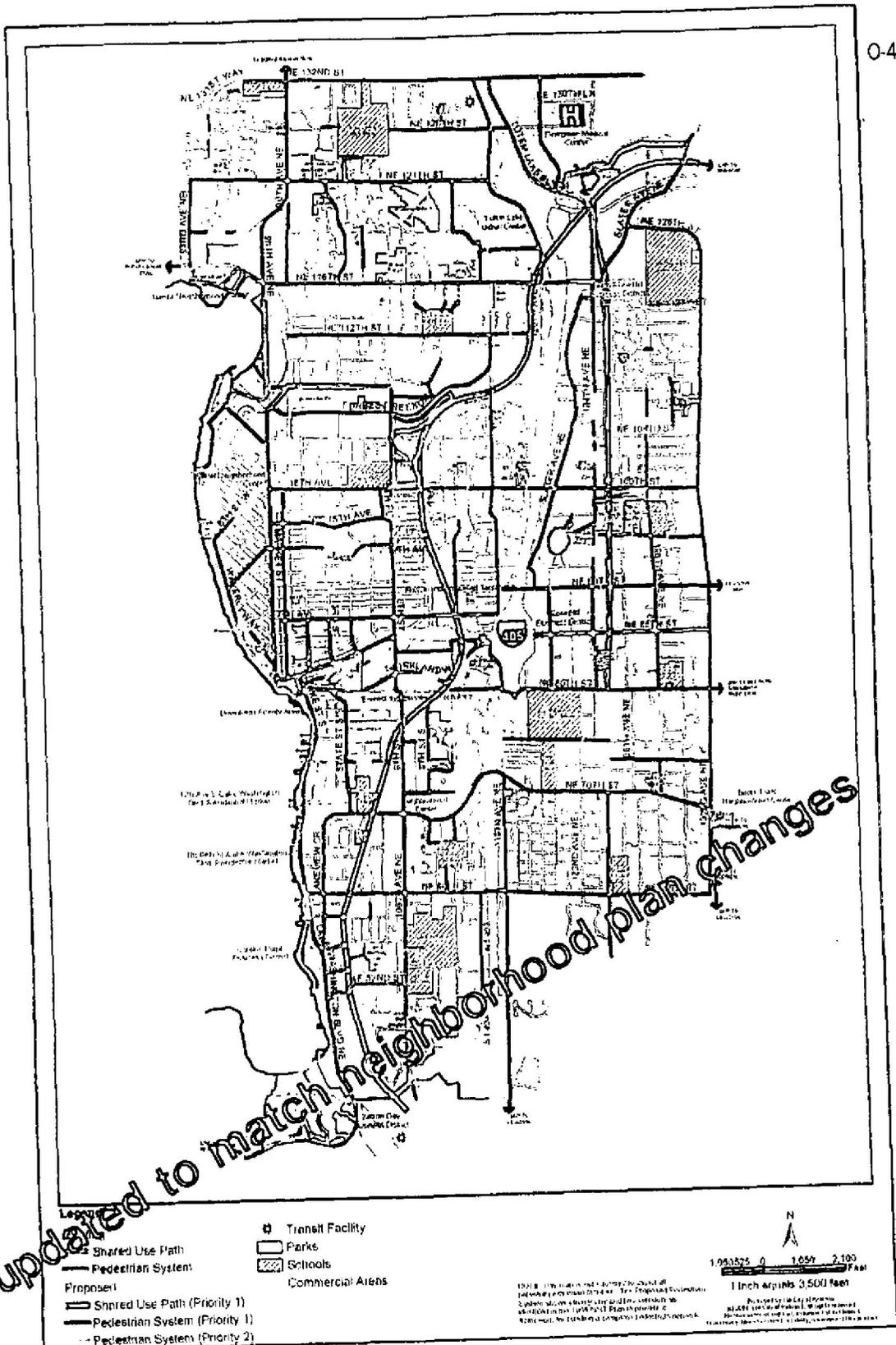
- Legend**
- Existing
 - Shared Use Path
 - Bike Lanes & Shared Roadways
 - Proposed
 - Shared Use Path (Priority 1)
 - Bike Lanes & Shared Roadways (Priority 1)
 - Bike Lanes & Shared Roadways (Priority 2)
 - Transit Facility
 - Parks
 - Schools
 - Commercial Areas

NOTE: This map is not intended to depict all potential bicycle facilities. The Proposed Bicycle System shows priority one and two corridors as identified in the 1995 TDM Plan. It provides a framework for building a complete bicycle network.



City of Kirkland Comprehensive Plan

Figure T-2: Bicycle System - Existing and Proposed



To be updated to match neighborhood plan changes

Figure T-3: Pedestrian System - Existing and Proposed

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1. OVERVIEW

The Market Neighborhood is located between Market Street on the east, Lake Washington on the west, Juanita Bay Park on the north and Lake Street West (including Heritage Park) on the south.

The development pattern is well established with single family homes in most of the neighborhood, while commercial and multifamily uses are located along Market Street south of 18th Avenue West.



Figure M-1: Market Neighborhood Boundaries

2. VISION STATEMENT

The historic Market Neighborhood is a friendly, walkable neighborhood along the shores of Lake Washington that is close to downtown Kirkland. Its residents enjoy their proximity to the lake through public view corridors and viewing stations, as well as the park system. Waverly Way near the western boundary of the neighborhood has both pedestrian and bicycle routes which provide beautiful unobstructed views of the Lake. The tree canopy in the neighborhood has been maintained and enhanced and it adds to the neighborhood's natural setting with mature trees and wildlife habitat. The neighborhood's five parks are within walking distance and offer both active and passive recreation for residents. Juanita Bay Park also provides an opportunity for people from the neighborhood, and from the broader community, to observe and enjoy wildlife habitat and open space.

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*July 2006 Annual Independence Day Parade
Crossing Central Way onto Market*

Market Street south of 18th Avenue West accommodates neighborhood oriented businesses and multifamily housing, including living facilities for seniors. The area surrounding the intersection of Market Street and 7th Avenue is a reminder of Kirkland's past with its historic buildings from the 1890's as well as street lights and other improvements that reflect its historic character. This area was to be the original downtown of Kirkland and is still a focal point for the City's history. Well landscaped buffers, appropriate site design and architectural treatments provide a smooth transition between Market Street and the homes in the neighborhood. Market Street provides efficient access to the neighborhood, while still functioning as a principal north/south arterial.

There are a variety of interesting housing styles in the Market neighborhood. Although considerable redevelopment has occurred, the historic homes that remain are valued. Alternative housing options have helped to provide for a changing and diverse population by supplying more housing choices. Streets are safe and attractive for pedestrians, bicycles and cars. The transportation network provides easy access within the neighborhood and to other parts of the City and region.

Market Neighborhood residents take great pleasure in this beautiful place to live.

3. HISTORIC CONTEXT

The Market Neighborhood is one of the most historic in the City of Kirkland and has had a significant role in the development of the City starting in the late 1880's when a majority of land was purchased

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to be part of Peter Kirk's new town. The area west of Market Street was to be a neighborhood based on social principles emerging in England to combine worker and executive housing into one neighborhood. The new Kirkland town center was at the intersection of Market Street and Piccadilly (7th Avenue). This intersection continues to be one of the most historically significant in Kirkland.

Homesteads in the 1870's

The land homesteaded in the 1870's by Andrew and Susannah Nelson and their son Christian Nelson as well as the Cedarmere tract included all of the land from Lake Washington to First Street. The Nelson's were a Danish family who came to Kirkland in 1877. They built a small white frame house on the property at the northeast corner of Market and Central (about where the telephone building is now located).

Kirkland Land and Improvement Company

Between 1888 and 1890, Peter Kirk's Kirkland Land and Improvement Company purchased many of the homesteads to begin the proposed new city which would support the construction of the Steel Mill on Rose Hill near Forbes Lake. In 1890 the original plat prepared by John Kellett, Kirk's engineer, was done with the street layout much as we see it today. In 1889, a number of homes for both workers and administrators were built in the Market Neighborhood although few of the roads were built until years later.

In 1893 the nation-wide depression wiped out Peter Kirk's dream of Kirkland becoming the "Pittsburgh of the West" as the financial backing stopped and the mill closed without ever having produced steel. Very little development occurred in Kirkland until after 1910, but even though times were tough, the citizens voted to incorporate in 1905.

Boom Development 1910 - 1930 - Burke & Farrar:



Peter Kirk Mansion

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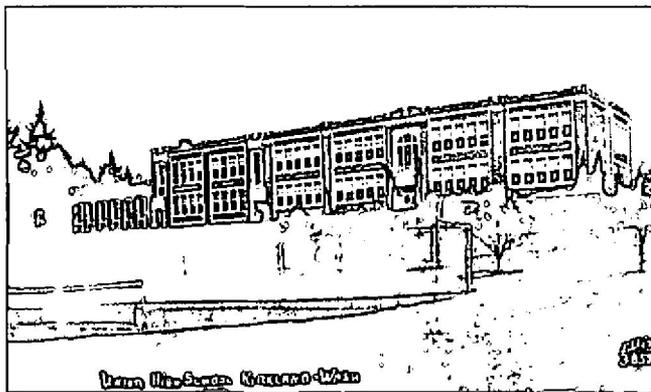
One of the most significant eras of development in Kirkland was from 1910 through the 1930's after Burke & Farrar, Seattle developers, purchased Peter Kirk's remaining holdings. Although this era coincided with the national popularity of the Arts and Crafts movement and the construction of bungalow and craftsman styles of homes, the Market Neighborhood was not as impacted by their development as the adjacent Norkirk neighborhood. Burke & Farrar purchased Peter Kirk's Mansion on Waverly Way near 2nd Street West in 1916 and demolished it in order to divide the property into smaller lots.

Change of Street Names:

In the late 1920's the street names defined in the original Kirk Plat were changed to the present name system to facilitate public safety. The street signs installed in 1999 and 2000 reflect the original historic names. Examples of these include: Market Street - a traditional name assigned to the agricultural roads that led from the farms to the market place - in this case, the ferry to Seattle. Waverly Way also retained its original name. Streets reflecting the English roots of Kirk and Kellett included: 5th Avenue West - Bond Street; 8th Avenue West - Regent Street; and 4th Street - Fleet Street. Others were named after States: 17th Avenue West - Oregon Street; and some after Presidents: 7th Street West - Monroe Street.

Schools on the Waverly Site (now Heritage Park)

The Union A High School or Kirkland High School was built in 1922 with the first graduating class in 1923. It served as the high school until 1950 when the new Lake Washington High School was built. The building served as a Junior High after the high school moved. In the early 1970's the older portion of the building was destroyed by fire and demolished. However, the historic terraces remain today in Heritage Park.



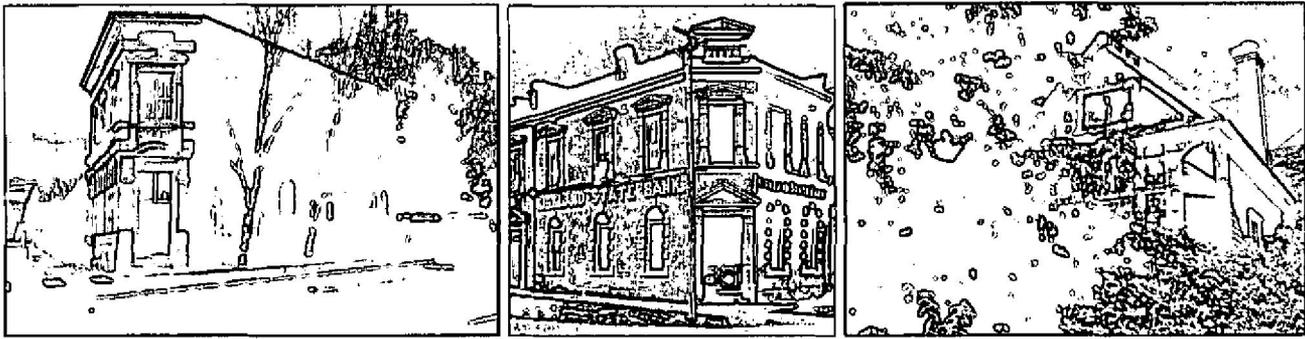
The Union A High School

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The junior high school at the northwest end of the site was built in 1932 and demolished by the City in 1987 after being vacant for a number of years. The main entry arch was saved and in 2005 was moved to the corner of Market Street and Waverly Way as the symbolic entry to Heritage Park.

Historic Properties:

The Kirkland Heritage Society utilized a grant from the Kirkland City Council to conduct an inventory of properties meeting established historic criteria in 1999. Over one third of the structures on this citywide inventory are in the Market Neighborhood, with many of them having high priority status. Two buildings in the neighborhood, the Loomis House and Sears Building, are on the National Register of Historic Places.



Right to left: Sears Building at northeast corner of 7th Avenue and Market Street (2006), Sears Building (historic photo), and Loomis House at 304 8th Avenue West

Goal M 1 – Encourage preservation of structures and locations that reflect the neighborhood’s heritage.

Policy M 1.1:

Provide markers and interpretive information at historic sites.

Providing this information will identify these important sites and enable future residents to have a link with the history of the area.

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Policy M 1.2:

Provide incentives to encourage retention of identified buildings of historic significance.

Allow flexibility in lot size requirements for lots that contain historic buildings. This incentive will allow lots containing historic buildings to be subdivided into smaller lots than would otherwise be permitted if the historic buildings meet designated criteria and are preserved on site.

Minimum lot size in this situation would be 5000 square feet in a RS 7.2 zone, 6,000 square feet in a RS 8.5 zone and 7,200 square feet in a Waterfront District II (WD II) zone. This incentive would allow up to two smaller lots, including the one containing the historic building, if the recognized integrity of the historic building were preserved. If additional lots were created by the subdivision, they would have to meet the lot size requirements for the zone.

4. NATURAL ENVIRONMENT

Goal M 2 – Protect and enhance the natural environment.

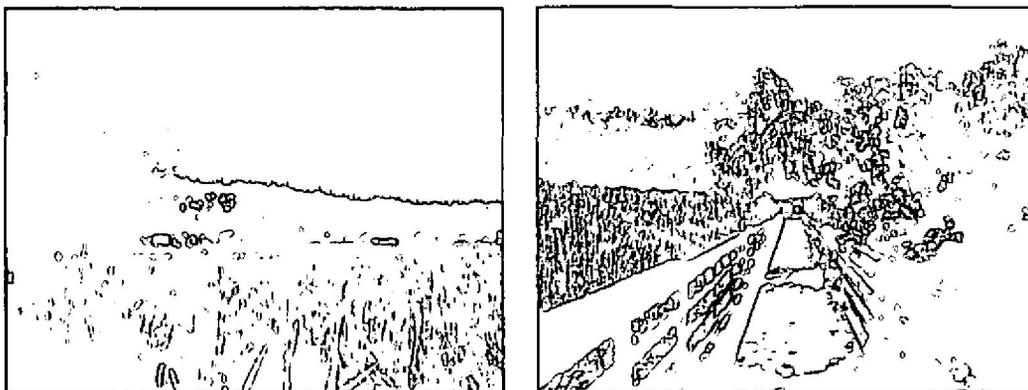
Policy M 2.1:

Protect and improve water quality and promote fish passage by undertaking measures to protect Lake Washington, wetlands, streams and wildlife corridors.

The Market Neighborhood is located within the Kirkland Slope, Forbes Creek, Moss Bay, and South Juanita Slope drainage basins (Figure M-2). Various Forbes Creek tributaries and wetlands constitute a valuable natural drainage system that flows into Lake Washington through Juanita Bay Park, a high quality ecological area. This drainage system serves the drainage, water quality, wildlife and fish habitat, and open space needs of the northern portion of the neighborhood.

With the exception of Forbes Creek, no wetlands or streams have been mapped or identified in the Market Neighborhood. There is extensive cutthroat trout habitat in the main stem of Forbes Creek downstream of Forbes Lake and known salmonoid locations in Juanita Bay Park.

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Scenic natural areas at Juanita Bay Park

Water quality is an important issue in the Market Neighborhood. Even in areas without significant streams, water from the neighborhood drains to Lake Washington. Pesticide and fertilizer use should be avoided since it can be harmful to the Lake.

Figure M-2: Market Neighborhood Sensitive Areas

Policy M 2.2:

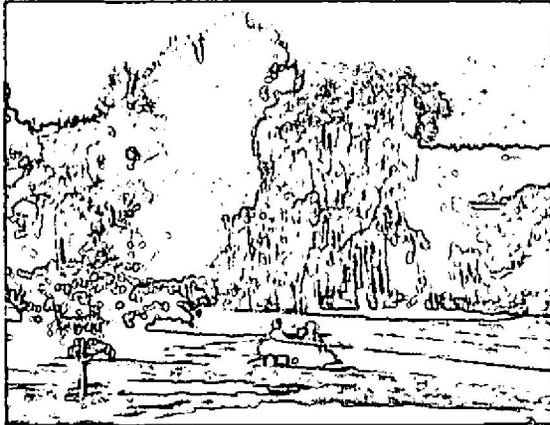
Develop viewpoints and interpretive information around streams and wetlands if protection of the natural features can be reasonably ensured.

Juanita Bay Park provides educational opportunities to help citizens learn about the locations, functions, and needs of sensitive areas and the wildlife that are dependent on these areas. This information helps to protect the park from the potentially negative impacts of nearby development and can increase public appreciation and stewardship. When appropriate, additional interpretive information and viewpoints should be added.

Policy M 2.3:

Protect, enhance and properly manage the urban forest and other vegetation by striving to retain and enhance the tree canopy including street trees, landmark and specimen trees, and groves of trees.

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Juanita Bay Park

In the Market Neighborhood, protecting, enhancing, and retaining healthy trees and vegetation are key values that contribute to the quality of life. Maintenance and preservation of significant trees on developed private property will have a great impact on the overall urban forest.

Trees should be retained and protected whenever there are feasible and prudent alternatives to site development that will allow for their preservation. The tree canopy can also be enhanced through street tree planting and the addition of trees in parks and open space areas.

Policy M 2.4:

Ensure that development is designed to avoid damage to life and property on properties containing high or moderate landslide or erosion hazards areas.

The Market Neighborhood contains areas with steep slopes including medium and high landslide areas along the Lake Washington shoreline. These areas are prone to landslides, which may be triggered by grading operations, land clearing, irrigation, or the load characteristics of buildings on hillsides. Seismic hazard areas are also found along Lake Washington and in Juanita Bay Park (See Figure M-3). These areas have the potential for soil liquefaction and differential ground settlement during a seismic event.

Figure M-3: Market Neighborhood Seismic and Landslide Hazards

Policy M 2.5:

Protect wildlife throughout the neighborhood.

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Red-winged Black Bird

The Market Neighborhood and Juanita Bay Park are home to many forms of wildlife, including bald eagles, beavers, herons, turtles, salmon and many other fish and bird varieties. The neighborhood is fortunate to include the Juanita Bay Park urban wildlife habitat, which is a unique environment within the City. There is also a bald eagle's nest in the northwest portion of the neighborhood. Protection of these special habitat areas is important so that they will be preserved for future generations.

People living in the neighborhood also have opportunities to attract wildlife and improve wildlife habitats on their private property. The City, the Washington Department of Fish and Wildlife, and other organizations and agencies experienced in wildlife habitat restoration can provide assistance and help organize volunteer projects.

5. LAND USE

The Market Neighborhood primarily has a single family residential land use pattern. Retail, commercial, office, multi-family and mixed uses are focused in the Market Street Corridor.

Goal M 3 – Retain neighborhood character while accommodating compatible infill development.

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Policy M 3.1:

Retain the predominantly detached single-family housing style in the core of the Market Neighborhood.



Market is a well-established neighborhood that has predominately low-density (3-6 dwelling units per acre) traditional single-family residential development. The land use transitions from low-density residential to medium-density multi-family and commercial development at the eastern border adjacent to Market Street. Maintaining the eclectic mix of housing styles and sizes is important to the neighborhood's character.

Goal M 4 – Allow alternative residential development options that are compatible with surrounding development.

Policy M.4.1:

Allow a variety of development styles that provide more housing choices in low-density areas.

It is important to encourage the provision of housing infill options for a wide spectrum of households in response to demographic trends. Alternative housing types can provide more choice in meeting changing demographics such as smaller households.

Compatibility with the predominant traditional detached single-family housing style in the neighborhood will determine the acceptance of housing alternatives. Architectural and site design standards to ensure compatibility with adjacent single-family homes are important to successful

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integration of alternative housing into the neighborhood. Styles such as cottage housing, compact single-family homes, zero lot line, common wall homes (attached), accessory dwelling units, and clustered dwellings are appropriate options to serve a diverse population and changing household needs. They may also help to maintain the diversity of housing that characterizes the Market Neighborhood.

Policy M 4.2:

Encourage diversity in size of dwelling units by preserving and/or promoting smaller homes on smaller lots.



Diversity can be achieved by allowing properties to subdivide into lots that are smaller than the minimum lot size allowed in the zone if at least one of the lots contains a small home. This incentive encourages diversity, maintains neighborhood character, and provides more housing choice.

Up to 50% of the lots to be subdivided should be allowed to be smaller than the zoning designation allows if a small home is retained or built on the small lots. The lots containing the small homes should be no less than 5,000 square feet in the RS 7.2 zone and no less than 6,000 square feet in the RS 8.5 zone. The size of the houses on one or both of the lots would be strictly limited by a reduced floor area ratio and all other zoning regulations would apply.

MARKET STREET SUBAREA: The Market Neighborhood includes properties along the west side of Market Street. Land Use goals and policies for these properties are addressed in the Market Street Corridor Subarea Plan.

Figure M-4: Market Neighborhood Land Use

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6. TRANSPORTATION

STREETS

The street network in the Market Neighborhood is in a grid pattern. Maintenance of this grid promotes neighborhood mobility and more equitable distribution of traffic on neighborhood streets. The streets that compose this grid network consist of collector and local streets and alleys, with one principal arterial (Market Street) located at the eastern boundary. There are no minor arterials in the Market Neighborhood. Streets are described below and shown on Figure M-5. Traffic is well distributed throughout the neighborhood by the existing street system.

Market Street is a principal arterial that is the most traveled route into and along the eastern border of the neighborhood. Most of Market Street is fully improved with one lane in each direction, and a series of left turn pockets. The street is fully developed with curbs, gutters, sidewalks, a landscape strip and bike lanes. A landscape median provides additional green space while controlling left turn movements. A center turn lane north of the 7th Street West intersection extends to Forbes Creek Drive.

Figure M-5: Market Neighborhood Street Classifications

Collectors: Two streets within the grid network of the Market Neighborhood serve as neighborhood collectors. These streets connect the neighborhood to the arterial system and provide primary access to adjacent uses. Design standards for these streets call for two traffic lanes, a parking lane, curbs, gutters, sidewalks, and landscape strips. These collector streets are listed below and are also shown on Figure M-5.

6th Street West is a collector street from Waverly Way on the west side of the Market Neighborhood to Market Street on the east side. It provides access through the center of the neighborhood.

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View down Waverly Way from 6th Street West.

Waverly Way connects from 6th Street West to Market Street at the south end of the neighborhood. It provides north/south access along the western side of the Market neighborhood.

Neighborhood Access: All of the streets not discussed above are classified as neighborhood access streets. These streets provide access to adjacent residences and connect to collectors or arterials. Full improvements on these streets typically include a travel way, on-street parking, curbs, gutters, sidewalks, and landscape strips. Full improvements do not exist on many of the neighborhood access streets in the Market Neighborhood.

Alleys: Portions of the Market Neighborhood platted in the early part of the 20th century are served by mid-block alleys.

Goal M 5 – Improve mobility for the Market Neighborhood.

Policy M 5.1:

Incorporate measures that will allow for improved access to Market Street during heavy traffic periods without disrupting the general flow of traffic.

Initial research indicates that such issues as pedestrian safety, sight distance problems, short acceleration lanes, speeding, lack of gaps for entry traffic, and transition to a 25 mph zone near the downtown all contribute to general traffic flow problems during peak hours. Possible solutions to the problem include: simplifying intersections; creating gaps in the traffic; and calming or slowing traffic on Market Street. On-going observation and study will be necessary to ensure that Market Street will

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continue to function as a principal arterial while providing efficient access to the Market Neighborhood.

Policy M 5.2:

Maintain the street and alley grid in the Market Neighborhood.

The grid system enhances mobility within the neighborhood. Alleys provide access and service routes for the lots they abut, while the streets provide circulation through the neighborhood. Utilizing alleys minimizes the number of curb cuts needed to serve abutting uses, thus minimizing conflicts with pedestrian and vehicular traffic on the streets.

PEDESTRIAN/BICYCLE CIRCULATION

The existing City of Kirkland Nonmotorized Transportation Plan (NTP) maps most of the bicycle and pedestrian facilities planned for a 10-year horizon. Those projects mapped in the Market Neighborhood Plan not shown in the NTP will be added during periodic updates to the NTP. Figures M-6 and M-7 show the planned bike and pedestrian system for the Market Neighborhood.

City street standards require that all through streets have pedestrian improvements. Generally, these improvements include curbs, gutters, landscape strips, and sidewalks. Pedestrian improvements are usually installed by the developer as new development occurs. Sidewalks can also be installed through the capital improvement budget process in areas that have already been developed.

Bicycles are permitted on all City streets. Bike facilities may include a shared roadway, a designated bike lane with a painted line, or a shared use path for bicycle and pedestrian use. The routes identified for proposed bicycle improvements are shown in Figure M-6.

Goal M 6 – Encourage mobility and the use of nonmotorized transportation by providing improvements for pedestrians and bicyclists.

Policy M 6.1:

Enhance and maintain pedestrian and bicycle infrastructure within the Market Neighborhood, especially on routes to activity nodes (including school walk routes) and adjacent neighborhoods.

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The following routes should be added to the Nonmotorized Transportation Plan. The Capital Improvement budget process prioritizes when routes identified in the NTP will receive funding for improvements.

- 9th Street West – between Market Street and 20th Street across Juanita Bay Park should be improved for both pedestrians and bicycles.
- Waverly Way - should be improved with a sidewalk on the west side of the street. View stations at the unopened street ends at 4th Street West and 5th Street West along Waverly should also be considered.
- 6th Street West – complete a pedestrian sidewalk between 11th Avenue West and Market Street
- 4th Street West – complete a pedestrian sidewalk between 11th Avenue West and Market Street
- 18th Avenue West – complete pedestrian sidewalk along 18th Avenue West to Market Street.
- Lake Avenue West Street End Park – complete a pedestrian pathway across Heritage Park from Waverly Way to the Street End Park.

Figure M-6: Market Neighborhood Bicycle System

Figure M-7: Market Neighborhood Pedestrian System

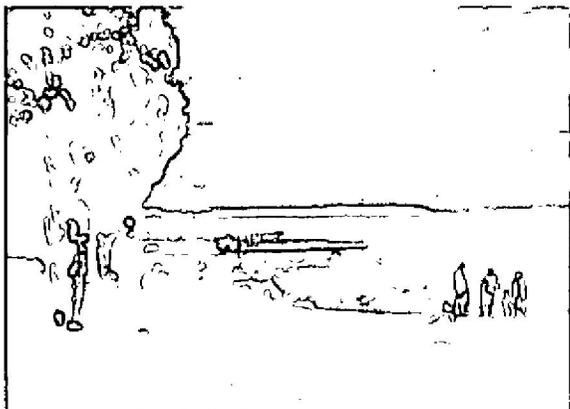
7. OPEN SPACE/PARKS

There are five publicly owned parks in the Market Neighborhood that provide park and open space amenities. Some parks also protect sensitive and natural areas.

Juanita Bay Park is a 143.8 acre nature park with over ½ mile of waterfront on Lake Washington. The park includes interpretive trails and boardwalks, a public restroom, on-site parking, urban wildlife habitat, wetlands, open lawn areas, interpretive displays, benches and picnic tables.

Kiwanis Park is a 1.8 acre undeveloped waterfront park located in the northern portion of the neighborhood. The park has 450 lineal feet of waterfront on Lake Washington and a trail. The site is heavily wooded with a variety of deciduous and evergreen trees.

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Waverly Beach Park

Waverly Beach Park is a 2.8 acre waterfront park with 490 lineal feet on Lake Washington. It includes a public dock, picnic tables, benches, public restrooms, a children's playground, an open lawn, on-site parking, hand carried boat launching, a life-guarded swimming beach and fishing. The park is located along the shoreline near the center of the Market Neighborhood.

Heritage Park is a 12 acre community park with two historic landmarks (Heritage Hall and the old Kirkland Junior High archway), interpretive signs, trails, open lawn areas, tennis courts, and on-site parking. The site also provides parking for the downtown boat launch. A phased master plan is in place for the park, and improvements (including a children's playground) will be completed over time. It is located at the southern end of the Market Neighborhood.

Lake Avenue West Street End Park is a waterfront park located near at the northern end of Heritage Park near 2nd Street West. This small parcel provides access to Lake Washington and scenic views of the Seattle and Bellevue skylines.

Figure M-8: Market Neighborhood Parks and Open Space

Goal M 7 – Ensure adequate park and recreation facilities in the Market Neighborhood.

Policy M 7.1:

Enhance parks within the Market Neighborhood as needed.

Desirable additions to the Market Neighborhood park system include:

- Further development of Heritage Park (over several phases)

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- Development of Kiwanis Park after completion of a park master plan with community input,
- Renovation of Waverly Beach Park, and
- Restoration of wetlands and forested areas of Juanita Bay Park.

Policy M 7.2:

Pursue development of a new neighborhood park where the park level of service is deficient.

The Parks Department has a desired level of service (LOS) identified in the 2001 Comprehensive Park, Recreation, and Open Space Plan for a neighborhood park within a quarter-mile radius of every household. This LOS has not been met in the northern sector of the Market Neighborhood.

8. PUBLIC SERVICES/FACILITIES

Goal M 8 – Provide public and private utility services for the neighborhood.

Policy M 8.1

Provide potable water, sanitary sewers and surface water management facilities to new and existing development in accordance with the Water Comprehensive Plan, the Sanitary Sewer Comprehensive Plan, the Surface Water Master Plan, the Kirkland Municipal Code, and the adopted storm water design requirements.

The City provides water, sewer and surface water service to its citizens. Gas, telephone, internet and cable service are private utilities. All existing homes in the Market Neighborhood are on sanitary sewer service. New development is required to install water and sewer service as a condition of development and also to meet storm water requirements.

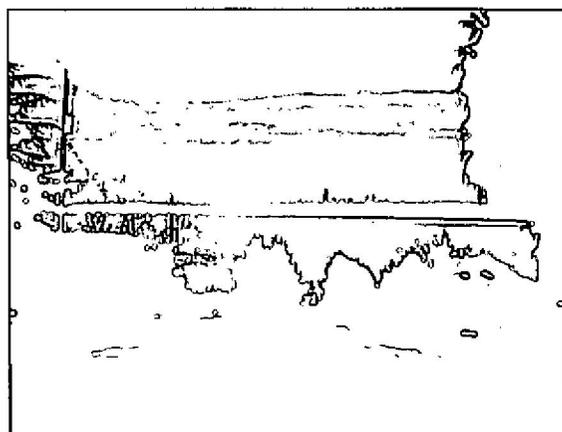
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9. URBAN DESIGN

Goal M 9 – Preserve public view corridors within the neighborhood.

Policy M 9.1:

Preserve the public view corridors of Lake Washington, Seattle, and the Olympic Mountains.



*Public view corridor from 7th Avenue West
and 3rd Street West*

The street system provides the Market Neighborhood with a large number of local and regional views. These view corridors that lie within the public domain are valuable for the beauty, sense of orientation, and identity that they provide to the Market Neighborhood.

Policy M 9.2:

Enhance public views through the use of view stations along Waverly Way.

The existing unopened City street ends at 4th Street West and 5th Street West along Waverly Way can be improved as viewing stations for the public. These stations will complement the proposed pedestrian sidewalk along the west side of Waverly Way and the existing bicycle route.

XV.K. MARKET NEIGHBORHOOD

Goal M 10 – Encourage residential design that builds community.

Policy M 10-1:

Establish development standards that contribute to a vibrant neighborhood.

Building and site design should respond to both the conditions of the site and those of the surrounding neighborhood. A variety of building forms and materials result in homes with their own individual character. Appropriate building setbacks, garage treatments, sidewalks, alley access, and architectural elements such as entry porches help foster a pedestrian orientation and encourage greater interaction between neighbors.

Policy M 10.2:

Encourage appropriate scale for single family development.

Appropriate scale results in the perception that new houses are in proportion to their lots. Setbacks, building mass, lot coverage, landscaping and building height all contribute to houses that successfully fit into the neighborhood.

Figure M-9: Market Neighborhood Urban Design

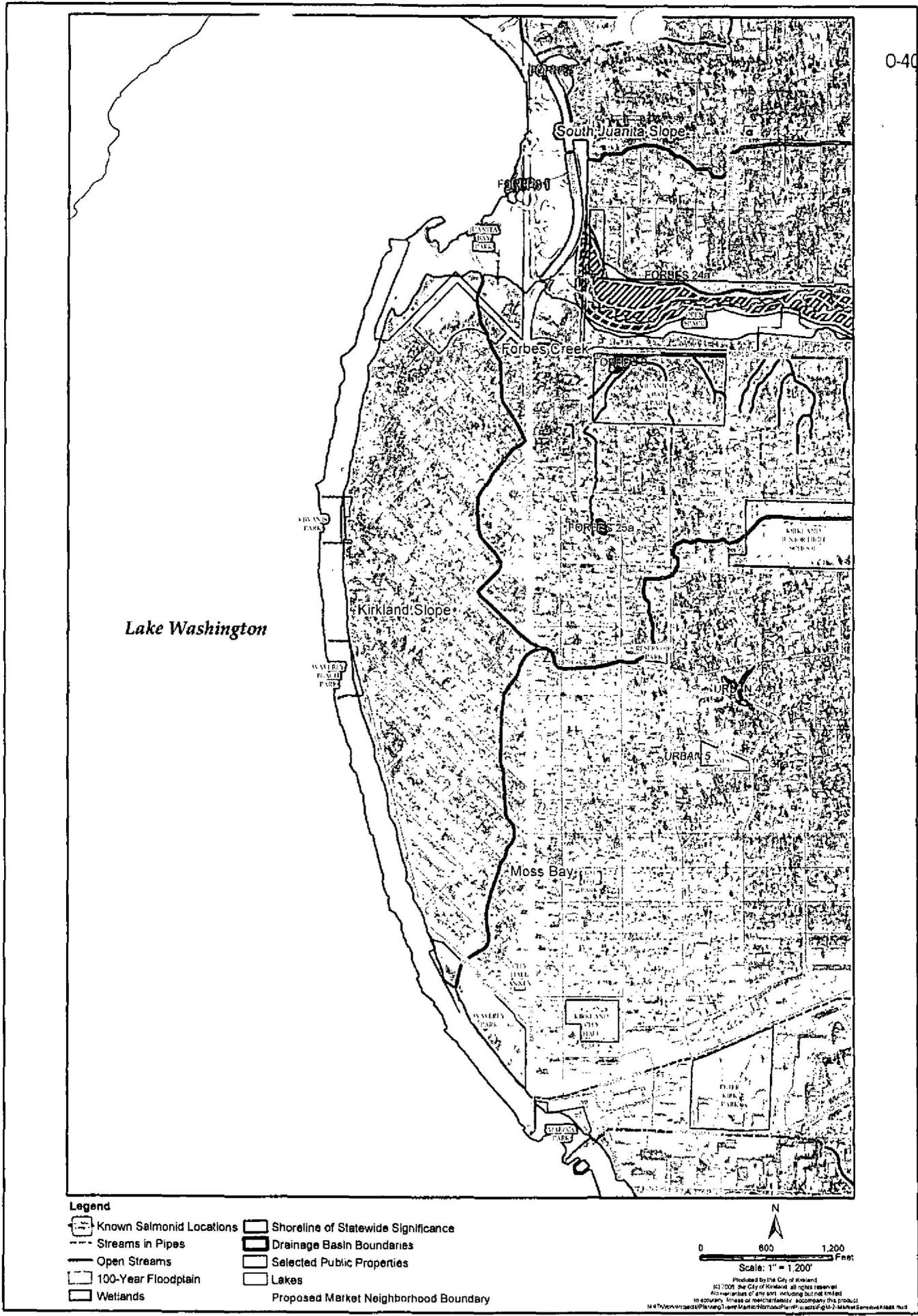
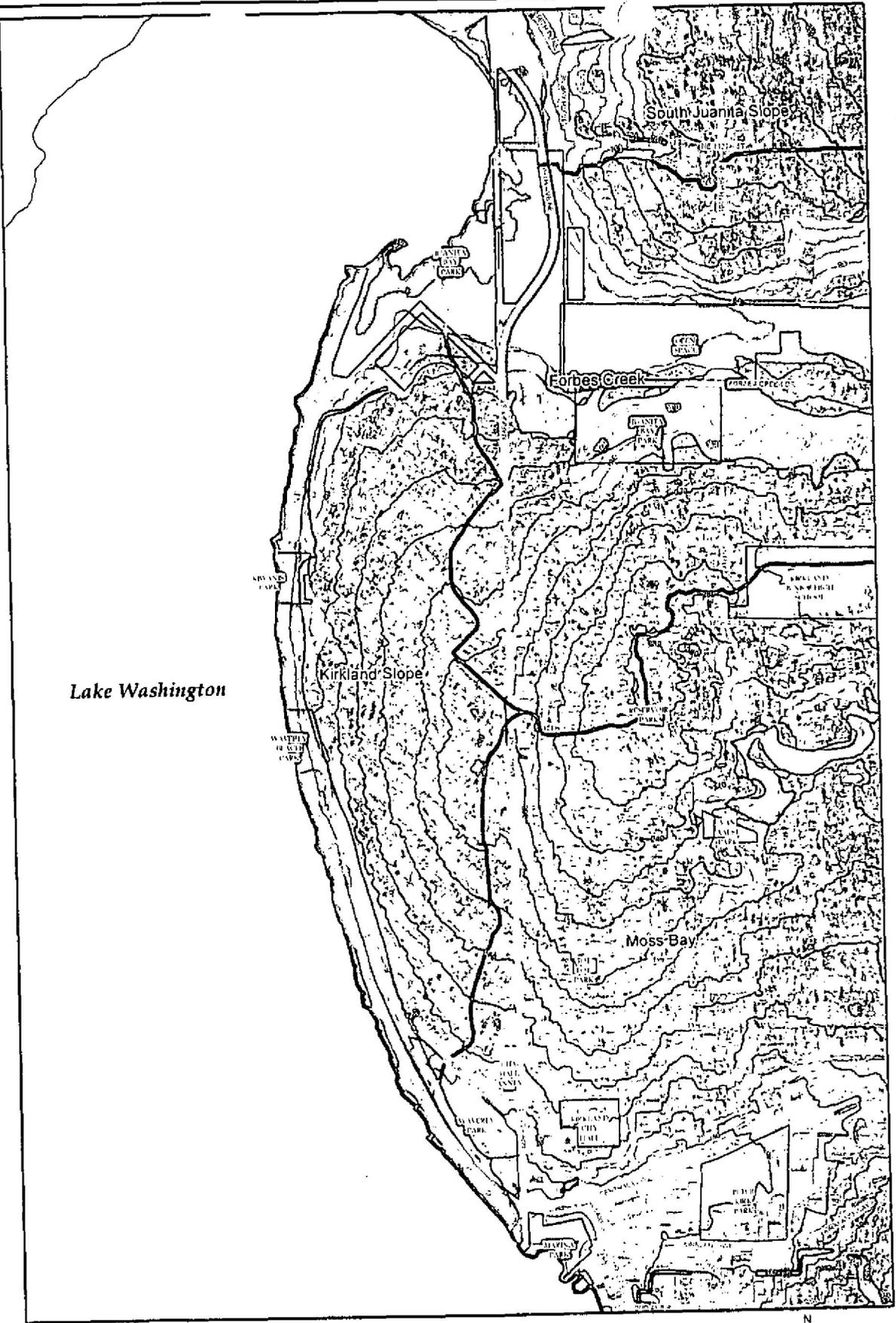
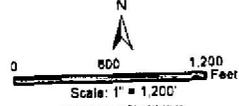


Figure M-2: Market Sensitive Areas

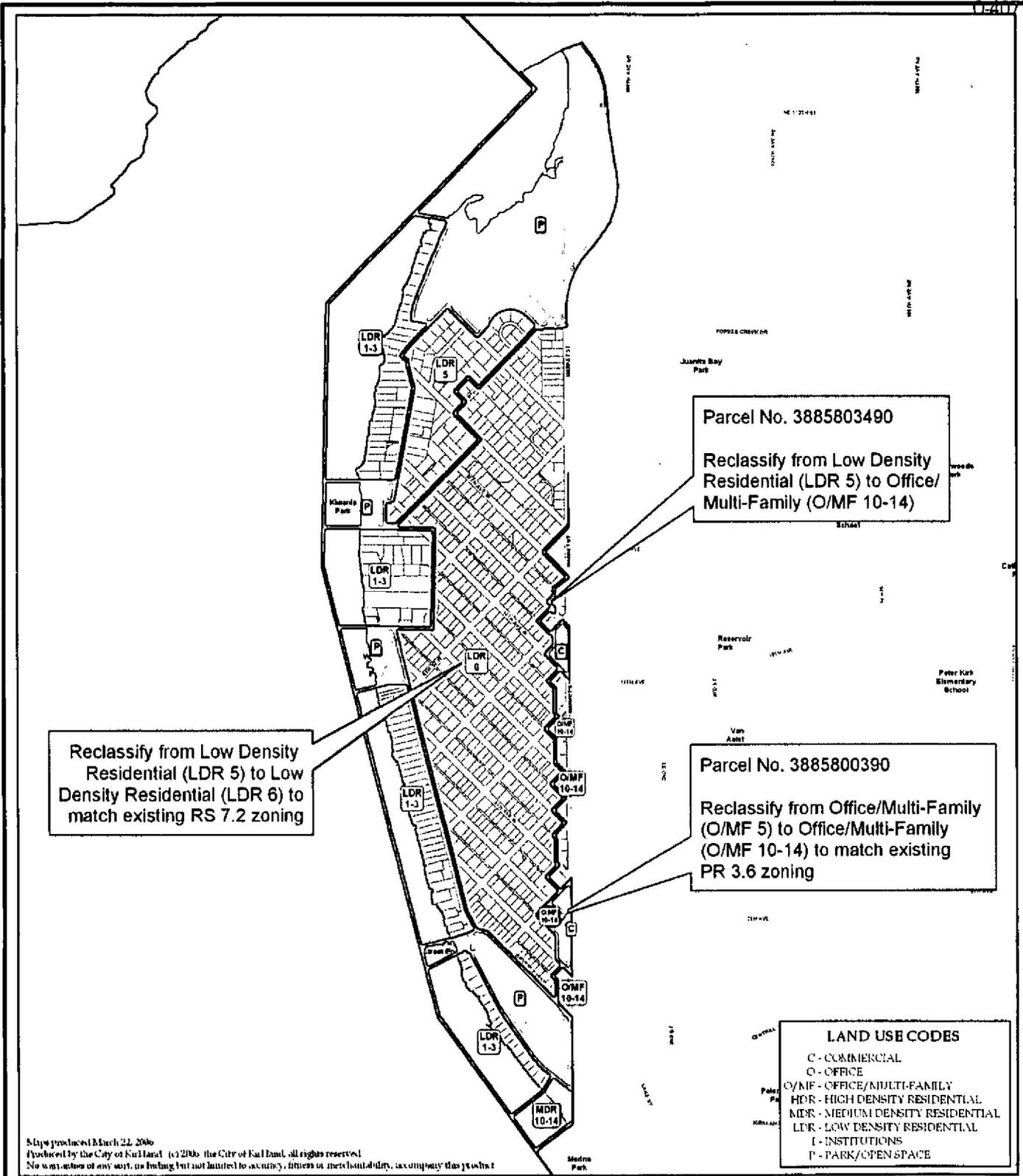


- Legend**
- Landslide Hazard Area (Medium Hazard)
 - Landslide Hazard Area (High Hazard)
 - Seismic Hazard Area
 - Twenty-Foot Contours
 - Drainage Basin Boundaries
 - Selected Public Properties
 - Lakes
 - Proposed Market Neighborhood Boundary



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Figure M-3: Market Landslide and Seismic Hazard Areas

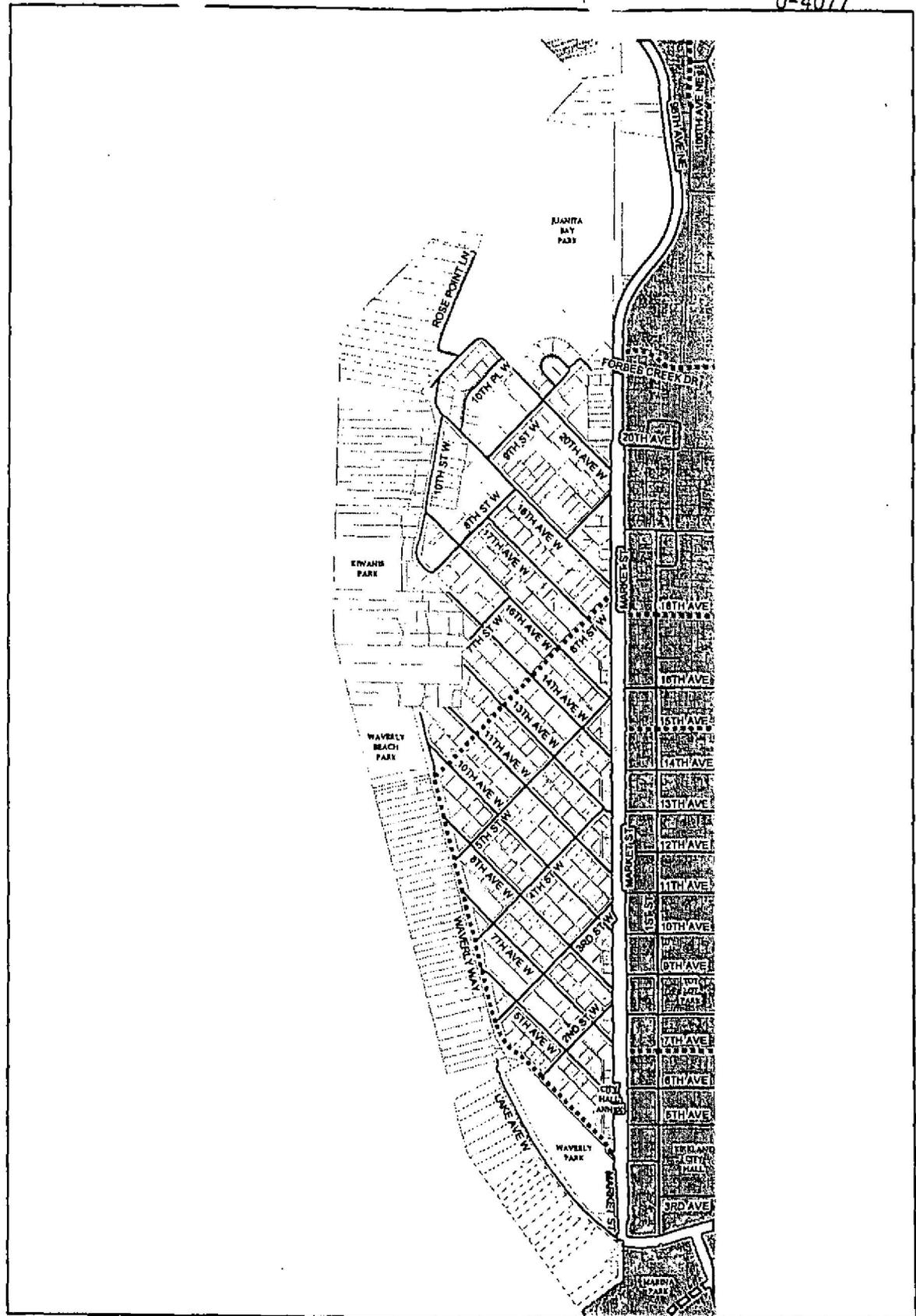


Proposed Changes to Comprehensive Land Use Map & Market Neighborhood Land Use Map

Market Neighborhood
Figure M-4: Land Use
 ORDINANCE NO. 4024
 ADOPTED by the Karkland City Council
 December 13, 2005

<p> LAND USE BOUNDARIES</p> <p> SUBAREA BOUNDARY</p> <p> PUBLIC FACILITIES</p>	<p> PARCEL BOUNDARIES</p> <p> LAND USE CODE</p> <p> DENSITY (UNITS/ACRE)</p> <p><small>NOTE: WHERE NOT SHOWN, NO DENSITY SPECIFIED</small></p> <p><small>* INDICATES CLUSTERED LOW DENSITY</small></p>
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Legend

Functional Classifications

— Neighborhood Access

- - - Collector

⋯ Minor Arterial

▬ Principal Arterial

▭ Building Footprints

▭ Tax Parcel Boundaries

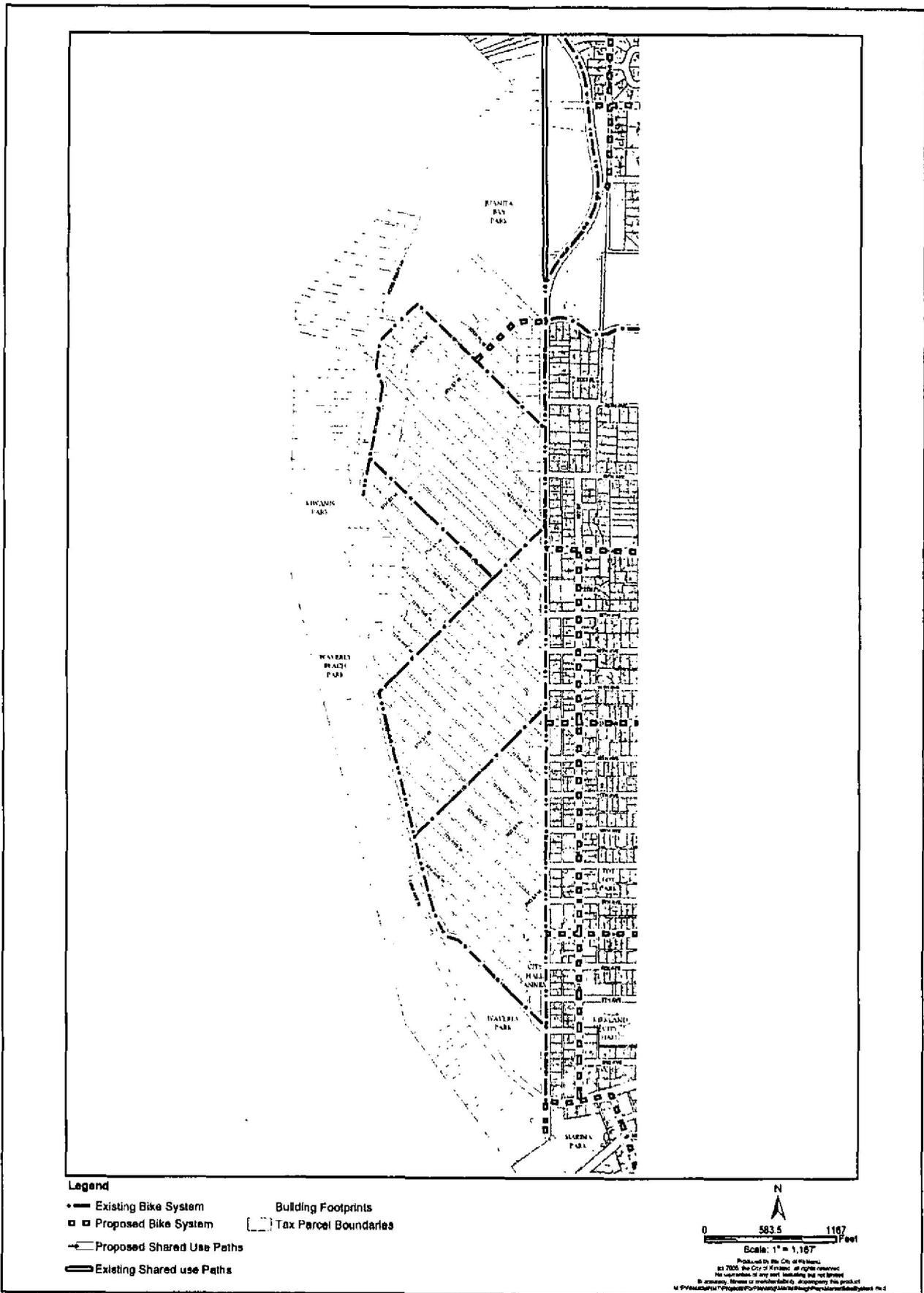
N

0 437.5 1,175 Feet

Scale: 1" = 1,175'

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Figure M-5: Market Functional Classifications



City of Kirkland Market Neighborhood Plan
6/5/2006 Draft

Figure M-6: Market Bicycle System

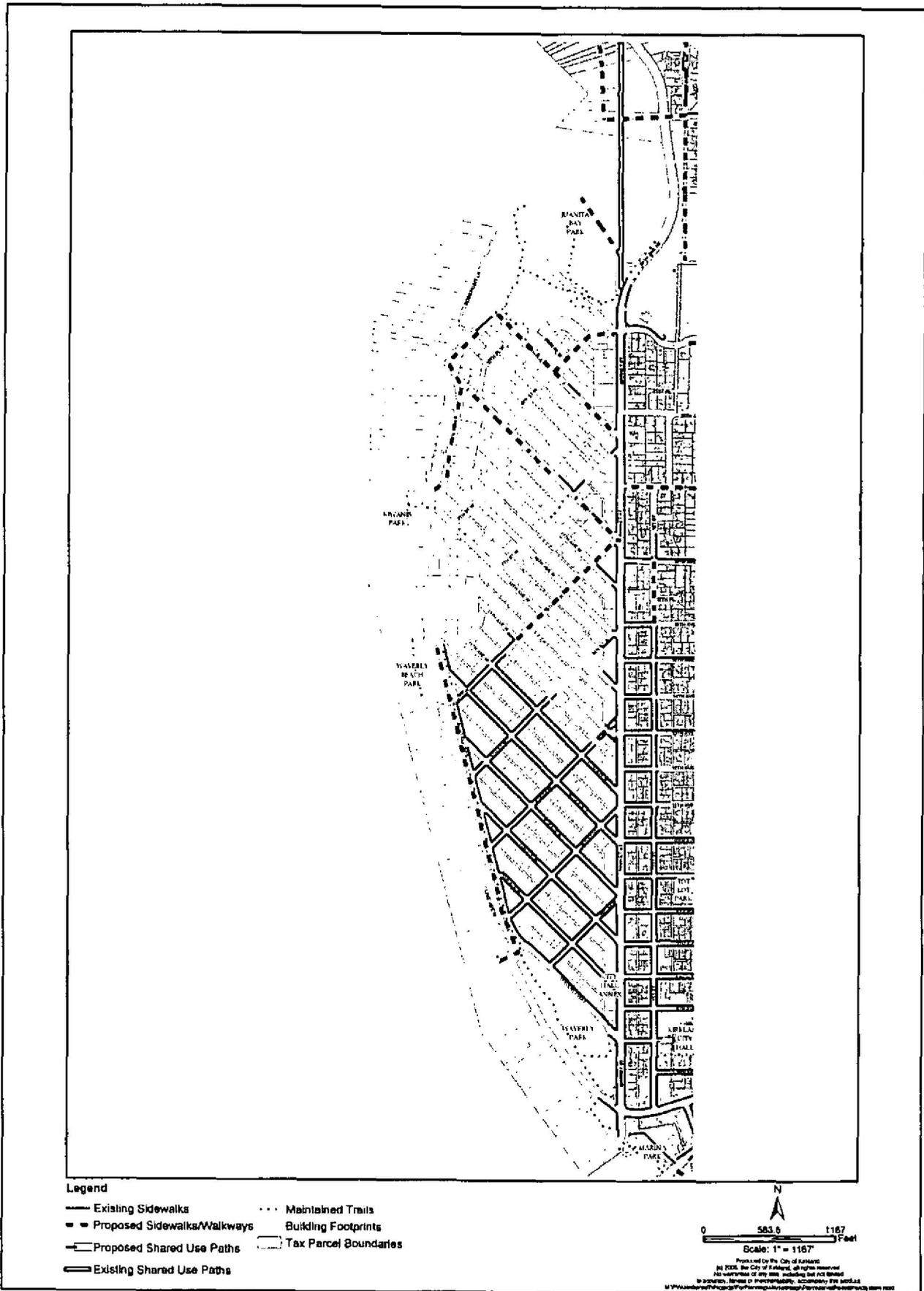


Figure M-7: Market Pedestrian System

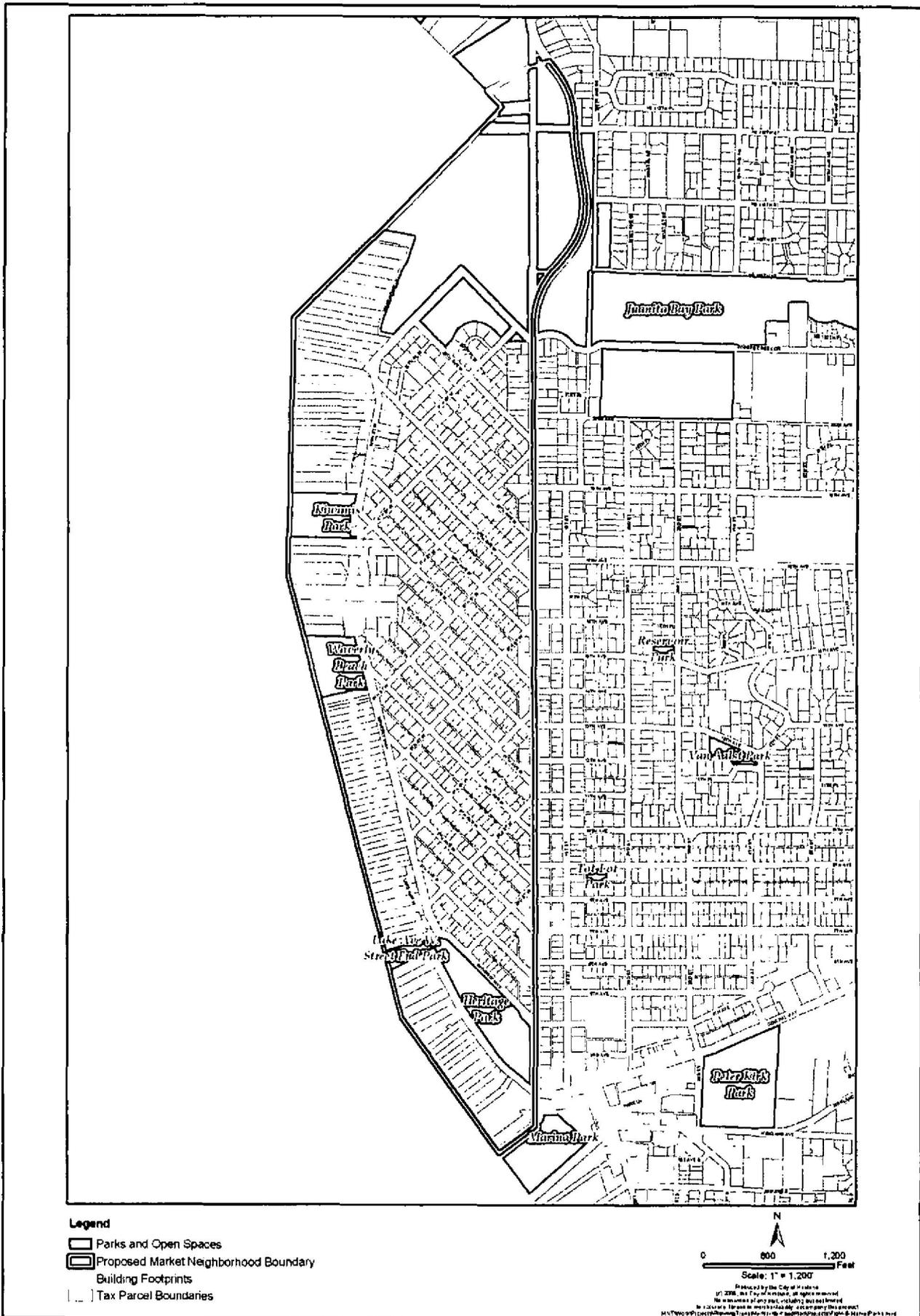


Figure M-8: Market Parks and Open Spaces

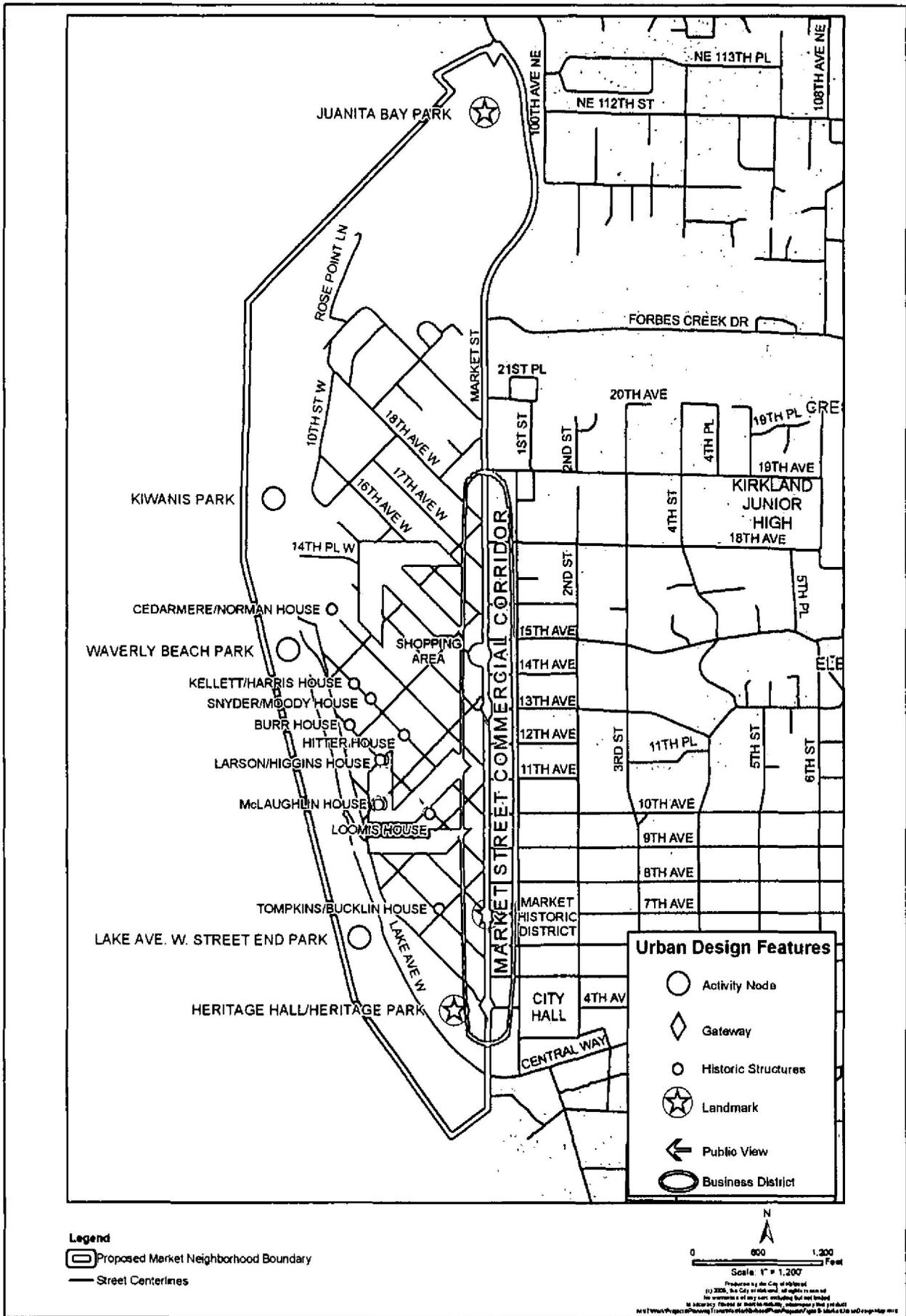


Figure M-9: Market Neighborhood Character/Urban Design

XV.K/L. MARKET STREET COMMERCIAL CORRIDOR SUBAREA

1. OVERVIEW

The Market Street Commercial Corridor Subarea is centered on Market Street. It includes properties along the eastern border of the Market Neighborhood and the western border of the Norkirk Neighborhood. The Market Street Commercial Corridor extends from 19th Avenue on the north to the Central Business District on the south. Market Street has a development pattern that includes a mix of commercial and residential uses and it is recognized as a transportation link serving both regional and local users.

Figure MS -1: Market Street Commercial Corridor Subarea Boundaries

2. VISION STATEMENT

The Market Street Commercial Corridor is an attractive, economically healthy area that accommodates neighborhood oriented businesses, office uses and multifamily housing. The commercial uses provide convenient shopping and services for residents of both the Market and Norkirk Neighborhoods. The corridor is bounded by single family residential neighborhoods to the north, east and west and a vibrant Central Business District to the south. Design of new development along the Corridor incorporates landscaped buffers, site design and architectural treatments that complement and protect the adjacent residential neighborhoods.

EXHIBIT <u> G </u>

XV.K/L. MARKET STREET COMMERCIAL CORRIDOR SUBAREA

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Market Street Commercial Corridor

Market Street provides efficient access to both the Market and Norkirk Neighborhoods, while continuing to function as a principal north/south arterial for local and regional traffic. Bicyclists and pedestrians use the Market Street Commercial Corridor as a connection between the Market and Norkirk Neighborhoods, and to the Central Business District and the region as a whole.

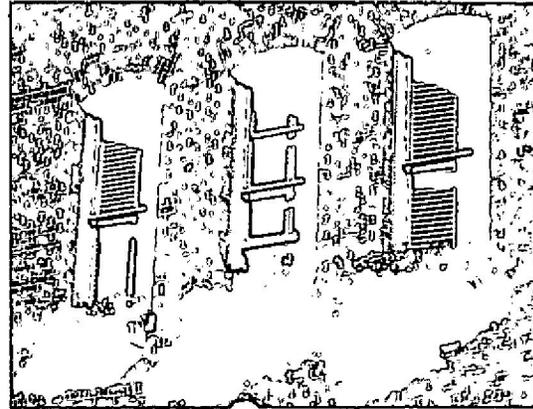
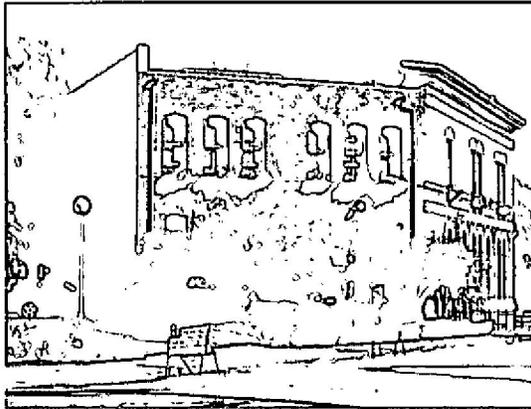
The historic 1890's buildings at the intersection of Market Street and 7th Avenue represent the original town center and are still a focal point for Kirkland's history. This historic district reflects the City's past through both its old and new buildings and its streetscape, including street trees, public seating and street lights.

3. HISTORIC CONTEXT

Between 1888 and 1890, Peter Kirk's Kirkland Land and Improvement Company purchased much of the land that had been homesteaded in the 1870's to begin the proposed new city. This new city was to support the construction of the Steel Mill on Rose Hill near Forbes Lake. The new town center was at the intersection of Market Street and Piccadilly, which is now 7th Avenue. This intersection, with four remaining 1891

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O-4077



Sears Building at 701 Market Street

brick buildings, three of which are on the National Register of Historic Places, is one of the most historically significant in Kirkland. An alternative street plan was also developed which included a large square at this intersection and a hotel on what is now Heritage Park at the corner of Market and Waverly Way. The cluster of historic properties at the intersection of Market Street and 7th Avenue form an important historical link and entrance to both the Market and Norkirk Neighborhoods.

Goal MS 1 – Encourage preservation of structures and locations that reflect Kirkland's heritage.

Policy MS 1.1:

Provide incentives to encourage retention of identified buildings of historic significance.

The City should include incentives in the Zoning and Building Codes for maintenance of the historic buildings at the 7th Avenue and Market Street Historic District. These incentives can help to make the maintenance of the historic structures more economically viable.

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*The Peter Kirk Building
620 Market Street*

Policy MS 1.2:

Provide markers and interpretive information for the historic sites located in the historic district at 7th Avenue and Market Street.

Providing this information will identify these important sites and enable future residents to have a link with the history of this significant area of Kirkland.

4. LAND USE

Goal MS 2 – Support a mix of higher intensity uses along the Market Street Commercial Corridor Subarea while minimizing impacts on adjacent residential neighborhoods.

Policy MS 2.1:

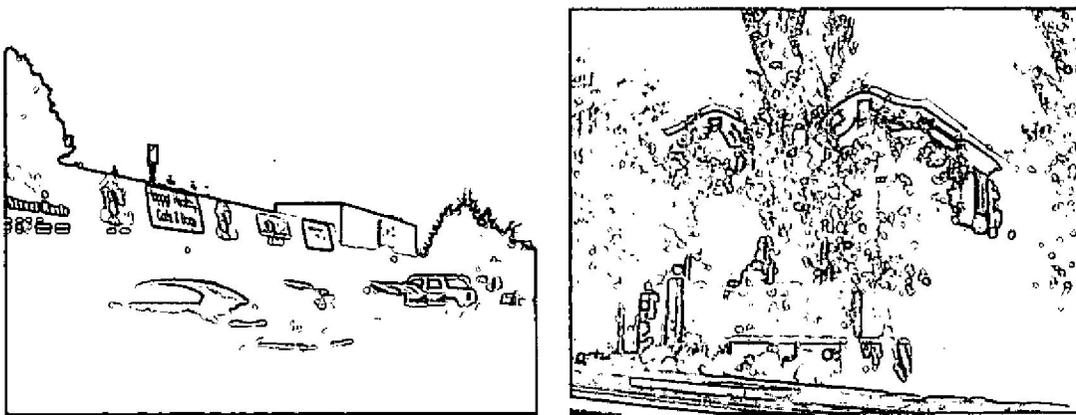
Encourage a mix of uses within the Market Street Commercial Corridor that include multifamily and office development, as well as, neighborhood oriented shops and services.

The majority of the corridor is developed with a mixture of small scale multifamily residences at a density of 12 units/acre and office development. It is also appropriate to have other neighborhood businesses interspersed throughout. This scale and pattern of development for the corridor fits well with the adjoining neighborhoods.

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The area south of 6th Avenue and 5th Avenue West acts as a connection between the City's historic district and the Central Business District (CBD). Small scale multifamily and office development are also allowed here, but some of the area is at a higher density than the 12 units/acre allowed north of the Historic District. On the east side of Market Street, multifamily density can go up to 24 units/acre. This helps the area to make a better transition into the CBD.



There is also a node of neighborhood oriented businesses located on the west side of Market Street, north of 14th Avenue West. This small shopping area provides convenient shopping and services for residents in the area. If redevelopment of this site occurs, the buildings and site should be designed so that their appearance blends with the character of the adjoining single family neighborhood. The landscaping can be used to soften and separate the commercial uses on site from the adjoining residential uses.

Policy MS 2.2:

Designate the historic district between 8th Avenue/2nd Street West and 6th Avenue/5th Avenue West as a special planning area of the Corridor.

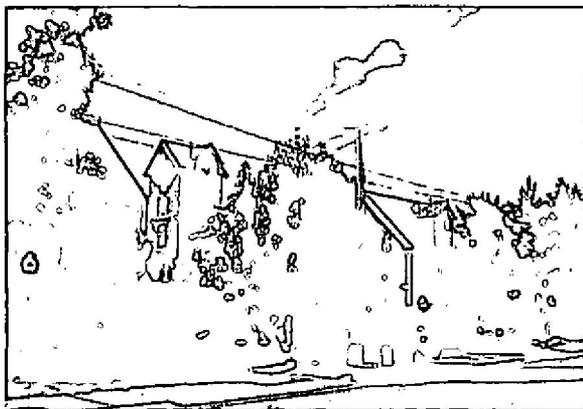
This area should remain a business commercial zone allowing residential, office and retail uses, and should include special regulations that reinforce the historic nature of the intersection at 7th Avenue and Market Street.

Policy MS 2.3:

Restrict the development of new commercial and multifamily structures to locations within the limited boundaries designated for the Market Street Commercial Corridor Subarea.

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Multifamily and commercial development should remain in designated areas within the Market Street Commercial Corridor Subarea and not extend into the single family residential core of the Market and Norkirk Neighborhoods or beyond 19th Avenue to the north. The slope and alley parallel to the east side of Market Street provides a break between the corridor and the residential core of the Norkirk neighborhood. The break is not as well defined on the west side of the street between the corridor and the Market Neighborhood residential core; however it is generally located adjacent to properties that directly abut Market Street.

Figure MS-2: Market Street Commercial Corridor Subarea Land Use

5. TRANSPORTATION

Market Street is a principal arterial that is the most traveled route into and along the borders of both the Market and Norkirk Neighborhoods. It also plays an important citywide role since it is the only principal arterial west of Interstate 405 between NE 85th Street and NE 116th Street. Most of Market Street is fully improved with one lane in each direction, and a series of left turn pockets. The street is fully developed with curbs, gutters, sidewalks, a landscape strip and bike lanes. A landscape median provides additional green space while controlling left turn movements. A center turn lane north of the 7th Street West intersection extends to Forbes Creek Drive.

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Goal MS 3 – Maintain Market Street as a transportation corridor with a balance among transportation modes.

Policy MS 3.1:

Promote transportation improvements that adequately support the existing and planned land uses in the Market Street Commercial Corridor Subarea and the adjoining neighborhoods.

Transportation improvements should maintain vehicular capacity on Market Street; minimize traffic delays; enhance connectivity between the Market and Norkirk Neighborhoods; and discourage short cuts through the neighborhoods.

Policy MS 3.2:

Improve local access to Market Street from the Norkirk and Market Neighborhood residential areas.

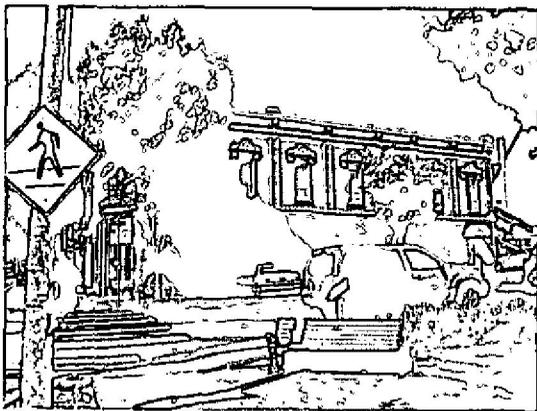
Initial research indicates that such issues as pedestrian safety, sight distance problems, short acceleration lanes, speeding, lack of gaps for entry traffic, and transition to a 25 mph zone near the downtown all contribute to general traffic flow problems, particularly during peak hours. Possible solutions include: simplifying intersections; creating gaps in the traffic; and calming or slowing traffic on Market Street. On-going observation and study will be necessary to ensure that Market Street will continue to function as a principal arterial while providing efficient access to adjacent neighborhoods.

Policy MS 3.3:

Encourage the use of non-motorized transportation modes by providing facilities for pedestrians and bicyclists throughout the Subarea.

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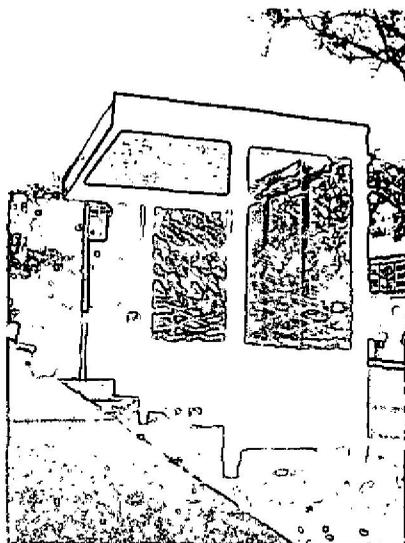


Pedestrian amenities

Pedestrian improvements, including adequate pedestrian crossings between the Market and Norkirk neighborhoods, should be installed at appropriate locations to improve pedestrian safety and enhance the pedestrian environment. The installation of these improvements should be funded by the City and, when appropriate, also required as new development occurs.

Policy MS 3.4:

Work with transit agencies to enhance transit service connecting the Market Street Corridor and the Market and Norkirk Neighborhoods to other areas of the City and region.



Bus Shelter on Market Street

Transit service is an important element of the City's transportation system. Metro Transit serves the Market and Norkirk Neighborhoods with routes along Market Street that

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provide service to the Kirkland Transit Center, Downtown Seattle, Totem Lake, Bellevue and other surrounding areas. As automobile traffic increases, alternative modes of transportation become more necessary. The Market Street Commercial Corridor is one of the main north/south connections through the City and is also a main transit route.

6. URBAN DESIGN

Goal MS 4 – Identify and enhance the distinct characteristics of the different sections of the Market Street Commercial Corridor.

Policy MS 4.1:

Maintain and enhance the character of the historic intersection at 7th and Market Streets



Intersection at 7th and Market Street

Existing historic resources should be considered when adjacent structures are being rebuilt or remodeled. The scale and design features of the historic buildings at the intersection of

XV.K/L. MARKET STREET COMMERCIAL CORRIDOR SUBAREA

Market Street and 7th Avenue should be taken into account when development in that area occurs.

Policy MS 4.2:

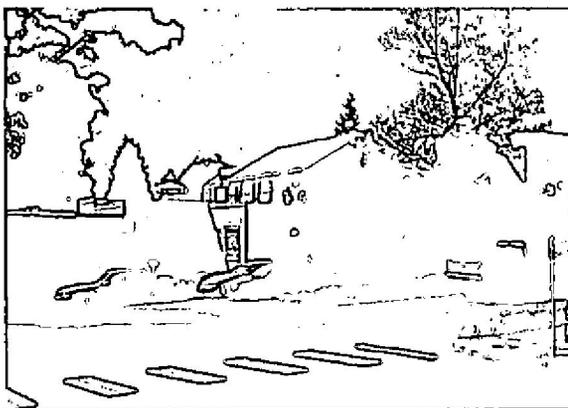
Utilize design review to administer building and site design standards in appropriate sections of the Market Street Commercial Corridor Subarea.

Design review is appropriate for the area surrounding the Market Street and 7th Avenue intersection (see Figure MS-3). It can also be a practical tool for other multifamily and commercial development along the corridor. The design review process can be used to review site and building design issues such as building placement, landscaping, and building details, as well as public improvements including sidewalk width and street furniture.

Goal MS 5 – Provide streetscape, gateway and public art improvements that contribute to a sense of identity and enhanced visual quality.

Policy MS 5.1:

Provide streetscape improvements that tie together the various sections of the Market Street Commercial Corridor.



Historic street lights, a consistent street tree plan, and pedestrian seating can all be used to add character and reflect the feeling of the Corridor. The landscape strip on the east side of Market Street adds interest and provides a more secure pedestrian environment. Additional street trees should be considered on the west side of Market Street. The City

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should also consider funding historic street lights within the Historic District and possibly along other areas of the corridor.

Policy MS 5.2:

Construct and improve gateway features at the locations identified in Figure MS-3.

Desired gateway feature locations are indicated on Figure MS -3. Improvements such as landscaping, signs, public art, and other features that identify the neighborhood can be included if they are appropriate for a location. Public investment will be necessary in most instances, but the City can also pursue opportunities to work with private property owners to install gateway features as part of future development.

Goal MS 6 – Provide transitions between low density residential uses within the neighborhoods and the commercial and multifamily residential uses along Market Street.

Policy MS 6.1:

Promote development regulations that address transitions and protect neighborhood character.

The building mass and/or height of the higher density structures should not overwhelm adjoining low-density uses. Landscape buffers should be used to soften and separate uses by creating a transition zone. Some of the existing buildings may also need enhanced landscaping in order to prevent commercial structures from having a negative impact on adjoining residential uses.

Policy MS 6.2:

Establish multifamily building and site design standards that enhance neighborhood compatibility.

Building and site design standards should address issues such as building placement on the site; site access and on-site circulation by vehicles and pedestrians; building scale; site lighting; landscaping (including that for parking lots); signs; preservation of existing vegetation; and buffers between multi-family developments and single-family housing.

Policy MS 6.3:

Orient commercial uses toward Market Street.

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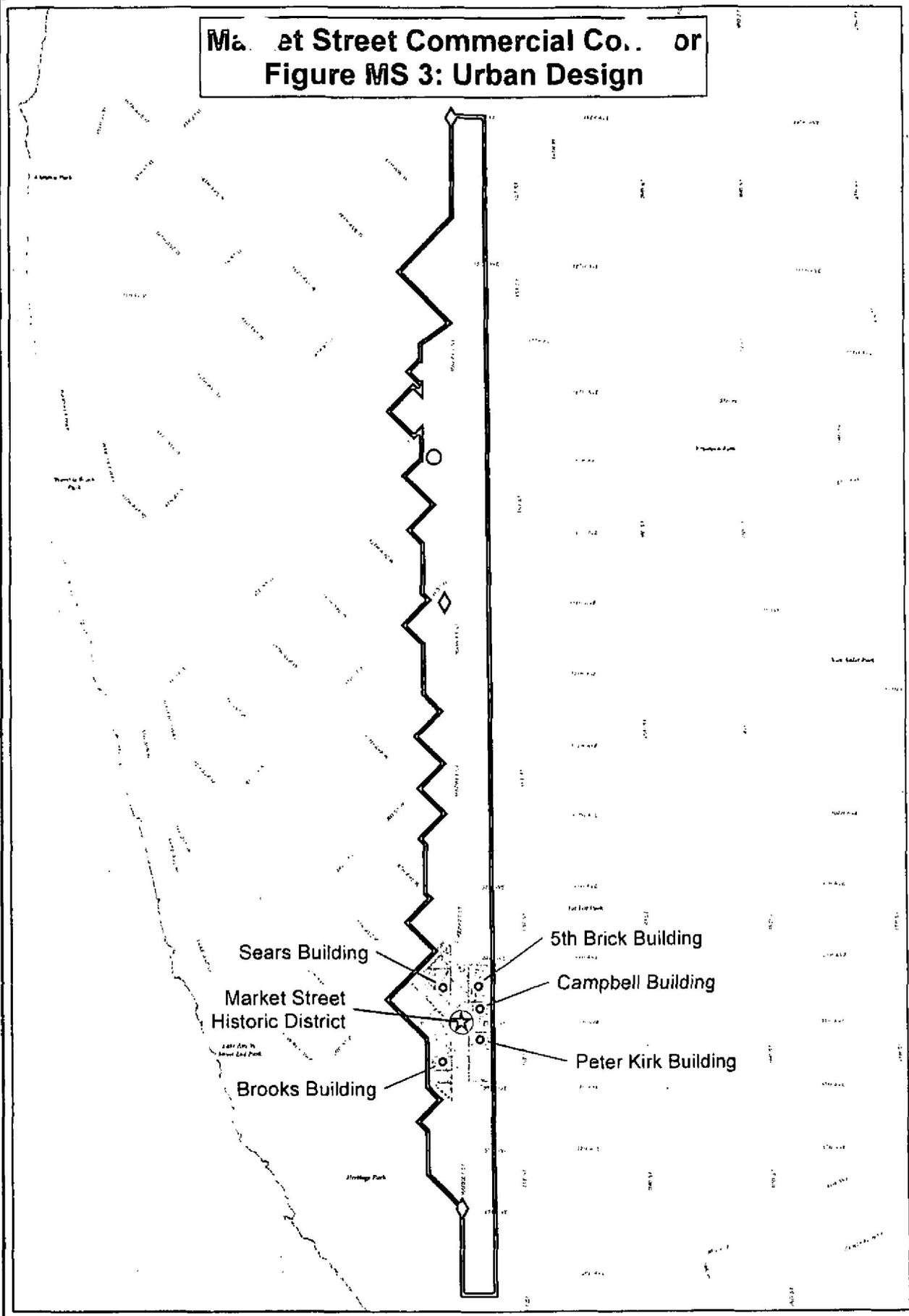


Commercial development which is oriented toward Market Street will have less impact on the adjacent low-density residential areas in the surrounding neighborhoods.

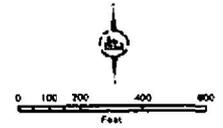
Figure MS-3: Market Street Commercial Corridor Subarea
Urban Design

**Market Street Commercial Corridor
or
Figure MS 3: Urban Design**

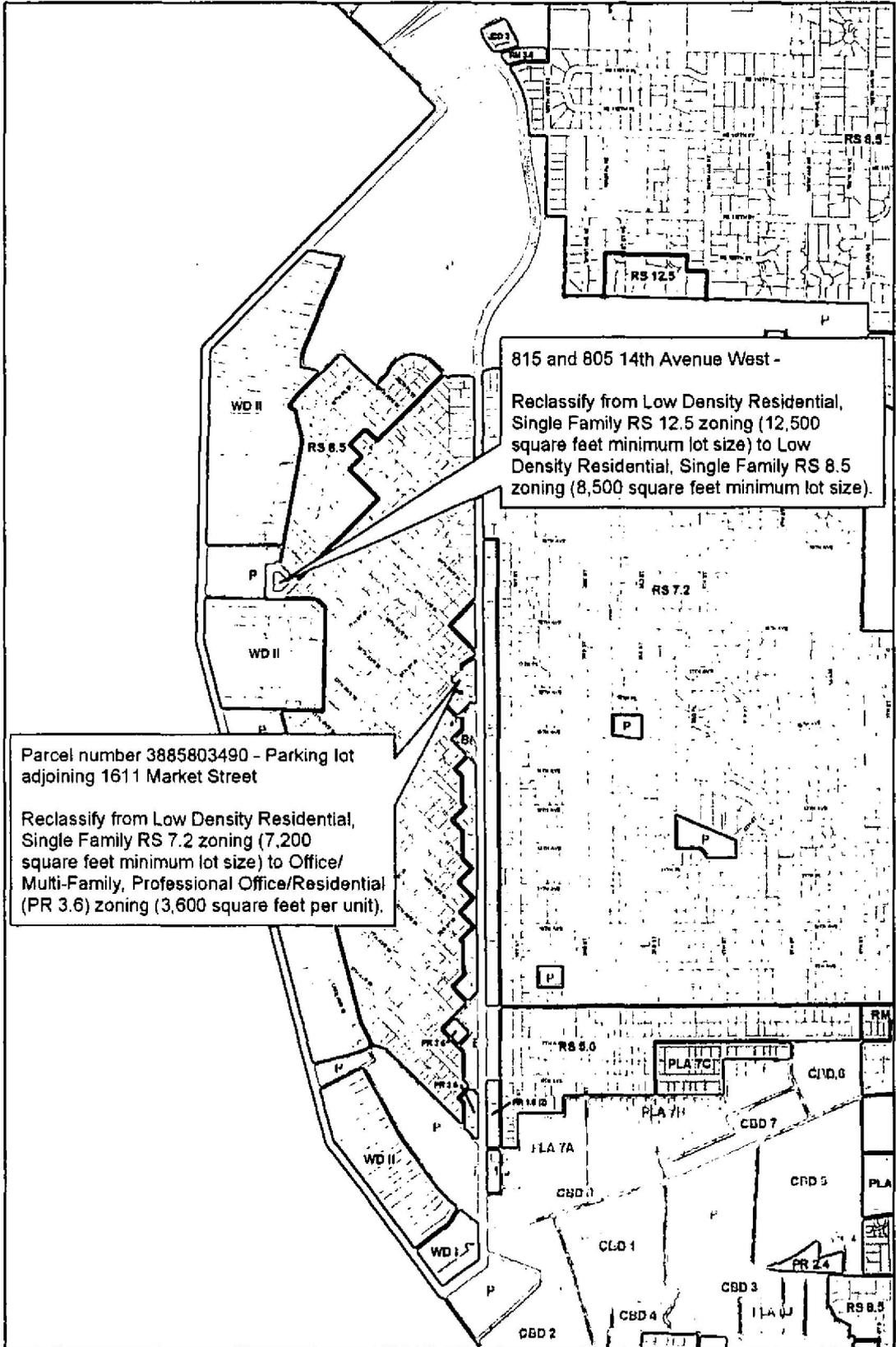
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- Activity Node ● Historic Structure [] Market Street Historic District
- ◇ Gateway ★ Landmark [] Market Street Commercial Corridor



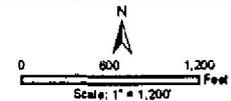
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815 and 805 14th Avenue West -
 Reclassify from Low Density Residential, Single Family RS 12.5 zoning (12,500 square feet minimum lot size) to Low Density Residential, Single Family RS 8.5 zoning (8,500 square feet minimum lot size).

Parcel number 3885803490 - Parking lot adjoining 1611 Market Street
 Reclassify from Low Density Residential, Single Family RS 7.2 zoning (7,200 square feet minimum lot size) to Office/Multi-Family, Professional Office/Residential (PR 3.6) zoning (3,600 square feet per unit).

- Legend**
- Commercial
 - Industrial
 - Light Manufacturing Park
 - Office
 - High Density Residential
 - Medium Density Residential
 - Low Density Residential
 - Institutions
 - Park/Open Space
 - Proposed Norkirk Neighborhood Boundary
 - Tax Parcel Boundaries



Proposed Changes to Kirkland Zoning Map

EXHIBIT H

ORDINANCE 4059

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO THE SECOND RENEWAL OF THE INTERIM ORDINANCE AS AMENDED REGULATING USES IN A STUDY AREA WITHIN A PR 3.6 ZONE IN THE MARKET NEIGHBORHOOD UNDER CHAPTER 25 OF THE KIRKLAND ZONING CODE.

WHEREAS, the City has the authority to adopt interim zoning regulation ordinances pursuant to RCW 35A.63.220 and 36.70A.390; and

WHEREAS, the City is undertaking an update of the Market Neighborhood Plan to be completed in December 2006; and

WHEREAS, on August 2, 2005 the City determined that a study was needed to determine whether certain areas adjacent to Market Street should be rezoned; and

WHEREAS, one of those areas designated for study is located at 1230 and 1250 4th Street West ("the Study Area") and is currently zoned PR 3.6, which allows for certain uses; and

WHEREAS, the City would like to conduct further study to determine what is the appropriate zoning designation for the Study Area; and

WHEREAS, the City Council would like to insure that potentially inappropriate use of the Study Area does not occur before this Market Neighborhood Plan update can be completed and a decision made as to the appropriate zoning designation for the Study Area; and

WHEREAS, the Kirkland City Council at its September 6, 2005 Council meeting determined that there is a need for an interim zoning ordinance to modify the allowed uses in a study area within a PR 3.6 zone in the Market Neighborhood and adopted an interim zoning ordinance at said meeting by Ordinance No. 4006; and

WHEREAS, the Kirkland City Council at its November 15, 2005 Council meeting determined that Ordinance No. 4006 should be amended by Ordinance No. 4021 to allow detached and attached dwelling units in the study area; and

WHEREAS, the Kirkland City Council at its February 21, 2006 Council meeting extended the interim zoning ordinance as amended for an additional six month period by Ordinance No. 4039; and

WHEREAS, the Kirkland City Council desires to extend the interim zoning ordinance as amended for an additional six month period; and

WHEREAS, pursuant to RCW 35A.63.220 and 36.70A.390, a public hearing was held prior to the adoption of this Ordinance.

EXHIBIT

I

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

Section 1. The Kirkland City Council makes the following findings:

- a. The purpose and intent of this Ordinance is to set forth an interim regulation temporarily suspending certain uses in the Study Area.
- b. The City of Kirkland Zoning Code currently allows certain activity in PR 3.6 zones that may not be appropriate in the Study Area.
- c. The City of Kirkland is diligently conducting a Market Neighborhood Plan update to determine the appropriate zoning classification for the Study Area.
- d. Until this Market Neighborhood Plan update is completed, and a decision made as to the appropriate zoning designation for the Study Area, there is a need for an interim ordinance that would suspend these potentially inappropriate uses in the Study Area.

Section 2. Prohibition of Certain Development in the Study Area.

To prevent the development of a potentially inappropriate use in the Study Area until a Market Neighborhood Plan Update can be completed to determine the appropriate zone designation, the uses authorized in a PR 3.6 zone under KZC 25.10.020, with the exception of detached and attached dwelling units, and the uses authorized in a PR 3.6 zone under KZC 25.10.30 through 25.10.070 and 25.10.110 and 25.10.120 are hereby temporarily suspended and disallowed in the Study Area. All other uses allowed in a PR 3.6 zone as authorized by KZC 25.10 remain available for use in the Study Area.

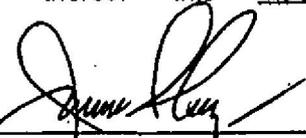
Section 3. Section 3 of Ordinance 4006 as amended is amended to renew its effect as an interim zoning ordinance for an additional six months. The interim zoning ordinance thereafter may be renewed for one or more six-month periods if a subsequent public hearing is held and findings of fact are made prior to each renewal.

Section 4. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance, or the application of the provision to other persons or circumstances is not affected.

Section 5. 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 19th day of September, 2006.

Signed in authentication thereof this 19th day of September, 2006.



 MAYOR

Attest:

Kathleen Anderson
City Clerk

Approved as to Form:

John J. Johnson
City Attorney

PUBLICATION SUMMARY
OF ORDINANCE NO. 4077

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO COMPREHENSIVE PLANNING AND LAND USE AND AMENDING THE COMPREHENSIVE PLAN, ORDINANCE 3481 AS AMENDED AND THE KIRKLAND ZONING MAP, ORDINANCE 3710 AS AMENDED TO IMPLEMENT THE MARKET NEIGHBORHOOD PLAN UPDATE, THE MARKET STREET COMMERCIAL CORRIDOR SUBAREA PLAN, AND REPEALING INTERIM ORDINANCE 4059 AS AMENDED REGULATING USES WITHIN A PR 3.6 ZONE IN THE MARKET NEIGHBORHOOD, FILE NO IV-03-27.

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

- A. Amends City of Kirkland Neighborhoods Map in the Introduction;
- B. Amends City of Kirkland Comprehensive Land Use Map in the Land Use Element;
- C. Amends Figure LU-2 Commercial Areas in the Land Use Element;
- D. Amends Figure T-2 Bicycle Corridor System – Existing and Proposed in the Transportation Element;
- E. Amends Figure T-3: Pedestrian Corridor System – Existing and Proposed in the Transportation Element;
- F. Repeals existing Market Neighborhood Plan and replaces it with a new Market Neighborhood Plan; and
- G. Adds a new Market Street Commercial Corridor Subarea Plan.

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

SECTION 3. Repeals Interim Ordinance 4059 regulating uses in a study area within a PR 3.6 zone in the Market Neighborhood.

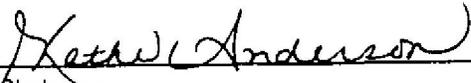
SECTION 4. Provides a severability clause for the ordinance.

SECTION 5. 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 6. 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 12th day of December, 2006.

I certify that the foregoing is a summary of Ordinance 4077
approved by the Kirkland City Council for summary publication.



City Clerk