



City of Kirkland
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MEMORANDUM

To: Planning Commission

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Date: June 18, 2024

Subject: **2044 Comprehensive Plan Public Hearing #3, File No. CAM22-00032**

Recommendation

Conduct a public hearing (the third in a series of public hearings) to gather public testimony on proposed amendments to the below elements of the Comprehensive Plan:

- Utilities Element
- Public Services Element
- Implementation Strategies Chapter

In addition, this public hearing is an opportunity to gather testimony on the Comprehensive Plan Draft Supplemental Environmental Impact Statement (Draft SEIS).

At the close of the public hearing, staff recommends the Planning Commission (PC) conduct deliberations and make recommendations to City Council (Council) for each element.

Background

Kirkland 2044 Comprehensive Plan (K2044) Update Process Overview

The City of Kirkland is in the process of conducting a major update of the existing Kirkland Comprehensive Plan¹ (Plan) adopted in 2015 for a planning horizon of 2035. The Plan is the primary citywide guide for how the community should evolve over the next twenty years (new horizon year of 2044) in terms of land use, transportation, and the public facilities and services necessary to support this change. The Plan also includes goals and policies for how the City addresses housing, human services, sustainability, economic development, parks, open space, and other topics.

¹ <https://www.codepublishing.com/WA/Kirkland/>

The Planning Commission staff report from the first public hearing on May 9, 2024² provided the following background information for the broader K2044 Update:

- Comprehensive Plan Update scope and review process;
- Key themes for the K2044 Update;
- Draft 2044 Vision Statement and Guiding Principles;
- Community engagement activities conducted for the K2044 Update; and
- State, regional, and countywide statutory and policy requirements for the update.

The K2044 Comprehensive Plan project webpage³ has information to help the community learn more about the K2044 update. The webpage includes a landing page for key topic areas including: draft goals and policies for each Element; basic information about the Plan update; past staff presentations and memorandums; information on the neighborhood plan updates; and a community engagement page detailing how to get involved in the process and how to submit comments.

Criteria for Amending the Comprehensive Plan

Kirkland Zoning Code (KZC) Section 140.30 lists the criteria that must be met to amend the Comprehensive Plan:

1. The amendment must be consistent with the Growth Management Act.
2. The amendment must be consistent with the countywide planning policies.
3. The amendment must not be in conflict with other goals, policies, and provisions of the Kirkland Comprehensive Plan.
4. The amendment will result in long-term benefits to the community as a whole and is in the best interest of the community.

Staff Conclusions

The proposed amendments to the Comprehensive Plan are consistent with the above criteria, the Growth Management Act (GMA), Countywide Planning Policies, and PSRC Vision 2050. The proposed plan policies are consistent with the general elements of the Comprehensive Plan, are more inclusive in how they are written, meet many of the City's DEIB and sustainability goals, will foster diverse housing options for a variety of incomes, support a complete multimodal transportation network, and encourage vibrant commercial centers and corridors. The proposed amendments thus bear a substantial relation to maintaining and improving the public health, safety, and welfare for all people and businesses in Kirkland.

Utilities Element

The full text of the proposed amended Land Use Element is included as Attachment 1.A to this memorandum. To assist in review of the amended goals and policies, a revision tracker showing the existing Utilities goals and policies, amended goals and policies with track changes, and staff notes is included as Attachment 1.B.

² <https://kirklandwa.primegov.com/portal/item?id=406>

³ <https://www.kirklandwa.gov/Government/Departments/Planning-and-Building/Planning-Projects/Kirkland-2044-Comprehensive-Plan-Update>

Overview

The Utilities Element addresses water, sewer, surface water, solid waste collection and transfer, electric power, natural gas, telecommunications, and hazardous liquid pipelines. The element supports the continued provision of utility services to support existing and future development. In addition, the element provides policies for regional coordination of utility needs and support for resource efficiency and sustainability.

The revised Utilities Element was influenced by coordination with Public Works staff, coordination with other utilities such as Puget Sound Energy, updated information, public comments, and Planning Commission comments. Staff provided briefings at the following meetings:

- April 11, 2024 Planning Commission meeting⁴; and
- December 14, 2023 Planning Commission meeting⁵.

More information is available at the Comprehensive Plan Utilities Element webpage⁶.

Key Themes for Utilities Element Amendments

The following is a summary of the key revisions (some are existing themes) to the Utilities Element (see Attachment 1.A):

- Emphasis on utility/energy conservation, sustainability, reduction of greenhouse gas emissions, and consideration of future climate-related impacts;
- Promote the transition to renewable energy while ensuring the electric grid is stable and can support Kirkland's needs;
- Support ways to make it easier for property owners to install electric vehicle (EV) charging stations and related infrastructure;
- Support installation of EV charging stations (including for bikes, personal mobility devices) in public rights-of-way and at City-owned facilities and parks;
- Make it easier for the community to reduce waste through reusing, repairing, composting, educational programs, and/or incentives;
- Prioritize removing fish passage barriers for public projects;
- Support access to internet service to underserved communities;
- Revise policy regarding the Houghton Transfer Station to reflect the new Northeast Recycling and Transfer Station project⁷; and
- Revise levels of service for water, sewer, and surface water to refer to the relevant functional plans, which are updated more frequently than the Comprehensive Plan.

⁴ https://www.kirklandwa.gov/files/sharedassets/public/v/2/planning-amp-building/kirkland-2044-comp-plan/k2044-transportation-amp-infrastructure/utilities/pdfs/2024-04-11_utilities-ps-cf-policy-briefing-memo-pc.pdf

⁵ https://www.kirklandwa.gov/files/sharedassets/public/v/3/planning-amp-building/kirkland-2044-comp-plan/k2044-transportation-amp-infrastructure/utilities/pdfs/2023-12-14_utilities-ps-cf-briefing_pc-memo.pdf

⁶ <https://www.kirklandwa.gov/Government/Departments/Planning-and-Building/Planning-Projects/Kirkland-2044-Comprehensive-Plan-Update/Transportation-and-Infrastructure/Utilities>

⁷ <https://kingcounty.gov/en/dept/dnrp/waste-services/garbage-recycling-compost/solid-waste-facilities/northeast-recycling-transfer-project>

Public Services Element

The full text of the proposed amended Public Services Element is included as Attachment 2.A to this memorandum. To assist in review of the amended goals and policies, a revision tracker showing the existing Public Services goals and policies, amended goals and policies with track changes, and staff notes is included as Attachment 2.B.

Public Services Element Overview

The Public Services Element addresses fire and emergency medical services, emergency management, police protection, schools, and libraries. The Public Services Element supports provision of public services to support existing and future growth and the correction and prevention of any existing deficiencies to ensure a safe community and high quality of public services.

The revised Public Services Element was influenced by coordination with City staff (Emergency Management, Fire, Police), updated information, public comments, and Planning Commission comments. Staff provided briefings at the following meetings:

- April 11, 2024 Planning Commission meeting⁸; and
- December 14, 2023 Planning Commission meeting⁹.

More information is available at the Comprehensive Plan Public Services Element webpage¹⁰.

Key Themes for Public Services Element Update

The following is a summary of the key revisions (some are existing themes) to the Public Services Element (See Attachment 2.A)

- Coordinate with the Lake Washington School District to increase public school capacity and explore opportunities to create staff and/or other affordable housing on school property;
- Build positive relationships between the Kirkland Police Department, Kirkland Fire Department, and community members;
- Invest in policies and services to support people experiencing mental and behavioral health challenges;
- Work towards ensuring that the City receives a fair allocation of tax revenue to advance King County levy objectives and fill related gaps in services in Kirkland (e.g., affordable housing, permanent supportive housing, crisis response, human services grants);
- Ensure that public facilities are compatible in scale and design with surrounding uses and foster multi-purpose public facilities;

⁸ https://www.kirklandwa.gov/files/sharedassets/public/v/2/planning-amp-building/kirkland-2044-comp-plan/k2044-transportation-amp-infrastructure/utilities/pdfs/2024-04-11_utilities-ps-cf-policy-briefing-memo-pc.pdf

⁹ https://www.kirklandwa.gov/files/sharedassets/public/v/3/planning-amp-building/kirkland-2044-comp-plan/k2044-transportation-amp-infrastructure/utilities/pdfs/2023-12-14_utilities-ps-cf-briefing_pc-memo.pdf

¹⁰ <https://www.kirklandwa.gov/Government/Departments/Planning-and-Building/Planning-Projects/Kirkland-2044-Comprehensive-Plan-Update/People/Public-Services>

- Explore the use of new technology or smaller emergency service vehicles/mobility devices to navigate places that are difficult for emergency services to access; and
- Moved solid waste, recycling, composting, and solid waste transfer goals and policies to the Utilities Element.

Capital Facilities Element

The full text of the proposed amended Capital Facilities Element is included as Attachment 3.A to this memorandum. To assist in review of the amended goals and policies, a revision tracker showing the existing Capital Facilities Element goals and policies, amended goals and policies with track changes, and staff notes is included as Attachment 3.B.

Capital Facilities Element Overview

The GMA requires cities to provide a Capital Facilities Element within their Comprehensive Plans to ensure the provision of adequate facilities for the new housing and jobs growth that is envisioned in the Land Use Element, to maintain levels of service for capital facilities, provide consistency among capital improvement plans, and document all capital projects and their financing.

The revised Element was influenced by coordination with Planning, Public Works, Finance, and Transportation staff; updated information; public comments; and Planning Commission comments. Staff provided briefings at the following meetings:

- April 11, 2024 Planning Commission meeting¹¹; and
- December 14, 2023 Planning Commission meeting¹².

More information is available at the Comprehensive Plan Capital Facilities Element webpage¹³.

Key Themes for Capital Facilities Element Update

The following is a summary of the key revisions (some are existing themes) to the Capital Facilities Element (see Attachment 3.A):

- Update policies to align with regional and Growth Management Act (GMA) requirements;
- Update policies to more closely align the element with the Sustainability, Climate and Environment Element; and
- Incorporate public health and equity with the element update.

¹¹ https://www.kirklandwa.gov/files/sharedassets/public/v/2/planning-amp-building/kirkland-2044-comp-plan/k2044-transportation-amp-infrastructure/utilities/pdfs/2024-04-11_utilities-ps-cf-policy-briefing-memo-pc.pdf

¹² https://www.kirklandwa.gov/files/sharedassets/public/v/3/planning-amp-building/kirkland-2044-comp-plan/k2044-transportation-amp-infrastructure/utilities/pdfs/2023-12-14_utilities-ps-cf-briefing_pc-memo.pdf

¹³ <https://www.kirklandwa.gov/Government/Departments/Planning-and-Building/Planning-Projects/Kirkland-2044-Comprehensive-Plan-Update/Transportation-and-Infrastructure/Capital-Facilities>

Implementation Strategies Chapter

The full text of the revised Implementation Chapter is included as Attachment 4 to this memorandum.

Implementation Strategies Chapter Overview

The Implementation Strategies Chapter describes the methods and strategies for implementing the Comprehensive Plan. Staff has revised the chapter to update the text within the methodology section to include updating neighborhood plans annually if requested by community members as part of the Community Amendment Request process. Staff deleted the existing implementation strategies adopted with the 2015 Comprehensive Plan because a majority of the tasks have been completed.

Moving forward, staff recommends we not include a list of new implementation strategies with the K2044 update because the proposed new format for each Element includes examples of implementation strategies, actions or programs to implement the policies. Work programs and priorities change from year to year and the list would become obsolete with constant revisions needed. Given the condensation of the proposed draft Implementation chapter, it could be considered for inclusion in the Introduction chapter rather than continuing as a separate chapter.

Options for Planning Commission consideration:

1. Support staff's recommended revisions to the Introduction Chapter as provided in Attachment 4; or,
2. Support the recommended revisions to the Implementation chapter shown in Attachment 4, but relocate to combine into the Introductions Chapter.

Public Comments

Public comments received over 2022-2024, through June 18, 2024 (prior to the publication of this memo for the continued public hearings) are available on the K2044 webpage¹⁴. Public comments are also available organized by subject matter¹⁵. Additional public comments received after the publication date will be provided to the PC prior to the public hearing, and compiled and posted on the K2044 webpage after the hearing.

Compliance with State Environmental Policy Act – Environmental Review

On October 18, 2023, the City issued a Determination of Significance and Scoping Notice¹⁶ to allow people to submit comments on what should be evaluated in the Supplemental Environmental Impact Statement (SEIS) for the 2044 Comprehensive

¹⁴ https://www.kirklandwa.gov/files/sharedassets/public/v/5/planning-amp-building/kirkland-2044-comp-plan/2022.12.06-2024.05.14_public-comments_k2044.pdf

¹⁵ https://www.kirklandwa.gov/files/sharedassets/public/v/5/planning-amp-building/kirkland-2044-comp-plan/2022.04-19-2024.05.14_public-comment-tracker_k2044.pdf

¹⁶ <https://www.kirklandwa.gov/files/sharedassets/public/v/1/planning-amp-building/kirkland-2044-comp-plan/k2044-basics/pdfs/determination-of-significance-sep23-00670-comp-plan-seis-10.18.23.pdf>

Plan update. The scoping period ended on November 17, 2023. The scoping comments¹⁷ received are available on the K2044 Comprehensive Plan project webpage.

On June 10, 2024, the City issued a Notice of Availability for the Draft Supplemental Environmental Impact Statement (SEIS)¹⁸ to allow for review and public comment. A copy of the Draft SEIS document¹⁹ is available for viewing on the K2044 Comprehensive Plan basics webpage. A public hearing to receive oral or written comments on the Draft SEIS will be held on June 27, 2024. Written comments may be submitted to Janice Swenson at jswenson@kirklandwa.gov during the public comment period June 10, 2024 to July 12, 2024 at 5:00 pm or attend the June 27, 2024 public hearing.

The Draft SEIS evaluates two alternatives: 1) Existing Plan (No Action) Alternative; and, 2) Growth (Action) Alternative. Both alternatives would accommodate the City's assigned growth targets through 2044, which includes 13,200 additional housing units and 26,490 additional jobs.

Existing Plan Alternative (No Action Alternative): This alternative would maintain the City's current zoning and adopted plans, including the Kirkland 2035 Comprehensive Plan, NE 85th Street Station Area Plan and Planned Action, and adopted neighborhood plans. The Existing Plan Alternative would not include implementation of state mandates required by HB 1110 to illustrate the impact of these requirements as integrated with the Growth Alternative.

Growth Alternative (Action Alternative): This alternative would establish additional residential capacity above and beyond that needed to accommodate the City's growth targets to provide additional flexibility for the development of housing choices for the community. It would allow greater residential and commercial density, particularly near transit corridors and in select commercial or business centers and would implement regulations to encourage the production of affordable and market-rate housing citywide. The Growth Alternative would be implemented together with future multimodal improvements identified in the Transportation Strategic Plan, an update to Kirkland's Transportation Master Plan. This alternative would also include updates required to comply with Washington state legislation for "middle" housing (housing at densities between single-unit detached homes and mid-rise apartment buildings) in all residential zones citywide, and would allow additional middle housing typologies in residential zones. The Growth Alternative includes consideration of proposed changes in land use at selected sites in Juanita and Totem Lake (see Land Use Element of K2044 project webpage for more information²⁰).

Comments received on the Draft SEIS will be responded to in the Final SEIS due to be completed in fall 2024.

¹⁷ <https://www.kirklandwa.gov/files/sharedassets/public/v/1/planning-amp-building/kirkland-2044-comp-plan/k2044-basics/pdfs/seis-scoping-comments-combined-webpage.pdf>

¹⁸ <https://www.kirklandwa.gov/files/sharedassets/public/v/2/planning-amp-building/kirkland-2044-comp-plan/k2044-basics/pdfs/2044-comprehensive-plan-seis-draft-notice-of-availability.pdf>

¹⁹ <https://www.kirklandwa.gov/files/sharedassets/public/v/2/planning-amp-building/kirkland-2044-comp-plan/k2044-basics/pdfs/2044-comprehensive-plan-draft-seis.pdf>

²⁰ <https://www.kirklandwa.gov/Government/Departments/Planning-and-Building/Planning-Projects/Kirkland-2044-Comprehensive-Plan-Update/People/Land-Use>

PC Review Note

Because the changes being proposed to the existing Comprehensive Plan are quite substantial, staff is proposing to repeal and replace the text of all elements in their entirety. The referenced attachments for each element include “clean” versions of the revised Elements without tracked changes (see Attachments 1.A, 2.A, 3.A). Also included are matrices for each Element showing the existing (2035 Comprehensive Plan) goals and policies, with a side-by-side comparison of the proposed amendments (Attachments 1.B, 2.B, 3.B). The matrices show proposed goal and policy amendments in track changes. In this meeting packet, only the Implementation Chapter is shown as a single attachment with track changes because it does not include goals and policies. *The PC’s recommendations to Council will be specifically for the full-text chapters as shown in Attachments 1.A, 2.A, 3.A, and 4.*

Next Steps

Following the June 27, 2024, public hearing, the PC should deliberate and discuss a recommendation on the Utilities, Public Services, and Capital Facilities Elements, and the Implementation Chapter, of the Plan to Council. The PC may direct staff to make additional changes to the draft elements based on the public testimony received and their deliberation.

Future scheduled public hearings and the Elements or Chapters anticipated to be considered at each respective hearing are as follows:

- June 27, 2024, Public Hearing #3
Topics: Transportation, Capital Facilities, Public Services, Utilities, Draft SEIS
- July 11, 2024, Public Hearing: Continuation of PC deliberation on all Neighborhood Plans except for the Juanita Neighborhood Plan (the PC previously completed their deliberation on this chapter at the May 23, 2024 meeting)
- July 25, 2024, Public Hearing: Continuation of PC deliberation on the Land Use Element (previously considered at public hearings on May 23 and June 13, 2024)
- September 26, 2024, Public Hearing #4
Topics: Housing Element, Appendix (Historical, glossary, Housing Needs Assessment, Community Profile)

Prior to public hearings #3 and #4, staff will host Open Houses for the community at City Hall from 4:00 pm to 5:30 pm. The Open Houses will allow staff to provide background information and answer any questions community members may have prior to the opportunity to provide public testimony at the hearing for each respective topic. Final adoption of the full Plan by City Council is scheduled for December 2024.

Attachments

- 1.A Draft Utilities Element – Full text
- 1.B Utilities Element – Goal and Policy Revisions Matrix
- 2.A Draft Public Services Element – Full Text
- 2.B Public Services Element – Goal and Policy Revisions Matrix

- 3.A Draft Capital Facilities Element – Full Text
- 3.B Capital Facilities Element – Goal and Policy Revisions Matrix
- 4. Draft Implementation Strategies Chapter – Full Revised Text