

DRAFT LAND USE POLICY LU-2. OPTIONS

The following are several alternate versions of policy LU-2.4. Preceding each alternative policy is a brief description of the intent behind the version, as well as background on if the version has been included in previous element drafts. The alternate versions of the policy are arranged in order of how restrictive they would be in regard to crafting future Zoning Code amendments to implement the policy: the first version would provide the most future flexibility, and the last version would be the most restrictive.

Alternative A

This option is the original drafted version of the policy, and was included in the version of the element discussed at the first public hearing for the Land Use Element. This option provides the most flexible language to guide future projects to consider Zoning Code amendments.

Policy LU-2.4: Create additional capacity for higher-intensity residential uses along identified frequent transit corridors citywide, and ensure development regulations enable multi-unit housing types.

Alternative B

This option was proposed by Planning Commission Chair Rutherford following the consideration of public testimony received through the August 22, 2024 public hearing. This option would provide flexible guidance for any future consideration of additional capacity, while focusing attention on area-specific conditions and opportunities as context for any capacity increases.

Policy LU-2.4: Explore additional capacity for higher-intensity residential uses in areas with comfortable and convenient access to amenities that reduce the dependence on driving, and ensure development regulations enable diverse housing options and small-scale retail and commercial opportunities.

Alternative C

This option was proposed by Commissioner Jacobson as an amended version of Alternative D (which is the policy version included in the August 22, 2024 PC packet). This option provides an extensive list of criteria to be considered for any future capacity increases, and does not link study of any additional capacity along transit corridors to housing production in the Station Area (or anywhere else in the City).

Policy LU-2.4: Explore additional capacity for higher-intensity residential uses along frequent transit corridors and ensure development regulations enable diverse housing options and small-scale retail and commercial opportunities. Evaluation of this additional capacity should occur pursuant to the framework established below:

- Prioritization. Increases to capacity near frequent transit corridors should be studied in the below priority order per tasks adopted in the Planning Work Program:

Tier 1 (top priority): Bus Rapid Transit lines with dedicated funding for implementation (e.g., K Line and STRIDE Line).

Tier 2 (secondary priority): Transit corridors with frequent service (15-minute headways or less during commute hours).

- Public Process. Evaluating additional capacity pursuant to Policy LU-2.4 would be conducted pursuant to the provisions of Process IV described in Chapter 160 of the Kirkland Zoning Code (i.e., ultimate decision by City Council based on a Planning Commission recommendation) and would take the form of Zoning Code/Map amendments. The process would involve the following steps:
 1. The process will be initiated through the inclusion into the Planning Work Program of study of one or more transit corridors for increased capacity. The Planning Work Program extends over three years and is approved annually by the City Council based on a Planning Commission recommendation.
 2. Conduct environmental review pursuant to the State Environmental Policy Act (SEPA) analyzing the specific environmental effects of each proposal. While the Supplemental SEIS prepared for the Comprehensive Plan will be the foundation for the environmental review, supplemental environmental review will be conducted to evaluate potential environmental impacts at the corridor scale – including impacts on transportation infrastructure, public services, schools, and utilities. Other technical studies may be needed to support this analysis, such as a corridor study.
 3. Conduct public outreach, including meetings with established organizations and individuals representing the City's diverse community and interests.
 4. Undertake noticing of each zoning proposal, as required in the Zoning Code, and including at least two public notice signs along each corridor proposed for rezoning.
 5. Staff will prepare staff reports outlining possible rezoning options, which will be presented to Planning Commission in at least one study session and in advance of a public hearing. Additional capacity should only be granted after sufficient technical analysis in support of additional capacity has been completed, and there are assurances (e.g., dedicated funding) that adequate infrastructure capacity will be in place to support additional density.
 6. A public hearing will be held for each proposal.
 7. After the public hearing, the Planning Commission will make a recommendation to City Council on each rezoning proposal, and City Council will decide whether to adopt.

- *Decisional Criteria. In determining the geographic boundaries of any zoning amendments, and associated maximum building heights, densities, and other changes to development regulations, the following criteria, as well as any other relevant factors, should be taken into account:*
 1. *Existing and planned multimodal infrastructure and transit service to accommodate density.*
 2. *Existing and planned parks and open spaces (public and private).*
 3. *The ability of the change to expand the City's supply of affordable housing.*
 4. *School capacity to accommodate added density.*
 5. *Street safety for all modes.*
 6. *Policies to address availability of parking.*
 7. *The multi-modal level of service of transportation infrastructure.*
 8. *Opportunities to reconnect the street grid and create pedestrian and/or bicycle through block connections.*
 9. *Proximity to neighborhood and regional growth centers.*
 10. *The impact topography has on walkability.*
 11. *Proximity to historically designated properties and districts.*
 12. *The city's policies on public view corridors.*
 13. *A gradual transition of intensity with the highest intensity uses located closest to the center of the corridors and the lowest intensity uses located at the outer edges of the corridors.*
 14. *The need for sufficient grocery, commercial, and retail services to enable a complete community centered on the key transit corridors.*
 15. *The extent to which the capacity increase promotes 10-minute neighborhoods.*

Alternative D

This option is included in the current, complete, draft Land Use Element in the September 12, 2024 meeting packet. This version was also included in the August 22, 2024 PC public hearing packet; with the exception that the August 22 version included language that would delay any consideration of additional capacity along transit corridors until after a certain amount of housing production was achieved in the NE 85th Street Station Area Plan (referred to as the "pioneer provision"). That specific language has been removed from the below alternative and the version of the policy included in the complete Land Use Element in the September 12, 2024 packet. The pioneer provision was removed to reflect the importance of adding housing capacity in many different parts of the City to achieve community objectives, including expanding the housing supply. However, the pioneer provision was included in Alternative E.

Policy LU-2.4: Explore additional capacity for higher-intensity residential uses along identified frequent transit, and ensure development regulations enable diverse housing options and small-scale retail and commercial opportunities. Evaluation of this additional capacity should occur pursuant to the framework established below:

- *Prioritization. Increases to capacity near frequent transit corridors should be considered individually per transit corridor segment, and should be studied in the below priority order per discrete tasks adopted in the Planning Work Program:*

Tier 1 (top priority): Bus Rapid Transit lines with dedicated funding for implementation (e.g., K Line and STRIDE Line).

Tier 2 (secondary priority): Tier 2 capacity increases should be studied pursuant to the following priorities:

- 1. Transit corridors with existing frequent service (15-minute headways or less during commute hours) that travel through or connect the City's Regional Growth Centers.*
- 2. Transit corridors with existing frequent transit service that do not travel through or connect the City's Regional Growth Centers if new transit service is funded beyond 2024 service levels.*

- *Public Process. Evaluating additional capacity pursuant to Policy LU-2.4 would be conducted pursuant to the provisions of Process IV described in Chapter 160 of the Kirkland Zoning Code (i.e., ultimate decision by City Council based on a Planning Commission recommendation) and would take the form of Zoning Code/Map amendments. The process would involve the following steps:*

- 1. The process will be initiated through the inclusion into the Planning Work Program of study of one or more transit corridors for increased capacity. The Planning Work Program extends over three years and is approved annually by the City Council based on a Planning Commission recommendation.*
- 2. Conduct environmental review pursuant to the State Environmental Policy Act (SEPA) analyzing the specific environmental effects of each proposal. While the Supplemental SEIS prepared for the Comprehensive Plan will be the foundation for the environmental review, supplemental environmental review will be conducted to evaluate potential environmental impacts at the corridor scale – including impacts on transportation infrastructure, public services, schools, and utilities. Other technical studies may be needed to support this analysis, such as a corridor study.*
- 3. Conduct public outreach, including meetings with established organizations and individuals representing the City's diverse community and interests.*
- 4. Undertake noticing of each zoning proposal, as required in the Zoning Code, and including at least two public notice signs along each corridor proposed for rezoning.*
- 5. Staff will prepare staff reports outlining possible rezoning options, which will be presented to Planning Commission in at least one study session and in*

advance of a public hearing. Additional capacity should only be granted after sufficient technical analysis in support of additional capacity has been completed, and there are assurances (e.g., dedicated funding) that adequate infrastructure capacity will be in place to support additional density.

- 6. A public hearing will be held for each proposal.*
 - 7. After the public hearing, the Planning Commission will make a recommendation to City Council on each rezoning proposal, and City Council will decide whether to adopt.*
- *Decisional Criteria.* *In determining the geographic boundaries of any zoning amendments, and associated maximum building heights, densities, and other changes to development regulations, the following criteria should be taken into account:*
 - 1. Existing and planned multimodal infrastructure and transit service to accommodate density.*
 - 2. Existing and planned parks and open spaces (public and private).*
 - 3. The ability of the change to expand the City's supply of affordable housing.*
 - 4. School capacity to accommodate added density.*
 - 5. Street safety for all modes.*
 - 6. A gradual transition of intensity with the highest intensity uses located closest to the center of the corridors and the lowest intensity uses located at the outer edges of the corridors.*
 - 7. The need for sufficient grocery, commercial, and retail services to enable a complete community centered on the key transit corridors.*
 - 8. The extent to which the capacity increase promotes 10-minute neighborhoods.*

Alternative E

This option was drafted by staff after the August 22, 2024 public hearing and considering extensive public testimony. It is intended primarily to address concerns about future building height in the transit corridors. The language below is the most constraining option among the alternatives, as it includes the most detailed prioritization, review process, and review criteria components from the other alternatives. In addition, this option adds in language that establishes maximum building heights to be considered relative to the type of frequent transit corridors. It should be noted that staff continues to recommend that specific building heights *not* be incorporated into policies, but are providing this alternate language as an option to consider that may address the concerns of community members who are concerned that Policy LU-2.4 would result in 4-6-story buildings across the transit corridors. Staff would note that relatively high densities can be achieved with 2-4-story buildings, assuming reduced setbacks, low or no parking requirements, and other customized regulations, and that these densities could support many of the community objectives expressed in the Comprehensive Plan, including fostering walkable and transit-supportive neighborhoods.

Policy LU-2.4: Explore additional capacity for higher-intensity residential uses along identified frequent transit corridors once the NE 85th St Station Area residential development has achieved a number of residential units with vested permits equal to the affordable housing pioneer provision, and ensure development regulations enable diverse housing options and small-scale retail and commercial opportunities. Evaluation of this additional capacity should occur pursuant to the framework established below:

- *Prioritization. Increases to capacity near frequent transit corridors should be considered individually per transit corridor segment, and should be studied in the below priority order per discrete tasks adopted in the Planning Work Program:*

Tier 1 (top priority): Bus Rapid Transit lines with dedicated funding for implementation (e.g., K Line and STRIDE Line).

Tier 2 (secondary priority): Tier 2 capacity increases should be studied pursuant to the following priorities:

- 3. Transit corridors with existing frequent service (15-minute headways or less during commute hours) that travel through or connect the City's Regional Growth Centers.*
- 4. Transit corridors with existing frequent transit service that do not travel through or connect the City's Regional Growth Centers if new transit service is funded beyond 2024 service levels.*

- *Intensity. Development intensities should be higher along Tier 1 corridors and lower along Tier 2 corridors, as follows. Because these development intensities are limited by building height to ensure appropriate scale, special attention should be given to maximizing density in terms of the number of compact dwelling units yielded by each development, including granting larger building envelopes to projects with more residential units. Within the height ranges specified below, taller buildings should generally be located closer to each high-frequency transit route.*

Tier 1: Building heights should be a maximum of 3-4 stories and utilize housing typologies that achieve higher densities, promote the provision of neighborhood services, and accommodate affordable housing in a cost-effective manner.

Tier 2: Building heights should be 2-3 stories and utilize middle housing typologies that achieve higher densities, such as small apartment buildings, stacked flats, and innovative housing types that yield more affordability by nature of their small size.

- *Public Process. Evaluating additional capacity pursuant to Policy LU-2.4 would be conducted pursuant to the provisions of Process IV described in Chapter 160 of the Kirkland Zoning Code (i.e., ultimate decision by City Council based on a Planning*

Commission recommendation) and would take the form of Zoning Code/Map amendments. The process would involve the following steps:

1. The process will be initiated through the inclusion into the Planning Work Program of study of one or more transit corridors for increased capacity. The Planning Work Program extends over three years and is approved annually by the City Council based on a Planning Commission recommendation.
 2. Conduct environmental review pursuant to the State Environmental Policy Act (SEPA) analyzing the specific environmental effects of each proposal. While the Supplemental SEIS prepared for the Comprehensive Plan will be the foundation for the environmental review, supplemental environmental review will be conducted to evaluate potential environmental impacts at the corridor scale – including impacts on transportation infrastructure, public services, schools, and utilities. Other technical studies may be needed to support this analysis, such as a corridor study.
 3. Conduct public outreach, including meetings with established organizations and individuals representing the City's diverse community and interests.
 4. Undertake noticing of each zoning proposal, as required in the Zoning Code, and including at least two public notice signs along each corridor proposed for rezoning.
 5. Staff will prepare staff reports outlining possible rezoning options, which will be presented to Planning Commission in at least one study session and in advance of a public hearing. Additional capacity should only be granted after sufficient technical analysis in support of additional capacity has been completed, and there are assurances (e.g., dedicated funding) that adequate infrastructure capacity will be in place to support additional density.
 6. A public hearing will be held for each proposal.
 7. After the public hearing, the Planning Commission will make a recommendation to City Council on each rezoning proposal, and City Council will decide whether to adopt.
- Decisional Criteria. In determining the geographic boundaries of any zoning amendments, and associated maximum building heights, densities, and other changes to development regulations, the following criteria should be taken into account:
 1. Existing and planned multimodal infrastructure and transit service to accommodate density.
 2. Existing and planned parks and open spaces (public and private).
 3. The ability of the change to expand the City's supply of more affordable market-rate housing and affordable housing.
 4. School capacity to accommodate added density.
 5. Street safety for all modes.
 6. A gradual transition of intensity with the highest intensity uses located closest to the center of the corridors and the lowest intensity uses located at the outer edges of the corridors.

7. *The need for sufficient grocery, commercial, and retail services to enable a complete community centered on the key transit corridors.*
8. *The extent to which the capacity increase promotes 10-minute neighborhoods.*