

ORDINANCE NO. 4305

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO TRANSPORTATION CONCURRENCY AND ESTABLISHING A CONCURRENCY TEST FOR THE "JFK" ANNEXATION AREA AS DESCRIBED IN CITY OF KIRKLAND ORDINANCE NO. 4229.

The City Council of the City of Kirkland do ordain as follows:

Section 1. Kirkland Municipal Code Section 25.10.030 is hereby amended to read as follows:

**25.10.030 Test.**

Development applications that would result in a reduction of level of service below the established level of service standard shall not be approved. For potable water and sanitary sewer, only available capacity will be used in conducting the concurrency test. For roads, available and planned capacity will be used in conducting the concurrency test.

(1) For sewer and water, if the capacity of the concurrency facilities with the development application is equal to or better than the capacity required to maintain the established level of service standard, then the concurrency test is passed.

(2) For roads, the concurrency test consists of two steps:

(a) The comparison of average volume/capacity ratio for the impacted subarea(s) to the applicable level of service standard; and

(b) The comparison of the volume/capacity ratio at each appropriate intersection to the applicable level of service standard adopted in the comprehensive plan. The traffic test is passed if both comparisons meet the standard.

(c) Within the "JFK Annexation Area," as defined in City of Kirkland Ordinance No. 4229, the concurrency test shall be limited to the analysis set forth in subsection (2)(b) of this section until such time as the City adopts level of service standards for the JFK Annexation Area.

(3) If the concurrency test is not passed for water, sewer or roads, then the applicant may retest for concurrency after doing one or both of the following:

(a) Modify the application to reduce the need for the concurrency facilities that do not exist. Reduction of need can be through reduction of the size of the development, reduction of trips generated by original proposed development, or phasing of the development to match future concurrency facility construction; or

(b) Arrange with the public works department and fund the improvements for the additional capacity required for the concurrency facilities.

(4) If the concurrency test is not passed for water, sewer or roads, then the applicant may request reconsideration of the results of the concurrency test by the public works director in accordance with the provisions of Chapter 25.22 of this title.

Section 2. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication, as required by law.

Passed by majority vote of the Kirkland City Council in open meeting this 17th day of May, 2011.

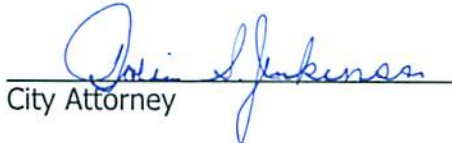
Signed in authentication thereof this 17th day of May, 2011.

  
MAYOR

Attest:

  
City Clerk

Approved as to Form:

  
City Attorney