



SUMMARY OF ANNEXATION ZONING WORKSHOPS

11/07

Background on Zoning Workshops

On November 14, 2007 an annexation workshop was held in which an overview of various zoning issues was provided to interested annexation residents. Following the overview, residents were divided into 2 Finn Hill neighborhood working groups and 1 Kingsgate/Juanita neighborhood working group to discuss and take a vote on each issue. The working groups met again during the week of November 26th to complete their discussion. 32 people attended the first workshop and 30 attended the second set of workshops with 21 to 22 people attending from the Finn Hill neighborhood and 9 to 10 people attending from the Kingsgate/Juanita neighborhood.

Below are a summary of the zoning issues and the voting responses of workshop participants. The issues are divided into 3 categories: split vote, majority vote and consensus vote:

A. Zoning Issues with a Split Vote

1. Height of single family homes

- County allows homes to be 35' high (3 stories) and can be increased to 45' (4 stories) with increased yard setbacks
- City allows 25' or 30' (generally 2 stories) depending on neighborhood

Response:

- 17 people voted to stay with 35'.
- 13 people voted to reduce the height to 30'.
- 1 voted that either is fine.
- No one wanted to continue allowing the increase to 45'.
- Some of the 17 people thought that 30' would be acceptable, but were concerned about making existing homes non-conforming. Some people thought that those with homes over 35'in height who wanted to add an addition should be able to match the existing roofline.

2. Auto and boat sales and leasing

- County does not allow these uses in the annexation's commercial areas
- City does allow them in most commercial areas

Response:

- 26 people voted to allow the use in some of the commercial zones. Of the 26 people, 7 voted for all areas but not in lower Finn Hill, 6 people voted to allow in Juanita and Kingsgate only and 13 people voted for indoors only at all locations except lower Finn Hill.
- 3 people voted to not allow anywhere.

- *1 person voted to allow in all zones.*
- *Most people thought it unlikely that an auto or boat dealership would want to locate in any of the annexation's commercial areas. Some people thought that they should be allowed for the revenue generating benefit to the City.*

3. Height of detached accessory dwelling units (know as mother in law apartments)

- City limits the height of detached dwelling units (typically built above a detached garage) to 25 feet in height.
- County allows structures containing the units to be the same height as the primary house at 35'.

Response:

- *20 people voted to allow detached ADUs to be same height as primary home (County regulation).*
- *10 people voted for 25' height limit (City regulation).*

4. Size of vehicles parked in residential zones

- City prohibits RVs, trucks and boats greater than 9' high and 22' in length parked for more than 48 hours (may go to 24 hours with current code amendments).
- County does not limit the parking of RV's, trucks and boats

Response:

- *19 people voted to not apply the regulation to the annexation area.*
- *11 people voted to apply it but to simplify the City review process and reduce application fee that allows vehicles to be parked on site if screened.*
- *Some who voted to not apply were concerned that people would vote against annexation if the regulation is applied, but they would not object to applying the regulation.*
- *One idea is to allow those vehicles that are parked on site as of the date of annexation to remain if they are registered with the City within 6 months after annexation, but all new vehicles after annexation must meet the City's regulations.*

B. Zoning Issues with a Majority Vote

1. Size of homes compared to size of lot (floor area ratio)

- City limits square footage of house to 50% of the size of the lot
- County does not limit the size of a house

Response:

- *23 people voted to apply Floor Area Ratio (City regulation).*
- *8 people voted not to apply the regulation to annexation area.*
- *Some who voted no want to consider the regulation in the future.*

2. Juanita Business District

- County does not allow hotels and self storage uses
- City does allow them in most commercial areas

Response:

- *21 people voted to allow both uses.*
- *9 people voted not to allow the uses (the no votes where all from one Finn Hill neighborhood group and not from the Juanita/Kingsgate group).*

3. Garage setback from main house

- City requires garages to be setback 5 feet from main house if garage exceeds 50% of front façade. With this provision, garages would have to be setback 25 feet from street if the main house is setback 20 feet from street.
- County requires that garages be setback 20 feet from the street, but the main house can be as close as 10 feet from the street.

Response:

- *20 people voted to not apply the City's regulation to the annexation area.*
- *10 people voted to apply the regulation to the area.*
- *Some of those who voted not to apply the regulation were interested in considering the regulation in the future.*

4. Tree removal on lot with existing home

- County allows any tree to be removed on the property, unless the trees are in a greenbelt, wetland/stream area or steep hillside.
- City allows up to 2 significant trees per year to be removed, but none in greenbelt or wetland/stream area. May not remove any trees if it would result in fewer than 2 trees remaining on the property or need to plant 2 new trees.
- For both the County and City, all hazardous and nuisance trees can be removed outside of greenbelts, wetland, stream and steep hillside areas. Within these sensitive areas, hazardous trees can be cut as snags or in some cases removed.

Response:

- *21 people had no concerns about the City's tree removal regulations for existing homes.*
- *9 people (all from the Kingsgate/Juanita area) did not want to be limited on the number of trees per year that they could remove and did not want to apply for the required tree removal permit (even though no charge for the permit) to remove trees.*

C. Zoning Issues with a Consensus Vote

1. Townhouses and apartments permitted in single family neighborhoods

- County allows them
- City does not allow them

Response: 32 people voted to not allow townhouses and apartments outright in single family zones (City regulation).

2. Commercial uses permitted in single family neighborhoods

- County allows certain commercial uses (grocery stores, restaurants and office businesses) in residential zones, although none exist in area
- City does not allow them

Response:

- *31 people voted to not allow the uses in single family zones (City regulation)*
- *1 person voted to allow the uses.*

3. Rear yard setback

- County requires at least 5'
- City requires at least 10'

Response:

- *31 people voted for 10' rear yard setback (City regulation).*
- *1 person voted that either way is fine.*

4. Lot coverage

- County allows home, driveway, patio & other paved areas to cover 55% in the R-4 zone, 70% in the R-6 zone and 75% in the R-8 zone
- City allows 50% of lot to be covered

Response:

- *26 people voted for 55%.*
- *4 voted for 50%*
- *1 person voted for a graduated rate with R-4 at 55%, R-6 at 60% and R-8 at 65%.*
- *Some who voted for 55% would be open to 50%, but not sure if too restrictive.*

5. Residential density

- Since 1995, County uses **units per acre standard** that includes roadway, wetlands, streams and associated buffer areas. Example would be R-6 at 6 units per acre which is the most common zone. Minimum lot size is **2500 square feet**. Generally results in smaller lots than in the City.
- City uses **minimum lot size standard only**. In many cases, roads are **not** included in the lot size. Wetland and stream areas **are not** included in the lot size. A portion of the buffer area is included. The minimum lot size standard varies by zoning area with a range for single family from 5000 square feet to 35000 square feet with the most common at 7200 and 8500 square feet.

Option 1: Adopt the current County standard of **units per acre** with a **minimum lot size of 2500 square feet**. Include road area in the density

calculation, but use the City’s regulations of only including a portion of the associated buffers in the density calculations and not the wetland and stream areas. This option can result in very small lots.

Option 2: Same as Option 1, but establish a **minimum lot size of 70% of the County zone** (see table below) rather than the existing 2500 square foot minimum lot size (70% reflects the worse case situations for several past subdivisions in Kirkland in which up to 70% of the land area was developable after 30% of the land area was needed for road dedication).

County Zone	Equivalent Lot Size	70% of County Zone
R-4	10890 sq ft	7623 sq ft
R-6	7260 sq ft	5082 sq ft
R-8	5445 sq ft	3812 sq ft

Option 3: Adopt the City’s approach of a **minimum lot size standard** for each zone **at (X%) of equivalent County zone** to account for not including road area in the minimum lot size. Use either at 90% or 85% of equivalent lot size (see table below). This option results in winners and losers for subdivision applicants – those with no road dedication or easement area excluded from the lot areas will gain extra lots and those with road dedication or easement area excluded from the lot areas will lose lots.

County Zone	Equivalent Lot Size	Minimum lot size at 90% of equivalent lot size	Minimum lot size at 85% of equivalent Lot size
R-4	10,890 square feet	9,800 square feet	9,250 square feet
R-6	7,260 square feet	6,500 square feet	6,100 square feet
R-8	5,445 square feet	5,000 square feet	4,600 square feet

Response:

- 27 people voted for Option 2 (County’s units per acres, but have minimum lot size at 70% of County zone).
- 4 people voted for Option 3 (City’s minimum lot size standard only).
- Some who voted for Option 2 were concerned about having different density systems in Kirkland. (However, the County wants no change to the R-1 zone which has been designated as an Urban Separator so the City will have at least one zone using the County density system).
- Those voting for Option 3 wanted their neighbors to have the same comparable lot size as they have.

6. Signs

- County allows 15’ -20’ high pole signs and bill boards
- City allows 12’ high monument signs that have a base and does not allow billboards

Response: No one had concerns about the City’s sign regulations.

7. Home occupations

- County limits number of non resident employees to 1 person and customers must come by appointment
- City limits number of non residents employees to 2 people and 6 customers per day with no more than 2 at a time
- For both County and City, no exterior activity

Response: No one had concerns about the City's home occupation regulations.

8. Tree removal on lot with new home or major addition to home

- County requires 10 significant trees or 5% of all trees to be saved, whichever is greater, excluding critical areas. Some trees can be counted as 2 tree credits if certain size and quality of tree are met.
- City requires significant trees in front, side and rear setback yards are kept, excluding diseased or hazardous trees. Also, a minimum tree density of 30 tree credits per acre must be provided on site. The number of tree credits assigned to each tree depends on the diameter of the tree. In most cases, tree density is met with existing trees on the site. If not, maybe one or two trees need to be planted on the property.

Response: No one had concerns about the City's tree removal regulations for new homes.

9. Holmes Point Disturbance and Significant Tree Retention Ordinance

- County has special ordinance for Holmes Point that limits grading, tree removal and lot coverage (impervious area). However, the Ordinance does not require a minimum tree density on each lot as the City does and the City's has a slightly lower threshold of what is considered a significant tree and thus must be retained.
- Staff recommends incorporating the Holmes Point Ordinance into the City's tree management regulations, but also applying the City's regulations for minimum tree density and size of significant tree to the Holmes Point area.

Response: No one had concerns about applying the City's tree management regulations to the Holmes Point area. (Note that only 2 people from Holmes Point attended the workshop).

10. Wetland, Stream and Associated Buffers

- County and the City use different rating systems, buffer standards for wetland and stream areas and buffer reduction with mitigation
- County's required buffer widths are generally greater than the City's standards because County's standards reflect a wider range of wetland and stream area types covering both urban and rural environments

Below is a table showing the range of buffer widths:

Jurisdiction	Wetland Buffer Widths	Stream Buffer Widths
City	25' – 100'	25' – 75' (no regulations for lakes at this time)
County	50' – 200'	25' – 165' (includes lakes)

Response: No one had concerns about the City's regulations for wetlands and streams.

Upcoming Future Meetings on Annexation

On **Wednesday January 2, 2008 starting at 6pm**, the Kirkland City Council will hold a study session on the zoning issues. The meeting will be held in the Peter Kirk Room (south entrance of City Hall). The public may attend, but no public comment may be provided.

On **Tuesday January 15, 2008 starting at 7:30pm**, the City Council may make a “Go or No Go” vote as to whether to move forward with Phase III of annexation (potentially place the annexation on a future election ballot). The meeting will be held in the Council Chambers (north entrance of City Hall) and the public may speak at the beginning of the meeting under “Comments from the Audience” section of the agenda.

For questions about the zoning issues, workshop responses or the upcoming meetings, please contact **Teresa Swan** in the Kirkland Planning Department, (425)587-3258 or at tswan@ci.kirkland.wa.us.

Thank you to all participants for attending the workshops.