
CITY OF KIRKLAND

CITY COUNCIL



Joan McBride, Mayor • Doreen Marchione, Deputy Mayor • Dave Asher • Toby Nixon
• Bob Sternoff • Penny Sweet • Amy Walen • Kurt Triplett, City Manager

Vision Statement

*Kirkland is an attractive, vibrant, and inviting place to live, work and visit.
Our lakefront community is a destination for residents, employees and visitors.
Kirkland is a community with a small-town feel, retaining its sense of history,
while adjusting gracefully to changes in the twenty-first century.*

2013 CITY COUNCIL RETREAT Friday, February 8, 2013 9:00 a.m. – 5:00 p.m.

Kirkland City Hall - Peter Kirk Room
123 5th Avenue
Kirkland, Washington

AGENDA

- | | |
|---|--------------------|
| 1. Call to Order | 9:00 a.m. |
| 2. Roll Call | |
| 3. Comprehensive Plan Update 101 | 9:00 – 10:15 a.m. |
| 4. Break | 10:15 – 10:30 a.m. |
| 5. Comprehensive Plan Update 101 (continued)
and Neighborhood Planning | 10:30 – 12:00 |
| 6. Lunch | 12:00 – 1:00 p.m. |
| 7. Kirkland 2013 Outreach Efforts | 1:00 – 2:00 p.m. |
| 8. Kirkland Draft Public Disclosure Ordinance | 2:00 – 3:15 p.m. |
| 9. Break | 3:15 – 3:30 p.m. |
| 10. Discussion on Topics of Interest to the Council | 3:30 – 5:00 p.m. |
| 11. Adjournment | 5:00 p.m. |

Times provided are our best estimate.
The order of items is subject to change during the Retreat.



CITY OF KIRKLAND
Planning and Community Development Department
123 Fifth Avenue, Kirkland, WA 98033 425.587.3225
www.kirklandwa.gov

MEMORANDUM

Date: January 29, 2013

To: Kurt Triplett, City Manager

From: Paul Stewart, Deputy Planning Director
Eric Shields, Planning Director

Subject: Council Retreat Discussion – GMA Comprehensive Plan Update

Recommendation

City Council reviews the proposed approach to the 2013-2014 Comprehensive Plan and update and memo on Neighborhood Planning Process and provides direction as appropriate.

Attached are two packets. The first one addresses the steps and approach to the Comprehensive Plan update. The second is a memo from Marilynne Beard, Deputy City Manager and Paul Stewart, Deputy Planning Director that discusses the neighborhood planning process.

Background

The City is about to embark on a two-year effort to review and update its adopted Comprehensive Plan. The City annually updates portions of the plan, with the last major update in 2005 along with a full Environmental Impact Statement. While the 2013-2014 plan update is required by the Growth Management Act, it is also an opportunity to look ahead to the next twenty years and consider the kind of community Kirkland wants to become. In addition, the update provides the City a path to incorporate the newly annexed areas into the general elements of the plan.

Attached is a background paper that sets the stage for the update and lays out the general approach. It is organized under five main topics:

- Why are we doing this?
- Growth Management Act Framework
- How do we do this?
- What do we need to do?
- Community outreach and engagement.

Included in the packet is a Comprehensive Plan Update general work program and schedule (Attachment 5). As the Council reviews the materials, questions the Council may want to discuss at the retreat include:

- Are we on the right track?
- Do we have the appropriate “check-in” points with the Council?
- Are there other major issues that should be studied and considered?
- Is there an overarching theme or touch point that captures the direction of the plan update? For example, the theme for the currently adopted Comprehensive Plan is “*Charting a Future Course.*”

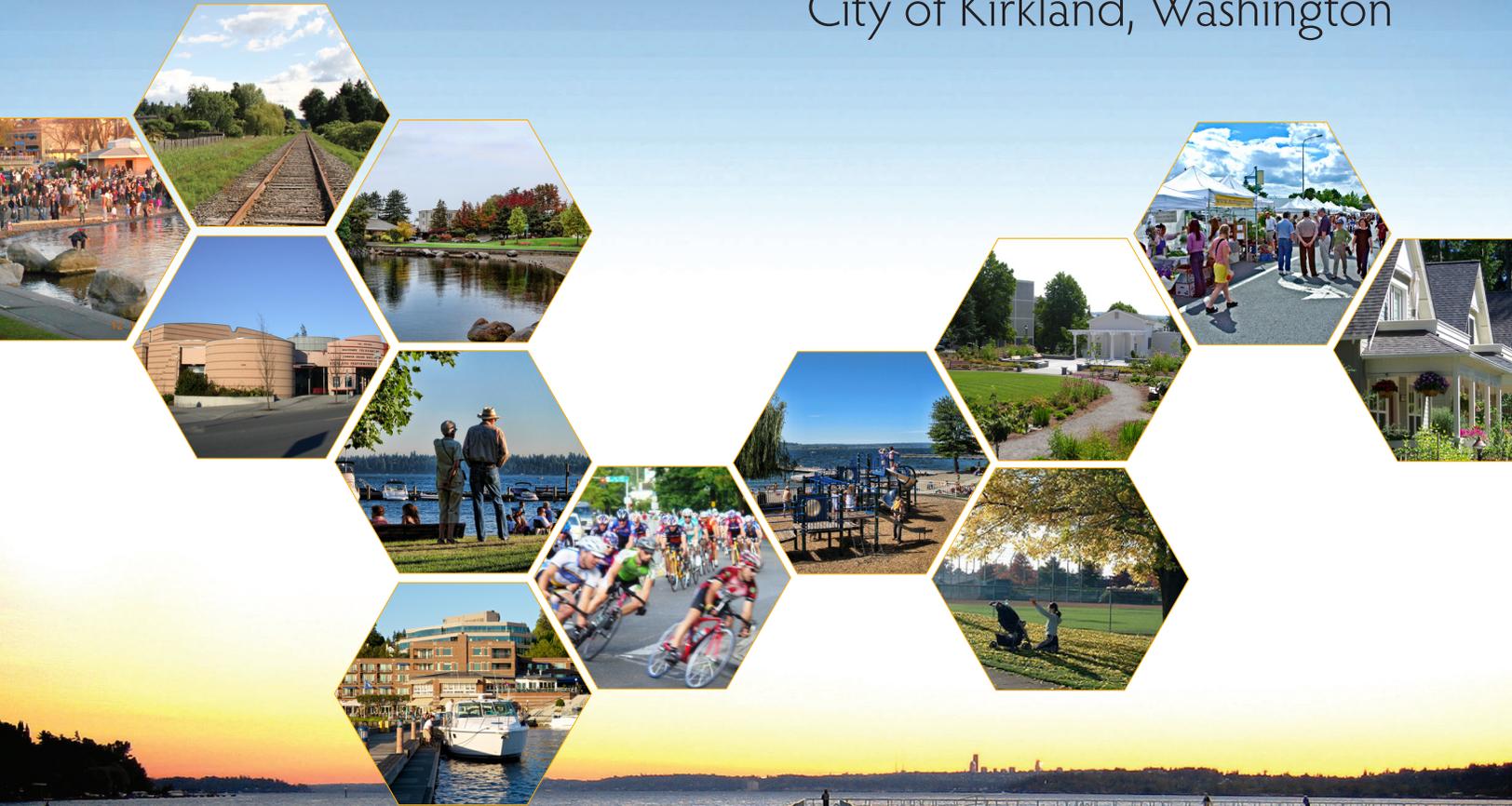
Following the Council retreat, staff will form an interdepartmental team and prepare a more detailed scope of work along with an extensive public outreach program. These will be reviewed by the Planning Commission and City Council. The Planning Commission will be the lead advisory committee for this effort but it will be working closely with the Transportation Commission and the Park Board as well as the Houghton Community Council.

2013-2014



COMPREHENSIVE PLAN UPDATE

City of Kirkland, Washington



January 2013



The future belongs to those who believe in the beauty of their dreams.

- Eleanor Roosevelt

If you want to know your future, look at what you are doing in this moment.

- Proverb

The future ain't what it used to be.

- Yogi Berra



Why Are We Doing This?

"...all of us know that quality of life is not guaranteed. We maintain it through the hard work of our citizens, our businesses, and our state and local officials who make the tough decisions every day to ensure that we have a healthy natural environment, a strong sustainable economy, competitive, high-performing schools and safe and high-quality communities for all of us to enjoy.

Comprehensive Plans give expression to the values and priorities of our communities. These plans provide a 20-to-50-year vision – our roadmap for how our communities want to look and to function."

-Governor Chris Gregoire announcing Smart Communities Awards, 2007

Introduction

In 1913, Kirkland had a population of about 800 people. A hundred years later due largely to annexation the City now stands at 81,000 and is the twelfth largest city in the State of Washington. Over the next 20 years we are expected to have about 13,000 new residents with a total population of around 94,000 people.

Kirkland has a continuous history of planning for its future. The first Comprehensive Plan was adopted in 1963 and rewritten in 1977 (The Land Use Policies Plan). In 1990 and 1991, the state legislature adopted the Growth Management Act (GMA). As a result, Kirkland overhauled its Comprehensive Plan in 1995 (Charting a Future Course) to comply with the GMA. The 1995 Plan has been the foundation for our planning efforts over the past eighteen years. The City consistently updates its Comprehensive Plan annually and undertook major revisions in 2005 per the GMA. In 2008, Kirkland was awarded a *Governor's Smart Communities Award* for Implementation of the Comprehensive Plan.

The Comprehensive Plan is the framework for how we grow and provide the necessary facilities and services to direct and manage growth. More importantly it is a statement of the kind of community we want to become and believe we can achieve. It is embodied in our Vision Statement – a verbal snapshot of our desired character over the next twenty years.



COMPREHENSIVE PLAN VISION FOR KIRKLAND

Kirkland in 2022 is an attractive, vibrant, and inviting place to live, work and visit. Our lakefront community, with its long shoreline, provides views and access to the lake and is a destination place for residents and visitors. Kirkland is a community with a small town feel, retaining its sense of history while adjusting gracefully to changes in the twenty-first century...Kirkland in 2022 is a delightful place to call home.

The City of Kirkland is initiating work on its Comprehensive Plan update per the State's Growth Management Act. The update is an opportunity to look ahead to the next twenty years and shape the kind of community we want to become based on the foundation of the community we are today.

In one sense, the plan update gives us a chance to "check in" with the community to see if we are on the right track. At the same time, we can question our assumptions and see if there are any changes in direction we would prefer to pursue.

There are some broad issues and policy questions that the community should consider during the plan update process. Questions we will likely explore with this update include:

- What is our future community character and our vision?
- Where should new growth occur and how do we plan to accommodate it?
- What is the role of our business districts – particularly the Totem Lake Urban Center? What are our economic development strategies?
- What is our urban form (development pattern, design elements, mixed use)?
- What kind of innovative development and design standards should we embrace?
- How do we provide for a variety of housing – both market rate and affordable housing - to serve a growing and diverse population?
- What does it mean to be a sustainable community and how do we protect and enhance our natural environment?
- What is our approach to transportation – how do we create a multimodal system that complements our land use plan?
- What public services and capital facilities projects do we need to support growth and how do we pay for them? How do we maintain financial sustainability?
- How do we incorporate the annexation areas into the general Comprehensive Plan elements and what is the role of and approach to neighborhood plans?

This paper lays out a general approach to the Comprehensive Plan update. It is organized under four main topics:

- *What is the GMA Framework?*
- *How do we do this?*
- *What do we need to do?*
- *What is our approach to public outreach, education and community engagement?*

The last part of this paper notes next steps on where we go from here. A more detailed work program and schedule will be developed following the Council retreat. The Comprehensive Plan work program and public involvement plan will be brought to the Planning Commission and City Council for review and direction. Completion of the Comprehensive Plan update is noted on the Biennial City Work Program as proposed by the City Manager and approved by the City Council.

Note: Within this document several other documents and resource materials are highlighted as hyperlinks.

Objectives for the Update Process

State statute requires King County and all its cities to complete their update no later than June 30, 2015. For Kirkland, our target date is to complete the plan by the end of 2014. Staff has identified the following assumptions and objectives to guide the process to update the plan over the next two year period.

- Complete the updated plan by December, 2014
- Meet the requirements of the Growth Management Act and recently adopted rewrite of the Countywide Planning Policies.
- Use the current plan as the foundation for the plan update – this is not intended to be a complete re-write of the current plan.
- Have broad and continuous public involvement for all interested stakeholders
- Explore innovative planning principles (e.g. Smart Growth techniques such as mixed use, sustainable communities, walkability, and compact development)

Growth Management Act

GMA Framework

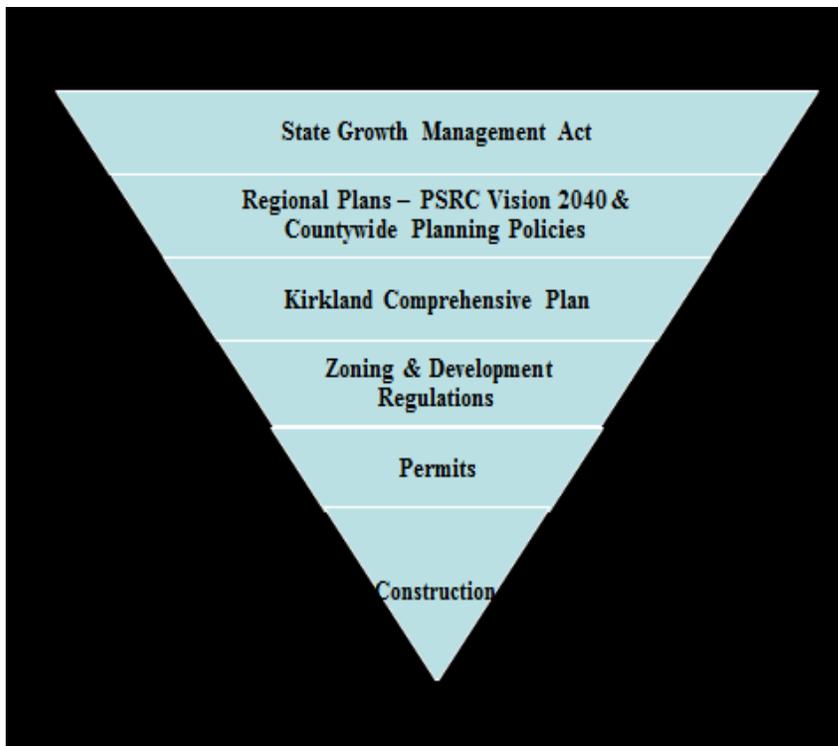
The GMA requires counties and cities to periodically conduct a thorough review of their plans and regulations to bring them up to date with any relevant changes in the statutes and to respond to changes in land use, employment and population growth. Attachment 1 is a concise "Guide to the Periodic Update Process under GMA" issued by the State Department of Commerce. The guide is short explanation on how to go

through the steps to undertake the update process. The Department of Commerce has also issued a Comprehensive Plan Checklist (see Attachment 2). The checklist is a technical assistance tool to help jurisdictions determine if they are meeting the GMA requirements. In addition, the Department of Commerce has put together a sample work program showing a typical schedule of tasks associated with a review and update of a GMA comprehensive plan and development regulations (see Attachment 3).

The Growth Management Act ([generally RCW 36.70a](#)) was enacted in response to problems associated with uncoordinated and unplanned growth and a lack of common goals in the conservation and the wise use of our lands. The problems included increased traffic congestion, pollution, school overcrowding, urban sprawl, and the loss of rural lands. The GMA contains [13 goals](#) that communities must strive to attain.

One of the main tenets of the act is to direct growth to urban areas – primarily cities – since they are the most cost effective and efficient provider of services, utilities and facilities. In addition, by accommodating growth in urban areas, lands in agricultural, forest and rural areas can be protected from sprawl and unplanned development.

While the GMA directs growth to urban areas, it also requires cities to plan for and fund the necessary public services and facilities to support growth by setting the appropriate level of service standards. These services typically include public sewer, water, transportation, stormwater, police, fire, schools and parks.



The GMA sets up a framework for planning from broad planning goals and requirements down at the state, regional and county level to development projects at the local level.

Figure 1

Regional and Countywide Planning Policies

While the GMA sets forth the broad planning principles, the regional plans (PSRC Vision 2040 and King County Countywide Planning Policies) establish a more defined tier of planning guidance. Kirkland must plan and must be consistent with these regional goals and policies.

The Regional Growth Strategy in [VISION 2040](#) was prepared under the auspices of the Puget Sound Regional Council (PSRC). Vision 2040 forecasts an additional 1,712,000 people in the four county central Puget Sound region by 2040 and distributes the growth to a hierarchy of places throughout the region. The different types of places are planned to accommodate growth depending on their particular characteristics and the role they play in the region. This chart shows the amount of growth by number and percent envisioned for each regional geography.

Growth: 2000–2040		
Regional Geography (number of places)	People	Percent
Metropolitan Cities (5): Bellevue, Bremerton, Everett, Seattle, Tacoma	550,000	32%
Core Cities & Silverdale (14): Auburn, Bothell, Burien, Federal Way, Kent, Kirkland , Lakewood, Lynnwood, Puyallup, Redmond, Renton, SeaTac, Silverdale, Tukwila	369,000	22%
Large Cities (18): Arlington, Bainbridge Island, Des Moines, Edmonds, Fife, Issaquah, Kenmore, Maple Valley, Marysville, Mercer Island, Mill Creek, Monroe, Mountlake Terrace, Mukilteo, Sammamish, Shoreline, University Place, Woodinville	240,000	14%
Small Cities (46): Algona, Beaux Arts, Black Diamond, Bonney Lake, Brier, Buckley, Carbonado, Carnation, Clyde Hill, Covington, Darrington, DuPont, Duvall, Eatonville, Edgewood, Enumclaw, Fircrest, Gig Harbor, Gold Bar, Granite Falls, Hunts Point, Index, Lake Forest Park, Lake Stevens, Medina, Milton, Newcastle, Normandy Park, North Bend, Orting, Pacific, Port Orchard, Poulsbo, Roy, Ruston, Skykomish, Snohomish, Snoqualmie, South Prairie, Stanwood, Sultan, Steilacoom, Sumner, Wilkeson, Woodway, Yarrow Point	136,000	8%
Unincorporated Urban Area (assumed to be annexed over time)	302,000	18%
Rural Area	115,000	7%
Total Increase	1,712,000	100%

Figure 2

The Regional Growth Strategy focuses the majority of the region's employment and housing growth into metropolitan and core cities, which together contain more than two dozen designated regional growth centers.

Kirkland is a designated core city as shown in Figure 3 and thus is expected to accommodate a significant share of new growth. Generally speaking, the 5 regional metropolitan centers (Seattle, Bellevue, Tacoma, etc.) are expected to accommodate the largest share of regional growth. Kirkland – a core city – is in the second tier along with cities like Bothell, Lynnwood and Redmond. These core cities are anticipated to accommodate 22% of the 2040 population growth.

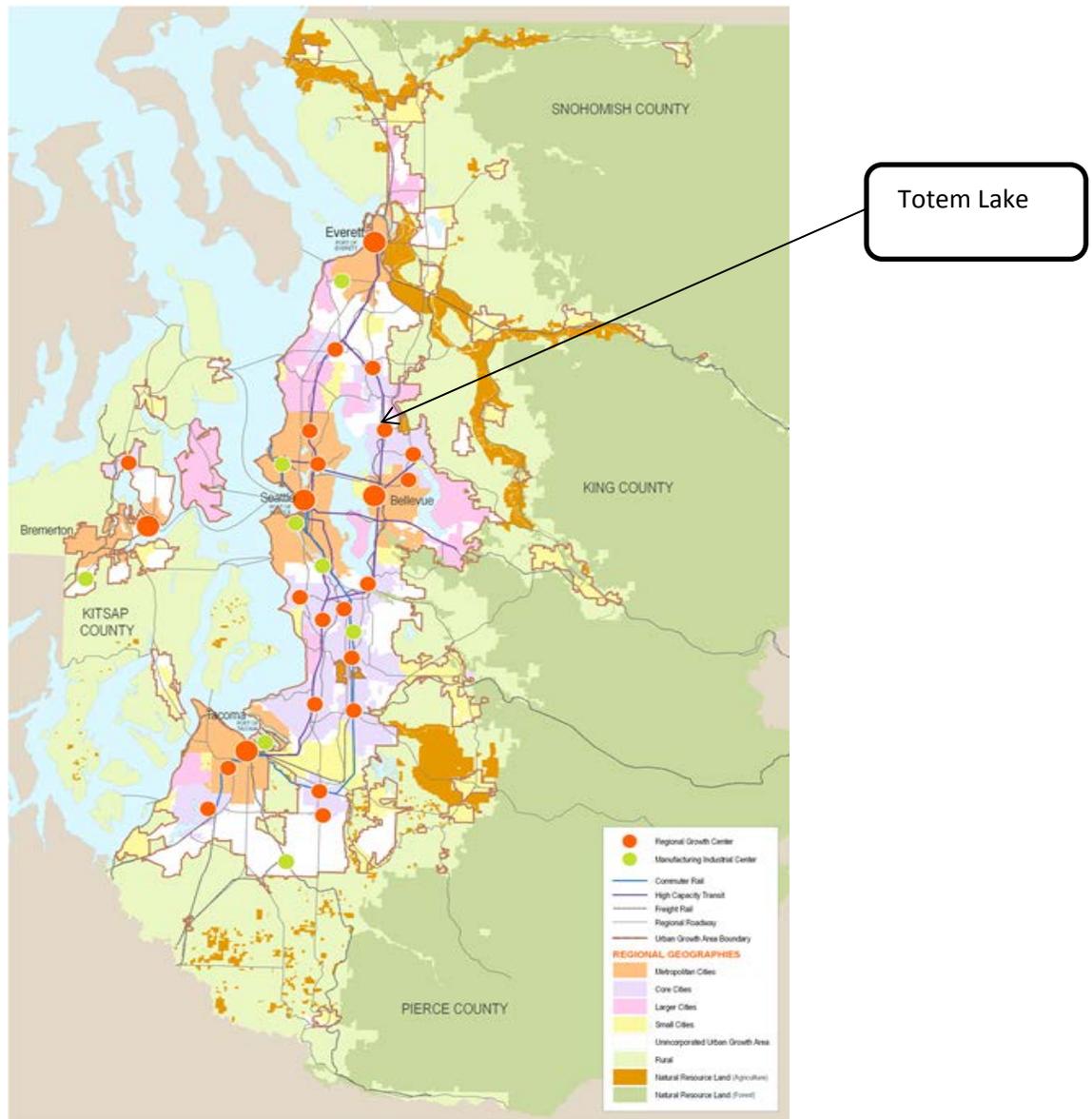


Figure 3

The [Countywide Planning Policies \(CPP's\)](#) are adopted by the King County Council and ratified by cities through an agreed-upon formula. Ratification of the 2012 revised CPP's is scheduled on the City Council's February 19, 2013 agenda. In King County, an interlocal agreement establishes a collaborative process for developing the CPPs, including the formation of a planning body, called the Growth Management Planning Council (GMPC), made up of elected officials from King County and cities. The CPP's provide county level guidance for local comprehensive plans each of which must be consistent with the CPP's. For example the recent update to the CPP's address climate change and healthy communities. Kirkland will need to review our Comprehensive Plan to ensure that these issues are addressed during the plan update process.

Of particular interest are the **growth targets** established through the CPP's. In accordance with the State Growth Management Act (RCW 36.70A.110), the State Office of Financial Management (OFM) provides a population projection to each county. In turn, the CPP's allocate the population as housing growth targets to individual jurisdictions. The King County CPP's also allocate employment growth targets. The allocations determined through this process are to be guided by existing relevant policies at the regional, countywide, and local levels. Forecasts prepared by the Puget Sound Regional Council assist in establishing the countywide employment targets.

Growth targets are adopted in the CPP's and are the minimum amount of growth that local governments must plan for over a 20-year planning horizon. The growth targets for King County and the cities including Kirkland are noted on Attachment 4.

The housing and employment capacity in the Urban Growth Area (UGA) based on adopted plans and regulations should be sufficient to accommodate the projected 20-year forecasted growth. According to the CPP's "*growth is to be accommodated within urban areas by increasing densities as needed.*" Phasing should occur within the UGA, as necessary, to ensure that services are provided as growth occurs.

Between 2006 and 2031, Kirkland is expected to accommodate **8,570 new housing units** and **20,850 new jobs**. Between 2006 and 2031 that averages out to about 343 housing units per year and 832 jobs per year. For comparison purposes, from 2006 through 2011 the city gained about 1,500 units for the six year period or around 250 units per year.

The City should have sufficient land capacity in the land use plan and zoning to accommodate these targets. In addition, the City needs to plan for this growth with adequate public facilities and funding to support this expected level of development.

A methodology to calculate Kirkland's overall land capacity has been developed with assistance from the City's GIS division. An analysis is currently underway to determine if we currently have enough capacity through existing zoning to accommodate the household and employment targets. If the analysis shows that we need additional capacity then the Comprehensive Plan update will need to address where and how we plan for the anticipated growth. Figure 4 shows the steps to determine if there is sufficient capacity in the land use plan for growth.

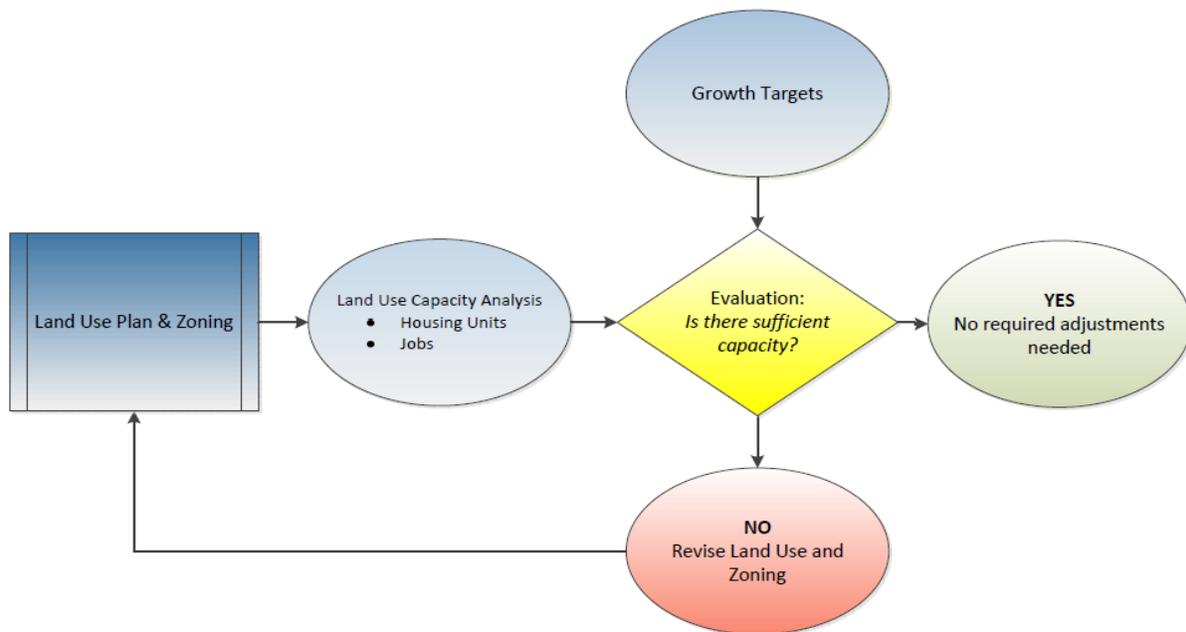


Figure 4

Kirkland's Comprehensive Plan and the Kirkland Community

Since the last major update in 2005, the City has undergone a major annexation adding an additional 31,000 people. Our geographic area is now around 18 square miles. We also have a new planning horizon year to plan for – year 2032.

Even though GMA establishes the basic planning framework, the more important question is deciding the kind of community we want to become. The Comprehensive Plan update is not just an exercise to meet GMA - it is the community's opportunity to once again look ahead and shape our future as a unique and special place where a high quality of life is enjoyed.



“Kirkland in 2012 is an attractive, vibrant and inviting place in which to live and work.” (1995 Comprehensive Plan)

As we look back to 1995 we can see many of the successes and changes that have occurred. Juanita Village and the downtown have emerged as compact, mixed use and walkable communities. Residential neighborhoods are stable and have become one of the most highly desired areas to live in the region. Our parks and open spaces are the jewels of the City and the envy of many communities. New transit hubs have been located in downtown Kirkland and Totem Lake and the soon-to-be developed South Kirkland Park and Ride. The Cross Kirkland Corridor trail will be a reality. The City still has many challenges – Totem Lake revitalization, economic development, affordable housing, and transportation to name a few. However, through a variety of efforts the City continues to plan for its future by taking actions in the present.

Looking ahead 20 years is both challenging and intriguing. Former baseball player and manager Casey Stengel once said: “Never make predictions, especially about the future.” Yet the very nature of planning is to envision a future and strive to attain it. Looking back twenty year can be revealing. The use of the internet, e-mail and cell phones was just emerging. No one had heard of Google, Facebook or Twitter.

What will change over the next 20-50 years? Our population is aging and people will be living longer – perhaps to 125 or more. What does this mean for housing and services? There are over 100 languages currently spoken in King County. How do we respond to an increasingly diverse and international community? 2012 was the warmest year on record. How will climate change affect flooding in Totem Lake?

How “intelligent” will our transportation system be? How “smart” will our phones and cars be? Will houses actually produce all of their own energy? Will new construction

have individual built-in water and sewer systems thus not needing centralized utilities? Will we be doing permitting and planning using 3D and holographic images? How will social media evolve and influence our public outreach efforts – virtual reality town hall meetings?

Certainly the Comprehensive Plan will not answer or even address some of these trends – but it does give pause for thought. What is the future of Kirkland? What we *can* do is determine the kind of community we want to be and what steps we need to take over the next few years. Planning by its very nature is an ongoing evaluation and adjustment.

How Do We Do This?

Work Program (Attachment 5)

Attachment 5 outlines the general steps and phasing that will form the basis of a more detailed work program and timeline. This work program will show the tasks, key decision points and the schedule. The schedule anticipates a two-year time frame with completion of the update by December 2014.

This effort will require participation by and coordination with a number of key City departments. An interdepartmental team will be formed to guide the process with Planning as the overall lead and project manager.

Department	Key Issues & Involvement
Planning	Overall lead and project management Land use, housing, natural environment, capital facilities, SEPA, public outreach.
City Manager's Office	City policy, economic development, public involvement.
Public Works	Transportation, Capital Facilities, level of service standards, sewer and water, stormwater, solid waste.
Finance & Administration	Capital Facilities, utilities.
Parks & Comm. Services	Parks, recreation & open space, Capital Facilities, level of service, human services.

Department	Key Issues & Involvement
Information Technology	GIS mapping and data. Public outreach informational materials and graphics.
Fire & Building, Police	Public services.
City Attorney's Office	Legal requirements.

Roles and Responsibilities

The City Council sets the overall direction for the update and adopts the final plan. As an appointed citizen advisory body by the City Council, the Planning Commission will be the lead Commission responsible for guiding the process and ultimately making a recommendation to the City Council on the revised Comprehensive Plan. At key points in the process, it is recommended that the Planning Commission do a "check-in" with the City Council to update the Council on their progress and get direction on major policy issues.

The Houghton Community Council works in concert with the Planning Commission and often participates in joint meetings, workshops and hearings. They can also make recommendations to the Planning Commission and City Council and can potentially assert disapproval jurisdiction within the jurisdiction for those issues not mandated by statute.

Two other advisory boards play a critical role in this process: the Transportation Commission and the Park Board. Both groups will be involved in the drafting and review of several chapters of the Comprehensive Plan. In particular the Transportation Commission will take the lead preparing the **Transportation Master Plan** that will form the basis of the Transportation Element of the Comprehensive Plan. Since land use and transportation are inherently linked, both the Planning Commission and Transportation Commission will need to work closely together to ensure that the network of transportation facilities and projects support the land use at the appropriate level of service. In addition, adequate funding needs to be addressed to pay for the projects.

The GMA specifically requires that the Transportation Element be "consistent with and implements the land use element." Consistency means that the transportation plan be sufficient in scope (projects, funding and level of service) to carry out the Land Use Element. The Department of Commerce has published a guide to reviewing and updating the Transportation Element of the Comprehensive Plan titled: "*Your*

Community's Transportation System." The Transportation Plan must support the Land Use Map with adequate transportation facilities. The following diagram illustrates this relationship between land use and transportation.

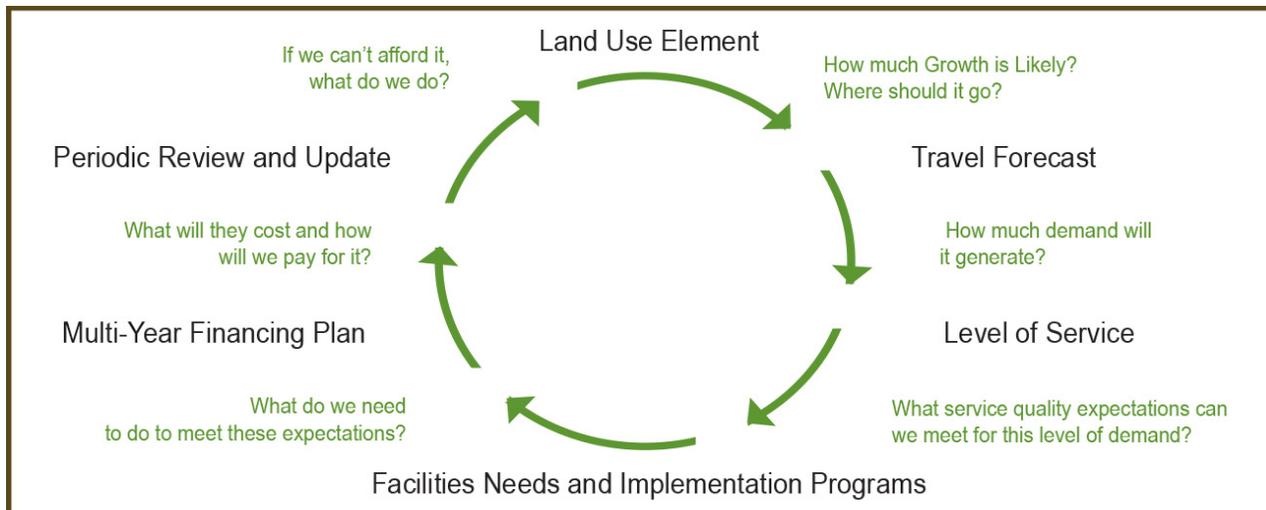


Figure 5

The Planning Commission received a briefing on January 10, 2013 from David Godfrey, the City's Transportation Engineer and Joel Pfundt, Chair of the Transportation Commission on the Transportation Commission's proposed approach to developing a [new level of service standards and a revised concurrency system](#). The presentation mirrored the presentation given to the City Council in November, 2012. This approach will be discussed as part of the updated Transportation Element. Joint meetings between the Planning Commission and Transportation Commission will occur throughout the process. A preliminary outline of the Transportation Master Plan components was reviewed by the Transportation Commission at their January 23 meeting.

Another effort underway is the preparation of the [Cross Kirkland Corridor Master Plan](#). The plan will look at the location of access points, types and locations of amenities, road crossings and other features. Many of the components of the Corridor Plan will be incorporated into the overall Transportation Element.

The [Park Board](#) will be undertaking two focused efforts in 2013-14 that will be integral to the overall Comprehensive Plan update. The first is the **Comprehensive Parks, Recreation and Open Space Plan (PROS)** – that will address the need and demand for park facilities and level of service standards. This process will be the foundation for the Parks, Recreation and Open Space chapter of the citywide Comprehensive Plan.

The second is a targeted plan for Totem Lake Park – a master plan with a design program and schematic design to guide the future redevelopment of the park.

Policy plans (like the PROS Plan) and functional plans (i.e. Cross Kirkland Corridor and Totem Lake Park Master Plan) feed into the overall Comprehensive Plan. Other functional plans like the Sewer and Water Comprehensive Plans also play a key role in the preparation of Comprehensive Plan chapters. The Comprehensive Plan update will take these functional plans into account and ensure that there is a consistent and coordinated approach. The following diagram illustrates the various City planning efforts that will be taken into consideration as part of the 2013-14 Comprehensive Plan Update.

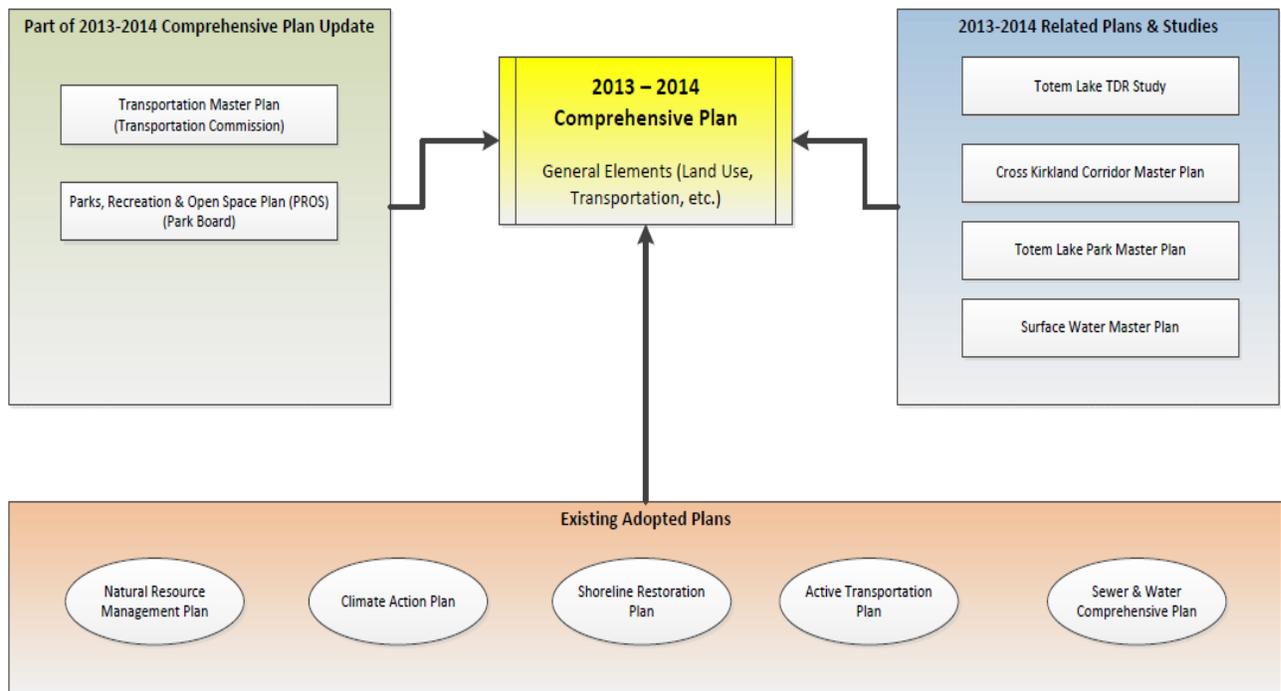


Figure 6

What Do We Need to Do?

Data and Mapping

One of the first steps the City will do is to compile a good data base. In 2005 the City updated its [Community Profile](#). This document is a snapshot of the City focusing on demographic, housing, economic and land use information. By comparing this data over time, Kirkland can see how it has changed and take into consideration possible future trends in population, jobs and housing. The U.S. census and other recognized

sources can provide the most current data. Recent Census Bureau estimates indicate that King County is the nation's 14th most populous county and is larger in population than 14 states. Kirkland ranks 12th in population of cities in the state and 6th in King County. The nation is trending towards urbanization. Already over 80% of the country's population live in urban areas. As noted previously growth will continue to be directed to cities in the Puget Sound region.

Some of the area trends of note include an aging population, smaller family size, more single head of households and more diversity in population. We are seeing reduced vehicle miles of travel and reduced household car ownership. This will influence housing choices and future land use. Another area to look at is our economic base and employment. What is our current employment by sector and what does this mean for future job growth? As an initial step in the plan update process, the City will be preparing a revised "Community Profile" that summarizes this data.

Another important data base is the City's land capacity analysis (noted earlier in the discussion on targets). The GMA requires jurisdictions to prepare comprehensive plans that accommodate growth over a 20-year planning period. As noted above, the Countywide Planning Policies allocate 20-year household and employment targets to each jurisdiction and these targets are intended to be the basis for local plans. To assure that Comprehensive Plans provide adequate capacity for growth, the GMA also requires that jurisdictions track development trends and analyze the zoned land supply and resulting development capacity.

Every five years, King County jurisdictions collaboratively publish a "[Buildable Lands Report](#)" reporting development trends and capacity throughout the County. The report lays out a common reporting methodology for all jurisdictions. The Buildable Lands Report establishes a basic methodology for the Kirkland development capacity analysis to follow. The last report was compiled in 2007 addressing the five year period of 2000 through 2005.

Staff has already begun the land capacity analysis. It will form the initial base data to determine if we currently have sufficient capacity to accommodate our growth targets. If land use changes are needed or desired as a result of the plan update process, the capacity analysis will need to be revised to reflect the changes.

In addition to data collection and analysis, a GIS mapping effort will be helpful to graphically show some important land use characteristics such as:

- Existing land use.
- Housing, population and employment in proximity to transit stations and corridors.
- An inventory of transportation facilities.
- Employment by type.
- Redevelopment potential.
- Environmental constraints.

Another requirement from GMA is a **Housing Needs Assessment**. This assessment must include an inventory and analysis of existing and projected housing needs (including affordable housing) that identifies the number of housing units necessary to provide for projected growth over the 20-year planning period. Once all of these data are compiled, the City can begin to look at trends and factors that could influence policy choices for the Comprehensive Plan.

Comprehensive Plan Elements

The [Comprehensive Plan](#) consists of two main sections: the **general elements** or chapters and individual **subarea plans** (business districts & neighborhood plans). GMA specifies “required” elements – those that must be included in the Comprehensive Plan; and “optional” elements – those that can be included by a jurisdiction if desired. Subarea plans are optional chapters but have been part of Kirkland’s Comprehensive Plan since 1977.

Figure 7 below shows the listing of the required and optional elements (general elements). Six elements are required by the GMA. Along with these six elements, Kirkland has also included elements on Community Character, Economic Development, Natural Environment and Parks, Recreation and Open Space.

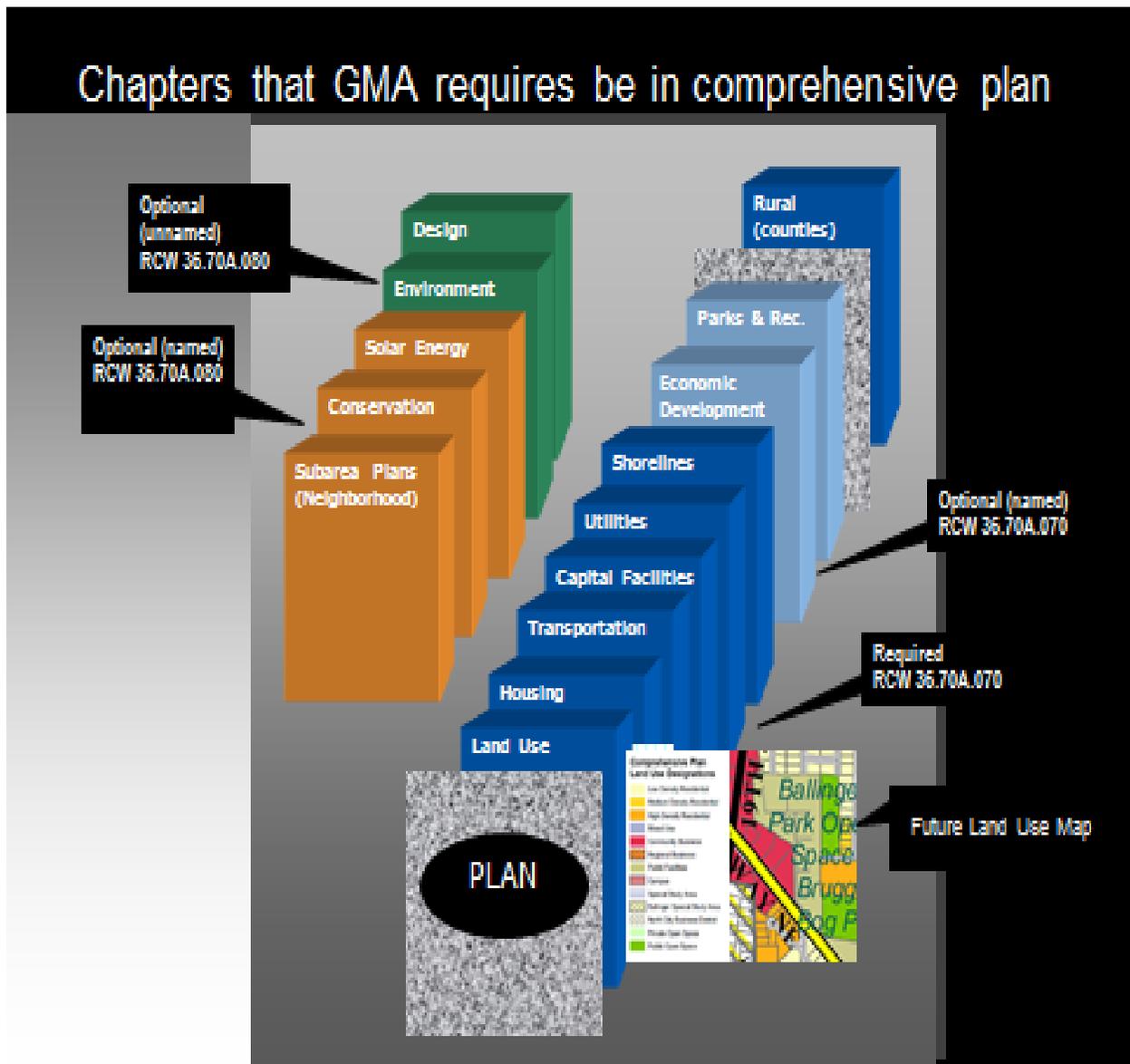


Figure 7

Below is a listing of the Citywide general elements in the City’s Comprehensive Plan. The current format for the plan includes a Vision Statement and Framework Goals. Each element contains its own goal and policy statements along with explanatory narrative providing more background and rationale for the adopted policy framework. Here is a typical example of a goal, policy and narrative in the Community Character Element of the plan:

Goal CC-3: Accommodate change within the Kirkland community and the region in a way that maintains Kirkland's livability and beauty.

Policy CC-3.1: Identify and monitor specific indicators of quality-of-life for Kirkland residents.

Quality-of-life indicators provide information that reflects the status of the City. They include, but are not limited to, housing affordability and availability, public health and safety, parks, historic resources, citizen participation, natural resources, pedestrian and bike friendliness, and schools. By measuring public opinion on changes in the levels of these indicators, the City can determine where support and changes are needed.

The City should develop various community outreach programs such as surveys, cable channel programs and open houses to measure these indicators and work towards evaluating and implementing their results.

An existing adopted goal and policy may be perfectly fine with no need to change. However, as part of the update process, all goals and policies will be reviewed and amended or deleted as appropriate. An important step in the plan update is to conduct a review and scoping of each element to determine the extent of changes needed or desired. A principle assumption is that the current plan is fundamentally sound. However, we would want to scan each element to see if there are opportunities to be more clear and concise and remove any potential inconsistencies.

Incorporating the newly annexed neighborhoods into the appropriate general elements will be necessary to have a complete citywide plan. How we do that will take some thought and discussion. This is particularly important due to increased population, housing and jobs and the need for capital facilities. We will need to update our level of service standards for our capital projects to ensure that we have adequate public facilities and funding to accommodate growth.

Key issues noted below are those high level topics that should be addressed as part of the plan update. The major elements that will require the most attention are Land Use, Transportation and Capital Facilities.

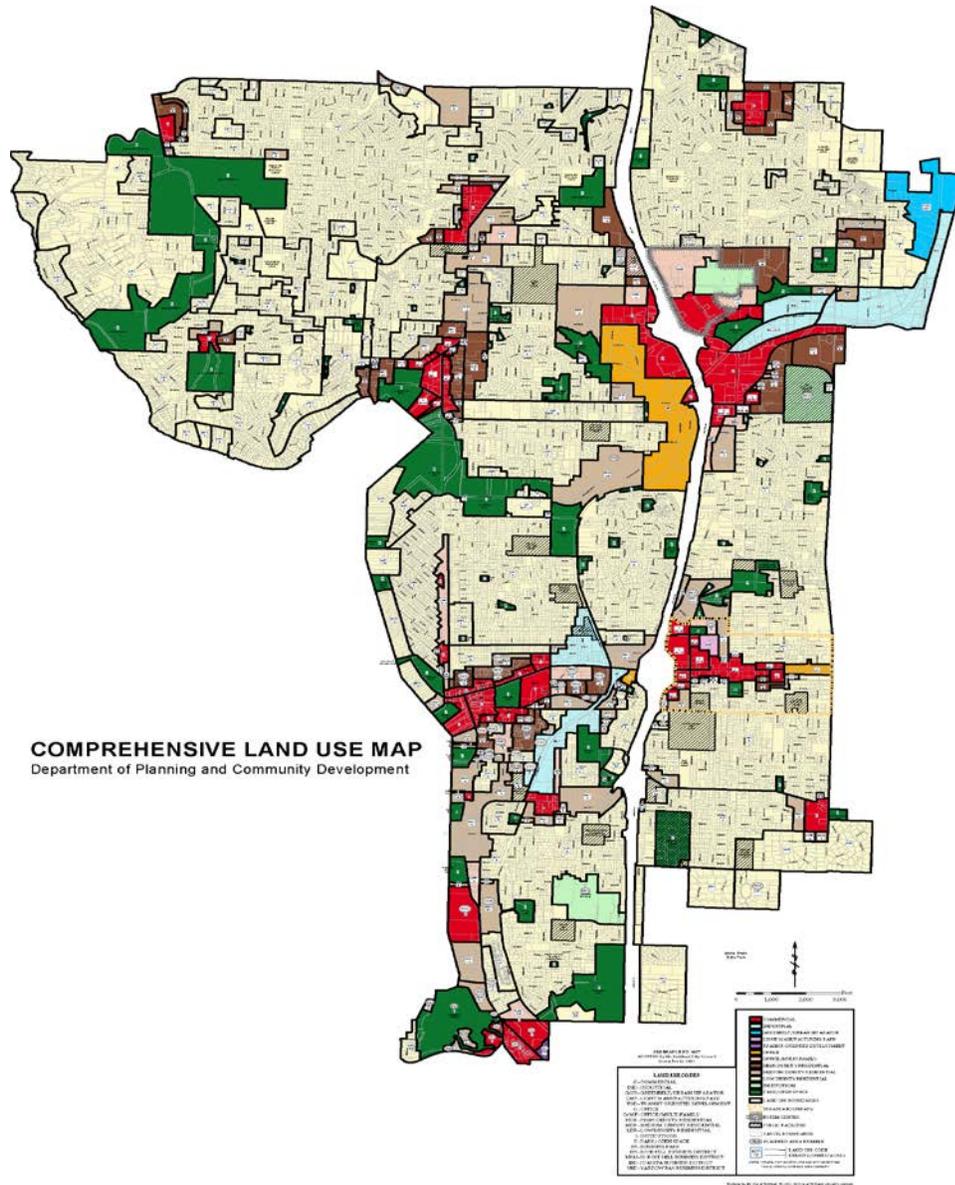
<i>Comprehensive Plan Element</i>	<i>Required or Optional</i>	<i>Key Issues</i>
Citywide Vision Statement and Framework Goals	Optional	<ul style="list-style-type: none"> • Confirm or revise as appropriate.
Community Character	Optional	<ul style="list-style-type: none"> • Confirm or revise as appropriate
Land Use	Required	<ul style="list-style-type: none"> • New planning horizon year – 2032. • New population forecast and housing and employment targets. • Land Capacity analysis. • How and where to distribute growth • Focus on business districts. • Land use and transportation in balance. • Land use supported by capital facilities and adequate public services (funding & level of service standards)
Housing	Required	<ul style="list-style-type: none"> • Housing needs assessment. • Innovative housing approaches. • Affordable housing techniques.
Natural Environment	Optional	<ul style="list-style-type: none"> • Broaden element to address built environment and energy (sustainability). • Address climate change.
Transportation	Required	<ul style="list-style-type: none"> • Update inventory of transportation facilities (network) and forecast demand. • Revise approach to level of service and concurrency. • Update cost estimates and funding levels. • Prepare Transportation Master Plan. • Support Land Use Plan. • Incorporate Cross Kirkland Corridor.
Capital Facilities	Required	<ul style="list-style-type: none"> • Update facilities needs based on new planning period and growth targets. • Review and revise level of service

<i>Comprehensive Plan Element</i>	<i>Required or Optional</i>	<i>Key Issues</i>
		standards as appropriate. <ul style="list-style-type: none"> Update Capital Facilities Plan with appropriate funding levels.
Public Services & Utilities	Required	<ul style="list-style-type: none"> Update inventory of services and facilities. Review and revise level of service standards as appropriate.
Economic Development	Optional	<ul style="list-style-type: none"> How and where to accommodate 20,000 new jobs. Role of business districts. Role of LIT zones. Strategies and techniques.
Parks, Recreation & Open Space	Optional	<ul style="list-style-type: none"> Update facilities needs and level of service standards. Incorporate PROS Plan.
Human Services	Optional	<ul style="list-style-type: none"> Revise as appropriate

It is also important to note that the review and revision of the Comprehensive Plan may result in **Zoning Code amendments or map changes (rezones)**. This is important to ensure consistency of the plan with zoning. If these changes are appropriate, then proposed code and map amendments would be identified and considered along with any revisions to the goals and policies of the general elements.

The City's Comprehensive Plan currently contains **neighborhood and business district plans (also known as sub-area plans)**. As part of the update to the Comprehensive Plan, the role and approach to these sub-area plans will be discussed. Some neighborhood plans have not been updated since the 1980's. While Finn Hill, North Juanita and Kingsgate (Evergreen Hill) have been included in the **citywide Land Use Plan** (See Figure 8) and the general elements apply, there are currently not individual neighborhood plans for these three areas.

A white paper entitled "*Improving Sub Area Plans*" was prepared in 2012 and was reviewed by the Planning Commission and transmitted to the City Council. That paper is attached to the memo in the retreat packet on the Neighborhood Planning Process.



LU-1 Comprehensive Land Use Map

Figure 8

Environmental Impact Statement

When the City did its last GMA required Comprehensive Plan update in 2005 it also prepared an [Environmental Impact Statement \(EIS\)](#) to comply with SEPA (State Environmental Policy Act). The purpose of an EIS is to assist the public and decision-makers in considering decisions on the Comprehensive Plan and development regulations. The EIS will look at the broad city wide analysis of potential impacts associated with any proposed amendments to the plan or Zoning Code. It will provide both a qualitative and quantitative analysis of environmental impacts. The EIS may evaluate various land use and transportation alternatives. A new EIS based on the revised Comprehensive Plan can reduce or eliminate SEPA for future code and plan updates.

A major part of the EIS will assess our transportation network (facilities, level of service, etc.). Detailed transportation modeling will be conducted to support the network. This step will assist the City in preparing the Transportation Master Plan to be consistent with the land use plan at the appropriate funding levels and system performance level. Professional technical consulting services will be used to assist the City in this effort. Funding in the amount of \$326,000 for the Comprehensive Plan update including the EIS and Transportation Master Plan has been approved in the budget.

Community Outreach and Engagement

Approach

The Planning and Community Development Department is collaborating with the City Manager's Office in the design and delivery of a public involvement strategy for the update of the Comprehensive Plan along with Public Works for the Transportation Master Plan and Parks on the PROS Plan.

The Comprehensive Plan has a number of elements that call for decisions on issues ranging from very broad strategic decisions to specific technical decisions. The Comprehensive Plan impacts every resident and business in the community and must consider factors and stakeholders outside the boundaries of Kirkland. It presents both challenges and opportunities, one of which is the ability to continue to "knit together" a larger, more diverse community.

This broad range of decisions calls for differing levels of public involvement. In keeping with the IAP2 Spectrum of Public Involvement, strategies may range from "inform" to "empower" (See Attachment 6). Based on community input to date, discussions with PCD staff and the Planning Commission, staff is recommending a three-pronged

approach to involving the public in this multi-year process. The three elements include communicate, educate and involve. Communication and education lie at the “Inform” end of the spectrum.

Inform

Public Participation Goal: To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions’.

Promise to the Public: We will keep you informed.

The “Inform” level of involvement is the lower scale of public impact, but is an important starting point for the Comprehensive Plan update and something that has been requested by the community.

Communicate

Communication is dissemination of information about the plan, the process and the status. The Communications Program Manager is developing a communication plan that will provide a variety of materials and vehicles to reach a wide range of interested stakeholders. While this is largely a one-way conversation with the City providing information out to the public, there will be opportunities for two-way conversations as well. Key elements of a communications plan include:

- Early development of **key messages** that are based on City Council and Planning Commission direction. An overarching “theme” should be developed to brand the communication plan and to form a common touch point for all the sub-element processes (e.g. “One Kirkland – One Vision for the Future” or “Building Bridges”). Key messages should be intriguing, inviting and appeal to the community’s core values. Key messages should be consistently communicated throughout the process by all representatives of the City.
- Creation of **informational publications** that are approachable and accessible to a wide range of stakeholders. Materials might include:
 - Pamphlet with general information about the Kirkland Comp Plan Update
 - A short video that can be viewed on the City’s website and taken to community and neighborhood meetings covering similar general information provided in the pamphlet

- News article format materials similar to the “Budget Bylines” series that present key concepts and elements of the Comprehensive Plan in terms that are relevant to most Kirkland residents. Topics may include:
 - Growth Management Act history and requirements for cities
 - Kirkland’s history of land use planning
 - An overview of the comp plan and its relationship to the zoning code
 - History of the neighborhood planning process and options for the future
 - Growth targets and their implications for density
 - Smart growth concepts
 - Frequently used “planning terms” defined
 - Transportation Master Plan and concurrency
 - Capital facilities plan and level of service standards
 - Affordable housing
- Development of a **web page** where people can access information about the plan and the process. The Planning Commission suggested that a master timeline should be provided that links from key dates to related documents.

Educate

Recent meetings with neighborhood groups indicated a high level of interest in learning more about Growth Management and the Comprehensive Plan. The City has an opportunity to establish a base level of knowledge in the community that will enhance the effectiveness of public involvement efforts. A number of neighborhood issues have also been deferred to the Comprehensive Plan update process and so the community is anxious to understand how their issues will be addressed through the update process.

It will be important to provide a variety of learning opportunities that appeal to differing levels of interest, different issues, geographic areas and time commitments. Some people prefer a classroom type setting; others prefer print or on-line materials and others may want frequent and brief social media contacts that allow them to choose whether to link to an in-depth discussion of a topic.

The key messages that were developed as part of the communication plan should carry through all of the materials as well as base assumptions about givens – factors that are either out of our control, that reflect decisions that are already made and base

assumptions about the scope of the update. For instance, it is important for the public to know that the City's growth targets are established by King County through a collaborative process with the cities and the degree to which the City Council plans to use the existing Comprehensive Plan as a baseline, making marginal changes as needed or whether certain elements will undergo a major rewrite.

Elements of the education program may include:

- Development of a **Neighborhood U Curriculum** as requested by the Kirkland Alliance of Neighborhoods. Given the scope of the subject, multiple sessions might be held to include discussion groups.
- Development of a **“road show”** that can be tailored to a variety of audiences, time frames and venues about the comp plan process. Presenters may include City Council, or Planning Commission representatives or other advisory group members and City staff. Community presentations could be provided on request and outreach to other existing community groups could reach a wide range of stakeholders that may not otherwise be involved. Target groups may include:
 - Neighborhood Associations
 - Business organizations including the Chamber of Commerce, Business Roundtable and the Kirkland Downtown Association
 - Service organizations
 - Schools including classroom presentations and PTA meetings
 - City Boards and Commissions, Senior Council, Youth Council
 - City employee groups
- Sponsorship of a **visiting lecturer series or panel discussions** utilizing speakers who are experts in their fields. Topics may include smart growth, multi-modal transportation systems and the economics of growth.
- **Training for selected community leaders** who can be ambassadors for the City and help to disseminate information and/or lead discussion groups. The Kirkland Alliance of Neighborhoods expressed an interest in serving as liaisons with neighborhoods. The City could provide more detailed resource materials and skills training for them so that they can lead some efforts in their own neighborhoods.

Consult, Involve, Collaborate and Empower

The remainder of the public participation spectrum presents a range of goals and techniques that are used as appropriate for the decision to be made. For instance, reviewing and perhaps revising the 20 year Vision Statement lends itself to a more collaborative approach with broad-based engagement and direct impact on the outcome. Other components might be more appropriate for "Involve" or "Consult" where stakeholders are asked for their input which is considered by decision makers.

In all cases, it is important to accurately track public input and show how it was used in the final decision making process. The following discussion presents the Comprehensive Plan components that envision some level of public involvement beyond "inform." For each topic, a thorough review of the scope of issues and the level of public interest in them will need to be assessed before a public involvement strategy (techniques) can be identified.

Components	Decision to be Made	Level of Involvement
Vision Statement	Is the current vision statement an accurate description of the community in 2032 and, if not, what changes are needed?	Collaborate
Neighborhood Plans	How can the neighborhood planning process be more efficient and still relevant to the neighborhood?	Involve
Transportation Master Plan		
PROS Plan		
Community Character		
Land Use		
Housing		
Etc.		

Specific public involvement plans will be developed for each element consistent with the level of involvement and using techniques that are most effective for the number and types of stakeholders involved. All activities should be open and accessible to all and be designed to reach community members that may not generally be involved with City issues. Early work will be undertaken to better understand the community's perception of past involvement with City planning efforts so that we can create experiences that are rewarding and relevant. For instance, recent work with the Kirkland Alliance of

Neighborhoods on the neighborhood plan process revealed aspects of the expected outcomes and process for neighborhood plans that are important to the community (see related memo regarding the neighborhood planning process).

Summary and Next Steps

Following the Council retreat discussion staff will begin the plan update process. Staff will be briefing the Planning Commission at its February 14th meeting. The City Council and the Planning Commission will have a joint meeting on February 19 on the Planning Work Program. The Comprehensive Plan update is the single largest task on the Planning Work Program and will be the priority for Planning staff resources over the next two years.

Staff will form an interdepartmental team that will guide this effort. A detailed work program and schedule will be prepared for review by the Planning Commission and City Council. A comprehensive public outreach program will also be prepared for review by both the Commission and Council.

Attachments

1. Guide to Periodic Update Process under GMA
2. Department of Commerce Comprehensive Plan Checklist
3. Department of Commerce Sample GMA Update Work Program
4. Countywide Planning Policies 2006-2031 Growth Targets
5. City of Kirkland GMA Comprehensive Plan Work Program
6. IAP2 Spectrum



Department of Commerce
Innovation is in our nature.

Keeping Your Comprehensive Plan and Development Regulations Current

A Guide to the Periodic Update Process under the Growth Management Act

Prepared by the Washington State Department of Commerce
Local Government & Infrastructure Division
Growth Management Services
September 2012

Acronyms and terms used in this guide

CAO - Critical Areas Ordinance

CARL – Critical Areas and Resource Lands

Commerce – Washington State Department of Commerce (*previously named the Department of Community, Trade and Economic Development or CTED prior to July 2009*)

Comprehensive plan - land use document that provides the framework and policy direction to manage where and how growth needs are met. Plan elements address land use, housing, capital facilities, utilities, rural/natural resources, transportation, economic development, environment, cultural resources, and other topics.

Development regulations - controls placed on development or land use activities by a county or city, such as codes for zoning, critical areas, planned unit developments, and subdivisions.

GMA – Growth Management Act, Chapter 36.70A, RCW

GMS – Growth Management Services, a unit in the Department of Commerce, Local Government Division that helps counties and cities implement the GMA.

OFM – Washington State Office of Financial Management

Periodic update – A regularly scheduled review and update of county and city comprehensive plans and development regulations. For most communities, the update takes place every eight years under a schedule established by the Legislature in the GMA.

RCW – Revised Code of Washington (laws adopted by the state Legislature)

SMA – Shoreline Management Act

SMP – Shoreline Master Program

UGA – Urban Growth Area

WAC – Washington Administrative Code (rules adopted by state agencies)

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I. Introduction

The comprehensive plan is the centerpiece of local planning in Washington State. Like business plans, comprehensive plans provide the framework for how our communities will grow. And like business plans, they must evolve over time to be effective.

Many communities amend their comprehensive plan annually and regularly adopt changes to the development regulations that implement them. In addition to these regular amendments, the state Growth Management Act (GMA) requires counties and cities to periodically conduct a thorough review of their plan and regulations to bring them up to date with any relevant changes in the GMA and to respond to changes in land use and population growth.¹ This mandatory “periodic update” takes place for most communities at least once every eight years, though smaller, slower-growing communities² may take longer.

This guide explains when and how to go through the necessary steps in the periodic update process. The level of effort and timing of the update steps will vary depending on how recently your community has comprehensively updated its plan, the size of your community, and other factors.

This guide is intended as a user-friendly supplement to the GMA statutes and administrative rules that describe procedures that must be followed and substantive issues that must be addressed.

This guide may not be able to answer all your questions about the periodic update - the Washington Department of Commerce, Growth Management Services program may be able to help. To speak with your technical assistance team, call (360) 725-3055 west of the Cascades; or 509-434-4491 east of the Cascades. [Appendix A](#) includes the Growth Management Services staff assignments by region.

Why we plan

“...all of us know that quality of life is not guaranteed. We maintain it through the hard work of our citizens, our businesses, and our state and local-elected officials who make the tough decisions every day to ensure that we have a healthy, natural environment, a strong, sustainable economy, competitive, high-performing schools, and safe and high-quality communities for all of us to enjoy.

All of this makes Washington competitive in the global economy. And if we eliminate even one of these regional values, we diminish ourselves and our communities.

Comprehensive plans give expression to the values and priorities of our communities. These plans provide a 20-to-50-year vision—a roadmap for how our communities want to look and to function. For rural towns, it may be to preserve and sustain their agricultural heritage, for another, prioritizing downtown redevelopment. It all adds up to a shared vision, tough decisions, and partnerships.”

- Governor Chris Gregoire, announcing Smart Communities Awards, 2007

¹ The GMA is codified under RCW 36.70A. The “periodic update” requirements are found in [RCW 36.70A.130](#)

² The criteria determining whether or not a city or county qualifies are described on page 5.

Who must complete the periodic update?

Every county and city in the state is required to conduct a periodic update, though the obligation varies depending on whether the jurisdiction is fully or partially planning³ (see sidebar).

Fully planning counties and cities must complete the periodic update for their entire comprehensive plan and development regulations.

Partially planning counties are required to periodically update their critical areas ordinance and resource lands provisions. Partially planning cities usually have no designated resource lands, so their periodic update is usually limited to their critical areas ordinance.

When is the update due?

Under the GMA, the Legislature established a schedule for when the periodic update is required to be complete.⁴ The map below reflects new deadlines adopted by the 2011 legislature.⁵ Except for certain small, slow-growing communities, each county and its cities must complete the periodic update by June 30 of the years shown in Figure 1, and every eight years after that.

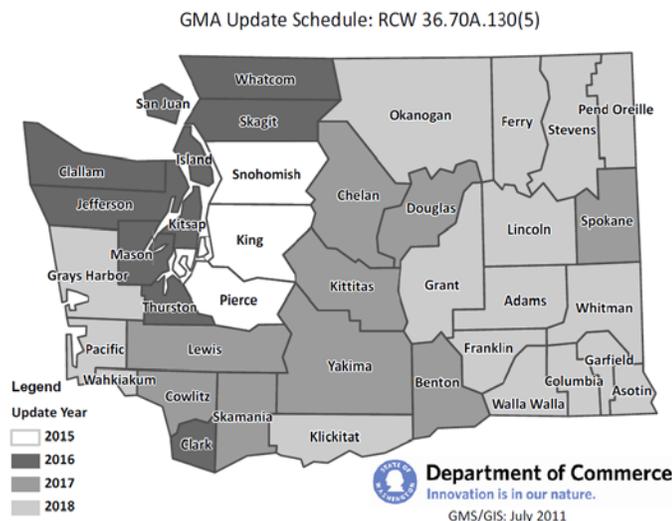


Figure 1: GMA Update Deadlines as amended in 2011 (see special cases below)

“Fully” or “partially” planning”

“Fully planning” means that a city or county must meet all GMA requirements, including adoption of a comprehensive plan and a complete set of development regulations implementing the plan. Only the state’s fastest growing counties and cities are required to plan fully, though a number of counties have “opted-in” by choice.

“Partially planning” jurisdictions are the counties - and the cities within their boundaries - that do not meet GMA population and growth rate thresholds and have not chosen to fully plan under the Act. Partially planning counties are required to designate and protect critical areas and designate resource lands (CARL). Partially planning cities must designate and protect critical areas, and may designate mineral resource lands. Currently there are ten partially planning counties: Adams, Asotin, Cowlitz, Grays Harbor, Klickitat, Lincoln, Okanogan, Skamania, Wahkiakum, and Whitman Counties.

³ Statute describing fully planning: [RCW 36.70A.040\(1\)](#); Statute describing “opting in”: [RCW 36.70A.040\(2\)](#)

⁴ [RCW 36.70A.130\(5\)](#)

⁵ See [ESHB 1478](#) and [RCW 36.70A.130\(5\)](#). Note: Jurisdictions should be aware of Section 4(6) of ESHB 1886, which was passed in 2011 and codified in RCW 36.70A.705 and 36.70A.710. This statute creates an additional periodic update of July 22, 2013, for Critical Areas Ordinances as they relate to agricultural activities for those counties that do not opt into the Voluntary Stewardship Program.

Smaller and slower growing cities and counties have an additional two years from the dates shown in Figure 1.

What is a small or slow-growing jurisdiction?

A **county** with a population of no more than 50,000 and a growth rate of less than 17% in the ten years preceding the deadline established in RCW 36.70A.130.

A **city** with a population of 5,000 or less and has had its population increase by the greater of either no more than one hundred persons or no more than seventeen percent in the ten years preceding the deadline established in RCW 36.70A.130.

Growth rates are measured using the ten-year period preceding the regular due date.

See RCW 36.70A.130 (6)(b) & (c)

Population is taken from the OFM annual population estimate, which is released on April 1 of each year. A county or city will not know for certain what their population is until three months before the statutory deadline. If a jurisdiction is close, or expects any large annexations close to the due date, the population information should be monitored closely.

May a jurisdiction complete the update early?

A jurisdiction may complete the periodic update process before its deadline.⁶ The deadline for its next periodic update would still remain eight years from the original deadline established in the GMA. For example, if a jurisdiction has an update deadline of June 30, 2015, but it completes its update in 2012, then it would not be subject to another required periodic update until 2023.

To help alleviate any confusion, Commerce recommends that the final legislative action taken upon completion of the periodic update process clearly note the early adoption and the due date of the next scheduled periodic update according to statute.

Special cases: 2013 deadline

There are a few smaller, slower-growing jurisdictions in areas represented on the map with a 2018 deadline that also have a periodic update deadline of December **2013**. This is because amendments to state law postponed their earlier 2007 periodic update deadline [See RCW 36.70A.130(6)(b-d)].

The 2006 Legislature passed an optional three-year time extension for small or slow-growing jurisdictions in those areas (SB 6427). The 2010 Legislature passed another optional three-year extension for those areas (SB 6611).

Contact Commerce if you have any questions about whether your jurisdiction is one of these special cases.

⁶ [RCW 36.70A.130\(6\)\(a\)](#)

II. The review and update process

There are four overall tasks counties and cities must take during the periodic update process. Tips for completing each of these tasks are included in the following sections.

1. Establish a public participation program	2. Review relevant plans and regulations	3. Take legislative action.	4. Submit notice to state
Develop a plan that includes a schedule for steps in the update process to ensure the public is aware of the process and knows how they can participate.	Evaluate whether there is a need to revise the urban growth area, comprehensive plan, or development regulations to ensure they are consistent with the GMA.	Adopt an ordinance or resolution finding that a review has occurred, and identifying revisions made or concluding that revisions were not needed.	Send formal notice of intent to adopt to the state at least 60 days prior to taking legislative action. Send a copy of the signed adopted ordinance or resolution 10 days after final action.

Before undertaking the update it is helpful for county or city staff to establish a **work program** that outlines the entire periodic update process. See sample work program in Appendix B.

1. Establish a public participation program

Counties and cities are required to establish a program that identifies procedures and schedules for the public to participate in the periodic update.⁷ The program must provide for **early and continuous public participation**.⁸ The program should clearly identify the scope of the review and identify when legislative action on the review and update component are proposed to occur. Counties and cities must ensure that **notice** of the update process is broadly and effectively disseminated.⁹ See Appendix C for examples of public participation programs.

The best way for a county or city to complete this requirement is to publish a complete public participation program or schedule at the beginning of the update process. However, it is not required that a county or city establish the entire schedule at the beginning of the process, as long as a program is established and effective notice is provided for all update steps.

Local jurisdictions may want to formally adopt the public participation program by resolution or ordinance to formalize the update process and help to meet the GMA requirements for early and continuous public involvement. See sample ordinances in Appendix C.

⁷ [RCW 36.70A.130\(2\)\(a\)](#)

⁸ [RCW 36.70A.140](#)

⁹ [RCW 36.70A.035](#)

A public participation plan can be adjusted over time if needed. The GMA provides that “errors in exact compliance with the established program and procedures shall not render the comprehensive land use plan or development regulations invalid if the spirit of the program and procedures is observed.”¹⁰

2. Review and revise comprehensive plans and development regulations

The Department of Commerce periodic update **checklists** should be the foundation of your review. These checklists (one for cities, one for counties) provide a concise summary of the GMA requirements. See Appendix D.

Filling out the checklists will help compare your local plan and regulations against the latest requirements, determine what needs to be reviewed in greater detail, and what may need to be added, deleted, and amended in plans and codes to maintain compliance with the act.¹¹

Commerce **strongly recommends** use of the checklists in designing your work program to complete the periodic update.

Counties and cities may elect to adopt an ordinance or resolution after reviewing and analyzing what will be updated and determining the scope of changes needed. This is a formal way to let the public know early “what is on the table” as part of the update. It also may help to limit appeals. If there are no challenges to the scope of revisions within 60 days after the legislative action, challenges to the jurisdiction’s final ordinance will be limited to the subjects defined in the ordinance. See sample legislative actions establishing the scope of an update in Appendix C.

The statute does not exempt any portion of a comprehensive plan or any development regulations from being subject to review and evaluation. However, local governments may use common-sense factors in determining the *level* of review, taking into account when the plan and regulations were adopted and whether and how the GMA has been amended in the intervening time.

¹⁰ [RCW 36.70A.140](#)

¹¹ Commerce encourages local governments to complete a checklist as part of the application to receive periodic update funds from GMS (*funds are not currently available*). The checklist can also be used at the very end of the update process to document what changes are proposed for adoption.

GMA periodic update:

Fully planning:

*“Each comprehensive land use plan and development regulations shall be subject to **continuing review and evaluation** by the county or city that adopted them. [A] county or city shall take legislative action to **review and, if needed, revise** its comprehensive land use plan and development regulations **to ensure the plan and regulations comply with [GMA] requirements.**”*

Partially planning:

*[A] county or city not [fully-planning under GMA] shall take action to **review and, if needed, revise** its policies and development regulations regarding **critical areas and natural resource lands ... to ensure these policies and regulations comply with [GMA] requirements**”*

- RCW 36.70A.130(1)(a & b)

Mandatory items to review and revise (if needed)

The GMA calls out a number of specific items that **must** be reviewed as part of the periodic update.

Amendments to the GMA

The primary purpose of the periodic update is to ensure local plans and regulations comply with all current requirements. Although the basic structure of the GMA has remained intact over the years, the state legislature has amended it frequently. The checklists highlight all requirements and indicate when the changes were adopted. In addition to the checklists, Commerce has prepared a summary of these amendments by year to help you zero in on what needs to be amended, based on when your plans and regulations were last amended. See Appendix E.

Partially planning jurisdictions only need to review and evaluate their policies and development regulations governing critical areas and natural resource lands. Fully planning jurisdictions will need to conduct a review and evaluation of all comprehensive plan provisions and development regulations. Jurisdictions often combine the annual comprehensive plan docket (annual amendments) with the periodic update review when both are considered in the same year. When doing so, it is crucial to emphasize that the amendment includes periodic update review in the public participation plan, in notices for public hearings and in the legislative action(s). Hearings Board cases have faulted jurisdictions for not informing the public about what actions are related specifically to the periodic update.

UGAs and population projections

Urban growth areas (UGAs), which by definition include all cities, must allow development densities sufficient to accommodate the next twenty years of projected population and employment growth. If zoning regulations don't authorize the densities to accommodate this growth, jurisdictions need to increase allowed densities, expand the size of the UGA, or both.

All fully planning counties, in conjunction with cities, must review UGAs as part of the periodic update.¹²

The GMA requires that jurisdictions use twenty-year population projections from the Washington State Office of Financial Management (OFM). These projections are developed every five years.¹³ The previous twenty-year population forecast from OFM was issued in 2007;¹⁴ the most recent was issued in May 2012.

Multi-County Planning Policies in Central Puget Sound

The [Puget Sound Regional Council \(PSRC\)](#) adopted new multi-county planning policies (MPPs) in 2008 as part of Vision 2040. These policies apply to King, Kitsap, Pierce, and Snohomish counties and the cities within them.

To implement the MPPs, these counties are amending their county-wide planning policies (CWPPs) by December 2010. Jurisdictions in those counties must ensure their comprehensive plans are consistent with both the MPPs and CWPPs.

¹² [RCW 36.70A.130\(3\)\(a\)](#)

¹³ [RCW 43.62.035](#)

¹⁴ <http://www.ofm.wa.gov/pop/gma/default.asp>

Jurisdictions in Clark, King, Kitsap, Pierce, Snohomish and Thurston counties will also need to review the results of the Buildable Lands report. This report is due one year prior to the due date of the periodic review.¹⁵

Any changes to UGAs must be consistent with adopted “County-Wide Planning Policies.” The policies, adopted by counties, set the general framework for coordinated land use planning between the county and its cities to ensure respective comprehensive plans are consistent with each other. Although it is not required, counties and cities may want to review these policies as part of their periodic update.

Critical areas ordinances

One of the initial requirements of the GMA was to designate and protect critical areas. The GMA requires all counties and cities to review and evaluate these critical areas ordinances during the periodic update.¹⁶ The GMA requires that “best available science” (BAS) be included in developing regulations to protect critical area functions and values. Meeting the BAS requirement was challenging for many jurisdictions in the initial round of periodic updates. The Department of Commerce and other state agencies, including the departments of Ecology and Fish and Wildlife, have published guidance for local communities on how to identify what constitutes BAS for critical areas protection and how local governments can include science in their policies and development regulations. These include model ordinances and lists of recommended habitats and species for protection. Counties and cities should consult these state agency recommendations for possible changes since their last periodic update. See Appendix F. In addition, they should include any other scientific information that may apply directly to their jurisdiction.

Until counties and cities have completed a comprehensive shoreline master program (SMP) update, uses or structures legally located within shoreline areas that were established or vested before the effective date of the CAO may continue as conforming uses. Cities and counties may authorize redevelopment or modification of these existing uses or structures provided they are consistent with the local SMP and will achieve no net loss of ecological functions.¹⁷

Mineral resource lands designations and development regulations

Another significant requirement of the initial GMA was for all counties and cities to designate mineral lands that are not already characterized by urban growth and that have long-term significance for the extraction of minerals. Fully planning jurisdictions were also required to adopt regulations that conserve these lands.¹⁸ The GMA requires that all jurisdictions review these mineral resource lands designations and requires fully planning jurisdictions to review their regulations. Counties and cities “shall take into consideration: (1) New information made

¹⁵ [RCW 36.70A.215](#)

¹⁶ [RCW 36.70A.130\(1\)\(c\)](#) , [RCW 36.70A.172\(1\)](#)

¹⁷ [RCW 36.70A.480\(3\)\(c\)](#), as amended by the 2010 legislature. Under [RCW 90.58.030](#), a “comprehensive SMP update” is defined as one that fully achieves requirements of Ecology’s SMP guidelines (WAC 173-26).

¹⁸ [RCW 36.70A.170](#); [RCW 36.70A.040](#) and [36.70A.060](#)

available since the adoption or last review of its designations or development regulations, including data available from the Department of Natural Resources relating to mineral resource deposits; and (2) New or modified model development regulations for mineral resource lands prepared by the Department of Natural Resources, the Department of Commerce, or the Washington State Association of Counties.”¹⁹ See Appendix G.

Recommended items to review and revise (if needed)

Counties and cities should consider addressing the following in their periodic update. If any changes to a UGA are required, each of the following items should be reviewed and amended to reflect new population and urban area changes.

Land use element

The Land Use Element describes the “big picture” of how a community chooses to balance the goals of the GMA. Key components of the land use plan are maps showing the future shape of the community and how its essential components will be distributed. Resource lands, critical areas, open space corridors, mixed use areas, residential, commercial, industrial, and major public and private facilities should all be addressed. Because the Land Use Element is tied to other elements in the comprehensive plan, many periodic updates include amendments to the Land Use Element. Recent amendments to the GMA now require communities to consider urban planning approaches that promote physical activity as part of the land use element wherever possible.²⁰ Examples of policies to promote physical activity can be accessed by clicking [here](#).

Capital facilities and transportation elements

When a community is planning for population increases, this usually triggers the need for more or larger infrastructure, such as roads, utilities, and sewer and water facilities. Changes in anticipated circumstances and needs may be addressed by updating the Transportation Element, Utilities Element, and Capital Facilities Element.²¹ This task requires that planning departments collaborate closely with public works staff or other service providers. Note that if as part of your evaluation you determine that funds will fall short for needed capital facilities, your community may need to consider changes to the Land Use Element.

Internal and external consistency

Whenever a plan is being amended it is important to verify that it is “internally consistent” (e.g., that the Land Use and Transportation elements support each other) and that the development regulations are consistent with and implement the comprehensive plan.²² Also verify that the comprehensive plan is “externally consistent,” as changes to comprehensive plans and development regulations in adjacent jurisdictions, special purpose districts, or state plans may

¹⁹ [RCW 36.70A.131](#)

²⁰ [RCW 36.70A.070\(1\)](#)

²¹ [RCW 36.70A.070\(3\)](#)

²² The GMA requires this consistency in RCWs [36.70A.040\(4\)](#) and [36.70A.070](#)

create an inconsistency with the county or city's comprehensive plan or development regulations.

Inventories

Counties and cities should review existing inventories and analyze new inventory data that supports the comprehensive plan. The GMA specifically requires the following:

Housing: Inventory and analyze existing and projected housing needs, identifying the number of housing units necessary to serve projected growth.²³

Capital Facilities: Inventory existing capital facilities owned by public entities, showing the locations and capacities of the capital facilities, and forecast future needs and proposed locations and capacities of expanded or new facilities.²⁴

Transportation: An inventory of air, water and ground transportation facilities and services, including transit alignments and general aviation airport facilities, to define existing capital facilities and travel levels and a basis for future planning. This inventory must include state-owned transportation facilities within the city or county boundaries.²⁵

Jurisdictions should also review basic assumptions underlying key calculations and conclusions in the existing comprehensive plan. If recent data demonstrates that existing assumptions are no longer appropriate for the remainder of the twenty-year plan, counties and cities should consider updating them as part of the periodic update. Counties and cities required to establish a review and evaluation program under the “buildable lands program” should use that information in the periodic update.²⁶ The GMA now requires Transportation Elements to include a pedestrian and bicycle component. Jurisdictions may also consider including multimodal transportation strategies concurrent with development. See Appendix I.

3. Take legislative action

“Legislative action” under the GMA means adoption of a resolution or ordinance by elected officials (city or county council/commission) indicating that the community has reviewed and evaluated the comprehensive plan and regulations and identifying the revisions made. Counties and cities must provide adequate notice and hold a public hearing before taking action.

A county or city may combine the periodic update with their regular (*e.g., annual*) program for amendments to their plan, since the GMA generally prohibits comprehensive plan amendments more frequently than once per year.²⁷

²³ [RCW 36.70A.070\(2\)](#)

²⁴ [RCW 36.70A.070\(3\)](#)

²⁵ [RCW 36.70A.070\(6\)](#)

²⁶ [RCW 36.70A.215](#)

²⁷ [RCW 36.70A.130\(2\)\(a\)](#)

The final legislative action will be to adopt any revisions to the comprehensive plan and/or development regulations, and conclude that the periodic update is complete. The ordinance or resolution must be explicitly approved by the local government’s legislative body as having been completed in accordance with GMA update requirements (citing specifically to RCW 36.70A.130), both to comply with the statute and to set time and subject matter limits for possible challenges. The resolution or ordinance should include findings that refer to any previous legislative actions that were part of the periodic update (e.g., resolutions adopting a public participation plan), and a finding that the jurisdiction has completed its periodic update requirement under the GMA.

If a city or county finds that it completely meets all GMA requirements and no amendments to the comprehensive plan or development regulations are needed, it must still take legislative action adopting findings to that effect. See sample final legislative actions in Appendix C.

Phasing legislative action

If a jurisdiction has significant amendments to their plans and regulations, it may be necessary to complete the amendments in several phases, perhaps over more than one year. In some cases, each of these amendments will be adopted through a separate ordinance or resolution by the jurisdiction’s legislative body. If this process is used, a public hearing should be conducted on each ordinance or resolution. It should be clearly identified in the public hearing notice and in the findings of each ordinance or resolution that the amendments are part of the periodic update process.

Commerce recommends that the final legislative action taken upon completion of the entire periodic update process clearly reference all previously adopted amendments, and includes a finding that, taken all together, these actions fulfill the requirements of the periodic update. For an example please see the Town of Yacolt resolution included in Appendix H.

4. Submit notice to state agencies

Send Notice of Intent to Adopt (at least 60 days before adoption)

Under the GMA, cities and counties must notify Commerce of its “intent to adopt” plan or regulations at least sixty (60) days prior to final adoption.²⁸ This step is often referred to as “60-day notice.”²⁹ Commerce adds all submitted notices and materials to a database that all reviewing state agencies can access. Agencies may provide comments to the city or county on the proposed changes during the public review process prior to adoption.

Send final plans and development regulations (10 days after adoption)

Cities and counties must submit a complete and accurate copy of its comprehensive plan or development regulations adopted under the GMA to Commerce within ten days after final

²⁸ [RCW 36.70A.106\(1\)](#)

²⁹ Some cities and counties combine this notice with their notice of determination required under the [State Environmental Policy Act](#)

adoption.³⁰ A copy of the signed adopting resolution or ordinance should be included, as well as indication of when the notice of adoption was published.

This is an important step as it not only finalizes the periodic update, but it also allows Commerce to update our database to signify that a specific jurisdiction has completed the periodic update. Commerce relies on this database when asked to verify that a jurisdiction is in compliance with the GMA.

How to submit plans and regulations

Submitting GMA materials to the state is as easy as sending one e-mail with a cover sheet and relevant documents to reviewteam@commerce.wa.gov. Directions are on the [Commerce Website](#). While electronic submittal is preferred, you may send materials by mail, either on a flash drive, compact disc, or paper, addressed to the Washington State Department of Commerce, Growth Management Services Review Team, PO Box 42525, 1011 Plum Street SE, Olympia, WA 98504-2525.

III. Missed deadlines and appeals

Missing the periodic update deadline has immediate financial consequences. A county or city that has not completed the basic actions described above by the deadline set in the GMA will be ineligible to receive funds from the Public Works Trust Fund³¹ or the Centennial Clean Water account³² or to receive preference for other state grants and loans.³³

A jurisdiction that has missed an update deadline is also vulnerable to a “failure to act” petition for review to a Growth Management Hearings Board (or for partially-planning jurisdictions, to Superior Court).

If a local government has made significant progress on its update, but hasn’t finished all needed revisions by their periodic update deadline, it would be prudent to take steps to demonstrate good faith and progress. Local jurisdictions may adopt a resolution that documents progress already made and sets a schedule for completing the update. See Appendix C for an example. While this will not relieve a local government of its update requirements, or make a local government eligible for state grants and loans, it may prevent a “failure-to-act” challenge, provided the update is completed under the new schedule.

Appeals of an adopted update ordinance or resolution

Any person or organization with legal standing can appeal a resolution or ordinance adopted during the periodic update process. Challenges to actions taken by fully-planning jurisdictions must be filed with the Growth Management Hearings Boards within sixty days of publication of

³⁰ [RCW 36.70A.106\(2\)](#)

³¹ [RCW 43.155.070](#)

³² [RCW 70.146.070](#)

³³ [RCW 36.70A.130\(7\)](#)

final adoption. Challenges to actions taken by partially-planning jurisdictions are filed in Superior Court.

A legal challenge could potentially be filed on any legislative action taken to complete the update. However, a jurisdiction can reduce its risk of appeal by completing each of the basic actions described above and taking legislative action that clearly documents the process followed for each action, as well as the findings and conclusions of each action.

IV. Grants for periodic updates

The Department of Commerce administers a grant program for counties and cities with upcoming periodic update deadlines. The grant can be used to cover many activities related to updating comprehensive plans and development regulations, such as staff time, consultant contracts, and the cost of providing public notice, printing, and copying.

A set grant amount is typically reserved for each jurisdiction, when state funding allows, based on population and the level of required GMA responsibilities. If funding is approved by the Legislature, grants generally become available 18-24 months prior to each jurisdiction's periodic update deadline.

V. Appendices*

A. GMS Planner Map with assignments

B. Update “Work Program”

C. Example Resolutions/Ordinances

Public Participation

Scope of Periodic Update Work Program

Final “legislative action” adoption completing update

Update work not complete, set schedule for completion

D. Checklists

Periodic Update Checklist for Cities

Periodic Update Checklist for Counties

E. Changes to GMA

Amendments to the GMA from 1995-2009

Amendments to GMA from 2003 – 2010

F. Critical Areas

Critical Areas Checklist Questions Explained

Critical Areas Review for Best Available Science (BAS)

State Agency Resources for Local Governments Updating Critical Areas Ordinances

G. Resource Lands

Resources for Designating and Conserving Agriculture, Forest, and Mineral Resource Lands

H. Good Examples

Good examples of comprehensive plans and development regulations

I. Other Planning Guidance and Resources

Department of Commerce GMS [Publications](#) List by Topics

WSDOT Minimum Requirements and Resources

Municipal Research Services Center planning [website](#)

* These appendices are available on the Commerce GMS website at:

<http://www.commerce.wa.gov/Services/localgovernment/GrowthManagement/Growth-Management-Planning-Topics/Pages/GMA-Periodic-Update.aspx>

15 | Keeping Your Comprehensive Plan & Development Regulations Current: A Guide to the Periodic Update Process

Laws, rules, legal decisions

[The Growth Management Act and related statutes](#)

[Growth Management Act rules](#)

[Growth Management Hearings Boards](#)

Comprehensive plan provisions	Page # and how addressed in plan	Update action, if needed
<p>c. The plan indicates the population for which it is planning. The projected population target is the same for all comprehensive plan elements, and is consistent with the Washington Office of Financial Management’s forecast for the county or the county’s sub-county allocation of that forecast. If OFM population projection is not used, the plan includes the rationale for using another figure. RCW 43.62.035 and WAC 365-196-405(f)</p> <p>Counties should indicate the percentage of county-wide population growth allocated for urban growth areas. This allocation should be consistent with GMA goals of encouraging urban growth in urban areas, reducing sprawl, and ensuring public facilities and services are efficiently provided. WAC 365-196-405 (f)</p>	<input type="checkbox"/> Population projection uses latest forecast	
<p>d. Lands useful for public purposes such as utility corridors, transportation corridors, landfills, sewage treatment facilities, stormwater management facilities, recreation, schools, and other public uses are identified. RCW 36.70A.150</p> <p>RCW 36.70A.150 requires that a prioritized list of acquisitions be developed. [The list need not be part of the comprehensive plan.] RCW 36.70A.150 and WAC 365-196-340</p>	<input type="checkbox"/> Public use lands <input type="checkbox"/> List of acquisitions	
<p>e. Open space corridors within and between urban growth areas, including lands useful for recreation, wildlife habitat, trails, and connection of critical areas are identified. RCW 36.70A.160 and WAC 365-196-335</p>	<input type="checkbox"/> Open space corridors	
<p>f. The Land Use Element includes population densities, building intensities, and estimates of future population growth. RCW 36.70A.070(1) WAC 365-196-405(2)(i) suggests including a table with the range of dwelling units per acre allowed in each land use designation and implementing zone as a projection of existing and projected development capacity.</p> <p>If a buildable lands analysis shows measures needed to ensure appropriate densities, such measures have been adopted. RCW 36.70A.215 and WAC 365-196-315 The <i>Buildable Lands Program Guidelines</i> includes a list of measures.</p>	<input type="checkbox"/> Estimated population capacity and appropriate densities <input type="checkbox"/> Reasonable measures adopted if needed	

Comprehensive plan provisions	Page # and how addressed in plan	Update action, if needed
<p>g. Urban densities and urban growth areas (UGAs) have been reviewed. RCW 36.70A.130(3)(a), (5), and (6) and WAC 365-196-310(2)</p> <p>By definition, urban growth areas all incorporated lands in cities and town, and unincorporated urban growth areas designated by a county. A review should be completed as part of the 8-year update under RCW 36.70A.130. Review WAC 365-196-310(2) for suggestions on evaluating and designating UGAs. Supporting information should include: selected population growth forecast scenario RCW 43.62.035; population allocation and percentage of land devoted to urban, rural, and resource uses (counties) RCW 36.70A.070(1); land capacity analysis for UGAs, ability to provide urban services. RCW 36.70A.110, CWPPs and WAC 365-196-310.</p> <p>There should be a coordinated approach to planning for development in urban growth areas, especially among adjacent jurisdictions. WAC 365-196-330 Urban growth areas (incorporated or not) must plan for urban densities and urban services. If a county designates a fully contained community (FCC), part of the county’s population allocation should be reserved for the FCC. RCW 36.70A.350(2) If a potential UGA expansion area is within the 100-year flood plain of major western Washington rivers, consider RCW 36.70A.110(8).</p>	<input type="checkbox"/> UGA review (required every 8 years)	
<p>h. If an airport is within or adjacent to the jurisdiction, the plan includes policies, land use designations, and zoning to discourage the siting of incompatible uses adjacent to general aviation airports. RCW 36.70.547 and WAC 365-196-455</p> <p>See www.wsdot.wa.gov/aviation/Planning/default for guidance. Any planning adjacent to or within the “imaginary surface” areas of general aviation airports must consult with the Aviation Division of WSDOT.</p>	<input type="checkbox"/> No incompatible uses near airports <input type="checkbox"/> WSDOT notified	
<p>i. If a U.S. Department of Defense (DoD) military base employing 100 or more personnel is within or adjacent to the jurisdiction, the plan must include policies, land use designations, and consistent zoning to discourage the siting of incompatible uses adjacent to military base. RCW 36.70A.530(3) and WAC 365-196-475</p> <p>See Map of U.S. bases to help make determination of applicability. If applicable, inform the commander of the base regarding amendments to the comprehensive plan and development regulations on lands adjacent to the base.</p>	<input type="checkbox"/> No incompatible uses near US DoD bases <input type="checkbox"/> Base commander notified	

Page # and comprehensive plan provisions	Page # and how addressed in plan	Update action, if needed
<p>j. Where applicable, the Land Use Element includes a review of drainage, flooding, and stormwater run-off in the area and nearby jurisdictions and provides guidance for corrective actions to mitigate or cleanse those discharges that pollute waters of the state. RCW 36.70A.70(1); WAC 365-196-405(2)(c) RCW 90.56.010(26) defines waters of the state.</p> <p>Jurisdictions subject to U.S. Environmental Protection Agency (EPA) National Pollution Discharge Elimination System (NPDES) Phase 1 and Phase 2, should comply with all permit requirements.</p> <p>All local governments are also encouraged to:</p> <ul style="list-style-type: none"> • Adopt the State Department of Ecology’s Stormwater Manual for Eastern or Western Washington or the equivalent. • Adopt policies and regulations that allow low impact development practices such as limiting effective impervious surfaces, clustering development, and preserving open spaces and forests. See Puget Sound Action Team (PSAT) low impact development (LID) guidance. • Incorporate relevant land-use recommendations from adopted local watershed plans. www.ecy.wa.gov/watershed/index.html. • Adopt a clearing and grading ordinance if not already existing (See Technical Guidance Document for Clearing and Grading in Western Washington). 	<input type="checkbox"/> Stormwater planning	
<p>Critical areas are designated RCW 36.70A.170 and WAC 365-190-080 Best available science (BAS) is used to protect the functions and values of critical areas, and give “special consideration” to conservation or protection measures necessary to preserve or enhance anadromous fisheries. RCW 36.70A.172 and WAC 365-195-900 through 925</p> <p>Plan policies should address the five critical areas listed in RCW 36.70A.030(5) (a) wetlands; (b) areas with a critical recharging effect on aquifers used for potable water; (c) fish and wildlife habitat conservation areas; (d) frequently flooded areas; and (e) geologically hazardous areas. See Critical Areas Assistance Handbook (2003) and Small Communities Critical Areas Ordinance Implementation Guidebook (2007). Follow the process in WAC 365-195-915 to document decisions.</p>	<input type="checkbox"/> BAS used to designate and protect critical areas	
<p>k. Geologically hazardous areas: Designate according to criteria in WAC 365-190-120.</p> <ul style="list-style-type: none"> • Defined in RCW 36.70A.030(9). Limit uses, especially facilities such as emergency response, hospitals, hazardous materials storage, etc. 	<input type="checkbox"/> Geohazard areas designated and risks managed	

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<p>1. Wetlands: WAC 365-190-090</p> <ul style="list-style-type: none"> Define wetlands using definition in RCW 36.70A.030(21). 	<input type="checkbox"/> Wetlands defined under GMA definition	
<p>m. Critical Aquifer Recharge Areas:(Required if jurisdictions draw groundwater for potable water or need to manage threats to exempt wells.): WAC 365-190-100</p> <ul style="list-style-type: none"> The plan protects the quality and quantity of ground water used for public water supplies. RCW 36.70A.070(1) See Ecology’s guidance on Critical Aquifer Recharge Areas (CARAs) For water quality, policies and implementing regulations should regulate hazardous uses in critical aquifer recharge areas (CARAs) and protect wellhead areas. See Ecology’s Groundwater Quality Information For water quantity, policies and implementing regulations should limit impervious surfaces, encourage water conservation measures, and consider Water Resource Inventory Assessment (WRIA) plans. See Ecology's Stormwater Programs for more information. 	<input type="checkbox"/> CARAs protect water quality and quantity	
<p>n. Frequently Flooded Areas: WAC 365-190-110</p> <ul style="list-style-type: none"> Classifications of frequently flooded areas should include, at a minimum, the 100-year floodplain designations of the Federal Emergency Management Agency and the National Flood Insurance Program. 	<input type="checkbox"/> Frequently flooded areas regulated using FEMA and Ecology guidance	
<p>o. Fish and wildlife habitat conservation areas:</p> <p>See WAC 365-190-130 for specific habitat conservation areas, and factors to consider for their designation and protection such as coordination when habitat areas cross-jurisdictional boundaries or provide regional benefits, or retention of large blocks of habitat.</p> <p>See wdfw.wa.gov/hab/phslist.htm for lists of priority habitats and species, maps and management recommendations.</p> <p>See www.dnr.wa.gov/forestpractices/watertyping to use Washington State Department of Natural Resources (DNR)’s stream typing system.</p> <p>Endangered Species: If there are anadromous fisheries, or if the jurisdiction affected by an Endangered Species Act (ESA) 4(d) rule, the comprehensive plan should contain policies guiding decisions which may impact listed species. Special consideration may include:</p> <ul style="list-style-type: none"> Revisions to zoning to protect habitat Revisions to the location of planned capital facilities Revisions to stormwater regulations or clearing and grading ordinances <p>Establishment or maintenance of monitoring programs to ensure that habitat is being maintained, See WAC 365-195-920.</p>	<input type="checkbox"/> Fish and wildlife habitat conservation areas designated and protected <input type="checkbox"/> Special consideration for anadromous fisheries	

Comprehensive plan provisions	Page # and how addressed in plan	Update action, if needed
<p>p. Adaptive management: If there is inadequate scientific information about critical areas, the jurisdiction may adopt an “adaptive management” policy. WAC 365-195-920 and Critical Areas Assistance Handbook provide guidance on the recommended approach for addressing inadequate scientific information.</p>		
<p>q. Non-regulatory measures to protect or enhance functions and values of critical areas may be used. These may include public education, stewardship programs, pursuing grant opportunities, water conservation, farm planning, joint planning with other jurisdictions and non-profit organizations, stream and wetland restoration activities, etc. See Critical Areas Assistance Handbook for more information.</p>		
<p>r. Natural Resource Lands (NRLs) designated and conserved: RCW 36.70A.170 RCW 36.70A.060 NRLs include forest, agricultural, and mineral resource lands. See process to classify and designate at WAC 365-190-040.</p> <p>If forest or agricultural lands of long-term commercial significance are designated inside UGAs, they must be subject to transfer and/or purchase of development rights (TDR, or PDR). RCW 36.70A.060(4)</p>	<input type="checkbox"/> TDR or PDR program for forest or agricultural lands inside UGAs	
<p>s. Designate and Conserve Forest Resource Land: RCW 36.70A.170 RCW 36.70A.060 Forest land is defined at RCW 36.70A.030(8). Review WAC 365-190-060 for recommendations on forest lands.</p>	<input type="checkbox"/> Forest lands designated	
<p>t. Designate and conserve agricultural resource lands (ARLs): RCW 36.70A.170 and RCW 36.70A.060</p> <p>ARLs are defined at RCW 36.70A.030(2). See WAC 365-190-050 for recommendations to designate, and WAC 365-196-815 to protect agricultural lands.</p> <p>RCW 36.70A.177(3) includes innovative techniques to conserve agricultural land and permitted accessory uses.</p>	<input type="checkbox"/> Agricultural lands designated <input type="checkbox"/> Limit accessory uses on agricultural lands	
<p>u. Designate mineral resource lands:</p> <p>RCW 36.70A.131 requires consideration of new information including data available from the Department of Natural Resources relating to mineral resource deposits when reviewing mineral resource land designations. Minerals defined in RCW 36.70A.030(11) to include sand, gravel and valuable metallic substances. See WAC 365-190-070 for guidance on designation.</p>	<input type="checkbox"/> Review mineral resource lands	

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<p>v. Development outside UGAs: If applicable, development planned outside UGAs must be consistent with the following:</p> <p>Major industrial development: RCW 36.70A.365 and WAC 365-196-435</p> <p>Master planned development: RCW 36.70A.367 and WAC 365-196-470</p> <p>Master planned resorts RCW 36.70A.360, RCW 36.70A.362, and WAC 365-196-460</p>	<input type="checkbox"/> If applicable, development outside UGA consistent with RCW	
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<p>2. The Housing Element is intended to ensure the vitality and character of established residential neighborhoods, encourage the availability of affordable housing to all economic segments of the population, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock. It should be consistent with relevant CWPPs, RCW 36.70A.070(2), and should consider WAC 365-196-410.</p>		
<p>a. Include an inventory and analysis of existing and projected housing needs that identifies the number of housing units necessary to provide for projected growth over the planning period. RCW 36.70A.070(2)(a) and WAC 365-196-410(2)(b) and (c) and Commerce’s <i>Assessing Your Housing Needs (1993, Updated by March 2013)</i></p>	<input type="checkbox"/> Inventory and assess housing needs using latest population projection	
<p>b. Include goals, policies, and objectives for the preservation, improvement, and development of housing. RCW 36.70A.070(2)(b) and WAC 365-196-410(2)(a).</p>	<input type="checkbox"/> Goals, policies for housing	
<p>c. Identify sufficient land for housing, including but not limited to, government-assisted housing, housing for low-income families, manufactured housing, multifamily housing, group homes, and foster care facilities. RCW 36.70A.070(2)(c)</p> <p>Regulations treat a residential structure occupied by persons with handicaps the same as a similar residential structure occupied by a family or other unrelated individuals. RCW 36.70A.410</p> <p>Manufactured housing regulated no differently than site built housing. RCW 35.21.684, 35.63.160, 35A.21.312, and 36.01.225</p> <p><i>A local government may require that manufactured homes (1) new, (2) are set on a permanent foundation, and (3) comply with local design standards applicable to other homes in the neighborhood; but may not discriminate against consumer choice in housing. National Manufactured Housing Construction and Safety Standards Act of 1974</i></p>	<input type="checkbox"/> Identify sufficient land for housing <input type="checkbox"/> Special housing not subject to discrimination <input type="checkbox"/> No discrimination against manufactured housing	

Comprehensive plan provisions	Page # and how addressed in plan	Update action, if needed
<p>d. Provisions for existing and projected housing needs of all economic segments of the community. RCW 36.70A.070(2)(d)</p> <p>If enacting or expanding affordable housing programs under RCW 36.70A.540, the plan identifies certain land use designations within a geographic area where increased residential development will assist in achieving local growth management and housing policies. Examples include: density bonuses within urban growth areas, height and bulk bonuses, fee waivers or exemptions, parking reductions, expedited permitting conditioned on provision of low-income housing units, or mixed use projects.</p> <p>WAC 365-196-410(2)(e)(iii) recommends an evaluation of the extent to which the existing and projected market can provide housing at various costs and for various income levels, and an estimation of the present and future populations that would require assistance to obtain housing they can afford. This section should also identify existing programs and policies to promote adequate affordable housing and evaluate their effectiveness.</p> <p>Affordable housing is defined as when the total housing costs, including basic utilities, does not exceed 30 percent of the income limit (for renters, 50 percent or less of the county median family income, adjusted for family-size, and for owners, 80 percent or less of the county median family income, adjusted for family size for owners). WAC 365-196-410(e)(i)(C) (I-V)</p>	<input type="checkbox"/> Affordable housing planned	
<p>e. If the city has a population of over 20,000, or the county has a population of over 125,000, the jurisdiction allows accessory dwelling units (ADUs) in single-family residential areas. RCW 36.70A.400 RCW 43.63A.215(3)</p> <p>See Accessory Dwelling Unit Ordinance Study and Recommendations (1994) available from Commerce. For counties, ADU provisions in rural areas should review decisions from the appropriate hearings board.</p>	<input type="checkbox"/> ADUs allowed	
<p>f. Family daycare providers are allowed in all residential dwellings located in areas zoned for residential or commercial use and are any zoning conditions imposed no more restrictive than conditions imposed on other residential dwellings in the same zone. RCW 36.70A.450 Family daycare provider means someone who regularly provides child daycare for 12 or fewer children in their home. RCW 43.215.010(c)</p>	<input type="checkbox"/> Family daycares allowed	

Comprehensive plan provisions	Page # and how addressed in plan	Update action, if needed
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<p>3. The Capital Facilities Plan (CFP) Element needs to be consistent with county-wide planning policies and RCW 36.70A.070(3), should consider WAC 365-196-415, and should serve as a check on the practicality of achieving other elements of the plan. This element should cover all the capital facilities planned, provided, and paid for by public entities including to local government and special districts, etc. This should include water systems, sanitary sewer systems, storm water facilities, schools, parks and recreational facilities, police and fire protection facilities. Capital expenditures from Park and Recreation elements, if separate, should be included in the capital facilities plan element. For additional information see <i>Making Your Comprehensive Plan a Reality: A Capital Facilities Preparation Guide Washington Department of Community Trade and Economic Development (CTED), 1993.</i></p>		
<p>a. Goals and policies relating to capital facilities, levels of service, and regulatory strategies for concurrency to guide decisions. RCW 36.70A.120 and WAC 365-196-415</p> <p>Adopted levels of service for public services.</p> <p>Policy to reassess the Land Use Element if probable funding falls short of meeting existing needs and to ensure that the Land Use Element, Capital Facilities Element, and financing plan within the Capital Facilities Element are coordinated and consistent. [RCW 36.70A.070(3)(e) and WAC 365-196-415(2)(d)(iii)(F) recommends that the plan set forth how pending applications for development will be affected while such a reassessment is being undertaken.</p>	<input type="checkbox"/> Land Use reassessment policy included	
<p>b. Inventory showing the locations and capacities of existing capital facilities owned by public entities RCW 36.70A.070(3)(a) and WAC 365-196-415(2)(a) recommends the inventory include water, sanitary sewer, stormwater, solid waste management, school, park, and recreation facilities, police and fire protection facilities. The element should reference water or other system plans, indicate locations of facilities, and show where systems currently have unused capacity. Public services and facilities are defined in RCW 36.70A.030(12) and (13).</p>	<input type="checkbox"/> Inventory of existing facilities	
<p>c. Forecast of future needs to maintain adopted levels of service over the planning period. RCW 36.70A.070(3)(b) requires a forecast of future needs, and WAC 365-196-415 (b) recommends the forecast be based on projected population densities, and distribution of growth over the planning period. This section should consider whether the jurisdiction has sufficient water rights, sewage treatment, or other needed public facilities to support the plan’s projected 20-year growth. This may also consider system management or demand management strategies to meet forecast need.</p> <p>Proposed locations and capacities of expanded or new capital facilities. RCW 36.70A.070(3)(c) requires proposed locations and capacities, and WAC 365-196-415 (3)(C) suggests that the phasing schedule in the Land Use Element should dictate when and where capital facilities will be needed over the 20-year life of the plan. Consider if the concurrency ordinance or other mechanisms have been effective in providing public facilities and services concurrent with development</p>	<input type="checkbox"/> Forecast of future needs <input type="checkbox"/> Proposed locations and capacities of expanded or new facilities.	

Comprehensive plan provisions	Page # and how addressed in plan	Update action, if needed
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<p>d. Six-year plan (at least) to finance planned capital facilities within projected funding capacities, and identifies sources of public money for such purposes. RCW 36.70A.070(3)(d), RCW 36.70A.120 and WAC 365-196-415(c)(i)</p> <p>This CFP should include all public expenditures for capital expenses including water, sewer, transportation, etc. WAC 365-196-415(2)(c)(ii) suggests that the plan be updated at least biennially so that financial planning remains sufficiently ahead of the present for concurrency to be evaluated. For a list of funding sources, see http://www.infracunding.wa.gov/ and www.awcnet.org.</p> <p>If impact fees are collected, the public facilities for which money is to be spent on are included in this element. RCW 82.02.050(4) and WAC 365-196-850</p>	<p><input type="checkbox"/> Six-year funding plan consistent with comp plan</p> <p><input type="checkbox"/> Impact fees used only for projects included in the CFP</p>	
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<p>4. The Utilities Element should relate to all services provided, planned for, paid for, and delivered by providers other than the jurisdiction. This should be consistent with relevant CWPPs and RCW 36.70A.070(4), and should consider WAC 365-195-420.</p>		
<p>a. The general location, proposed location, and capacity of all existing and proposed utilities, including, but not limited to, electrical lines, telecommunication lines, and natural gas lines. RCW 36.70A.070(4). WAC 365-195-420 recommends goals and policies relating coordination in construction, permits, utility corridor use and management. Counties and cities should evaluate whether any utilities should be identified as essential public facilities in case of siting difficulties.</p>	<input type="checkbox"/> General location and capacity of existing and proposed facilities	

<p>5. The Rural Element (counties only) should be consistent with RCW 36.70A.070(5), RCW 36.70A.030(15) through (17), and consider RCW 36.70A.011 and WAC 365-196-425. Rural lands are lands not included in urban growth areas, or designated as agricultural, forest, or mineral resource lands. For additional information, see Keeping the Rural Vision: Protecting Rural Character & Planning for Rural Development, 1999.</p>		
<p>a. A definition of rural character and rural development consistent with RCW 36.70A.030, (15), (16), and (17). WAC 365-196-425(2) provides suggestions.</p>	<input type="checkbox"/> Definition of rural character	
<p>b. Allows forestry, agriculture, and a variety of rural densities and uses. RCW 36.70A.070(5) See WAC 365-196-425(3) for examples of rural densities. The plan may include optional techniques such as limited areas of more intensive rural development (LAMIRDs), clustering, density transfer, design guidelines, and conservation easements to accommodate rural uses not characterized by urban growth as specified in RCW 36.70A.070(5)(d). See WAC 365-196-425(5) for innovative zoning techniques.</p>	<input type="checkbox"/> Variety of densities	
<p>c. A written record explaining how the rural element harmonizes the planning goals and meets the requirements of the Growth Management Act. RCW 36.70A.070(5)(a). WAC 365-196-425(1) notes that the county may consider local circumstances in establishing patterns of rural densities and uses, but must develop a written record of the rural element harmonizes the planning goals and meets the requirements of the act.</p>	<input type="checkbox"/> A written record relating to rural character	
<p>d. A definition of rural governmental services needed to serve the permitted densities and uses. RCW 36.70A.070(5)(b). WAC 365-196-425(4) recommends some definitions of rural services and provides suggestions for appropriate level of service standards.</p>	<input type="checkbox"/> Definition of rural services	

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<p>e. Measures protecting rural character. RCW 36.70A.070(5)(c) Measures include containing/controlling development, assuring visual compatibility, reducing inappropriate conversion to low-density sprawl, protecting critical areas, and protecting against conflicts with natural resource lands.</p>	<input type="checkbox"/> Measures to protect rural character	
<p>f. Limited areas of more intense rural development (LAMIRDs) designated and managed consistent with RCW 36.70A.070(5)(d). See WAC 365-196-425(6) for guidance relating to LAMIRDs. Commerce suggests that jurisdictions consider Growth Management Hearings Board cases and Commerce’s Keeping the Rural Vision: Protecting Rural Character & Planning for Rural Development, 1999 for guidance on appropriate rural densities and levels of governmental services in LAMIRDs.</p>	<input type="checkbox"/> LAMIRDs designated and regulated consistent with GMA	

<p>6. The Transportation Element should be consistent with relevant CWPPs and RCW 36.70A.070(6), RCW 36.70A.108, and should consider WAC 365-196-430.</p>		
<p>a. The element includes goals and policies for roadways; fixed route and demand response public transit; bicycle and pedestrian travel; water, rail, air, and industrial port and intermodal facilities; passenger and freight rail; and truck, rail, and barge freight mobility. WAC 365-196-430(2)(b)</p>	<input type="checkbox"/> Goals and policies	
<p>b. An inventory of air, water, and ground transportation facilities and services, including transit alignments, state-owned transportation facilities, and general aviation airports to define existing capital facilities and travel levels as a basis for future planning. RCW 36.70A.070(6)(a)(iii)(A). WAC 365-196-430(2)(c) provides recommendations for meeting inventory requirements.</p>	<input type="checkbox"/> Transportation inventory	
<p>c. The element includes land use assumptions used in estimating travel. RCW 36.70A.070(6)(a)(i) . WAC 365-196-430(2)(a)(i) recommends counties and cities use consistent land use assumptions, population forecasts, and planning periods for both the land use and transportation elements.</p>	<input type="checkbox"/> Land use assumptions	

Comprehensive plan provisions	Page # and how addressed in plan	Update action, if needed
<p>d. The element includes regionally coordinated level of service (LOS) standards for all arterials and transit routes to gauge the performance of the system, LOS for highways of statewide significance, and LOS for other state highways consistent with the regional transportation plan. RCW 36.70A.070(6)(a)(iii)(B) WAC 365-196-430(2)(e)(v) recommends LOS reflect access, mobility, mode-split and capacity goals. WAC 365-196-430(2)(e)(vi) recommends measurement methodology and standards vary based on the urban or rural character of the surrounding area. Also, balance community character, funding capacity, and traveler expectations through a variety of suggested methods. In urban areas, WAC 365-196-430(2)(e)(vii) recommends some methodologies for analyzing the transportation system from a comprehensive, multimodal perspective. See <i>Coordinating Transportation and Growth Management Planning (1998 Legislation HB: 1487 – “Level of Service Bill)”</i>, WSDOT and CTED, 1998.</p>	<input type="checkbox"/> Levels of service for all facilities; local, regional, and state	
<p>The element identifies specific actions and requirements for bringing into compliance locally owned transportation facilities and services that are below an established LOS standard. RCW 36.70A.070(6)(a)(iii)(D) and WAC 365-196-430(2)(g) Concurrency policies are consistent with RCW 36.70A.070(6)(b), and multimodal improvements are considered RCW 36.70A.108. Strategies such as increased public transit, ride sharing programs, and other multimodal strategies may be used to ensure that development does not cause service to decline on a locally owned facility below adopted levels of service.</p> <p>If required, a commute trip reduction plan to achieve reductions in the proportion of single-occupant vehicle commute trips has been adopted consistent with the comprehensive plan and submitted to the regional transportation planning organization. RCW 70.94.527.</p> <p>The element includes policies and provisions consistent with regional efforts to reduce criteria pollutants from mobile sources. WAC 173-420-080 If the planning area is within a National Ambient Air Quality Standards nonattainment area, WAC 365-196-430(2)(d) recommends including a map of the nonattainment area, severity of the violation, and measures to be implemented consistent with the state implementation plan for air quality.</p>	<input type="checkbox"/> Concurrency	
<p>e. The element describes existing and planned transportation demand management (TDM) strategies, such as HOV lanes, parking policies, high occupancy vehicle subsidy programs, etc. RCW 36.70A.070(6)(a)(vi). WAC 365-196-430(2)(i) provides suggested TDM strategies.</p>	<input type="checkbox"/> TDM Strategies	

Comprehensive plan provisions	Page # and how addressed in plan	Update action, if needed
<p>f. The element includes a pedestrian and bicycle component. RCW 36.70A.070(6)(a)(vii). WAC 365-196-430(2)(j) recommends jurisdictions inventory existing pedestrian and bicycle facilities, and identify and plan improvements for facilities. Improvements could focus on safe routes to school, hazard areas, or pedestrian-generating areas, and should be funded in capital facility or transportation improvement plans. See Bicycle and pedestrian planning information and resources at www.wsdot.wa.gov/Walk/default.htm and www.wsdot.wa.gov/bike/default.htm and the National Center for Bicycling and Walking www.bikewalk.org/.</p>	<input type="checkbox"/> Bicycle and pedestrian planning	
<p>g. The element includes a forecast of traffic for at least 10 years, based on the Land Use Element, to provide information on the location, timing, and capacity needs of future growth. RCW 36.70A.070(6)(a)(iii)(E). WAC 365-196-430(2)(f) suggests including bicycle, pedestrian or planned transit service in a multimodal forecast. Forecasts should be consistent with regionally adopted strategies and plans.</p>	<input type="checkbox"/> 10-year Traffic forecast	
<p>h. The element identifies state and local system expansion needs to meet current and future demands. RCW 36.70A.070(6)(a)(iii)(F). WAC 365-196-430(2)(f) recommends including bicycle, pedestrian or planned transit service in needs. WSDOT's Ten-Year Capital Improvement and Preservation Program for state-owned facilities (Required by RCW 47.05.030) is detailed in the Transportation Executive Information System http://www.transinfo.state.wa.us/ Click on the current projects list, select the most recent legislative final project list and you can select projects by county.</p>	<input type="checkbox"/> Future needs	

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<p>7. The Economic Development Element is not currently because funding was not provided to assist in developing local elements when this element was added to the GMA. However, provisions for economic growth, vitality, and a high quality of life are important, and supporting strategies should be integrated with the land use, housing, utilities, and transportation elements. RCW 36.70A.070(7) An Economic Development Element should include:</p>		
<p>a. A summary of the local economy such as population, employment, payroll, sectors, businesses, and sales. RCW 36.70A.070(7)(a). WAC 365-196-435(2)(a) recommends using population information consistent with the land use and housing elements. Employment, payroll, and other economic information is available from state and federal agencies. Consider gathering data and information for your community data profile pertaining to business, transportation, labor, real estate, utilities, incentives, regulatory, government, and quality of life. See Commerce’s Guidebook on Economic Development (2005).</p>		
<p>b. A summary of the strengths and weaknesses of the local economy defined as the commercial and industrial sectors and supporting factors such as land use, transportation, utilities, education, work force, housing, and natural/cultural resources. RCW 36.70A.070(7)(b). WAC 365-196-435(2)(b) recommends consulting with local development organizations, economic development councils, or economic development districts. Methods for identifying strengths and weaknesses include shift-share analysis, identify of industry clusters, public input, and asset mapping.</p>		
<p>c. Identification of policies, programs, and projects to foster economic growth and development and to address future needs. RCW 36.70A.070(7)(c). WAC 365-196-435(2)(c) recommends identify policies, programs and projects that address identified weaknesses or capitalize on strengths identified by the community. Consider using performance targets to measure success.</p>		

<p>8. A Parks and Recreation Element is not required because the state did not provide funding to assist in developing local elements when this provision was added to the GMA. However, park, recreation, and open space planning are GMA goals, and it is important to plan for and fund these facilities. RCW 36.70A.070(8). Commerce’s Guidebook Planning for Parks, Recreation, and Open Space in your Community, can provide step-by-step assistance. <i>Also see www.rco.wa.gov/doc_pages/index.shtml for additional assistance.</i> A Parks and Recreation Element should include:</p>		
<p>a. Goals and policies to guide decisions regarding facilities. WAC 365-196-440(2)(b) recommends a visioning process to engage the public in identifying needs, evaluating existing recreational opportunities, and developing goals for the parks and recreation element.</p>		

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<p>b. Estimates of park and recreation demand for at least a ten-year period based on adopted levels of service and population growth. RCW 36.70A.070(8)(a). WAC 365-196-440(2)(c) recommends establishing levels of service standards that reflect community goals. LOS should focus on those aspects that relate most directly to growth and development.</p>		
<p>c. An evaluation of facilities and service needs over the planning period. RCW 36.70A.070(8)(b). WAC 365-196-440(2)(d) lists factors to consider when estimating demand for parks, open space and recreational services.</p>		
<p>d. An evaluation of intergovernmental coordination opportunities to provide regional approaches for meeting park and recreational demand. RCW 36.70A.070(8)(c). WAC 365-196-440(2)(f) recommends identifying other local, statewide and regional recreation plans for future facilities and opportunities for public and private partnerships to meet regional demand.</p> <p>The element is consistent with and is a part of the Capital Facilities Element as it relates to park and recreation facilities. RCW 36.70A.070(3)(e). WAC 365-196-440(2)(e) recommends identification of future facilities and services consistent with the land use and capital facilities elements. WAC 365-196-440(2)(g)(iii) recommends identifying strategies for financing in the parks and recreation element, a separate parks plan, or the capital facilities element.</p>		

<p>9. The Shoreline Element of the comprehensive plan is the goals and policies of the Shoreline Master Program (SMP). RCW 36.70A.480 The SMP goals and policies may also be included in an Environmental Element. The SMP goals and policies should be consistent with the rest of the comprehensive plan.</p>		
<p>SMP goals and policies included in the comprehensive plan. RCW 36.70A.480.</p> <p>When a jurisdiction updates its SMP consistent with Ecology’s new guidelines (Chapter 173-26 WAC), and according to a schedule in RCW 90.58.080, protection for critical areas within shorelines is transferred from the critical areas ordinance to the SMP. Protection must be at least equal to that from the CAO under the GMA. See Questions and Answers on ESHB 1933 for assistance.</p>	<p><input type="checkbox"/> SMP goals and policies.</p>	

<p>10. Provisions for Siting Essential Public Facilities (EPFs) should be consistent with CWPPs, RCW 36.70A.200, and should consider WAC 365-196-340 and 550. This section can be included in the Capital Facilities Element, Land Use Element, or in its own element. Sometimes the identification and siting process for EPFs is part of the CWPPs.</p>		
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Comprehensive plan provisions	Page # and how addressed in plan	Update action, if needed
<p>a. The plan includes a process or criteria for identifying and siting essential public facilities (EPFs). EPFs include those facilities that are typically difficult to site, such as airports, state education facilities, state or regional transportation facilities, state and local correctional facilities, solid waste handling facilities, and in-patient facilities including substance abuse facilities, mental health facilities, group homes, and secure community transition facilities. [RCW 36.70A.200(1)] WAC 365-196-550 suggests a potential process.</p>	<input type="checkbox"/> EPF identification and siting process	
<p>b. State or regional transportation facilities and services of statewide significance (TFSS) and secure community transition facilities (SCTF) (defined in RCW 71.09.020(14)) have been added to list of EPFs. RCW 36.70A.200. WAC 365-196-550(d) provides a list of essential public facilities.</p>	<input type="checkbox"/> TFSSs and SCTFs added to list of essential public facilities	
<p>c. Policies that address the statutory requirement that no comprehensive plan may preclude the siting of essential public facilities. RCW 36.70A.200(5). WAC 365-196-550(3) list types of comprehensive plan provisions or development regulations that could make the siting of an essential public facility impossible or impracticable.</p>	<input type="checkbox"/> No preclusion policy	
<p>d. Jurisdiction considered the Office of Financial Management’s list of essential state public facilities that are required or likely to be built within the next six years. RCW 36.70A.200(4). (Instructions to find the list are available from GMS)</p>	<input type="checkbox"/> List considered	

<p>11. Optional plan elements and sub-area plans may be included in the comprehensive plan.</p>		
<p>Additional elements are included in the plan, such as energy conservation, historic preservation, natural hazards, or community design?. [RCW 36.70A.080 and WAC 365-196-445] These elements should be consistent with all other elements of the plan. Resources: <i>Historic Preservation: A Tool for Managing Growth</i>, Commerce, 1994, revised in 2005, <i>Optional Comprehensive Plan Element for Natural Hazard Reduction</i>, Commerce, 1999.</p>		
<p>If any sub-area plans included in the plan, they consistent with the other plan elements. RCW 36.70A.080(2).</p>		

<p>12. Consistency is required by the GMA.</p>

Comprehensive plan provisions	Page # and how addressed in plan	Update action, if needed
<p>a. All plan elements are consistent with relevant county-wide planning policies (CWPPs) and the GMA. RCW 36.70A.100 and 210 and WAC 365-196-400(2)(c) and 520. WAC 365-197-400(2)(c) suggests CWPPs be referenced in each element, or be appended to the plan to clearly show consistency. Some jurisdictions use a table to show consistency.</p>	<input type="checkbox"/> CWPPs	
<p>b. The plan describes how all elements fit together, such as consistency of plan elements and future land use map, and consistency of land use and capital facilities elements. RCW 36.70A.070 (preamble). WAC 365-197-400(2)(f) recommends inclusion at the beginning of the comprehensive plan a section which summarizes how the various pieces of the plan fit together.</p>	<input type="checkbox"/> Internal consistency	
<p>c. Policies directing that capital budget decisions be made consistent with the comprehensive plan. RCW 36.70A.120.</p>	<input type="checkbox"/> Budget decisions consistent with plan	
<p>d. Plan is coordinated with the plans of adjacent jurisdictions. RCW 36.70A.100.</p> <p>e. WAC 365-196-520 suggests counties and cities circulate their proposed plans and SEPA documents with other counties and cities with which they share a common border or has related regional issues. Counties and cities are encouraged to resolve conflicts through consultation and negotiation.</p>	<input type="checkbox"/> External consistency	

13. Public participation, plan amendments and monitoring		
<p>a. Plan ensures public participation in the comprehensive planning process. RCW 36.70A.020(11), .035, and .140. WAC 365-196-600(3) provides a list of possible public participation choices.</p>	<input type="checkbox"/> Public participation	
<p>b. The plan describes the process for making amendments. RCW 36.70A.130(2)(a). WAC 365-196-600 provides a list of suggestions for meeting the public participation requirements. Once established, the public participation plan must be broadly disseminated.</p> <p>Plan provides that amendments are to be considered no more often than once a year, not including the exceptions described in RCW 36.70A.130(2). WAC 365-196-640</p>	<input type="checkbox"/> Broadly publicized plan amendment process. <input type="checkbox"/> Plan amendments no more than once a year.	

Comprehensive plan provisions	Page # and how addressed in plan	Update action, if needed
<p>c. Plan sets out a procedure for adopting emergency amendments and defines emergency. RCW 36.70A.130(2)(b) and RCW 36.70A.390. WAC 365-196-650(4) states that public notice and an opportunity for public comment must precede the adoption of emergency amendments to the comprehensive plan. Provisions in RCW 36.70A.390 apply only to moratoria or interim development regulations. They do not apply to comprehensive plans amendments. If a comprehensive plan amendment is necessary, counties and cities should adopt a moratoria or interim zoning control. The county or city should then consider the comprehensive plan amendment concurrently with the consideration of permanent amendments and only after public notice and an opportunity for public comment.</p>	<input type="checkbox"/> Process for emergency plan amendments	
<p>d. Plan or program for monitoring how well comprehensive plan policies, development regulations, and other implementation techniques are achieving the comprehensive plan's goals and the goals of the GMA . WAC 365-196-660 discusses a potential review of growth management implementation on a systematic basis.</p>		

Sample GMA update work program for jurisdictions with a June 30, 2015 deadline.

This work program is a sample schedule of tasks associated with a review and update of GMA comprehensive plan and development regulations. The dates here are samples only, but we consider them realistic estimates of time.

Local governments may combine Update work with annual (or “docket”) amendments to the Comprehensive Plan that are proposed by public and/or private applicants. We recommend these be clearly distinguished throughout the update process.

Example Timeline	Tasks	Notes
Initial Staff Review, develop grant with Commerce		
4/2013 – 6/2013	Review existing comprehensive plan, subarea plan(s) and development regulations. Consider: <ul style="list-style-type: none"> • Commerce checklist • Any updates to Best Available Science • Consult with Ecology on coordination with Shoreline Master Program update 	Check required items against your comprehensive plan and development regulations to see if they need to be updated. Document in the checklist where in your plan or regulations requirements are addressed. This initial review using the checklist will help set the scope of work for the grant and will speed up Planning Commission review.
4/2013 – 6/2013	Develop Scope of Work for grant with Commerce	Note that in most cases the Scope of Work in the Commerce grant will not cover the entire cost of the update.
6/2013	Sign final grant agreements	Commerce needs original signed copies for records
Get professional help (if needed)		
6/2013 – 7/2013	Hire contractor using local hiring procedures	Smaller jurisdictions may consider joining with other jurisdictions (Council of Governments, joint consultant contracts) Develop contract with clear tasks, deliverables, and timeframes. Tie contract payments to submission of deliverables.
Staff (or consultant) analytical work		
6/2013 – 1/2014	Update any relevant inventories, demographics and/or land-capacity analysis	This task may be necessary depending on the scope identified above. This work can be done parallel with the formal update work program tasks described below.
Planning Commission recommends Update Work Program		
8/17/2013 – 9/17/2013	Planning Commission initial review of the Update Work Program	Use the Commerce checklist in establishing the formal scope of review for the city/county update.
9/2013	<i>Option:</i> If your jurisdiction is formally adopting a Work Program, send Commerce 60-day “Notice of	Counties and cities are not required to formally adopt their Work Program by resolution. However, many find it useful to preclude

	Intent” to adopt the Work Program.	challenges later on whether the county/city should have reviewed a particular comprehensive plan element or development regulation.
10/2013	Planning Commission public hearing on Update Work Program	
10/2013	Planning Commission discussion of hearing testimony and possible modifications	
11/2013	Final Planning Commission recommendation on the Update Work Program	
Option: City Council action on Update Work Program		
11/2013	<i>Option:</i> City Council study session and public hearing on the Update Work Program	
11/ 2013	<i>Option:</i> City Council adoption by resolution of the Update Work Program	If adopted, send copy of resolution to Commerce within 10 days of date of adoption
Planning Commission review and hearings on revisions to comprehensive plan and development regulations		
11/2013 – 9/2014	Planning Commission review of revisions to the comprehensive plan and development regulations.	
7/2014 – 9//2014	Conduct SEPA review analyzing environmental consequences that would result from the proposed changes.	Some cities find it useful to start SEPA review at the early phases of developing plans and regulations.
10/2014	<i>Option:</i> Send Commerce draft Planning Commission update documents for informal review before hearings	Commerce recommends sending preliminary draft revisions to the state at least 30 days prior to your public hearing, so state agency comments can be considered by the Planning Commissioners. This is in addition to the formal 60-day review period for the final changes.
11/2014	Planning Commission first public hearing on draft Update amendments	
11/2014	Planning Commission discussion of hearing testimony and possible modifications	
12/2014	Planning Commission further review	
12/2014	Planning Commission public hearing and Final Recommendation on draft Update amendments	

City Council review and action		
2/2015 - 3/2015	Schedule City Council study sessions on draft Update amendments developed by Planning Commission	
4/2015	City Council public hearing on draft Update amendments	
4/2015	City Council hearing # 2 of draft Update amendments	
4/2015	Send Commerce 60 days Notice of Intent to Adopt	Note: Update amendments can be combined with annual (docket) amendments
6/2015	City Council adoption of draft Update amendments	Commerce recommends the final adopting resolution/ordinance indicates all the major steps in update process and include a definitive statement that this action concludes the required Update process required by GMA.
6/2015	Publish Notice of Adoption in paper	Date of publishing triggers 60-day appeal period
6/2015	Submit final update ordinance to State	GMA requires submittal to state 10 days after final action

Table DP-1: King County Jurisdiction Growth Targets 2006-2031					
		Net New Units 2006-2031		Net New Jobs 2006-2031	
		Housing Target	Potential Annexation Area Housing Target	Employment Target	Potential Annexation Area Emp Target
Core Cities	Metropolitan Cities				
	Bellevue	17,000	290	53,000	
	Seattle	86,000		146,700	
	Metropolitan Cities Subtotal	103,000		199,700	
	Auburn	9,620		19,350	
	Bothell	3,000	810	4,800	200
	Burien	4,440		4,960	
	Federal Way	8,100	2,390	12,300	290
	Kent	9,270	90	13,280	210
	Kirkland	8,570		20,850	
Redmond	10,200	640	23,000		
Renton	14,835	3,895	29,000	470	
SeaTac	5,800		25,300		
Tukwila	4,800	50	15,500	2,050	
Core Cities Subtotal	78,638		168,340		
Larger Cities	Des Moines	3,000		5,000	
	Issaquah	5,750	290	20,000	
	Kenmore	3,500		3,000	
	Maple Valley	1,800	1,060	2,000	
	Mercer Island	2,000		1,000	
	Sammamish	4,000	350	1,800	
	Shoreline	5,000		5,000	
	Woodinville	3,000		5,000	
Larger Cities Subtotal	28,050		42,800		
Small Cities	Algona	190		210	
	Beaux Arts	3		3	
	Black Diamond	1,900		1,050	
	Carnation	330		370	
	Clyde Hill	10		0	
	Covington	1,470		1,320	
	Duvall	1,140		840	
	Enumclaw	1,425		735	
	Hunts Point	1		0	
	Lake Forest Park	475		210	
	Medina	19		0	
	Milton	50	90	160	
	Newcastle	1,200		735	
	Normandy Park	120		65	
	North Bend	665		1,050	
	Pacific	285	135	370	
Skykomish	10		0		
Snoqualmie	1,615		1,050		
Yarrow Point	14		0		
Small Cities Subtotal	10,922		8,168		
Urban Unincorp	Potential Annexation Areas	10,090		3,220	
	North Highline	820		2,170	
	Bear Creek UPD	910		3,580	
	Unclaimed Urban Uninc.	650		90	
Urban Incorporated Subtotal	12,470		9,060		
Urban Growth Area Total	233,077		428,068		

Chapter: DEVELOPMENT PATTERNS



COMP PLAN UPDATE PROGRAM	2013 (by month)												2014 (by month)												NOTES
	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	
INITIAL APPROACH & COUNCIL DISCUSSION <ul style="list-style-type: none"> City Council Retreat CC & PC Joint Meeting 	█																								
DEVELOP WORK PROGRAM, SCHEDULE AND STAFFING <ul style="list-style-type: none"> Form interdepartmental team Staff kickoff meetings PC & CC review work program 	█																								Planning Commission & City Council review work program and schedule.
DATA COLLECTION AND MAPPING <ul style="list-style-type: none"> Update Community Profile Capacity analysis GIS Mapping Housing Needs Assessment 	█												█												Capacity analysis may need to be revised based on land use plan.
COMMUNITY OUTREACH <ul style="list-style-type: none"> Develop public outreach program (CC & PC to review) Neighborhood U on GMA Issues and Interest Scoping Develop informational materials Continuous public involvement events 	█																								Planning Commission and City Council review and approve public outreach program.
COMMUNITY VISIONING <ul style="list-style-type: none"> Confirm or revise vision statement and framework goals 	█																								
REVIEW OF COMPREHENSIVE PLAN ELEMENTS <ul style="list-style-type: none"> Prepare issue papers for each element (Land Use, Transportation, Housing, etc.) ID potential plan amendments ID potential zoning amendments Review by Planning Commission PC check in with City Council 							█												Issue papers would address GMA requirements, identify outdated policies, and provide initial discussion on proposed goal and policy direction.						
NEIGHBORHOOD PLAN APPROACHES <ul style="list-style-type: none"> Council retreat discussion Neighborhood Outreach Update issue paper Address with Comp Plan 	█																								
SEPA COMPLIANCE <ul style="list-style-type: none"> RFP for consulting services Scoping Develop alternatives Impact analysis Prepare draft EIS Prepare Final EIS 							█												EIS to be prepared in conjunction with the Transportation Master Plan.						
TRANSPORTATION MASTER PLAN <ul style="list-style-type: none"> RFP for consulting services Incorporate into EIS process Identify network, projects and costs Conduct LOS analysis & transportation modeling effort. Prepare final plan 	█																								Effort to be led by Transportation Commission and close coordination with Planning Commission. Land use to be supported by transportation system and LOS approach. TMP becomes Transportation Element of Comprehensive Plan
PARKS, RECREATION AND OPEN SPACE PLAN (PROS PLAN) <ul style="list-style-type: none"> Public involvement Technical analysis LOS consideration 	█																								Effort to be led by Park Board. PROS Plan forms basis for Parks, Recreation & Open Space element of the Comprehensive Plan.
PREPARE UPDATED DRAFT COMPREHENSIVE PLAN ELEMENTS <ul style="list-style-type: none"> Draft Goals, policies, maps, etc. Draft Transportation Master Plan Draft EIS Draft code and map changes 													█												Review of draft elements at study sessions.
FINAL PLAN REVIEW <ul style="list-style-type: none"> Planning Commission and HCC review, hearings and recommendation CC review, revision & adoption HCC final action 																			█						Planning Commission & HCC review, conduct public hearings and transmit a recommendation to the City Council. City Council review and provide direction on any revisions. Final adoption by City Council and HCC final action.
RELATED PROJECTS	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	NOTES
TOTEM LAKE STUDY (TDR, MARKET) <ul style="list-style-type: none"> Market Analysis Infrastructure Finance Tools Draft TDR Program ID potential amendments 	█																		Analysis will provide basis for possible changes to Totem Lake.						
CROSS KIRKLAND CORRIDOR PLAN <ul style="list-style-type: none"> Prepare goals and vision Develop guidelines & principles Identify alternatives & cost estimates Prepare plan 	█																								Incorporated into Transportation Master Plan. Effort led by Public Works.



International Association
for Public Participation

IAP2 Spectrum of Public Participation

Increasing Level of Public Impact

Public participation goal

Inform

To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions.

Consult

To obtain public feedback on analysis, alternatives and/or decisions.

Involve

To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.

Collaborate

To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.

Empower

To place final decision-making in the hands of the public.

Promise to the public

We will keep you informed.

We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision.

We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.

We will look to you for advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.

We will implement what you decide.

Example techniques

- Fact sheets
- Web sites
- Open houses

- Public comment
- Focus groups
- Surveys
- Public meetings

- Workshops
- Deliberative polling

- Citizen advisory committees
- Consensus-building
- Participatory decision-making

- Citizen juries
- Ballots
- Delegated decision

**CITY OF KIRKLAND**

City Manager's Office

123 Fifth Avenue, Kirkland, WA 98033 425.587.3001

www.kirklandwa.gov**MEMORANDUM**

To: Kurt Triplett, City Manager

From: Marilynne Beard, Deputy City Manager
Paul Stewart, Deputy Planning Director
Kari Page, Neighborhood Services Outreach Coordinator

Date: January 21, 2013

Subject: NEIGHBORHOOD PLANNING PROCESS

The City Council is planning to discuss the neighborhood planning process at the upcoming City Council retreat. By way of background, a report from the Planning Commission was prepared (included as part of the Comprehensive Plan Update staff report) that discusses options for making the process more efficient. The report was partially a response to budget reductions made in the 2009-2010 Budget and again in the 2011-2012 Budget that cut staff resources available to support neighborhood plans.

In order to develop a more specific recommendation about the future of neighborhood plans, it will be helpful to understand the City Council's views on the purpose and process for neighborhood plans in the future. As a first step, staff conducted a facilitated discussion with the Kirkland Alliance of Neighborhoods about their perceptions of the neighborhood plans. Three questions were asked:

1. What is the value of having of neighborhood plan for your neighborhood?
2. What about the process works well?
3. What are the opportunities for improving the process?

A summary of the comments received at the KAN meeting is attached to this memo. Staff is recommending that the City Council answer the same three questions from their perspective.

Staff recommends that the topic of neighborhood plans would benefit from further public involvement beyond KAN and that, based on KAN and City Council input and additional input from other interested stakeholders, an updated recommendation can be prepared.



Kirkland Alliance of Neighborhoods

Wednesday, January 9, 2013

Input on Neighborhood Plans and the Planning Process

NEIGHBORHOOD PLANS (*the product*)

What is the value of a neighborhood plan:

- Predictability about a piece of property
- Vision of the future over a defined time period
- Focus on future
- Knowing where density is going to go
- Protection for the neighborhood
- Understanding your neighborhood in the context of wider community and adjacent neighborhoods
- Acknowledgement that neighborhoods are distinct and so are plans
- Useable at neighborhood level by residents
- Clear statement of objectives over time
- Having goals for the neighborhood
- Relevance to me – relates to my neighborhood

Opportunities for improvement:

- Write the plan so everyone can understand
- The plan should provide predictability but also acknowledge and respond to change
- Provide consistency between the Comprehensive Plan, Neighborhood Plans, and the zoning code.
- Perhaps the Plan should be more visionary and less burdened with details – concise and easily digestible
- Need an agreed upon “life” of each Neighborhood Plan (20 years is too long – 5 year is too short) and stick to it

NEIGHBORHOOD PLANNING (*the process*)

What we like:

- Starting with an overall vision and identification of key values – helps direct the process and bring everyone together
- Starting with big picture
- Discussion of values helps bring everyone together and helps get to solutions
- Lots of staff support
- Ability to provide input into the process
- Meetings with businesses, schools, church groups, and other community members that aren't typically at their neighborhood meetings
- Include current status in each meeting plan (i.e. where we have been, where we are, and where we are going in the)
- Consider using former Planning Commissioners to volunteer their expertise to various projects
- Learning about the future and deciding how we want things to change
- Understanding of where we are today, what development pressures will come to bear (growth) and what we can do to absorb growth and still maintain important neighborhood character based on local values
- New neighborhood (Finn Hill) is looking forward to in a Neighborhood Planning Process:
 - Understanding today's zoning (what's on the books now)
 - Understanding what Finn Hill has to absorb for their part of density

- Discover how the density can be absorbed into strategic places that can enhance their overall values and preserve the parks – etc.
- Learn about public services and other elements of the plan
- Looking for win/win alignments with growth and their mission
- Define what the residents/Finn Hill Neighborhood can do to help
- New neighborhood (Evergreen Hill) is looking forward to a Neighborhood Planning Process:
 - Most of Evergreen Hill is already developed so it may be more difficult creating interest in participating in the planning process in this area
 - Where will the parks come from (1/2 mile radius goal)
 - What happens to the private parks and all of the Homeowners Associations –
 - How can we get people involved and engaged in becoming a Neighborhood Association rather than many separate homeowners associations

Opportunities for improvement:

Timeline and Process

- Too many meetings, process is too long, and feels bureaucratic
- Hard to get continuity in membership as most people can't commit this much time (1.5 years for Houghton called fast track. When asked to raise hands - no one in the room said they could commit that much time if the Neighborhood Planning process came to their neighborhood)
- Every 20 years may be too long – couldn't we have a check in every X years?
- Try breaking up the plan into different sections and invite people to participate in the section they are most interested in (let them decide when to jump in and exit)
- Make assumptions known about density and growth for 5, 10 and 15 years out
- Speed up the education pieces and reduce the level of detail so the timeline can be reduced
- Save tough issues to the end – process can be consumed by conflict with private amendments and zone changes on one or two parcels
- Hold meetings in the evening so people who work can participate
- Very important that there be a representative and an alternate from each neighborhood involved in the Comprehensive Planning process and that either the representative or the alternate be a KAN rep for the neighborhood (so that information can flow).
- KAN is uniquely qualified to assume role of "translator" for our neighborhoods in the Comprehensive Planning Process
- KAN can and should understand and interpret Comp Plan process for our neighborhood and likewise, interpret and act on the opinions and reactions from our neighbors
- More people may participate if the process wasn't so long

Communication

- Use language that everyone understands – speak in non-planner terms
- Use email
- Keep messages short and sweet – like twitter with links for more information
- Create a step by step process (handbook) on what the Neighborhood Planning Process is and how it works so people not involved know what it is and how it works
- Make the information relevant to "me"
- How will decisions impact the people (what does it mean)
- Relate specifics of the plan to what it means to the neighborhood (4 floors of housing looks like this)

- Clearly articulate what the City's purpose of the Neighborhood Plan is and explicitly how it will be used
- Explain how the Neighborhood Plan relates to the zoning code
- Need a better way to connect the planning process/decisions with the rest of the neighborhood (who doesn't attend the meetings)

Geographical

- Look at surrounding neighborhoods across borders – impacts don't stop at boundary
- Could keep neighborhood process intact but do them simultaneously within a sub area for collaboration across neighborhood boundaries
- Like focus inward on my neighborhood only – keep this intact

Plan Changes (e.g. Private Amendment Requests)

- Mail notices to multiple people in the neighborhood if requested by the neighborhood or if they are inactive
- Change should come from the neighborhood rather than the City
- Better educate the residents to understand the plan and how to monitor it over time
- Continued education and feedback as the plan is implemented
- Want to rely on the plan – not to see it changed immediately after creation
- Follow the plan after it is adopted
- Clear process for learning about how the product/plan changes over time – create neighborhood "experts"
- Clarify if the plan is meant to be static or dynamic
- Include photos/pictures of proposed change so people better understand what is being proposed
- KAN can help neighborhoods stay on top of change
- Hot Sheet helps and can feed proposal information to the neighborhoods and KAN
- Provide feedback loop on how and why plans are changed after they have been changed (especially to neighborhoods who recently underwent the process so they better understand why)
- Make the messages more clear when they come out announcing a proposed change for the plan (people don't understand the language or importance of the message – and it gets lost or overlooked)



Improving Subarea Plans

Planning & Community Development

January, 2012

Improving Subarea Plan Updates

1. The Problem

The Kirkland Comprehensive Plan contains twelve neighborhood plans and two corridor plans. With the recent annexation, two new neighborhoods were added and another neighborhood was expanded, resulting in sixteen areas for which plans potentially need to be prepared and maintained. A map of the neighborhood boundaries is attached. With current resources and other priorities, keeping the plans up to date will be a significant challenge. Consequently, it would be desirable to find a way to either speed up the cycle of neighborhood plan updates or find alternatives to neighborhood planning.

2. Purpose of Neighborhood Plans

Kirkland has prepared neighborhood plans since 1977. The plans have enabled the City to examine and plan for issues at a localized scale, addressing the unique characteristics of different parts of the City. Land use policies and regulations have been developed at a very fine geographic scale.

In addition, the neighborhood plans have encouraged greater citizen participation and involvement in the planning process.

These objectives remain valid today; although localized planning need not be done at the scale of recognized neighborhoods. In acknowledgement of this, the remainder of this paper will use the term subareas, which may or may not coincide with neighborhoods.

3. Outcomes of Neighborhood Plans

Neighborhood plans address a broad variety of conditions, ranging from high density mixed use business districts to low density residential areas. The update process is an opportunity to comprehensively review issues within a localized geographic area. The neighborhood planning process also provides an opportunity to review private amendment requests within the context of a broader area.

Often new ideas emerge over the course of the plan update process that were not anticipated in the initial stages of the plan update.

As an outcome of previous neighborhood plan updates, the following innovative ideas have been adopted by the City:

- **A new vision for a mixed use, pedestrian oriented mini urban village for the Yarrow Bay Business District (Lakeview Neighborhood Plan).**
- **Creative flexible development standards for clustering and smaller lots for the South Houghton slope area (Lakeview Neighborhood Plan)**
- **Small lot allowances and historic preservation incentives (Market and Norkirk plans)**
- **Increased height and development intensity (Totem Lake and NE 85th Street Corridor Plan).**

Following the completion of the Lakeview and Central Houghton Neighborhood Plans staff noted the following observations on what worked well and what didn't with these two updates. These plans didn't follow the typical process since the Houghton Community Council (HCC) took the lead on the updates.

What Worked Well

- Having the HCC take the lead.
- Joint meetings and public hearing with the Planning Commission (PC) and HCC.
- Joint transmittal memo on recommendations from the PC and HCC.
- Heritage Society drafting the historic section.
- Getting comments from the Parks Board and Transportation Commission.
- Combining topics for Lakeview and Central Houghton (e.g. small lot provisions)

What Didn't Work as Well

- Advisory group process (selection of members, the time it takes, confusion on role and participation, the number of meetings, frustration with the process). Many participants quit coming to meetings.
- Neighborhood University (holding this event in the beginning was somewhat confusing).
- Sending out a final action postcard (confusing and not cost-effective).
- Waiting to do the Houghton Business District

4. How Often Should Subarea Plans Be Updated?

In order to consider ways to improve subarea planning, it would be helpful to identify the desired frequency for examining localized land use issues and updating subarea plans.

The current status of neighborhood and corridor plans is shown below by the date the plans were most recently updated:

2011:	Lakeview and Central Houghton;
2007:	Market, Norkirk and Market Corridor;
2005:	Highlands
2003:	North Rose Hill
2002	Totem Lake (some amendments in 2008 & 2009)
2001:	NE 85 th St.
1991:	South Rose Hill (partial update)
1990:	North/ South Juanita
1989:	Moss Bay (CBD updated more recently)
1988:	Everest
1986:	Bridle Trails
No plans:	Finn Hill, Kingsgate and recently annexed portion of North Juanita

In accordance with the Growth Management Act, major updates of the Comprehensive Plan must be done every eight years, at which time the plan must address growth issues over the subsequent 20 year period. Other plan updates are allowed on an annual basis.

An ambitious goal for subarea plan updates would be to have each plan reviewed during the eight year period between major Comprehensive Plan updates. This really amounts to reviewing plans on a six year cycle, since the major Plan updates typically take two years and dominate the attention of the Planning Commission and staff during that time. With fourteen neighborhood plans and two corridor plans, this would equate to updating an average of about three of the existing neighborhood/ corridor plans per year.

A less ambitious goal would be to strive to review all subarea plans over the course of two major Comprehensive Plan update cycles or once every sixteen years. With this schedule, however, most of the plans would be out of date well before their next scheduled update.

Another option would be to establish different update schedules for different areas. Areas experiencing greater growth pressures, business districts for example, typically need to be updated more often. Consequently, high growth areas could be assigned more frequent updates.

5. Staff Resources

One of the variables that has a significant effect on how often neighborhood plans can be updated is the number of staff able to be assigned to neighborhood plans. Over the past two years, there has been 1.5 – 2.0 FTE of project planner time focused on neighborhood plans. During this time, two neighborhood plans were rewritten. However, the availability of staff is affected from year to year by competing tasks, their relative priorities, and funding levels. A copy of the most recently adopted Planning Work Program is attached.

6. Public Participation

A major reason that neighborhood plans take as long to update as they do is the public participation process. Recent plan updates included the following participation elements:

- one or more kick off meetings;
- appointment of an advisory committee, with several months of committee meetings;
- several study session meetings of the Planning Commission (and where applicable the Houghton Community Council), particularly early in the process to help set direction and then again following the work of the advisory committee to review and approve the final plan;
- presentations at neighborhood meetings
- mailouts and information handouts
- posting of public notice signs
- web page listing
- listserv messages
- One or more public workshops or open houses
- One or more public hearings before the PC or HCC

Ways to streamline the process without shortchanging the opportunity for the public to influence the outcome of the plan may be explored. Some ideas include:

- Use an up-front scoping process, that narrows the topics under review;
- Eliminate the use of advisory committees, instead use focused outreach to interest groups, such as neighborhood associations and businesses;
- Use facilitated public workshops that focus input on key questions.
- Use on line surveys or web based tools

Public meetings are inherently time intensive. They must be scheduled well in advance and there needs to be adequate time between meetings for preparation, follow-up and adequate public notice. Unless there are very few issues of substance or a significant change in the process, it's unlikely that a plan update could be completed in less than a year and half or two years.

7. Scope of Issues Considered in Subarea Plans

One way of reducing the time it takes to complete subarea plan updates would be to limit the scope of issues addressed. The update could start with a scoping process to narrow down the range of issues that will be under review. Land use, streets, walkways and parks are typically the biggest issues. Topics that are adequately covered by citywide policies could be eliminated.

Although this may save some amount of time, the most difficult and time consuming issues to address during the sub area plan updates are land use issues – which are at the inherently at the heart of the plans.

It should also be noted that if there are to be any land use changes, it is important to incorporate any rezoned and code regulations concurrently with the plan update. This does add additional time and notice requirements. However, it is inherently more efficient do it at the time of the sub area plan rather than delaying to a future date following plan adoption.

8. Simplify and Standardize the Subarea Plan Format

Another idea would be to restructure sub area plans into a shortened format. For example, rather than having the plans list of a series of goals and policies, they could be oriented around a series of maps with a succinct text explanation of items identified on the maps. The key maps would be land use map, which would be broken up to highlight specific areas or districts within the neighborhood. Here's one idea:

<u>Page</u>	<u>Topic</u>
1	Overview and Vision
2	History
3	Natural Features Map and Text
4	Land Use Map – overview of entire sub area
5- 9	Land Use Districts – maps highlighting specific districts with descriptive text
10	Public Facilities (transportation, parks, etc.)
11	Public Facilities text – desired improvements
12	Urban Design

9. Geographic Scope of Planning Areas

Plan for Larger Geographic Areas Rather than preparing a plan for each neighborhood, one idea would be to prepare subarea plans for logical groupings of neighborhoods. This could involve a single plan for each subarea, or multiple neighborhood plans updated as part of a single subarea planning process. Following are two alternative approaches to subareas.

a. Four subareas:

- Finn Hill, Juanita,
- Kingsgate, Totem Lake
- North Rose Hill, NE 85th St. Corridor, South Rose Hill, Bridle Trails
- Market, Market Corridor, Norkirk, Highlands, Moss Bay, Everest, Lakeview, Central Houghton

b. **Six subareas:**

- Finn Hill
- Juanita
- Kingsgate, Totem Lake
- North Rose Hill, NE 85th St. Corridor, South Rose Hill, Bridle Trails
- Market, Norkirk, Highlands, Market Corridor, Moss Bay
- Everest, Lakeview, Central Houghton

Business District Focus Another idea would be to focus detailed planning on the geographic areas where the majority of growth and development is anticipated – primarily in and adjacent to business districts. This could involve eliminating neighborhood plans altogether, except for the portions that address the business districts and other areas of higher intensity development (which are typically adjacent to business districts). This would result in thirteen or fourteen business district plans, which could be organized in groups to update over a six year cycle.

Alternatively, subarea plans would continue to cover all areas within a subarea, but updates would be limited to the geographic area within and immediately surrounding the business districts.

Eliminate Neighborhood Plans A more radical idea would be to eliminate neighborhood and subarea plans altogether. With this alternative, the Comprehensive Plan would consist entirely of the general elements focused on specific topics - for example, Land Use, Economic Development, Transportation, etc. The Comprehensive Land Use Map would continue to show land use designations at whatever level of detail is necessary, but there would be much less background about the rationale for the designations at specific locations or the specific policies pertaining to each area. While this would simplify the Plan, it could diminish its effectiveness. In addition, with this approach we'd no longer be systematically reviewing planning issues and engaging the community at a focused geographic level.

10. Plan Update Schedule

The most recent schedule (January, 2011) of neighborhood plan updates is attached.

As noted above, the following neighborhood plans have been completed in the past ten years and are in relatively good shape: North Rose Hill, NE 85th St., Market, Norkirk, Highlands, Lakeview, and Central Houghton.

We have a window of only a year before work on the major Comprehensive Plan update begins. The update will likely take up to two years beginning in early to mid 2013 and culminating by mid 2015. We've tentatively planned for the update to include an examination of planned land use for Totem Lake as called for in the Totem Lake Action Plan. Staff time needed for the update will

reduce and possibly eliminate the time available for sub area planning, but until we fully develop a scope of work and prioritize other potential work tasks, it's hard to know for sure.

Consequently, the most immediate question is where do we focus our attention in the next year or so? Options include the following:

- **Prepare plans for the new annexation neighborhoods.** Due to the geographic scope of the annexation area together with the time limitation, this may need to be a shorter plan (or plans) compared with those that we've done in the past, but this would provide an opportunity to implement a new format that can be used for all sub areas, as discussed above. In addition, the geographic scope of the plan(s) would match the selected subarea organization for future plans.
- **Update the most out of date neighborhood plans in the pre-annexation City.** The next neighborhood on the update list is the South Rose Hill/Bridle Trails plan. If this option is selected, we would need to consider if or how the plan would be integrated into a larger subarea. In both of the examples provided above, South Rose Hill and Bridle Trails would be combined into a single subarea with North Rose Hill and the NE 85th St. Corridor. It would be very ambitious to complete a new plan for such a large subarea in the limited time available. Furthermore, the North Rose Hill and NE 85th St. Corridor plans are not as out of date and in need of updating as South Rose Hill and Bridle Trails.

Other candidate pre-annexation neighborhoods with out of date plans include Moss Bay and Everest.

- **Focus on planning for targeted business districts.** In this option we could prepare the plans for one or more of the following districts:
 - Houghton Business District, as called for in the recently adopted Houghton Neighborhood Plan
 - Bridle Trails
 - Annexation neighborhood business districts

**CITY OF KIRKLAND**

City Manager's Office

123 Fifth Avenue, Kirkland, WA 98033 425.587.3001
www.kirklandwa.gov**MEMORANDUM**

To: Kurt Triplett, City Manager

From: Marilynne Beard, Deputy City Manager

Date: January 25, 2013

Subject: PUBLIC INVOLVEMENT PLANNING

The City Council and staff will be undertaking many significant initiatives in 2013-2014 that will shape Kirkland for decades to come. Most of the projects, planning processes and initiatives taking place in the current biennium have public involvement elements. The purpose of this memo is to identify opportunities for involvement, to suggest a coordinated approach to obtaining citizen input over the coming biennium and to ask the City Council members how they want to be involved. Council and staff may also conclude that to adequately achieve all the public outreach goals desired, more resources are necessary.

Background

The City Council has expressed an interest in using public involvement as one source of information for making decisions. By better understanding the public's needs and perspectives, Council decisions can be better informed and achieve greater public acceptance. The Council's emphasis on public involvement prompted an effort to enhance City staff's knowledge and skills in designing and delivering public involvement strategies. To that end, 25 staff from seven departments participated in a two-day training session on planning for effective public participation in December 2012. The training was developed by the International Association for Public Participation (IAP2) and presents a model that Kirkland has used over the past several years (e.g. the "spectrum" of public participation). The complete training program includes two additional modules that will be offered during the first quarter of 2013. The objective is to develop a public involvement team that can collaborate on designing and facilitating public involvement plans. The team will coordinate efforts over the coming two years and look for opportunities to combine efforts and avoid conflicting processes.

Public Involvement Opportunities

The proposed 2013-2014 City Work Plan identifies a number of initiatives that have a public involvement component. They can be roughly grouped into five categories:

- Comprehensive Plan Update -- Includes sub-elements such as the update of the City vision statement and a series of sections that span the wide range of services and programs provided by the City.
- Long Range Plans – Topic-specific plans that identify long range (10-20 years) goals and underlying principles such as the Transportation Master Plan, PROS Plan (Parks, Recreation and Open Space) and utility master plans.
- Policy and Strategic Plans – More specific policy statements and program plans that provide a road map for implementing the policies and goals contained in long range plans and the

comprehensive plan.

- Tactical Plans – Specific action plans that define the timing and priority of actions identified in long range and strategic plans.
- Current Projects – Capital projects and initiatives that will be completed in the coming biennium and that resulted from plans and policies developed in past years (e.g. implementation of Propositions 1 (Streets) and 2 (Parks) levies, Public Safety Building and the Cross Kirkland Corridor Interim Trail.

The relationship between these plans and projects is iterative. Tactical plans should reflect long range policy plans and respect the vision and framework goals in the Comprehensive Plan. Likewise, the Comprehensive Plan update should incorporate important current initiatives such as the Cross Kirkland Corridor plan. Transportation provides a good example of how various efforts are related.

- The Comprehensive Plan contains a Transportation Element that is reflective of the community vision and that takes into account the Land Use Plan that informs where transportation improvements are needed.
- The Transportation Master Plan will be the basis for the Transportation Element of the Comprehensive Plan and address policy for all transportation modes and facilities throughout the city.
- The Cross Kirkland Corridor Master Plan is a key future transportation corridor that will provide one means of meeting policy goals in the Transportation Master Plan.
- The Juanita Drive Corridor Study will identify capital improvements needed to improve safety for all modes of travel. Improvements will be planned and implemented over time. The Juanita Drive Corridor Study will provide a plan of attack for improving safety and mobility.
- The implementation of Proposition 1 (streets levy) will entail immediate projects such as 2013 enhanced street repairs and installation of lighted crosswalks and school walk routes in high priority areas. The pedestrian/bicycle summit will provide a forum for identifying future high priority improvements and educating the public about their responsibility in ensuring safe travel.

Attachment A depicts the full range of topics and products planned for the coming biennium that have public involvement components and their relationship to the Council Goals. Given the large number of simultaneous efforts, there is a risk of inconsistent messaging and community participation fatigue. In order to ensure that these efforts follow consistent themes and use the community's time efficiently, internal coordination and careful sequencing of events will be important. Staff members from Planning, Public Works, Parks and the City Manager's Office are meeting to develop a work plan and common approach for completing their projects and related public involvement. Some keys to success were identified by the staff team:

- Efforts that relate to the Comprehensive Plan update process should be "branded" to a common theme that will be adopted for the comprehensive plan.
- Update of the vision statement needs to commence soon and have broad public involvement. The vision statement should be introduced or referenced at all public involvement events that relate to the comprehensive plan elements.

- The staff team will develop a master work plan that considers the timing and policy relationships of work plan items. Some items must be sequential while others can occur concurrently. For instance, the PROS Plan and Transportation Master Plan should be completed before the Comprehensive Plan is adopted. The Cross Kirkland Corridor Interim Trail can provide near term use of the trail while still preserving all options that may emerge from the Corridor Master Plan.
- Work will be performed by a combination of staff and consultants. In some cases, the consultant's scope of work includes a public outreach element. Consultant teams that are working on overlapping projects (e.g. Transportation Master Plan and Cross Kirkland Corridor) will need to coordinate. Likewise, interdepartmental staff teams will need to stay in touch and work off of the master schedule.
- Potential efficiencies can be realized by coordinating efforts. For instance, if random sample surveys are used for more than one topic, a combined survey will save time and money. Most of the major studies have a budget for public outreach. It may be possible to combine a portion of the funds for a quarterly mailed update on major initiatives.
- Regular updates and check-ins with the City Council will assure that staff and consultant efforts are on the right track and keep the Council up to date in their communications with constituents.

Effective Public Involvement Techniques

Effective public involvement is thoughtful, transparent and appropriate to the decisions being made. Poorly planned public involvement is a waste of resources, ineffective for decision making and damaging to the public trust. In all cases, the public should understand the elements of the decision they are influencing and be able to see how their input was used in the decision. The "IAP2 Spectrum of Public Involvement" depicts the range of levels of public input to decisions. A copy of the spectrum is included as Attachment B.

The IAP2 model also provides a step-by-step process for public involvement planning that starts with a series of questions to define the purpose and goal of the public involvement effort.

1. Gain Internal Commitment for Public Involvement
 - a. **Identify the decision makers** (often the City Council but not always)
 - b. **Clarify the decision to be made or the problem to be solved**
 - c. Identify stakeholders and their issues
 - d. Clarify expectations of the sponsoring organization (the City)
2. Learn from the Public
 - a. Conduct interviews and surveys to **understand how people perceive the problem or the decision**
 - b. Further develop stakeholders list and correlate stakeholders with issues
 - c. Refine the problem statement or decision
3. Select the Level of Participation
 - a. Assess expectations and **use the IAP2 spectrum to choose the appropriate level of involvement**
 - i. Inform
 - ii. Consult
 - iii. Involve
 - iv. Collaborate
 - v. Empower

- b. Understand the implicit “promise” to the public of each level and assure that the organization and decision makers can honor that promise
4. Define the Process and Participation Objectives
 - a. Understand the decision making process and align public expectations with the process
 - b. Assure that the decision making process is consistent with the public involvement objective**
5. Development the Public Participation Plan
 - a. **Determine the format, data needs, techniques** and support requirements
 - b. Develop an evaluation methodology

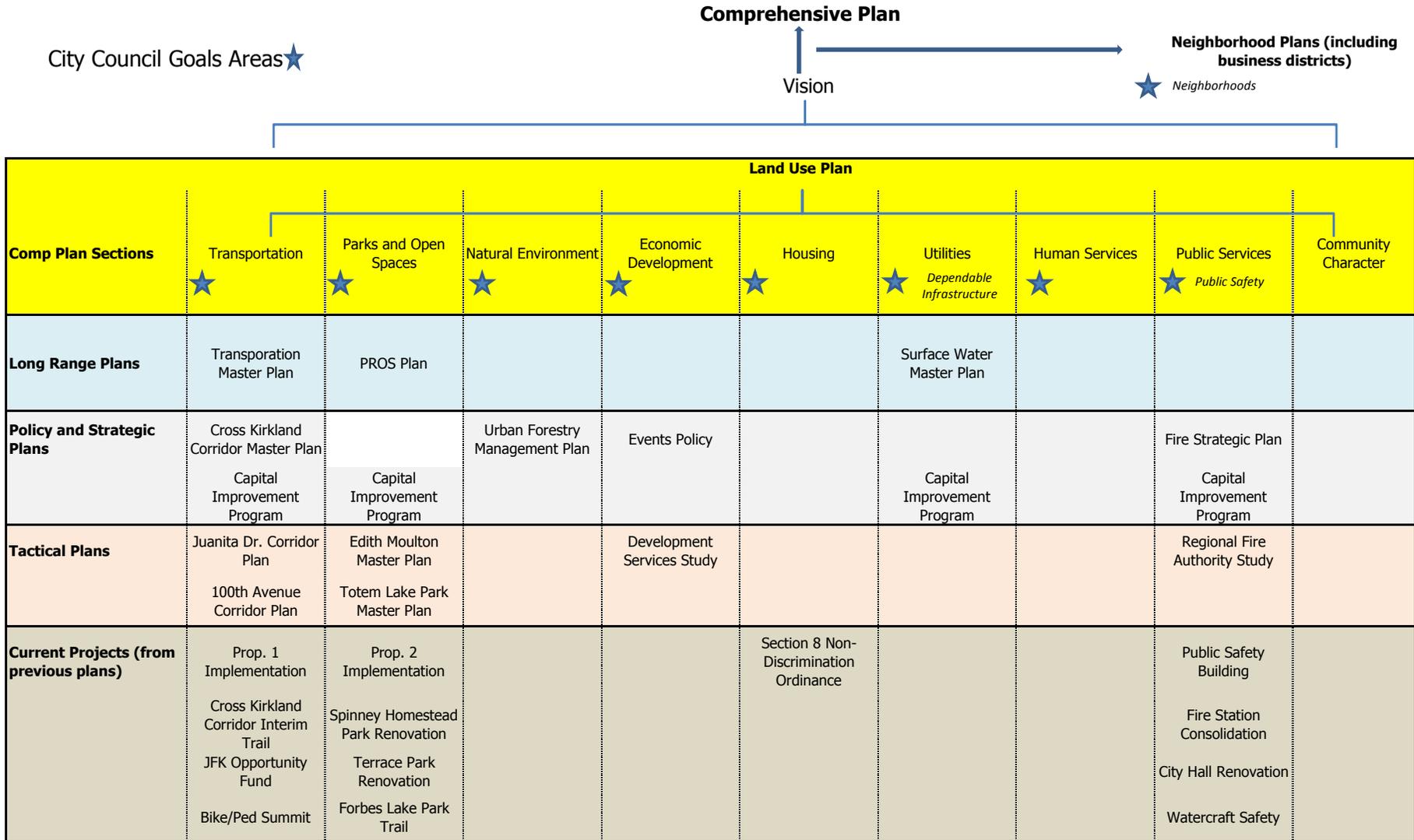
This is a very high level summary of the IAP2 planning process. A few key principles to keep in mind:

- Choosing the techniques to use is the last step in the planning process (i.e. open house, survey, workshops, town hall, etc.).
- Clarity about how you will use the public’s input is important. Closing the loop to describe how their input is reflected in the decision made is important so that participants believe their efforts were acknowledged and worthwhile. Citizens will continue to devote time to participate when they can see that it made a difference.
- Clearly defining the decision to be made provides important perspective to participants. For example, the Comprehensive Plan update will help define how and where the City will accommodate growth – not whether we will accept growth. The City can only ask for input on items the public can actually influence. Understanding decisions that have already been made (e.g. growth targets provided to the City) helps create reasonable expectations about how people can affect a decision.
- Involvement of groups that are already participating in City initiatives (e.g. Kirkland Alliance of Neighborhoods, Chamber of Commerce) is important because these groups can be used as a sounding board and a conduit to a larger audience. It will also be important to attract participants through other groups and communication venues that draw in stakeholders from institutions such as schools (students and PTA’s), faith-based organizations, local non-profits and small and large employers. Neighborhood association meetings are effective venues for the City to communicate, but poor attendance in some neighborhoods limits the audience reach.
- Individuals with limited time to participate need to be provided with quick and easy communication materials and opportunities to comment. They may have less time to devote but their perspectives are important and their voices are less frequently heard. These are often the voices that provide a fresh perspective and new ideas.

Conclusion

In 2013-2014 the City is undertaking projects and plans that will define Kirkland’s future. The decisions affect everyone in the community including residents and businesses. A variety of public involvement methods will be needed to reach a broad range of perspectives. Staff and consultants will be developing communications and public involvement plans for each of the coming work plan items that will be reviewed by the interdepartmental planning team and provided to the City Council before they are initiated. It may be that additional one-time financial or staff resources are necessary to complete all the outreach effectively. Staff is requesting City Council feedback on this effort and input as to how the Council would like to be included.

2013-2014 PUBLIC INVOLVEMENT OPPORTUNITIES*



*This sheet is intended to capture all major outreach efforts but there may be other outreach performed that is not currently reflected on this sheet.



International Association
for Public Participation

IAP2 Spectrum of Public Participation

Increasing Level of Public Impact

Public participation goal

Inform

To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions.

Consult

To obtain public feedback on analysis, alternatives and/or decisions.

Involve

To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.

Collaborate

To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.

Empower

To place final decision-making in the hands of the public.

Promise to the public

We will keep you informed.

We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision.

We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.

We will look to you for advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.

We will implement what you decide.

Example techniques

- Fact sheets
- Web sites
- Open houses

- Public comment
- Focus groups
- Surveys
- Public meetings

- Workshops
- Deliberative polling

- Citizen advisory committees
- Consensus-building
- Participatory decision-making

- Citizen juries
- Ballots
- Delegated decision



CITY OF KIRKLAND
Department of Finance & Administration
123 Fifth Avenue, Kirkland, WA 98033 425.587.3100
www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: Robin Jenkinson, City Attorney
Tracey Dunlap, Director of Finance & Administration
Kathi Anderson, City Clerk

Date: January 25, 2013

Subject: DRAFT PUBLIC DISCLOSURE ORDINANCE

RECOMMENDATION:

City Council reviews the draft Public Disclosure Ordinance and provides feedback on the proposed approach. The goals of the Ordinance are to establish "reasonable" levels of City resources for public disclosure response, while at the same time creating enhanced transparency and certainty for the public.

BACKGROUND DISCUSSION:

Responding to public records requests is one of the City's unique and core essential functions and is also the responsibility of every City employee. The City responds to over 7,000 public records request each year. The complexity and volume of records requested has grown in recent years, straining the capability of the City's resources. Similar to other essential functions, the staffing and resources that the City can devote to responding to public records requests are necessarily limited. The Public Records Act provides, in part, that agencies will adopt reasonable procedures "to prevent excessive interference with other essential functions of the agency," (RCW 42.56.100). In order to avoid excessive interference with other essential functions of the City, the City Clerk's Office and the City Attorney have been working on a basis for the City to establish the appropriate level of effort to be devoted to responding to public records requests and the level of resource to be allocated. An initial draft of a Public Disclosure Ordinance to accomplish this objective is included as Attachment 1.

The City's current public disclosure process is governed by the Public Records Act and the Public Record Act Rules adopted by the City Council with the passage of Resolution 4669 in 2007. The Resolution authorized the City Manager to update the Rules as needed. The current version of the Rules is included as Attachment 2. The Rules were recently updated in recognition that scanning makes up the bulk of the public records processing today and to make other housekeeping adjustments. If the Public Disclosure Ordinance is adopted, the Rules will need to be updated to harmonize them with the provisions of the Ordinance.

Current Resources and Requests

The following discussion is intended to provide context on the current number of public records requests processed by the City and level of effort devoted to the public disclosure process.

The City Clerk has been designated as the Public Records Officer for the entire City, as required by RCW 42.56.580, and is responsible for overseeing the City's compliance with the public records disclosure requirements. About 20 percent of the total available hours in the City Clerk's office (the City Clerk, Deputy City Clerk, and City Clerk Assistant) are devoted to responding to public records requests, with about half of the City Clerk's time spent on this activity. However, there are staff members with specific public records responsibilities in multiple departments across the City. In identifying the resources expended on this function, estimates were made of the annual time spent by these staff members, as well as the City Clerk's office, with a total of approximately 4,500 hours spent in responding to public records requests. The fully loaded cost of these hours, plus the direct costs for consultants, data storage, and off-site records retrieval are estimated at \$375,000 annually.

The key policy questions to be answered are whether or not this current level of effort is sufficient, and whether or not exceeding this level of effort creates "excessive interference" with other essential functions of the agency. Kirkland, through this Ordinance, would be one of the first governments in Washington to attempt to answer these questions proactively. The primary purpose of the Public Records Act (PRA) is to create transparency and accountability in government. In searching for an appropriate initial resource level, Kirkland looked to the annual amount spent to have the Washington State Auditor review the City's financial performance and compliance. Staff deemed the audits to have a similar mission to the PRA of government transparency and accountability, and there is consensus that the state system of audits is thorough and effective. Therefore, the cost of the Washington State Auditor's Office to audit Kirkland provides a relevant benchmark. The Auditor's Office includes the annual audit cost as a percentage of the jurisdiction's total expenses as part of its audit report. The Auditor's Office cost analysis for the City's 2011 financial audit determined that the audit cost was \$71,240 and that the audit as a percentage of the City's total expenses was 0.049 percent. The City's current level of effort in responding to public records requests represents nearly five times that amount and is approximately 0.247 percent of the City's total expenses.

These costs do not include the time spent by dozens of staff members each year who do not have specific public records responsibilities, but occasionally are called upon to provide records in response to a request. The Ordinance proposes that, for those City employees for whom responding to records requests is not among their primary assigned duties, the need to devote more than ten hours per month to records requests is presumed to interfere with their ability to perform essential functions. This provision does not mean that the staff member does not continue to respond, only that the response may be delayed and the requestor notified of the delay.

Establishing "Reasonable" PRA Resources, Enhancing Transparency and Certainty

The central purposes of this draft Ordinance are twofold. The first is for the City Council to determine what comprises a reasonable commitment of resources to PRA requests. The Ordinance establishes that this determination shall be made during the biennial budget process, which is when the Council balances all of the needs and priorities of the City. The Ordinance finds that the current level of resources allocated are deemed reasonable and adequate for 2013-2014. Then starting with the 2015-2016 biennial budget process, the City Council shall biennially determine and establish the level of effort to be devoted to public records responses and the amount of resources to be allocated. The Ordinance specifies that during the Council budget deliberations, a portion of a public work session must be devoted to public records response. The City Council would be able to reevaluate its determination as part of the mid-

year budget adjustment and modify the public records response resource allocations if necessary.

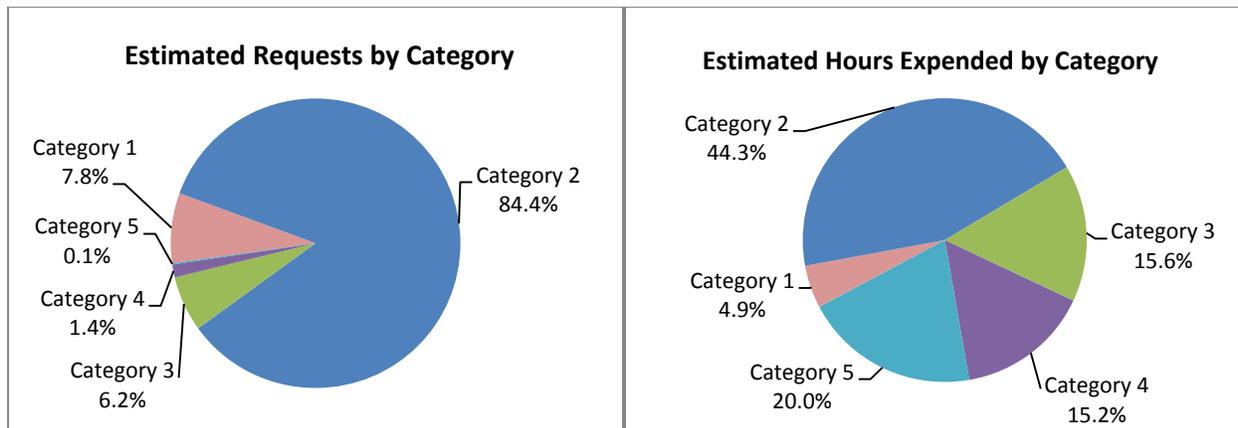
The second purpose is to enhance the transparency and certainty of the processes for the public through logs, best practices for response, and formalized communication with requestors so that requestors, Council and the public knows the status of requests, the estimated time of response, and that changes in status will be clearly tracked and communicated.

Public Records Categories

In drafting the Ordinance, staff has established five broad categories of requests that the City receives reflecting increasing levels of complexity and time required to respond:

- Category 1 records requests are requests requiring immediate response in the interest of public safety (imminent danger). These requests take priority over all other requests.
- Category 2 records requests are routine or readily filled requests for easily identified and immediately accessible records requiring little or no coordination between departments.
- Category 3 records requests are routine requests that involve:
 - A large number of records, and/or
 - Records not easily identified, located and accessible, and
 - Records that require some coordination between departments.
- Category 4 records requests are complex requests which may be especially broad or vague that involve:
 - A large number of records that are not easily identified, located or accessible, requiring significant coordination between multiple departments, and
 - Research by City staff who are not primarily responsible for public disclosure and/or
 - Review by public disclosure staff to determine whether any of the records are exempt from production.
- Category 5 records requests are complex requests that may be especially broad or vague which involve:
 - A large number of records that are not easily identified, located or accessible, requiring coordination between multiple departments, and
 - Research by City staff who are not primarily responsible for public disclosure and/or
 - Legal review and creation of an exemption log. These requests may require additional assistance from third-parties in identification and assembly.

Exhibit A to this memorandum provides a graphical depiction of the estimated annual number of requests in each category and the departments involved in responding. As the diagram shows, the City annually responds to over 7,000 public records requests, over 90 percent of which fall in Categories 1 and 2. The majority of these requests are fulfilled by records staff in the Police Department and Municipal Court. The remaining 10 percent of the requests are coordinated through the City Clerk's Office and require a large proportion of the resources expended by the City. The pie charts that follow show the proportion of the annual public records requests in each category and the proportion of time invested in fulfilling those records requests.



In addition to defining the categories, the draft Ordinance discusses standard response time periods for the categories, recognizing that the time spent responding to requests can vary significantly. Requestors will be notified if the response timeline is extended. Logs and queues of requests will also be posted on the City's website, as discussed further under the *Process* heading below.

The draft Ordinance contemplates that the policies and procedures will be overseen by two staff committees:

- **The Public Disclosure Steering Team** composed of the City Manager or his or her designee, the Director of Finance and Administration, City Clerk, and City Attorney. The Public Disclosure Steering Team shall provide guidance to the Public Disclosure Coordinating Team, as needed and review decisions of Public Disclosure Steering Team to reorder the queues when any person objects in writing (including email) to the reordering of their records request.
- **The Public Disclosure Coordinating Team** comprised of the City Clerk and Deputy City Clerk designated as the lead staff for the team and a designated staff member or members from each department that facilitate the disclosure of public records. The Public Disclosure Coordinating Team shall be responsible for reordering the records request queues based on adopted criteria and identifying policy issues requiring clarification by the Steering Team.

Next Steps

Ordinance

Once staff receives the Council's feedback on the draft Ordinance, the intent is to widely circulate the draft in a number of forums to obtain input (for example, Association of Washington Cities, City Attorney and City Clerk professional organizations, other individuals with public records expertise). Upon receiving that input, a revised draft would be brought to the City Council for further consideration.

In parallel to this effort, House Bill 1128 has been introduced into the Washington State Legislature (Attachment 3). Section 2 of this bill addresses the same issue as the draft

Ordinance is attempting to address, that is ensuring that responding to public records requests does not interfere with other essential functions of the agency. Staff will be carefully tracking this bill and, if it is passed, the draft Ordinance would need to be evaluated in terms of consistency with its provisions.

Process and Funding Request

The draft Ordinance contemplates posting logs of the completed Category 1 and 2 requests online and establishing queues for the more complex and/or time-consuming requests (Categories 3, 4, and 5), which will contain more active status information, with completed items then moved to separate logs. Examples of the draft log and queue formats are provided in Attachment 4. Staff is continuing to refine those formats and ensure that the responsible departments are actively keeping them up-to-date.

It will be necessary to identify or develop tools to provide the on-line access contemplated in the draft Ordinance. The City Clerk's Office, in consultation with the City Attorney and Information Technology Department, is evaluating potential options and will bring back a recommendation and associated costs once that research is complete.

To provide capacity for the City Clerk's Office to support continued development and implementation of the provisions of this draft Ordinance, staff is requesting \$10,000 for on-call clerical support for 20 hours per week for the next six months. This additional resource should be able to relieve the City Clerk and Deputy City Clerk of some of their routine duties to provide them with time to devote to the project without it diminishing the time spent in actually responding to requests.

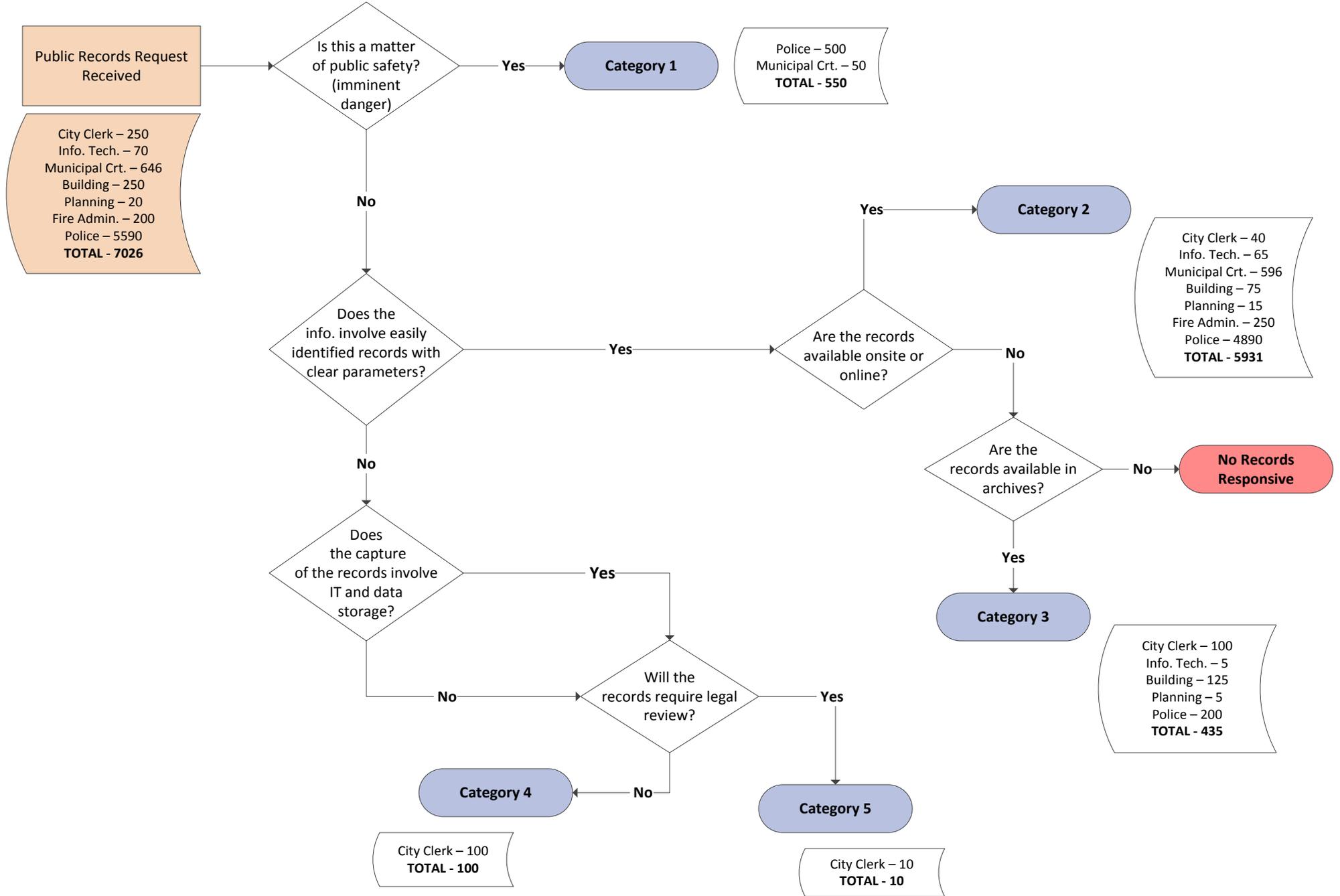
Timetable

Given the tasks identified above and recognizing the pending legislation, staff estimates that a revised draft of the Ordinance will be brought forward for further review and discussion after the end of the legislative session. Perhaps this could occur as part of the second City Council retreat later in the spring.

However, steps are already in progress toward implementing elements of the draft Ordinance to improve the existing process, pending adoption of the Ordinance, including:

- Consistently logging public disclosure requests City-wide,
- Creating and organizing more complex requests in queues,
- Researching on-line tools to help provide more transparency to the process,
- Setting up planning discussions with impacted staff to establish roles and responsibilities as a precursor to establishing the Steering and Coordinating teams.

Public Records Request Prioritization Process



ORDINANCE _____

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO THE ESTABLISHMENT OF A NEW CHAPTER 3.15 IN THE KIRKLAND MUNICIPAL CODE, ACCESS TO PUBLIC RECORDS.

WHEREAS, open government leads to a better informed electorate, greater public participation, better government, and more effective use of public resources; and

WHEREAS, it is the policy of the City of Kirkland that all persons are entitled to the greatest possible information regarding the affairs of City government and the official acts of those officers and employees who serve them; and

WHEREAS, providing persons with such information is a core principle of the City and an integral responsibility of every City employee; and

WHEREAS, RCW 42.56.100 obligates the City to prevent public disclosure demands from causing excessive interference with other essential functions; and

WHEREAS, to prevent excessive interference with the other essential functions of the City, it is necessary to determine a reasonable level of effort to devote to responding to requests for public records commensurate with the available resources and staffing.

NOW, THEREFORE, the City Council of the City of Kirkland do ordain as follows:

Section 1. Access to Public Records is established as Chapter 3.15 of the Kirkland Municipal Code to read as follows:

3.15.010 Findings.

(a) Responding to public records requests is one of the city's unique and core essential functions and is also the responsibility of every city employee.

(b) Similar to the city's other essential functions, the staffing and resources that the city can devote to responding to public records requests are necessarily limited.

(c) In order to avoid excessive interference with other essential functions of the city, the city needs to establish the appropriate level of effort to be devoted to responding to public records requests and the level of resource to be allocated.

(d) The level of resource allocated to public records requests must be reasonable and needs to be established during the biennial budget process when the city council evaluates the available resources to perform all of the city's essential functions and establishes levels of service.

(e) The city's current level of effort in responding to public records requests represents approximately 0.247 percent of the city's total expenses.

(f) As part of its audit report, the Washington State Auditor's Office provides a benchmark in terms of the audit cost as a percentage of the jurisdiction's total expenses.

(g) The Washington State Auditor's Office cost analysis for the City's 2011 financial audit determined that the audit cost as a percentage of the City's total expenses was 0.049 percent.

(h) Starting with the 2015-2016 biennial budget process, the city council will establish the level of effort to be devoted to responding to records requests and the amount of resource to be allocated.

(i) Using the audit cost analysis by the Washington State Auditor's Office for the audit of the city and the city's current level of public records response effort as the baseline resource allocation rationale, the city council will determine the future levels of effort to be devoted to responding to public records request and the level of resources to be allocated during the biennial budget process.

(j) A semi-annual report on public records requests and the status of requests will be made to the city council and the public.

(k) The city clerk has been designated as the Public Records Officer for the entire city, as required by RCW 42.56.580, and is responsible for overseeing the city's compliance with the public records disclosure requirements.

3.15.020 Definitions.

(a) "Records request queue" means a list of all of the pending category 3, 4, and 5 public records requests.

(b) "Standard time period" means the estimated time to make requested public records available by category of records request.

3.15.030 Procedural information.

As required by the Public Records Act, chapter 42.56 RCW, the city has separately established rules governing the process for requesting public records and responding to requests for public records. These rules are posted on the city's website at kirklandwa.gov.

3.15.040 Public Disclosure Steering Team.

(a) There is established a public disclosure steering team composed of the city manager or his or her designee, the director of finance and administration, city clerk, and city attorney. The public disclosure steering team shall provide guidance to the public disclosure coordinating team, as needed.

(b) The public disclosure steering team shall review decisions of public disclosure coordinating team to reorder the queues when any person objects in writing (including email) to the reordering of their records request.

(c) The public disclosure steering team may also reorder the records request queues if necessary based on adopted criteria or extraordinary circumstances.

(d) The public disclosure steering team, in addition to other duties, may recommend changes to this chapter to the city council.

3.15.050 Public Disclosure Coordinating Team.

(a) There is established a public disclosure coordinating team. The city clerk and deputy city clerk are designated as the lead staff for the team.

(b) Each city department shall designate a staff member or members to facilitate the disclosure of public records. The designated staff members will serve on the public disclosure coordinating team and assist the city clerk and deputy city clerk in implementing this chapter.

(c) The public disclosure coordinating team shall be responsible for managing the records request queues based on adopted criteria, including, but not limited to:

- (1) the number of records responsive to a given request;
- (2) the number and size of other records requests in the queue;
- (3) the amount of processing required for the subject request or requests and other requests in the queue;
- (4) the status of a particular request that is waiting for third party review or requestor action; and
- (5) the current volume of other city work, as it affects the amount of staff time that can be devoted to the subject request or requests.

(d) The public disclosure coordinating team will assist in maintaining the records requests queues provided for in Section 3.15.090.

3.15.060 Categories of requests.

When a public records request is received, the city will categorize the request according to the nature, volume, and availability of the requested records as follows:

(1) Category 1 records requests are requests requiring immediate response in the interest of public safety (imminent danger). These requests shall take priority over all other requests.

(2) Category 2 records requests are routine or readily filled requests for easily identified and immediately accessible records requiring little or no coordination between departments.

(3) Category 3 records requests are routine requests that involve:

- (A) a large number of records, and/or
- (B) records not easily identified, located and accessible, and
- (C) records that require some coordination between departments.

(4) Category 4 records requests are complex requests which may be especially broad or vague that involve:

(A) a large number of records that are not easily identified, located or accessible, requiring significant coordination between multiple departments, and

(B) research by city staff who are not primarily responsible for public disclosure and/or

(C) review by public disclosure staff to determine whether any of the records are exempt from production.

(5) Category 5 records requests are complex requests that may be especially broad or vague which involve:

(A) a large number of records that are not easily identified, located or accessible, requiring coordination between multiple departments, and

(B) research by city staff who are not primarily responsible for public disclosure and/or

(C) legal review and creation of an exemption log. These requests may require additional assistance from third-parties in identification and assembly.

(6) The city shall ensure that all categories of records requests receive an allocation of resources for response throughout the year.

3.15.070 Standard time periods for response.

The city must make public records available promptly when requested under the Public Records Act. If records cannot be made available within five business days, the Act requires a written response to the requestor. The city may acknowledge receipt and provide a reasonable estimate of the time necessary to make the record available.

(1) Category 1 records requests. Generally, the city will respond to category 1 records requests immediately or the next business day after the request is received.

(2) Category 2 records requests. Generally, the city will respond to category 2 records requests within five business days. If records cannot be made available within five business days, the city may extend the time to respond as described above.

(3) Category 3 records requests. The city will provide a written response to the requestor within five business days with a reasonable estimate of the time necessary to make the records available. The estimate is made on a case-by-case basis. Depending on the nature and scope of the request, category 3 records requests usually require between 5 and 30 business days.

(4) Category 4 records requests. The city will provide a written response to the requestor within five business days with a reasonable estimate of the time necessary to make the records available. The estimate is made on a case-by-case basis. Depending on the nature and scope of the request, category 4 records requests may require several weeks or even several months.

(5) Category 5 records requests. The city will provide a written response to the requestor within five business days with a reasonable estimate of the time necessary to make the records available. The estimate is made on a case-by-case basis. Depending on the nature and scope of the request, category 5 records requests may require several weeks or even several months.

3.15.080 Records requests log.

(a) Each department shall maintain an electronic log of all records requests received by that department and shall provide access to the log to the city clerk who shall maintain a citywide records requests log.

(b) The city clerk shall establish policies for what information shall be included in the logs and how the logs shall be made publicly available.

(c) The city recognizes that in limited circumstances, processing a request for records may result in more expense to the city than merely copying and providing the records to the requestor. Each city department may designate, within its own department, certain routine records available to the public for immediate inspection without the requirement of a formal records request. However, each of the records requests must be maintained in an electronic log.

3.15.090 Records requests queues.

(a) All category 3, 4, or 5 records requests shall be maintained and tracked in records requests queues, with a separate queue for each category.

(b) Records requests will initially be entered in the respective queues in the chronological order in which they are received by the city.

(c) Records requests may be subsequently assigned to a lower position in the queue if it is determined by the public disclosure steering team that adopted criteria for reordering the queue have been met.

3.15.100 Communications with requestors.

(a) The city will use its best efforts to provide requestors with accurate and reasonable estimates of how long it will take to provide records responsive to a request.

(b) If the city learns additional time is needed to respond to the records request, the city will promptly communicate the need for additional time to the requestor and inform the requestor of the reason additional time is required and provide an estimated new timeframe for records delivery.

3.15.110 City website

(a) By _____ 2013, the city will maintain a separate page on its website that shall include the queues and records requests logs. The city clerk shall ensure that the website is updated to provide current information, including the date the records request was made, its order in the queue, and the estimated time of responding to the request.

(b) The city website will also provide guidance and information to the public for making records requests on its website.

(c) The city website will allow requestors the option of using on-line request forms for requesting records and submitting those requests electronically.

3.15.120 City employee responsibilities.

(a) All city employees are responsible for assisting in identifying responsive records and facilitating thorough collection of records.

(b) For most city employees, responding to records requests is a responsibility assigned in addition to their primary assigned duties and functions.

(c) For those city employees for whom responding to records requests is not among their primary assigned duties, the need to devote more than ten hours per month to records requests is presumed to interfere with the ability to perform essential functions.

3.15.130 Public records performance report.

(a) No later than July 31 and January 31 of each year, the city clerk will submit to the city council a report on the city's performance in responding to public records requests during the preceding six months. The report shall include, at a minimum:

- (1) open records requests (queue) at beginning of period;
 - (2) number of records requests received in the period by category;
 - (3) number of records requests closed in the period by category;
- and
- (4) open records requests (queue) at end of period.

3.15.140 Resources devoted to public records disclosure.

(a) The resources currently allocated to public disclosure response in the 2013-2014 budget are established as the initial level of effort necessary to ensure that public disclosure response is not creating excessive interference with essential government functions.

(b) Starting with the 2015-2016 biennial budget process, the city council shall biennially determine and establish the level of effort to be devoted to public records disclosure and the amount of resources to be allocated. During the budget process, the city council will devote at least a portion of a public work session or council meeting specifically to public records response resource allocation before adopting the final budget.

(c) The city council may reevaluate its determination as part of the mid-year budget adjustment and modify the resource allocation.

Section 2. If any section, subsection, sentence clause, phrase, part or portion of this ordinance 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 3. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication pursuant to Section 1.08.017, Kirkland Municipal Code in the summary form attached to the original of this ordinance and by this reference approved by the City Council.

Passed by majority vote of the Kirkland City Council in open meeting this ____ day of _____, 2013.

Signed in authentication thereof this ____ day of _____, 2013.

MAYOR

Attest:

City Clerk

Approved as to Form:

City Attorney

PUBLIC RECORDS ACT RULES

PRA Rule 010. Authority and purpose.

(1) **Authority.** RCW 42.56.070(1) requires each agency to make available for inspection and copying nonexempt public records in accordance with published rules. The Public Records Act ("the Act") defines public record to include any "writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained" by the agency. RCW 42.56.070(2) requires each agency to set forth "for informational purposes" every law, in addition to the Act, that exempts or prohibits the disclosure of public records held by that agency.

(2) **Purpose of Rules.** The purpose of these rules is to establish the procedures the City of Kirkland ("the City") will follow in order to provide full access to public records, fullest assistance to inquirers and the most timely possible action as required by RCW 42.56.100, mindful of the further requirements therein stated that the rules must also protect the records from damage or disorganization and prevent excessive interference with other essential functions of the City. These rules provide information to persons wishing to request access to public records of the City and establish processes for both requestors and City staff that are designed to best assist members of the public in obtaining such access.

(3) **Purpose of Act.** The purpose of the Act is to provide the public full access to information concerning the conduct of government, mindful of individuals' privacy rights and the desirability of the efficient administration of government. The Act and these rules will be interpreted in favor of disclosure. In carrying out its responsibilities under the Act, the City will be guided by the provisions of the Act describing its purposes and interpretation.

(4) **Act not applicable.** Court files and judges' files are not subject to the Act. Access to these records is governed by court rules and the common law.

(5) **Amendment of the Rules.** By authorization of the City Council in the Resolution approving these rules, the City Manager is authorized to amend the Rules as necessary to remain in compliance with evolving law governing the handling of public records requests and to update the Rules as facts may require.

PRA Rule 020. Agency description-Contact information--Public records officer.

(1) **Agency description.** The City provides the services of a non-charter code city, including but not limited to, building and plans inspection, court, parks and recreation, planning and community development, public safety and public works services, which are supported and supplemented by financial, administrative and legal services. The City's central office is located at 123 Fifth Avenue, Kirkland, WA 98033.

The general course and method by which the City's operations are channeled and determined is through laws adopted and direction given by the City Council and other competent authority in conformity with all applicable city, state and federal law, which is thereafter implemented by the City Manager, Department Directors and their designees in conformity with the requirements of those same laws. The City's rules of procedure are set forth in those same laws or in rules

adopted pursuant to authority granted to others as provided in those laws. The City's substantive rules of general applicability that were adopted as authorized by law, as well as the statements of general policy or interpretations of general applicability formulated and adopted by the City are contained in the Kirkland Municipal Code, or in rules, regulations and interpretations authorized to be adopted or issued in those laws or under federal or state law.

The City has the following field offices at the following addresses:

Municipal Court	11515 NE 118 th Street, Kirkland, WA 98034
Fire Stations	
Station 21	9816 Forbes Creek Drive, Kirkland, WA 98033
Station 22	6602 108 th Avenue NE, Kirkland WA 98033
Station 24	8411 NE 141 st Street, Kirkland 98011
Station 25	12033 76 th Place NE, Kirkland, WA 98034
Station 26	9930 124 th Avenue NE, Kirkland, WA 98033
Station 27	11210 NE 132 nd Street, Kirkland, WA 98034
HR and Parks & Comm. Svcs.	505 Market Street, Kirkland, WA 98033
North Kirkland Comm. Ctr.	12421 103 rd Avenue NE, Kirkland, WA 98033
Peter Kirk Community Center	352 Kirkland Avenue, Kirkland, WA 98033
Peter Kirk Pool	340 Kirkland Avenue, Kirkland, WA 98033
Public Works CIP Annex	310 1 st Street, Kirkland, WA 98033
Prosecuting Attorney	121 Third Avenue, Kirkland, WA 98033
Public Defender	9757 NE Juanita Drive, Suite 120, Kirkland, WA 98034
Fleet Management	904 8 th Street, Kirkland, WA 98033
Maintenance Center	915 8 th Street, Kirkland, WA 98033
Parks Maintenance Center	1129 8 th Street, Kirkland, WA 98033

(2) **Contact Information-Public Records Officer.** Any person wishing to request access to public records of the City, or seeking assistance in making such a request, should follow the procedures set forth in these Rules and contact the following Public Records Officer of the City to submit such a request or to obtain assistance in making such a request:

Kathi Anderson, City Clerk
 City of Kirkland
 123 Fifth Avenue
 Kirkland, WA 98033
 (425) 587-3190
 (425) 587-3198
 PublicRecords@kirklandwa.gov

Information is also available at the City's web site at www.kirklandwa.gov.

PRA Rule 030. Availability of public records.

- (1) **Availability.** Public records are available for inspection and copying during normal business hours of the City, Monday through Friday, 8:00 a.m. to 5:00 p.m., excluding legal holidays. Inspection of records shall occur at the central offices of the City unless another location is approved by the Public Records Officer or designee ("the PRO").
- (2) **Records index.** By the resolution approving these rules, the Kirkland City Council issued a formal order which found that maintaining an index was unduly burdensome. This finding was based on the fact that the City is comprised of ten departments, their divisions and subdivisions, serving over 80,000 citizens, which maintain separate databases and/or record keeping systems for the indexing of records and information. Because these records are diverse, complex and stored in multiple locations and in multiple computer systems and databases, it is unduly burdensome to maintain a central index of records.
- (3) **Organization of records.** The City will maintain its records in a reasonably organized manner. While committed to fully comply with the Act and these Rules, the City must also take reasonable actions to protect records from damage and disorganization and prevent excessive interference with other essential functions of the City. A requestor shall not take City records from City offices without the permission of the PRO. A variety of records are available on the City's web site at www.kirklandwa.gov. Requestors are encouraged to view the documents available on the web site prior to submitting a records request.
- (4) **Making a request for public records.**
 - (a) Any person wishing to inspect or copy public records of the City should make the request in writing on the City's request form, or by letter, fax, or email addressed to the Public Records Officer and including the following information:
 - Name of requestor;
 - Address of requestor;
 - Other contact information, including telephone number and any e-mail address;
 - Identification of the public records adequate for the PRO to locate the records; and
 - The date and time of day of the request.
 - (b) If the requestor wishes to have copies or scans of the records made instead of simply inspecting them, he or she should so indicate and make arrangements with the PRO to pay for copies or scans of the records as provided in PRA Rule 070 below.
 - (c) A form is available for use by requestors at the office of the Public Records Officer and on-line at www.kirklandwa.gov.
 - (d) The PRO may accept requests for public records that contain the above information by telephone or in person. If the PRO accepts such a request, he or she will confirm receipt of the information and the substance of the request in writing. The confirmation will be deemed the correct statement of the scope of the request unless the requestor responds with a different statement of the scope.

(e) Records requests may only encompass existing records. They cannot be used to obtain copies of records not yet in existence or in the possession of the City.

PRA Rule 040. Processing of public records requests.

(1) **Providing "fullest assistance."** Mindful of the requirements of RCW 42.56.100, to the extent reasonably possible, the PRO will process requests in the order allowing the most requests to be processed in the most efficient manner. In an effort to better understand the request and provide all responsive records, the PRO can inquire about the purpose for the request but the requestor is not required to answer except to establish whether inspection and copying would violate RCW 42.56.070(9) (see .040(5) below) or other statute which exempts or prohibits disclosure of specific information or records to certain persons.

(2) **Acknowledging receipt of request.** Within five business days of receipt of the request, not including the day the request was received as provided by RCW 1.12.040, the PRO will do one or more of the following:

(a) Make the records available for inspection or copying;

(b) If copies are requested and payment or payment of a deposit is made as provided in PRA Rule 070 below, or terms of payment are agreed upon, send the copies to the requestor;

(c) Provide a reasonable estimate of any additional time needed to respond to the request and a date by which the records will be disclosed in whole or in part depending on whether the records are being provided in installments. The factors used to estimate the additional time needed must be based upon criteria that can be articulated and may be presented in the response estimating the additional time needed. However, additional time is only allowed under the following circumstances:

(i) to request clarification from the requestor if the request is unclear or does not sufficiently identify the requested records. Such clarification may be requested and provided by telephone. If the clarification is made by telephone, the PRO will confirm the scope of the clarification in writing. The confirmation will be deemed the correct statement of the scope of the request unless the requestor responds with a different statement of the scope;

(ii) to locate and assemble the information requested;

(iii) to notify third persons or agencies in the event the requested records contain information that may affect rights of others and may be exempt from disclosure. Such notice should be given so as to make it possible for those other persons to contact the requestor and ask him or her to revise the request, or, if necessary, seek an order from a court to prevent or limit the disclosure. The notice to the affected persons will include a copy of the request or a statement of the request if no written request was received; or

(iv) to determine whether any of the information requested is exempt and that a denial should be made as to all or part of the request; or

(d) deny the request in conformity with subsection (5) below.

(3) **Consequences of failure to respond.** If the PRO does not respond in writing within five business days of receipt of the request for disclosure, the requestor should consider contacting the Public Records Officer to determine the reason for the failure to respond.

(4) **Records exempt from disclosure.** Some records are exempt from disclosure, in whole or in part. If a record is exempt from disclosure and should be withheld, the PRO will state the specific exemption and provide a brief explanation of how the exemption applies to the record being withheld. This explanation should be sufficient to enable the requestor to make a threshold determination of whether the claimed exemption is proper. If only a portion of a record is exempt from disclosure, but the remainder is not exempt, the PRO will redact the exempt portions, provide the nonexempt portions, and indicate to the requestor why portions of the record are being redacted. (For the purposes of these Rules, redact means the exempt information will be covered in some manner and then the record will be photocopied and the photocopy then disclosed.)

The City is also prohibited by statute from disclosing lists of individuals for commercial purposes. Therefore, if a request is received for any type of list of individuals, an inquiry as to whether the requestor intends to use the list for commercial purposes must be answered before the list can be provided. If the answer is that it will be used for such purposes, the list cannot be disclosed.

(5) **Inspection of records.**

(a) Consistent with other demands, the City shall promptly provide space to inspect public records. No member of the public may remove a document from the viewing area or disassemble or alter any document. The requestor shall indicate which documents he or she wishes the City to copy or scan, if any, and provide payment for those copies or scans.

(b) The requestor must claim or review the assembled records within thirty days of the PRO'S notification to him or her that the records are available for inspection or copying/scanning. The PRO will notify the requestor in writing of this requirement and inform the requestor that he or she should contact the PRO to make arrangements to claim or review the records. If the requestor or a representative of the requestor fails to claim or review the records within the thirty-day period or make other arrangements, the PRO may close the request and re-file the assembled records. Other public records requests can be processed ahead of a subsequent request by the same person for the same or almost identical records, which can be processed as a new request.

(6) **Providing records in installments.** When the request is for a large number of records, the PRO may provide access for inspection and copying in installments, if he or she reasonably determines that it would be practical to provide the records in that way. If, within thirty days, the requestor fails to inspect the entire set of records or one or more of the installments, the PRO may stop searching for the remaining records and close the request.

(7) **Closing withdrawn or abandoned request.** When the requestor either withdraws the request or fails to fulfill his or her obligations to inspect the records or pay the deposit or final payment for the requested copies, the PRO will close the request and so inform the requestor.

(8) **Later discovered documents.** If, after the PRO has informed the requestor that he or she has provided all available records, the PRO becomes aware of additional responsive documents existing at the time of the request that had not been provided previously, he or she will promptly inform the requestor of the additional documents and provide them on an expedited basis.

(9) **Identifiable record.** A requestor must request an "identifiable record" or "class of records" before an agency must respond to it. An "identifiable record" is one that agency staff can reasonably locate. The Act does not allow a requestor to search through agency files for records which cannot be reasonably identified or described to the agency.

(10) **Requests for information or nonexistent records.** Requests for information are not public records requests. An agency is not required to conduct legal research for a requestor. An agency is not required to create records to respond to a request.

PRA Rule 050. Processing of public records requests-Electronic records.

(1) **Requesting electronic records.** The process for requesting electronic public records is the same as for requesting paper public records.

(2) **Providing electronic records.** If public records are requested in an electronic format, the public records officer will provide the nonexempt records or portions of such records that are reasonably locatable in an electronic format that is used by the agency and is generally commercially available, or in a format that is reasonably translatable from the format in which the agency keeps the record. Costs for providing electronic records are governed by PRA Rule 070 below.

(3) **Customized access to databases.** With the consent of the requestor, the City may provide customized access under RCW 43.105.280 if the record is not reasonably locatable or not reasonably translatable into the format requested. The City may charge a fee consistent with RCW 43.105.280 for such customized access.

(4) **Retaining electronic copies.** Because an electronic record is usually more susceptible to manipulation and alteration than a paper record, the City will keep, when feasible, an electronic copy of the electronic records it provides to a requestor to be able to show the exact records it provided if necessary.

PRA Rule 060. Exemptions provided by other statutes.

(1) **Exemptions.** The Act provides that a number of records are exempt from public inspection and copying. In addition, documents are exempt from disclosure if any "other statute" exempts or prohibits disclosure. Requestors should be aware of the following

exemptions, outside the Act, that may restrict the availability of some records held by the City for inspection and copying/scanning:

- RCW 2.64.111 Documents regarding discipline/retirement of judges
- RCW 2.64.113 Confidentiality - violations
- RCW 4.24.550 Information on sex offenders to public
- RCW 5.60.060 Privileged communications
- RCW 5.60.070 Court-ordered mediation records
- RCW 7.68.140 Victims' compensation claims
- RCW 7.69A.030(4) Child victims and witnesses - protection of identity
- RCW 7.69A.050 Rights of child victims and witnesses - addresses
- RCW 7.75.050 Records of Dispute Resolution Centers
- RCW 9.51.050 Disclosing transaction of grand jury
- RCW 9.51.060 Disclosure of grand jury deposition
- RCW 9.02.100 Reproductive privacy
- RCW 9A.82.170 Financial institution records - wrongful disclosure
- RCW 10.27.090 Grand jury testimony/evidence
- RCW 10.27.160 Grand jury reports - release to public only by judicial order
- RCW 10.29.030 Organized crime special inquiry judge
- RCW 10.29.090 Records of special inquiry judge proceedings
- RCW 10.52.100 Records identifying child victim of sexual assault
- RCW 10.77.210 Records of persons committed for criminal insanity
- RCW 10.97.040 Criminal history information released must include disposition
- RCW 10.97.050 Conviction and criminal history information
- RCW 10.97.060 Deletion of certain criminal history record information, conditions
- RCW 10.97.070 Disclosure of identity of suspect to victim
- RCW 10.97.080 Inspection of criminal record by subject
- RCW 13.32A.090 Crisis residential centers notice to parent about child
- RCW 13.34.115 Court dependency proceedings
- RCW 13.40.217 Juveniles adjudicated of sex offenses - release of information
- RCW 13.50.010 Maintenance of and access to juvenile records
- RCW 13.50.050 Juvenile offenders
- RCW 13.50.100 Juvenile/children records not relating to offenses
- RCW 13.60.020 Missing children information
- RCW 13.70.090 Citizen juvenile review board - confidentiality
- RCW 18.04.405 Confidentiality of information gained by CPA
- RCW 18.19.060 Notification to clients by counselors
- RCW 18.19.180 Confidential communications with counselors
- RCW 19.215.020 Destruction of personal health and financial information
- RCW 19.215.030 Compliance with federal rules
- RCW 26.04.175 Name and address of domestic violence victim in marriage records
- RCW 26.12.170 Reports of child abuse/neglect with courts
- RCW 26.23.050 Child support orders
- RCW 26.23.120 Child support records
- RCW 26.26.041 Uniform Parentage Act - protection of participants
- RCW 26.26.450 Confidentiality of genetic testing
- RCW 26.33.330 Sealed court adoption records
- RCW 26.33.340 Agency adoption records

RCW 26.33.343 Access to adoption records by confidential intermediary
 RCW 26.33.345 Release of name of court for adoption or relinquishment
 RCW 26.33.380 Adoption - identity of birth parents confidential
 RCW 26.44.010 Privacy of reports on child abuse and neglect
 RCW 26.44.020(19) Unfounded allegations of child abuse or neglect
 RCW 26.44.030 Reports of child abuse/neglect
 RCW 26.44.125 Right to review and amend abuse finding - confidentiality
 RCW 27.53.070 Records identifying the location of archaeological sites
 RCW 29A.08.720 Voter registration records - place of registration confidential
 RCW 29A.08.710 Voter registration records - certain information exempt
 RCW Chapter 40.14 Preservation and destruction of public records
 RCW 42.23.070(4) Municipal officer disclosure of confidential information prohibited
 RCW 42.41.030(7) Identity of local government whistleblower
 RCW 42.41.045 Nondisclosure of protected information (whistleblower)
 RCW 46.52.080 Traffic accident reports - confidentiality
 RCW 46.52.083 Traffic accident reports - available to interested parties
 RCW 46.52.120 Traffic crimes and infractions - confidential use by police and courts
 RCW 46.52.130(2) Abstract of driving record
 RCW 48.62.101 Local government insurance transactions - access to information
 RCW 50.13.060 Access to employment security records by local government agencies
 RCW 50.13.100 Disclosure of non-identifiable information or with consent
 RCW 51.28.070 Worker's compensation records
 RCW 51.36.060 Physician information on injured workers
 RCW 60.70.040 No duty to disclose record of common law lien
 RCW 68.50.105 Autopsy reports
 RCW 68.50.320 Dental identification records - available to law enforcement agencies
 RCW Chapter 70.02 Medical records - access and disclosure - entire chapter
 RCW 70.05.170 Child mortality reviews by local health departments
 RCW 70.24.022 Public health agency info. regarding sexually transmitted disease investigations
 - confidential
 RCW 70.24.024 Transcripts and records of hearings regarding sexually transmitted diseases
 RCW 70.24.105 HIV/STD records
 RCW 70.28.020 Local health department TB records - confidential
 RCW 70.48.100 Jail records and booking photos
 RCW 70.58.055 Birth certificates - certain information confidential
 RCW 70.58.104 Vital records, research confidentiality safeguards
 RCW 70.96A.150 Alcohol and drug abuse treatment programs
 RCW 70.123.075 Client records of domestic violence programs
 RCW 70.125.065 Records of rape crisis centers in discovery
 RCW 71.05.390 Information about mental health consumers
 RCW 71.05.395 Ch. 70.02 RCW applies to mental health records
 RCW 71.05.400 Information to next of kin or representative
 RCW 71.05.425 Notice of release or transfer of committed person after offense dismissal
 RCW 71.05.427 Information that can be released
 RCW 71.05.430 Statistical data
 RCW 71.05.440 Penalties for unauthorized release of information
 RCW 71.05.445 Release of mental health information to Dept. of Corrections
 RCW 71.05.620 Authorization requirements and access to court records

RCW 71.05.630 Release of mental health treatment records
 RCW 71.05.640 Access to treatment records
 RCW 71.05.650 Accounting of disclosures
 RCW 71.24.035(5)(g) Mental health information system
 RCW 71.34.200 Mental health treatment of minors
 RCW 71.34.210 Court records for minors related to mental health treatment
 RCW 71.34.225 Release of mental health services information
 RCW 71A.14.070 Records regarding developmental disability
 RCW 72.09.345 Notice to public about sex offenders
 RCW 72.09.585(3) Disclosure of inmate records to local agencies
 RCW 74.04.060 Applicants and recipients of public assistance
 RCW 74.04.520 Food stamp program confidentiality
 RCW 74.09.900 Medical assistance
 RCW 74.13.121 Financial information of adoptive parents
 RCW 74.13.280 Children in out-of-home placements
 RCW 74.20.280 Child support enforcement - local agency cooperation, information
 RCW 74.34.095 Abuse of vulnerable adults - confidentiality of investigations and reports
 RCW 82.32.330 Disclosure of tax information
 RCW 84.36.389 Confidential income data in property tax records held by assessor
 RCW 84.40.020 Confidential income data supplied to assessor regarding real property
 20 USC § 1232g Family Education Rights and Privacy Act
 42 USC 290dd-2 Confidentiality of Substance Abuse Records
 42 USC 405(c)(2)(vii)(I) Limits on Use and Disclosure of Social Security Numbers.
 42 USC 654(26) State Plans for Child Support
 42 USC 671(a)(8) State Plans for Foster Care and Adoption Assistance
 42 USC 1396a(7) State Plans for Medical Assistance
 7 CFR 272.1(c) Food Stamp Applicants and Recipients
 34 CFR 361.38 State Vocational Rehabilitation Services Programs
 42 CFR Part 2 (2.1 - 2.67) Confidentiality of Alcohol and Drug Abuse Patient Records
 42 CFR 431.300 - 307 Safeguarding Information on Applicants and Recipients of Medical Assistance
 42 CFR 483.420 Client Protections for Intermediate Care Facilities for the Mentally Retarded
 42 CFR 5106a(b)(2)(A) Grants to States for Child Abuse and Neglect Prevention and Treatment Programs
 45 CFR 160-164 HIPAA Privacy Rule

PRA Rule 070. Costs of providing copies of public records.

- (1) **Costs for copies.** A requestor may obtain copies or scans as provided under RCW 42.596.070(8) and 42.56.120; the City will charge for those copies or scans according to the fee schedule below. For records in other forms, the City will charge the actual cost it pays for the medium used to record the record or records provided. Those mediums include, but are not limited to, tapes, floppy disks, CDs, DVDs and paper that costs more than fifteen cents per page. The statements providing those costs are the invoices paid to obtain them and are available for public inspection and copying.

Document Type/Size	Per Scan Charge	Per Copy Charge
Standard black and white (8.5" x 11")	.16	.17
Standard color (8.5" x 11")	.19	.21
Black and white (8.5" x 14")	.16	.17
Color (8.5" x 14")	.19	.22
Black and white (11" x 17")	.24	.49
Black and white (17" x 22")	.38	.77
Black and white (22" x 34")	.49	.99

Before beginning to make copies, the PRO may require a deposit of up to ten percent of the estimated costs of copying or scanning all the records selected by the requestor. The PRO may also require the payment of the remainder of the copying/scanning costs before providing all the records, or the payment of the costs of copying/scanning an installment before providing that installment. The PRO will not charge sales tax when it makes copies or scans of public records but if the records are sent to a third party for copying/scanning, that third party may charge sales tax and the requestor will be responsible for payment of that tax as well as the third party's actual charges for copies or scans.

(2) **Costs of mailing.** The City may also charge actual costs of mailing, including the cost of the shipping container.

(3) **Payment.** Payment may be made by cash, check, debit card, credit card, or money order made payable to the City.

(4) **Other copying charges.** The Act generally governs copying charges for public records, but several specific statutes govern charges for particular kinds of records. The following nonexhaustive list provides some examples: RCW 46.52.085 (charges for traffic accident reports); RCW 10.97.100 (copies of criminal histories) and RCW 70.58.107 (charges for birth certificates). The City will charge the amount authorized pursuant to these other statutes rather than as provided under the Act.

(5) **Use of outside vendor.** An agency is not required to copy/scan records at its own facilities. An agency can send the project to a commercial copying/scanning center and bill the requestor for the amount charged by the vendor. An agency can arrange with the requestor to pay the vendor directly. An agency cannot charge the default per page copying/scanning charge when its cost at a vendor is less.

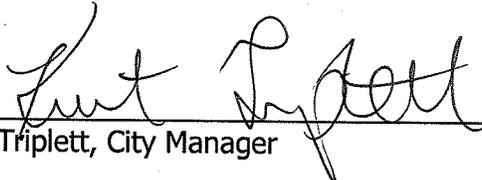
PRA Rule 080. Review of denials of public records requests.

(1) **Petition for internal administrative review of denial of access.** Any person who objects to the initial denial or partial denial of a records request may petition in writing (including email) to the Public Records Officer for a review of that decision. The petition shall include a copy of or reasonably identify the written statement by the PRO denying the request.

(2) **Consideration of petition for review.** The PRO shall promptly provide the petition and any other relevant information to the City official designated by the City to conduct the review. That person will immediately consider the petition and either affirm or reverse the denial within two business days following the City's receipt of the petition, or within such other time as the City and the requestor mutually agree.

(3) **Judicial review.** Any person may obtain court review of denials of public records requests pursuant to RCW 42.56.550 at the conclusion of two business days after the initial denial regardless of any internal administrative appeal.

This document revised and approved on January 25, 2013.



Kurt Triplett, City Manager

HOUSE BILL 1128

State of Washington 63rd Legislature 2013 Regular Session

By Representatives Takko, Rodne, Appleton, Johnson, Klippert, Fitzgibbon, Sullivan, Green, Clibborn, Nealey, Ryu, Walsh, Jinkins, Wylie, Moscoso, Sells, Angel, Sequist, Hunt, Springer, Maxwell, Riccelli, Morrell, Hudgins, Bergquist, and Fey

Read first time 01/16/13. Referred to Committee on Local Government.

1 AN ACT Relating to public record request response actions by
2 counties, cities, towns, special purpose districts, and other local
3 agency entities; and adding new sections to chapter 42.56 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 42.56 RCW
6 to read as follows:

7 (1) In addition to other provisions in this chapter for enjoining
8 the inspection or copying of public records, the inspection or copying
9 of any public record may be enjoined pursuant to this section. The
10 injunction may be requested by: A local agency or its representative;
11 a person named in the record or the person's representative; or a
12 person to whom the request specifically pertains to or the person's
13 representative.

14 (2) In order to issue the injunction, the court must find that:

15 (a) The request was made to harass or intimidate the local agency
16 or its employees;

17 (b) The request was made in retaliation or to punish the local
18 agency for an action or actions the local agency took or proposed to
19 take;

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1 (c) The public record request creates an undue burden on the local
2 agency;

3 (d) Fulfilling the public record request would likely threaten the
4 safety or security of staff, family members of staff, or the security
5 of the local agency's facilities; or

6 (e) Fulfilling the public record request would likely assist
7 criminal activity.

8 (3) In deciding whether to enjoin a public record request under
9 this section, the court may consider all relevant factors including,
10 but not limited to:

11 (a) Other public record requests by the requestor;

12 (b) The type of public record or records sought;

13 (c) Statements offered by the requestor concerning the purpose for
14 the public record request;

15 (d) Whether disclosure of the requested public records would likely
16 harm any person or vital government interest;

17 (e) Whether the public record request seeks a significant and
18 burdensome number of documents, however an injunction may not be issued
19 under this section based solely on the number of records requested;

20 (f) The local agency's effort to accommodate the requestor;

21 (g) The resources necessary to fulfill the request, taking into
22 account the resources of the local agency as a whole and the local
23 agency's other essential functions;

24 (h) The impact of disclosure on the safety or security of the local
25 agency staff, facilities, or others; and

26 (i) The deterrence of criminal activity.

27 (4) The motion proceeding described in this section shall be a
28 summary proceeding based on affidavits or declarations, unless the
29 court orders otherwise. Upon a showing by a preponderance of the
30 evidence, the court may enjoin all or any part of a request or
31 requests. The court may also approve a plan submitted by the local
32 agency for fulfilling all or part of the request or requests. Based on
33 the evidence, the court may also enjoin, for a period of time the court
34 deems reasonable, future requests by the same requestor, or an entity
35 owned or controlled, in whole or in part, by the same requestor.

36 (5) Before filing a request for an injunction, a local agency must
37 notify the public record requestor that it intends to seek an
38 injunction. The requestor has fifteen days to revise its public record

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1 request. If the requestor submits a revised public record request, the
2 local agency may still seek judicial review without allowing the
3 requestor to subsequently revise the request.

4 (6) Unless the court orders a temporary restraining order enjoining
5 its responsibility to fulfill the request, the local agency must
6 continue to fulfill the request in a manner consistent with this
7 chapter until the court issues a decision on the injunction request.

8 (7) A local agency is not liable for penalties under RCW
9 42.56.550(4) for any period during which an order under this section is
10 in effect, including during an appeal of an order under this section,
11 regardless of the outcome of the appeal.

12 (8) The party seeking an injunction under this section may file the
13 injunction action in rem naming the request itself as the subject of
14 the lawsuit, and notice must be provided to the requestor at whatever
15 contact information was provided to the local agency at the time of the
16 request.

17 NEW SECTION. **Sec. 2.** A new section is added to chapter 42.56 RCW
18 to read as follows:

19 (1)(a) In order to prevent excessive interference with other
20 essential functions, a local agency may adopt a policy limiting the
21 number of hours it devotes to responding to public records requests.
22 This policy may only be adopted if the local agency makes the following
23 documents publicly available:

24 (i) Budgets for the ongoing and three previous fiscal years;

25 (ii) Agendas and minutes for all public meetings of the local
26 agency's governing body for the three previous fiscal years;

27 (iii) The salary schedule for all current positions and the names
28 of all employees;

29 (iv) Resolutions and ordinances; and

30 (v) Contracts exceeding thirty-five thousand dollars that are
31 ongoing or have been terminated in the three previous fiscal years.

32 (b) The policy may include rules for establishing priorities as to
33 the order in which requests will be fulfilled. Prioritizations may be
34 based on the size of the request and the number of requests the
35 requestor has made in the preceding twelve months.

36 (c) Local agencies choosing to adopt the policy authorized by this
37 subsection (1) must do so in the form of adopted legislation.

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1 (2) Tasks subject to the limit authorized by this section include
2 the time it takes to search for responsive records and review and
3 redact responsive records. Tasks subject to the limit authorized by
4 this section do not include time spent in litigation or time spent by
5 an attorney providing legal advice regarding records.

6 (3)(a) If a local agency adopts rules authorized by this section,
7 the local agency must inform the requestor of the factors that will
8 determine a response time estimate, including a list of all other
9 pending requests, if the local agency anticipates that it will take
10 more than sixty calendar days to fulfill a request.

11 (b) The local agency's time estimate is subject to court challenge
12 pursuant to RCW 42.56.550(2).

13 (4) For any legislation or rule adopted under this section, the
14 value of the time allotted is presumed reasonable if it equals one
15 percent of the local agency's annual operations and maintenance budget,
16 or a lesser amount provided that it is reasonable in light of the local
17 agency's resources and other essential functions. The allocated amount
18 must be based on the average salary of the person or persons primarily
19 assigned to process requests. In no case may a local agency adopt a
20 rule that allows it to spend fewer than five hours per month responding
21 to requests.

22 (5) For local agencies with a general fund budget equaling or
23 exceeding one million dollars, documents are publicly available if they
24 are accessible through a central web site. For local agencies with
25 budgets that are less than one million dollars, documents are publicly
26 available if they are produced for inspection within five business days
27 of being requested or accessible through the local agency's web site.

28 (6) A local agency is deemed to have complied with the disclosure
29 requirement under this chapter if the requested information is
30 available on the agency's web site and the local agency informs the
31 requestor, who is entitled to notice, of its web site availability. If
32 the requestor expressly requests the information in paper, the local
33 agency must provide it in that format.

--- END ---

Sample Public Disclosure Log - Finance & Administration Department

REQUESTOR	CROSS REFERENCE	DATE RECEIVED	DATE COMPLETE	Category	Staff	Dept	NOTES
Thomas, A.		1/3/2011	3/2/2012	2	AM	PLAN/BLDG	All Development Records for Parcel 3885808355
Cruz, C.		12/2/2011	1/6/2012	3	KA/AM	FA/HR	Salary Information
Ingalls, L.		12/14/2011	1/11/2012	3	KA/AM	FA	Request was abandoned
Houston, C.		12/30/2011	1/22/2012	3	KA	FA	Contracts for NE 53rd Street Sewer Main Replacement
Kann, V.		1/4/2012	1/11/2012	3	KA	FA	Successful Proposal for E-Discovery RFP
Flynn, G.		1/9/2012	1/25/2012	3	KA	PLAN/BLDG	All Development Records for Parcel 3126059037
Tate, N.		1/15/2012	1/26/2012	3	KA	FA	Successful Proposal for E-Discovery RFP
Steel, D.		1/19/2012	2/6/2012	3	KA	FA	Top 10 wage earners at the City
Jordan, R.		1/24/2012	2/29/2012	3	KA	PW	Project File for Juanita Beach
Quick, M.		1/30/2012	2/6/2012	3	KA	PLAN/BLDG	All Development Records for Parcel 3885805255
Klassen, J		2/2/2012	2/2/2012	3	KA	PLAN/BLDG	All Development Records for Parcel 3885805255
Wheelan, C.	Brooks, Crais & Garcia	2/24/2012	5/16/2012	3	AM	FA	No records responsive to request
Barnett, M.		2/29/2012	3/2/2012	3	KA	FA	Ordinances for Property Tax Levy - 2003-current
Briggs, P.	Thompson, M.	3/5/2012	3/6/2012	3	KA/AM	PLAN/BLDG	All Development Records for Parcel 3126059037
Fisher, P.		12/14/2011	1/4/2012	2	KA	FA	O-3847, O-3211, O-2449
Quinn, J.		12/21/2011	1/3/2012	2	KA	PLAN	Code Enforcement File
Cornwall, P.		12/24/2011	2/3/2012	2	KA	FA	Recording No. 20120709000180
Brown, D.	Saunders, G.	12/30/2011	10/16/2012	2	KA	FA	Recordings for Parcel 3126059037
Applegate, K.		12/31/2011	1/4/2012	2	AM	PLAN	Code Enforcement File
Thorne, P.		1/3/2012	1/13/2012	2	AM	PLAN	Code Enforcement File
Hesseini, K.		1/17/2012	1/17/2012	2	AM		No records responsive to request
Kennedy, P.	Green, J.	1/23/2012	2/2/2012	2	AM	PLAN	Code Enforcement File
Rath, T.		1/30/2012	2/13/2012	2	AM	PLAN	Code Enforcement File
Patterson, J.		2/10/2012	3/2/2012	2	AM	FA	Request was abandoned
Barry, D.		2/14/2012	2/22/2012	2	AM	FA	Ratings criteria for E-Discovery RFP
Sparks, N.		2/15/2012	2/29/2012	2	AM	PLAN	Code Enforcement File
Bradely, A.		2/16/2012	2/28/2012	2	AM	PLAN	Code Enforcement File
Garcia, K.		2/29/2012	3/9/2012	2	AM	PLAN	Code Enforcement File
Garcia, K.		3/2/2012	3/2/2012	2	AM	PLAN	Code Enforcement File

Sample Public Disclosure Queue

Name	Date In	Last Action Date	Date Due	Category	Notes
Hunter, E.	6/10/2012	9/15/2012	11/1/2012	5	Request all emails (1/1/12-6/10/12) between L. Gardner, L. Hillenbrand and K. Harrison regarding Belle Vista Development
Hunter, E.	6/13/2012		9/14/2012	5	Request of all emails, meeting notes, meeting minutes, correspondence between City staff and developers/builders on Belle Vista Development
Monroe, C	8/22/2012	9/14/2012	9/14/2012	5	Have sent most of the data. Waiting for an attorney's release for all medical data included in the claim - otherwise will need to send rest with an exemption log
Hunter, E.	11/6/2012	11/6/2012	6/1/2013	5	Request all emails (1/1/12-11/1/12) between L. Gardner, L. Hillenbrand, K. Harrison, K. Robert, B. Meltzer, J. Neal, A. Gore, G. Martin, K. Follett, H. Lee, PSE, Riordan Co., Tillman, Edrich & Recitas, Chelho Co., Genet, Inc.
Hunter, E.	11/14/2012	1/15/2013	6/1/2013	5	Any and all email correspondence between L. Gardner, L. Hillenbarnd and K. Harrison regarding E. Hunter.
Owen, M.	2/3/2012	5/2/2011	5/11/2012	4	All IT investigation reports, invoices & communications including e-mail done by Robb, J., Meacham, J. or any other City of Kirkland employee for or on behalf of the City of Medina, it's employees or the WCIA for the City of Medina. Includes an ~29 pg report that was generated or maintained for Medina or Datanode in Oct/Nov 2010, possibly related to an MX Logic investigation related to the City of Medina. Last comment shows waiting for and updated set of email in .msg format from Roth, V.
Palacio, R.	3/8/2012	7/6/2012	8/1/2012	4	Original request went to City Clerk about Municipal Court records. Included request for prosecutor records. Case is from 2008 - records were destroyed in 2011 as per the retention schedule. Requestor was informed of this and directed to the Municipal Court to request the court files.
Owen, M.	5/7/2012	8/28/2012	9/14/2012	4	All search warrants, search warrant affidavits, subpoenas, subpoena requests and all related communications pertaining to any investigation conducted by the City of Kirkland or any of their employees or contractor for 11/1/10-4/30/11. 5/16/12 - partial release of records. 7/13/12 - Sent an updated due date of 7/27/12 8/28/12 - Sent an updated due date of 9/14/12
Osborne, M.P.	12/6/2012	12/11/2012	12/18/2012	4	Names of judges and prosecutors employed by the City of Kirkland (1998-2012) 12/11/12 - Provided a listing of prosecutors for the timeframe.
Osborne, M.P.	12/6/2012	1/15/2013	2/15/2013	4	Names of all police officers employed by the City of Kirkland between 1998-2012. Originally sent to PD. Forwarded to City Clerk on 12/11/12.
Osborne, M.P.	12/7/2012	1/15/2013	3/1/2013	4	Employment history for Police officers (J. Green, R. Skloot, W. Manchester, D. Roberts).