



CITY OF KIRKLAND
Planning and Community Development Department
123 Fifth Avenue, Kirkland, WA 98033 425.587.3225
www.ci.kirkland.wa.us

MEMORANDUM

Date: January 26, 2007

To: David Ramsay, City Manager

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

Subject: City Council/Planning Commission Joint Meeting and Planning Work Program (File No. CC-99-84)

Recommendation

Staff recommends the following:

- Conduct a joint meeting with the Planning Commission
- Review the Draft 2007-2009 Planning Work Program, provide direction on specific tasks as appropriate, and direct staff to bring back a final work program for adoption.
- Discuss other items as appropriate.

Background

The Planning Commission met at their annual retreat on December 14, 2006 to review the proposed work program and discuss other items. At the retreat, the Commission suggested some revisions which were brought back to the Commission at their January 25th, 2007 meeting. At that meeting the Commission concurred with the proposed work program and has recommended it to the City Council.

The transmittal memo from the Commission to the Council addresses some of the key points in the work program that the Commission would like to discuss with the Council at the joint meeting. The Commission is recommending the following format for the meeting to cover the main topics:

- Introduction & Overview Janet Pruitt (5 minutes)
- Neighborhood Plans Janet Pruitt (15 minutes)
- Housing Karen Tennyson (15 minutes)
- Single Family Standards Bryon Katsuyama (15 minutes)
- Other topics as appropriate All (10 minutes)

Packet Materials

The enclosed packet contains the transmittal memo from the Commission to the City Council (Attachment 1). Attachment 2 is the Draft 2007-2009 Planning Work Program dated January 25, 2007 along with Attachment 3 which is a summary description of each of the tasks in the proposed work program. For background purposes, Attachment 4 is the *previous* work program adopted last year in March of 2006.

Attachment 5 is the current schedule of neighborhood plan updates. Attachment 6 is the latest compilation of potential code amendments (Task 5 in the work program). The list shows a series of “bundled” projects with general timeframes. We are beginning to scope these in more detail and will bring the next set of amendments to the Commission in early 2007 (Project 1).

Attachments

- 1 Transmittal Memo from Planning Commission
- 2 Draft 2007-2009 Planning Work Program
- 3 Summary Description of Planning Work Program Tasks
- 4 Adopted 2006-2008 Planning Work Program
- 5 Neighborhood Plan Update Schedule
- 6 Code Amendment List
- 7 Planning Commission Rules of Procedure

CC Planning Commission



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MEMORANDUM

Date: January 25, 2008

To: Kirkland City Council

From: Janet Pruitt, Chair
Karen Tennyson, Vice Chair

Subject: Joint Meeting with City Council and Planning Work Program

Introduction

On behalf of the Planning Commission, we look forward to meeting with the Council to review the proposed Planning Work Program and discuss other items as appropriate. On December 14, 2006 we held our annual retreat to consider the work program and discuss Commission procedures and items of interest. On January 25th, 2007, the Commission met again for the purpose of reviewing the revised work program and based on that review, we are recommending the Council adopt the Planning Work Program.

Joint Meeting Format

At the joint meeting we would like to suggest the following format to make sure we cover some key topics of discussion. For each topic, a Commission member will take the lead on introducing the issue and framing the Commission's discussion. In order to keep within the hour, we would recommend spending about 15 minutes on each of the three main issues

- Introduction and Overview Janet Pruitt (5 minutes)
- Neighborhood Plans Janet Pruitt (15 minutes)
- Housing Karen Tennyson (15 minutes)
- Single Family Standards Byron Katsuyama (15 minutes)
- Other items as appropriate All (10 minutes)

Accomplishments and Projects Completed

In 2006 the Commission completed a number of major projects which the Council considered and in most cases adopted (see below). Considerable time was spent on the Market and Norkirk Neighborhood Plans and the single family floor area regulations. Over the past year, the Commission appreciated the opportunity to participate in Council meetings to convey our recommendations to the Council on these projects and to provide the background and rationale for those recommendations. We also thought it was beneficial to provide periodic updates to the Council on work-in-progress – particularly the neighborhood plans.

The following are the major accomplishments for 2006:

- Market Neighborhood Plan
- Norkirk Neighborhood Plan
- Market Street Commercial Corridor Plan
- Highlands Neighborhood Plan
- Miscellaneous Zoning Code Amendments
- Single Family Floor Area Regulations
- Innovative Housing Evaluation
- Comprehensive Plan Update and Private Amendment Request
- Initiated work on the Shoreline Master Program Update

Attached is a compilation of our agenda topics for 2006. Last year, the Commission met 21 times. About half of the meetings were devoted to the Market and Norkirk Neighborhood Plans. The other topic that the Commission spent the most time on was the floor area ratio regulations.

Proposed Planning Work Program

The Commission reviewed the work program at its retreat and again on January 25th. We concur with the proposed list of tasks and general schedule and would recommend the Council adopt the 2007-2009 Planning Work Program. Once again, the work program contains a variety of important tasks that are of interest to the community. The Commission would like to offer the following comments.

Neighborhood Plans

We still need to complete the implementing regulations for the Market and Norkirk Neighborhood Plans (i.e. small lot and historic standards and design guidelines for the Market Street Corridor). Neighborhood plans take time and resources. The plans for Market and Norkirk took three years with considerable community interest. We did propose some creative ideas in regards to small lots and historic preservation. With the next round of plans for Lakeview and Central Houghton, we want to explore ways to speed up the process without sacrificing community involvement and innovative approaches. We will need to determine the role of the Commission and citizen advisory committees in this update as well as the Houghton Community Council as both neighborhoods fall within the jurisdiction of the Community Council.

Housing

We are pleased that the Council agreed with our recommendation to move forward with the innovative housing regulations. This has the potential of creating some housing diversity within our single family residential areas. We also see approaches to innovative housing as an opportunity to incorporate low impact development techniques and environmental stewardship strategies into these projects.

We are in agreement that housing – particularly affordable housing – is a critical issue for the City. Along with additional incentives, the Commission is interested in exploring a requirement to incorporate some level of affordable housing into residential projects. We understand the Council will be devoting time on housing at the March Council retreat. The Commission would also like to devote an in-depth study session or workshop to this topic. At the joint meeting, we would like to discuss how best the Council and Commission can move forward together.

Single Family Standards

While the Commission spent a number of meetings on this topic and provided a recommendation to the City Council, there continues to be a sense that more work is needed. However, the scope and extent of the work on this task has yet to be determined. The Commission would request the Council articulate and define the problem and the areas to be addressed with this project as they see it. Guidance from the Council would be helpful.

Other Projects

The work program identifies other projects that will require Commission time. In 2007, we will be reviewing updates to the Comprehensive Plan along with potential private amendment requests. The threshold review on these requests occurs in April and May. We also want to complete the work on the regulations for the TL9 district in Totem Lake along with the Gordon Hart private amendment request. Two other tasks that are scheduled for 2007 include Zoning Code amendments and a major update to our Shoreline Master Program. As part of Environmental Stewardship, the Commission would encourage the Council and City to promote and encourage green buildings and sustainable development.

Rules of Procedure

The Commission recently updated our Rules of Procedure. These govern the conduct of our meetings and include provisions for public comment during our study sessions and public hearings. We have included these in the packet for your information.



2007-2009 PLANNING WORK PROGRAM

Summary of Tasks

Planning & Community Development

January, 2007

2007 – 2009 PLANNING WORK PROGRAM

Summary of Tasks

POLICIES, PLANS & REGULATIONS

Task 1: Comprehensive Plan Update (.6 FTE)

Comprehensive Plan

In 2004, the City revised the Comprehensive Plan to meet the requirements of the Growth Management Act to conduct a 10 year review and update. The City modified several elements and adopted a new Economic Development Element. Since considerable work was done in 2004, the 2005 and 2006 updates were fairly minor, primarily consisting of some text and map corrections along with the addition of policies on physical activity and healthy lifestyles. In 2006 we also revised the Capital Facilities Element to be consistent with the adopted Capital Improvement Program.

For 2007, we have identified additional changes including minor map and text amendments. One possible change is to review our Comprehensive Plan land use categories to see if we need to have designations that are more descriptive particularly since we have several mixed use areas in the City and the traditional designations of commercial, residential or office are a bit outdated. Another issue that we will address is our transportation level of service standard. The Transportation Commission will be exploring possible alternative LOS methods and concurrency measures. The update to the Comprehensive Plan is scheduled for the second half of the year to be completed by December.

Private Amendment Requests

2007 is the year we consider private requests to amend the Comprehensive Plan and Zoning. The deadline for submitting these requests was December 1st. We received five such requests. These will be reviewed by the Commission in the spring of 2007 for a threshold review recommendation to the City Council.

Task 2: Neighborhood Plans (2.0 FTE)

Market and Norkirk Follow-up

The Council adopted the Market and Norkirk Neighborhood Plans on December 12th, 2006. These two plans, along with the Highlands Neighborhood took 3 years to complete. Follow-up work is necessary to revise our zoning regulations to implement the small lot/historic preservation concept. The work program has this task scheduled for the first five to six months of 2007.

Lakeview and Houghton Neighborhood Plans

The next neighborhood plans on the schedule are Lakeview and Houghton. Based on our experience, staff estimates that each individual neighborhood plan needs a minimum staffing level of at least a 1.0 FTE. As shown on Task 2, the two neighborhood plans would occur concurrently with a staffing commitment of 2.0 FTE's. This neighborhood plan updates would begin in mid-2007 when staffing is available. Previous experience indicates that neighborhood plans take at least three years to complete. Staff and the Commission will need to explore more efficient approaches if we want to lessen the time it takes to do a neighborhood plan. Both of these neighborhoods are within the jurisdiction of the Houghton Community Council.

Task 3: Totem Lake (.2 FTE)

The Council adopted new zoning and design regulations for the majority of the Totem Lake Neighborhood in early 2006. The only remaining area to be updated is TL9 in the northeast corner of the neighborhood. The Gordon Hart private amendment request was to have been considered by the Commission and Council in 2006, but the applicant requested a deferral on this until 2007.

Task 4: Design Regulations and Guidelines (1.0 FTE)

Reformatting Design Regulations

This task consists of several sub-tasks. Staff is currently reformatting the adopted design regulations for ease of use and clarity. There may be some policy issues to discuss, but this is predominately a reorganization of the chapter. The Commission is scheduled to review this in February with a public hearing in March.

Market Street Commercial Corridor

This task to develop design standards for the Market Street Commercial Corridor is a follow-up to the Market and Norkirk Neighborhood Plans and is scheduled to be completed by June.

Multifamily Design Guidelines

This task is intended to establish design guidelines or regulations for the multi-family areas of the City that do not currently have them in place. For the most part, we have addressed this through our neighborhood and business district plans (e.g. North Rose Hill, Totem Lake, etc.). However there are several areas of the city not covered by design standards. At the same time, there are relatively few properties remaining that are undeveloped or underdeveloped. Staff had requested funding in the budget for assistance with this project but the request was not approved. It may be possible to undertake this task later in the year or early next year when we could have cost-savings from other projects or available staff resources.

Design Guidelines Revisions

This involves several "clean-up" sections and some policy issues. The design guidelines are incorporated into the Municipal Code. Unless the Commission desires to look at these changes, staff will be working directly with the Design Review Board.

Task 5: Code Amendments (.2 FTE & Consultant)

Miscellaneous Zoning Code Amendments

In 2006 the Commission completed their review of a bundle of miscellaneous code amendments including revisions to the home occupation and reasonable use regulations. The City Council met on November 21st to review the proposed changes and continued the discussion at their January 2, and January 16, 2007 meetings. It is anticipated that these revisions will be adopted in February.

Future Code Amendments

We continue to maintain an extensive list of potential amendments and, as new issues arise, we are constantly adding to and updating the list. In 2007, we will also be recommending changes to the City's SEPA ordinance and Subdivision Ordinance.

Task 6: Single Family Standards (.5 FTE)

The Single Family Floor Area Regulations were adopted by the Council and went into effect on January 15. While the scope of this project focused on some key elements of the FAR requirements, there was a sense that further work is needed.

However, trying to scope out specifically what should be addressed is problematic. Many of the items that could be considered are complex and could result in fundamental changes to our regulations and requirements (e.g. decreasing setbacks or lot coverage, design review for single-family homes, additional landscaping and open space requirements). In addition, gauging community interest or direction has challenges and could take considerable time, effort and resources (community workshops, visual preference exercises, opinion surveys, etc.).

Such a broad, open and comprehensive approach will require significant professional services such as meeting facilitators and consulting architects. The work program shows this as a task but the scope and schedule for this effort has not been determined. In addition, the Commission and Council will have to determine where this project fits in with the other tasks and projects. Staff could be available beginning in the second half of 2007. In addition, funding for architectural services, facilitators, or design professionals would need to be available to undertake the steps necessary to address these issues.

Task 7: Housing (.7 FTE + ARCH)

Introduction

The Council has identified housing issues – particularly affordable housing – as a critical discussion topic. On January 2, 2007 the Council met in a study session to review and discuss innovative housing. At that meeting they received the report from Mike Luis on innovative housing and provided direction on the moving forward with permanent regulations. Due to the interest in this topic the Council deferred discussion on other housing issues to the March 23rd Council retreat.

Innovative Housing

Phase 1 of this project is done. An evaluation of the two innovative housing demonstration projects was completed by Michael Luis and presented to the Planning Commission, Houghton Community Council and City Council. The work program shows this task to develop permanent innovative housing regulations to be completed by September, 2007.

Affordable Housing

Housing costs continue to rise and the City is not meeting its affordable housing targets. With the innovative housing regulations scheduled for the first nine months of 2007 work on affordable housing incentives and regulations will have to wait until late 2007. Some areas of the City do not have any affordable housing incentives or requirements in place – particularly in the downtown area. As redevelopment moves forward, we continue to lose opportunities for affordable housing.

TOD at Park and Ride Facilities

Staff continues to have intermittent conversations with King County on the potential for “transit oriented development” housing at the South Kirkland Park and Ride facility. The County has done some preliminary analysis. With resources allocated to other tasks, staff’s recommendation is to schedule action on this in 2008.

ARCH Coordination

There are a number of other on-going staff efforts on housing including working with ARCH on the Housing Trust Fund, preservation of affordable housing, and education. The City is also participating in a process set up by ARCH to prepare an overall strategy plan and a tool kit of model housing practices and programs.

Task 8: Community Character – Historic Preservation Incentives

Staff had requested a service package for funding to assist in updating the list of historic sites in the next budget and developing incentives for historic preservation. The funding was not approved. We have a place keeper for this task on the work program. It may be possible to undertake this task in late 2007 or 2008 if we are able to obtain funding and have available staff.

Task 9: Natural Resources/Environmental Stewardship (1.5 FTE)

Natural Resource Management Plan and Environmental Stewardship

In 2003 the City adopted its first Natural Resources Management Plan. The City has in place a Natural Resource Management Team consisting of representatives from three key City departments – Planning, Public Works and Parks who coordinated this effort. Over the past year, the team has been coordinating its efforts on implementation actions (education, funding, and programs). We have also broadened our role to address greenhouse emissions in response to the US Mayors Climate Protection Agreement, of which the City is participating. In 2007, our staff

team will be focusing on a variety of environmental stewardship efforts including sustainable communities, green buildings, green businesses and community outreach.

Shoreline Master Program/Critical Area Regulations

State law requires Kirkland to revise our Shoreline Master Program to achieve consistency with new shoreline rules adopted by the Washington State Department of Ecology (DOE). During 2006, an inventory and analysis of Kirkland's Lake Washington shoreline was prepared by consultants. We also conducted two panel discussions and a shoreline tour. Coordination with King County and DOE will occur throughout the project. Proposed amendments to shoreline goals, policies, regulations, and programs will be reviewed by the Planning Commission, Houghton Community Council, the Kirkland City Council, and the public through 2007 and into 2008. As part of this update, the City will likely need to amend its Critical Area Regulations to be incorporated into the Shoreline Master Program. It is anticipated that the City's new Shoreline Master Program will be adopted by the end of 2008. The project schedule will ensure that Kirkland will meet the State's deadline of adoption by December 2009.

Tree and Landscaping Regulations

With the adoption in late 2005 of new standards and regulations for trees and landscaping, the City committed to reviewing these after two years to see if any changes are needed. A report to the Council is targeted in March 2008. The work program shows this task beginning in late 2007.

Low Impact Development

The City was the recipient of a grant, along with several other cities, to have a consultant team provide recommendations on stormwater management techniques and land development to increase the use of low impact development (LID) practices. They have completed their work and staff from Planning and Public Works have been meeting to determine how to incorporate their recommendations into our standards and regulations. Some of the recommendations will likely result in changes to the Zoning Code. One of the most effective strategies identified by the consultants is the concept of clustering units rather than a typical subdivision layout. LID techniques could be an integral component of innovative housing developments.

SPECIAL TASKS

Task 10: Special Project (.6 FTE)

This task consists of a variety of projects and on-going efforts. These do not generally come before the Commission, however, Commission members do serve on some of the applicable committees.

The *Downtown Strategic Plan* will be looked at by the Downtown Action Team in 2007 with assistance from a consultant team. The *NE 85th Street Action Team* will continue to meet as needed – particularly with work still to be done on the corridor improvements by Sound Transit and the City. Under *Economic Development*, the City now has a full time in-house Economic Development Manager.

The *CTR/Concurrency/Impact Fee* item is really a catch-all for several projects. We have received a grant to look at our commute trip reduction program (CTR) to see how we can improve our efforts to reduce SOV use. As a result of work on our LOS, we may need to make changes to our concurrency ordinance. Also, in 2007, the city will be updating its impact fee schedule.

Task 11: Database Management (.2 FTE)

Database management consists of a number of sub-tasks such as our Community Profile, land use inventory, capacity analysis, housing data, etc. that are used for a variety of purposes including neighborhood plans and the Comprehensive Plan. In addition we are required to provide data on buildable lands and benchmarks to King County.

Task 13: Regional Coordination(.1 FTE)

This task involves participation on countywide and regional forums including the Puget Sound Regional Council, the King County Growth Management Planning Council, the Suburban Cities Association and Sound Transit.

Task 14: Annexation

Extensive efforts are underway to obtain community input and undertake additional fiscal analysis to determine if the City will proceed with annexation of our Potential Annexation Area. The Council has been meeting on this for the past several months. If the Council decides to move forward, funding has been targeted for a 1.0 FTE planner to work on the land use and zoning components of the annexation package.

ADOPTED 2006 – 2008 PLANNING WORK PROGRAM: LONG RANGE TASKS

March 7, 2006

				2006												2007				2008			
TASK	PROJECT MANAGER	2006 STAFF		J	F	M	A	M	J	J	A	S	O	N	D	1st	2nd	3rd	4th	1st	2nd	3rd	4th
POLICIES, PLANS & REGULATIONS																							
1	Comprehensive Plan		.3 FTE																				
	• 2006 Comp Plan Revisions	Teresa Swan																					
	• Private Amendment Requests																						
	• Moss Bay Industrial Study																						
2	Totem Lake Zoning & Design Regs	Dorian Collins																					
3	NE 85 th Street																						
	• Zoning & Design Regs	Janice Soloff																					
4	Zoning Code Update		.4 FTE																				
	• Wireless Facilities	Consultant																					
	• Miscellaneous ZC Amendments	Teresa Swan																					
	• Single Family - FAR	Consultant																					
	• Homeless Encampments	Nancy Cox																					
	• Home Occupations																						
	• Downtown Parking Study	Public Works																					
5	Design Regs & Guidelines		.3 FTE																				
	• Reformat Design Regs	Soloff/McMahan																					
	• Multi-Family Design Guidelines	Janice Soloff																					
6	Neighborhood Plans		1.4 FTE																				
	• Market	Angela Ruggeri																					
	• Norkirk Neighborhood	J. Lieberman-Brill																					
	• Lakeview Neighborhood																						
	• Houghton Neighborhood																						
	• Neighborhood Plan "X"																						
7	Housing	Staff & ARCH	.4 FTE																				
	• Innovative Housing Zoning Regs																						
	• Affordable Housing Incentives																						
	• TOD/Park & Ride																						
	• On-Going Housing Efforts																						
8	Community Character	Angela Ruggeri																					
	• Historic Preservation Incentives																						
9	Natural Resources/ESA		1.1 FTE																				
	• Tree and Vegetation Regs	E. Walker																					
	• NRMP Coord/Env. Stewardship	P. Tovar																					
	• Critical Area Regs																						
	• Shoreline Master Plan	P. Tovar																					
	• Geologic Hazard Regs																						
Legend																							
	<i>Planning Commission Tasks</i>																						
	<i>Other Tasks</i>																						

NEIGHBORHOOD PLAN UPDATE SCHEDULE

January, 2007

Note: Schedule Subject to Change

Neighborhood Plan Implementation: Zoning Regulations & Design Standards
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Market and Norkirk Zoning Regulations 2007

Market St Corridor Design Guidelines 2007

Comprehensive Plan & Neighborhood Plans
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Lakeview & Houghton 2007-2008

North & South Juanita 2009-2010

Moss Bay & Everest 2011-2012

Comprehensive Plan Chapters 2011-2012

Bridle Trails & South Rose Hill 2013-2014

Totem Lake 2014-2015

North Rose Hill 2015-2016

CODE AMENDMENT LIST - UPDATED 1/25/07

(this list contains the code amendments to be addressed this year (2007), plus those to be addressed in future years)

Task # Code Section Description

Notes
(X = drafted)

PROJECT 1 - EARLY 2007

Municipal Code

	21.06.245	Establish time limits for completion of SEPA for building permits	
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Subdivision Ordinance

SD.2	22.04.030	Binding site plans for already approved projects should be Process I or Planning Director approval	
SD.11*	22.04.020(d)	Revise LLA criteria to address "City of Seattle v. Crispin" decision (might also affect KZC).	
SD.1*	22.32.030	Change reference to KZC for stormwater regs (DG).	
SD.4*	22.20.245	Add appeal to City Council when existing ROW is opened (DN)	
SD.7*	22.12.100-140 & 22.26.500/ 530	Subdivision ordinance refers to role for HCC, but review process is IIA (8/11/04 SC e-mail).	
SD.9* & SD-10	22.26	Consider incorporating RCW 64.04.172 provision for alternative means of modifying dedicated easements (DG 8/4/03 e-mail via PS 8/11/04 e-mail). Allow easements or other plat modifications through a simpler process than Process IIA	
SD.14	22.28.050	Clarify that rear garage requirement is not applicable in multi-family zones	
SD.15	22.28.040	When lot sized are averaged, prohibit over-sized lots from being later subdivided.	
SD.16	22.20.050 & 22.12.020	Make application requirements the same. Delete list of requirements. Authorize department to establish.	
SD.5*	22.28.080(b)	Allow easements to be counted in the area of servient lots only if the lots have a minimum frontage on a ROW (to prevent multiple micro pipe stem lots.(DN memo to ES 3/31/04)	?
SD.8*	22.28.080.b	Should lots be able to subdivide if they will access from an easement across another lot and in so doing would make the servient lot nonconforming because the area of the easement would now have to be deducted from the area of the servient lot? (8/11/04 SC e-mail).	?

Chapter 15 and 17 - RS and RSX Zones

MF.3		Clarify that general regulation in SF zones applies adjoining low density uses in low density zones.	X
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Chapter 50 CBD Zones

	50.30	Correct general regulations that establish excessive height and setback limits abutting 2nd Ave. S.	
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Chapter 53 - RH Zones

53.1*		For zones other than RH 1A, 3, and 4, change the required front yard to read: 10' adjacent to NE 85th St; otherwise 20'.	X
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Chapter 55 - Totem Lake - TL Zones

55.3	55.	Revise auto sales uses to allow used car sales	X
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Chapter 75 - Historic Landmark Overlay Zone

75.1		Simplify process for designation and modification	
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Chapter 95 - Trees etc

95.1*	95.40.4	Exempt detached detached units in medium density density zones from buffering other detached units in low density zones.	X
95.2*	95.45	Prohibit ivy and other invasive plants in required landscaping.	
95.3*	95.40.6	Clarify tree spacing requirements in buffers (TLeavitt 10/17/06 e-mail).	X

Chapter 105 - Required Public Improvements

	105.18	Exempt SF walkways from lot coverage requirements. Require pervious paving.	
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Chapter 115 - Miscellaneous Standards

115.14*	115.80	When buffering stds are decreased, should driveway/parking area setback also be decreased?	? removed from Ord 4072
115.25	115.43	Address garage facades. Define front façade - garage sunrooms etc - see background from Outlook folders.	Jeremy
115.26	115.120	Require screening HVAC unit when existing unit is replaced with a like unit.	X
115.40*	115.59	Address ABE when subterranean structure is involved. Only count above grade walls that enclose interior space. Clarify existing vs. historic grade.	X (need to review)
115.42	115.115	Allow deletion of 5' setback in flag lot driveways next to interior lot (must be part of the subject property). Incorporate I-89-9 for existing flag lots. 11/00	? I-89-9 Rpld by I-02-1. May still need amdt.
115.44	115.30	Clarify measurement when buildings are at angle to property line (may be definition)	Jeremy
115.51	115.115.3	Make correction to allowed structures and improvements (codify Interp 06-3)	X
115.53	115.125	Change rounding of fractions of dwelling units from .66 to .50	X
115.54	115.45	Distinguish decks and porches from other enclosed (but open) areas that should be counted in FAR.	
115.55	115.15	Prohibit parking of large boats (in addition to vehicles). Apply also adjacent to residential zones	X

115.58	115.115	Allow HVAC units in required side and rear yards if setback X (5?) feet. See Dawn.	
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Chapter 117 - Personal Wireless Service Facilities

117.2	117.15	Move all "common" definitions to Chapter 5. There appear to be only two: "building" and "residential."	X
117.3*		Allow minor bldg-mounted wireless in a park as P.O. decision.	X
117.4*	117.35	Do not require process IIA for antennas on residential buildings in non residential zones	X
117.5	117.65.6.b	Is height measurement above "conductor" too restrictive on Seattle City Light towers?	X

Chapter 130 - Rezones

130.2		Review criteria for legislative actions; possibly revise (e.g., clarify that private amendment requests are legislative). City vs. person as applicant, fees, other? (see TS memo 04/04) - may also affect overlay zones. (See also 8/24/0-4 Rkaseguma e-mail).	X
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Chapter 142 - Design Review

142.1*	142.12.1	Delete "this chapter" and replace with "those requirements".	X
142.2*	142.15.2.b	Consider adding "or the addition of new floor area on a developed site." The way it reads right now, someone could argue that a new building on a developed site is exempt.	X
142.3*	142.35.51	Add language that if the applicant does not submit a complete application for a Design Response Conference within 6 months of the Conceptual Design Conference (CDC), the CDC expires.	X
142.4*	142.40.2	Add the language about petitioners not having appeal standing similar to other process chapters (e.g. 142.60.b).	X

Chapters 145-161 (Process I-IVA)

145.9	160.25	Discuss threshold review when it is a city-initiated rezone (PStewart 05/20/05) Is this necessary?	X
145.16	152.100.1.e	Remove 4 day deadline for HCC comments to go to Hearing Examiner.	X
145.15	150.80.2	Review appeal comment time to determine if 21 day time is needed (ES 08/02/06).	
145.17	Various	Allow publication of notices on-line	
145.1		Use consistent wording with respect to "decision", "report", "notice of decision" (Rod K) (Note: This will require coordinating with support staff and may affect their responsibilities)	Nancy will evaluate ?
145.3		Clarify process for testimony and oral arguments at CC meetings (see AR e-mail of 11/05/03). (work w/RK)	?

Multiple Zones

M.10		Use consistent terminology to regulate gas stations and auto repair.	
MF.9		Reduce side yard setbacks for detached units approved as "detached, attached, or stacked dwelling units" listing in all pertinent zones.	X

PROJECT 2 - SEPA ORDINANCE- MID 2007

S.1		Raise exemption levels (e.g. # of du's, building sq. ft., # of parking stalls, cubic yds. excavated, etc.) - consider concurrency impacts (same thresholds).	
S.2		Rewrite SEPA appeals provisions (Nancy).Reduce appeal period for DNS without agency with jurisdiction review from 14 to 7 days. Should appeals of Hearing Examiner SEPA decisions go to court even if permit is decided by the City Council?	
S.3		Don't require SEPA review solely for seismic hazard areas.	
S.4*		Update SEPA ord to reflect case law and 1998/ 2003 SEPA revisions.	CAO to draft.
S.5		Don't require DNS publication for grading permits	
		Exempt gas line and other utility line replacement	
		Update environmentally sensitive areas map adopted by reference	
		Should we post SEPA for Process I permits if there's an agency w/ jurisdiction & comment period?	

PROJECT 3 - SHORELINE MASTER PROGRAM AND ZONING - 2007/08

Shoreline Master Program and WD Zoning

SL.1	30.10, 30.15, 30.20	WDI, WDII, WDIII - Public pump-out facilities only required for commercial marinas, whereas private pump-out facilities are required for all other piers of 72 boats (AR).	
SL.2		Canvas covers for boats.	
SL.3*		Eliminate 30% view corridor for properties in CBD for continuous street front retail (UM 1 Environ.)	Jeremy
SL 4*		Update all references to reflect changes to the WACs (see DG e-mail 4/14/04)	
		Simplify process for Public Works stream improvements	
		Eliminate definitions that are common to those that apply throughout the entire code	

Chapter 90 - Drainage Basins

90.3		Review to reduce process - consistent with reasonable use process (SC, 10/14/04 LRP)	
90.4	90.20.5	Clarify intended meaning of "normal or routine maintenance or repair."	
90.5	90.55.4	Allow off-site mitigation in another drainage basin for essential public facilities	
90.6	90.45.3	Allow stormwater outfalls to extend into wetlands	
		Eliminate definitions that are common with with definitions applicable throughout entire code	
		Simplify review process for Public Works stream restoration projects	

PROJECT 4 - LOW IMPACT DEVELOPMENT - 2007

115.17*	115.90	Clarify when to give lot coverage credit for semi-pervious materials. Also, consider greater restrictions on use of brick pavers (8/2/06 e0mail from Dawn Nelson).	
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PROJECT 5 - CBD 2007/08 (Following Completion of Strategic Plan)

Chapter 50 - CBD

MB.3	50.10 +	Review fast food restaurant regulations. Should parking and other regulations be same as for restaurants when drive-throughs are not involved?	
MB.5	50.10 +	Various amendments on list dated July 1996 (in background info). Some may have been incorporated in more recent design regulation amendments. Review list to check.	
MB.6	50.10 +	Interp 93-6 - Travel agency as street level use in CBD-1 and CBD-2 (maybe repeal)	
MB.7	50.10 +	Review CBD parking requirements for multi-family.	
MB.12*	60.29-60.52	Consider including all or portions of PLA 5 in CBD.(TSwan 04/11/05)	
	50.10 &.12, 50.35 &.37	Incorporate comprehensive plan policies governing building height more directly in the zoning charts for CBD 1 and CBD 5.	

FUTURE PROJECT - NONCONFORMANCE REGULATIONS

Chapter 162 - Nonconformances

162.3*	162.35.3.a	Interp 90-4 - Base 10% limitation for nonconforming structures on a site upon the combined gfa of all	
162.4*	162.35.5.b	Interp 90-3 - Major nonconforming signs	larger issues
162.5		Interp 90-3 - Removal of underground storage tanks	larger issues
162.6*	162.35.2.b,	Interp 85-4(Rev) - Various provisions/clarifications	
162.7*		Interp 83-11 - (may also affect 115.80) - Nonconforming lots held in common ownership.	
162.8	162.30,	Damaged improvements - What happens if damage exceeds 50% (P. 430)? Conflict with 162.35.7.	
162.9	162.35.2	Be less restrictive on structural alterations for non-conforming uses. See "master list" for more info.	
162.10	162.35.2.a	Look at definition of "use" (e.g., office use). See JMcM. Group with 162.9 and 16.	
162.12	162.35.5.b	Minor Nonconforming Signs - Is a new sign a "structural alteration"? Is a new, less non-conforming sign	
162.13	162.35.5.d	Delete 10 years time period and replace with Director discretion with criteria (p. 434)	
162.14*	162.35.7	Do not limit all structural alterations as we do now. When can windows and doors be installed without a	
162.16*	162.35.2.b.3	Develop criteria for allowing change of nonconforming use. Alternatively, consider not allowing change	
162.17*	162.60,90,135	Clarify continued provisions per 9/20/05 e-mail from Dawn Nelson.	
162.18		Classify cabinet signs in zones where cabinet signs not allowed as major nonconformance.	

FUTURE PROJECT - SIGN REGULATIONS

Chapter 5 - Definitions

5.12*	5.10.550	Clarify "multi-use complex" for consistency with 100.4.3.b. Delete requirement for exterior entrance.	
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Chapter 100 - Signs

		Create criteria to allow for deviations from sign code to be reviewed at a planner level.	
100.2*	100.115	Interp 95-4 - Temporary commercial sign - Add to definition of temporary sign?	
100.3*		Interp 95-3R - Colors as signs, sign area - Add to definition of sign area?	
100.4*	5.115, 100.85	Interp 94-1 - Changing message center and similar signs. Additional criteria? Allow with Master Sign Plan.	
100.5*	100.115	Interp 92-4 - Fuel price signs	
100.7*		Interp 86-17-100 and 115 - Temp. commercial signs when related to permitted temporary activities.	
100.8*	100.65	Interp 86-16 - Signs above rooflines	
100.9*	100.85(2)	Interp 86-13 - Sign regulations regarding holiday decorations	
100.10*	100.30, 100.75	Interp 86-11 - Window signs. Need to reexamine.	
100.11*		Interp 85-8 - 5 and 100 - Status of neon lighting and lighted awnings as signs. Add to definition?	
100.12*	5.108, 100.15	Interp 85-6R - Sign regulations	
100.14		Real estate signs (on- and off-site) - review regulations to reduce number of signs (ES)	
100.6 and .18	100.115	Interp 88-19 - Off-site real estate signs. Need to rethink rules on temporary off site signs. Private advertising signs - restrict size. Temporary commercial signs - Limit to 30 days plus size limitation. Real estate signs - redraft to allow (2) 32 sf advertisement signs and (1) 6 sf per lot (not clear as written) Revise entirely to conform with Supreme Court Decision on Redmond signs.	
100.19*		Address political signs duration and size (DG) - review temp sign chart with Rod Kaseguma.	
100.21		Under marquee signs - allow to be larger (AR). Allow 6 sq. ft.	
100.25		Reduce height of monument signs. Liberalize dimensions for sign base.	
100.26		Special signage for auto dealers? Probably no, but may want to increase signage for large sites.	
100.27		Add cabinet signs in CBD and JBD - tie to "major nonconforming"	
100.28		Major nonconforming signs & amortization (e.g. billboards). Need to address constitutional issues	
100.31*	100.115	Allow under marquee signs for sign category A (and probably B). (8/11/04 ES e-mail)	
100.32*	100.55	Allow signs for commercial uses in mixed-use buildings to be calculated separately (8/11/04 ES e-mail)	
100.35*	100.5	Change "NE 106th St" to "Forbes Creek Drive" (SUpdegrave 04/12/05)	
100.36*		Temporary advertising signs for public events (Csalzman 12/16/04)	
100.37*		Allow reduced setback for ground mounted signs, subject to criteria.	
100.38*	100.52	Section needs to include NRHBD for consistency with design guidelines.	

FUTURE PROJECTS - OTHER POTENTIAL ISSUES

Chapter 35 - FC III Zone

		Eliminate or revise zone with Lakeview Neighborhood Plan	
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Chapter 48 - LIT Zones

48.1*		Community facility/recreational/instructional uses (ES) (gyms, dance studios, etc)	
48.3*		Re-examine the requirement that uses be limited to 2 stories (PS, 8/20/04 e-mail)	
48.4*	55.15.070	Specify limit for size of office space associated with Wholesale Establishments (JRegala 04/12/05)	
48.5*	48.15.220	Delete Special Regulation 1.	
48.6*	48.15.190	Delete Special Regulation 1.	

Chapter 105 - Parking

105.4		Review parking requirements for mixed use developments (e.g., medical office/regular office, business park; strip retail/restaurant/office (ES))	
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Chapter 115 - Miscellaneous Standards

115.3	115.60.2	Should rooftop parking be prohibited next to low density zones? How should height be calculated?	
115.41	115.115.5.d	Consider prohibiting parking in front yards in office zones (ES e-mail 08/02/06)	
115.46	115.65	Land surface modification - make consistent with other City regulations (Municipal Code)	Nancy
115.47	115.85	Incorporate Rose Hill BD standards city-wide?	
115.56	115.23	Review common open space - do not require for attached units.	w/ MF guidelines ?
ZC.3	115.30	Allow more flex/mod to horizontal façade general regulations in many zones.	

Chapter 125 - PUDs

125.1		Find way to define dollar value of public benefits (or other quantifiable system); re-examine basic approach to PUDs, maybe tiered system	
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Chapter 170 - Enforcement

170.3		Consider more formal approach to interpretations, with comment and appeal process.	
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Miscellaneous

MF.7		Reduce parking for Assisted Living Facilities from 1.7 stalls/independent unit. Could be chart buster.	
M.4*		Minimum lot area for certain commercial uses - Do we need this (ES e-mail 9/9/96 and AR): Neighborhood retail use in RM; Neighborhood retail use in PR (requires 3600 sf, office has no size requirements); Restaurant use in WDI; Office use in PLA 6B; Service station in BC.	

**RULES OF PROCEDURE
OF THE KIRKLAND PLANNING COMMISSION
OF THE CITY OF KIRKLAND**

**A RESOLUTION OF THE KIRKLAND PLANNING COMMISSION SETTING FORTH THE
RULES OF PROCEDURE FOR THE CONDUCT OF PLANNING COMMISSION MEETINGS.**

Section 1. Meetings:

- A. Regular Meetings. The Planning Commission meets on the second and fourth Thursday of each month, in the Kirkland City Council Chamber, commencing at 7:00 p.m. unless otherwise noticed.
- B. Special Meetings. The Planning Commission shall meet for special meetings at the call of the Chair or a majority of the Planning Commission.
- C. Open Meeting Requirements and Notification:
 - 1. The open meeting provisions of state law (RCW Chapter 42.30) shall apply to Planning Commission meetings.
 - 2. Notification procedures shall follow the requirements of the Kirkland Zoning Ordinance, Subdivision Ordinance, State Environmental Policy Act, Shoreline Management Act, and other regulations, as applicable.
 - 3. All special meetings shall be noticed by:
 - a. Delivering written notice personally by mail, fax, or by electronic mail at least 24 hours in advance to Planning Commission members.
 - b. Delivering written notice personally by mail, fax, or by electronic mail at least 24 hours in advance to the newspaper officially designated by the City of Kirkland and to each media publication which has filed a written request with the City.
 - c. Specification of the time and place of the meeting and the business to be transacted.
- D. Record. A record will be made of all public hearing proceedings and all other meetings. This record will normally be an audio recording by means of electronic equipment.
- E. Minutes. The Department of Planning and Community Development staff will prepare minutes of each meeting that include all pertinent information, motions, decisions made, and actions and votes taken.

Section 2. Officers:

- A. Appointment. The Planning Commission has the following officers:
 - 1. The Chair;
 - 2. A Vice Chair; and

3. Any other officer that the Planning Commission, by a majority vote, approves and appoints.
- B. Temporary Chair. If both the Chair and Vice Chair are absent from a meeting, the Planning Commission shall, by a majority vote of those members present, elect a temporary Chair for that meeting.
- C. Duties of Officers. The duties and powers of the officers of the Planning Commission are as follows:
1. Chair:
 - a. To preside at all meetings of the Planning Commission;
 - b. To call meetings of the Planning Commission;
 - c. To sign documents of the Planning Commission;
 - d. To act as liaison between the Planning Commission and other City entities; and
 - e. To appoint Planning Commission members to serve on other city committees, advisory groups and task forces.
 2. Vice Chair: During the absence, disability, or disqualification of the Chair, or upon the request of the Chair, the Vice Chair shall exercise all the duties and be subject to all the responsibilities of the Chair. The Vice Chair shall also maintain any other responsibilities that are assigned to him/her by the Chair.

The Chair and Vice Chair and other officers shall be elected by a majority vote of the Planning Commission at the first regular meeting each May, and may be reelected.

Section 3. Order of Business:

- A. Generally, the Planning Commission will follow the following order of business at all meetings:
1. Call to order / roll call.
 2. Announcement of agenda.
 3. Comments from the audience on any topic that is not the subject of public hearing - limited to 3 minutes per speaker.
(Note: The chair may limit the comments to no more than three speakers on any one topic. If both proponents and opponents wish to speak, then up to three proponents and up to three opponents of the matter may address the chair.)
 4. Hearings.
 5. Study Sessions.
 6. Unfinished Business.
 7. New Business.
 8. Reading and/or approval of minutes.

9. Administrative reports and Planning Commission discussion.
 10. Comments from the audience – limited to 3 minutes per speaker.
(Note: The chair may limit the comments to no more than three speakers on any one subject. If both proponents and opponents wish to speak, then up to three proponents and up to three opponents of the matter may address the chair.)
 11. Adjournment.
- B. The order of business may be changed during the meeting by the Chair with the consent of a majority of the Planning Commission members present.

Section 4. Quorum:

A majority of the appointed members of the Planning Commission constitutes a quorum. A quorum must be in attendance before business can be transacted. Every motion by the Planning Commission requires approval of a majority of the Planning Commission members present to pass.

Section 5. Disqualification:

No member of the Planning Commission should participate in any Planning Commission discussion or vote on any matter in which the member has a personal or financial interest potentially sufficient to create a conflict between the interest in serving the public good and the other interest. The other interest may be private gain, financial or personal, and it may benefit the member, a relative, a friend, or an employer. Any disqualified member must leave the room when the matter is presented. The minutes shall show that the member left the room and abstained on that vote.

Section 6. Voting:

- A. Each member present at a meeting shall cast one vote on each motion. Voting may be by voice call or by roll call.
- B. Although it is the duty of every member to vote, a member may abstain. An abstention has the same effect as a negative vote.

Section 7. Vacancies:

Should any vacancy occur among the membership of the Planning Commission by reason of death, resignation, disability, or otherwise, the City Clerk shall be immediately notified. If a member resigns, the member shall tender his or her resignation in writing to the Department of Planning and Community Development and City Clerk. The Chair of the Planning Commission shall request that the Mayor and City Council consider an appointment to the vacancy on the Planning Commission at the earliest possible time.

Section 8. Conduct of Meetings:

- A. *General.* The Chair has broad authority over all matters regarding the conduct of meetings. He/she shall exercise this authority to promote the fullest possible presentation of information and discussion of matters before the Planning

Commission while permitting the orderly and timely completion of Planning Commission business.

- B. *Use of Roberts Rules of Order.* The Planning Commission may refer to the applicable provision of Roberts Rules of Order for guidance for items not addressed by these Rules and Procedures.
- C. On specific agenda items, other than public hearings which are discussed in Section 9, the Chair may allow comments from the audience as appropriate. This usually occurs following a staff presentation and/or the completion of discussion by the Commission on the agenda item. Comments may be subject to the limitations noted in Section 3.A.

Section 9. Rules of Procedure for Public Hearings:

- A. *Presentation at the Hearing.*
 - 1. The Chair shall declare the Public Hearing open before the staff presentation is given. After the staff presentation and after everyone has had the opportunity to speak, the Chair shall announce that the hearing continues to remain open, but only for the benefit of the Planning Commission members who may seek further information during their deliberation. Reopening the hearing to give persons an opportunity to speak shall require a motion and a vote. If the hearing is reopened, the Commission may limit the topics to be addressed.
 - 2. Nature of Presentation:
 - a. Written Comments. Any person wishing to comment on an application may do so by submitting his/her written comments to the Department of Planning and Community Development before the hearing or the Chair during the hearing. These comments will become part of the official record and shall be considered by the Planning Commission in its action.
 - b. Oral Comments. The Chair shall permit any person to make a brief oral presentation at the hearing. Comments are limited to three minutes per speaker unless otherwise authorized by the Chair. The speaker shall first give his/her name and address.
 - 3. Questions from the Planning Commission. Members may question a speaker on any matter related to his/her comments.
 - 4. Questions from the Speaker. All comments and questions shall be directed to the chair.
- B. *Planning Commission Deliberation.* After all speakers have been heard, the Planning Commission shall close the public comment portion of the hearing, consider all the information and deliberate on the matter. This deliberation shall include:
 - 1. The information submitted;

- 2. The written comments received;
 - 3. Any presentation and discussion made at the hearing; and
 - 4. The staff report.
- C. *Planning Commission Recommendation.* After discussion and deliberation, the Commission shall make a recommendation to the City Council by a motion and approval of a majority of those members present. Once a motion for recommendation has been passed, the Chair shall declare the public hearing closed.
- D. *Continuance.* The Planning Commission may continue the matter by an affirmative vote of a majority of the members present on a motion to continue to a specific date.

Section 10. Amending the Rules of Procedure:

The rules of procedure may be amended at any regular meeting of the Planning Commission by a majority vote of the appointed members.

Section 11. Validity:

If any part of parts of these rules of procedure are found to be invalid, that part or parts will not invalidate the remainder of the rules.

PASSED by the Planning Commission on the 25th day of January, 2007.

Janet Pruitt, Chair

Karen Tennyson, Vice-Chair

Matthew Gregory

Byron Katsuyama

Kiri Rennaker

Carolyn Hayek

Andrew Held