



**CITY OF KIRKLAND  
PLANNING AND COMMUNITY DEVELOPMENT  
123 Fifth Avenue, Kirkland, WA 98033  
425.587.3225  
[www.kirklandwa.gov](http://www.kirklandwa.gov)**

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## **MEMORANDUM**

**To:** Interested Parties

**From:** Planning Department

**Date:** October 2010

**Subject:** **2011 CITIZEN INITIATED AMENDMENT REQUESTS TO THE COMPREHENSIVE PLAN, ZONING CODE AND ZONING MAP**

In general, the City considers citizen initiated proposals once **every other year** with the City's annual review of the Comprehensive Plan. The next opportunity for the City to consider these requests will be in 2011. All citizen initiated amendment requests must be submitted by Wednesday, December 1, 2010 to be on the docket for 2011. The purpose of this memo is to describe the process to be used in 2011.

### **I. WHO MAY PROPOSE AN AMENDMENT?**

Any individual, neighborhood organization, or other group may propose to amend the Comprehensive Plan, the Zoning Code or the Zoning Map. For site specific requests, if the property owner is not making the request, then the property owner must be notified of the amendment (see attached Affidavit of Service).

### **II. WHAT IS AN APPROPRIATE PROPOSAL?**

The Comprehensive Plan is a document describing the long-range plan for the City. It consists of a land use map, and general elements, such as Land Use, Housing, Transportation, and Capital Facilities. It also includes neighborhood plans for the City's 13 neighborhoods. Requests may be submitted to amend any aspect of the Plan -- the land use map, the general elements or a change to a neighborhood plan. In addition, a citizen initiated proposal may amend the Zoning Map or the Zoning Code.

Citizen initiated amendment requests that involve a significant change in use or in density for a specific property, or a major policy change may be deferred to the applicable neighborhood plan.

### III. HOW TO APPLY AND WHAT IS THE DEADLINE FOR SUBMITTING A REQUEST?

Complete the attached application and submit to the Department of Planning and Community Development no later than **Wednesday, December 1, 2010**.

If the December 1, 2010 deadline is missed, then the next deadline will be December 1, 2012 for the 2013 citizen initiated amendment review.

### IV. WHAT IS THE REVIEW PROCESS FOR AMENDMENT REQUESTS?

<b>P h a s e  I</b>	Cut-off date for applications for citizen initiated amendment requests to be received by the City.	December 2010
	Houghton Community Council holds a study session to review the requests within their jurisdiction and prepares a threshold recommendation to the Planning Commission.	Feb-March 2011
	Planning Commission holds a study session and makes a threshold recommendation to the City Council.	Feb-April 2011
	City Council reviews the recommendation at a public meeting and makes a threshold decision to determine which amendment requests should be further reviewed by the City. Also determined is which requests will go to Phase II in 2011 or in 2012, depending on the number of requests and the City's 2011 work program.	April/May 2011
<b>P h a s e  II</b>	Houghton Community Council and Planning Commission study the selected requests. For site specific proposals, the study area may be expanded to include other adjacent properties, if appropriate.	June/July/August 2011
	Houghton Community Council and Planning Commission hold public hearings and formulate recommendations whether or not the Plan Zoning Code and/or Zoning Map should be amended.	July/October 2011
	City Council reviews amendment requests along with the recommendations from the Planning Commission and Houghton Community Council (if applicable) and then approves, denies or modifies the request. City Council may hold a study session on the request in November 2011.	December 2011
	Houghton Community Council, if request within their jurisdiction, approves or disapproves the ordinance adopted by the City Council.	December 2011 or January 2012

*All dates are approximate and subject to change.  
Some requests may be carried over to 2011 for study and a final decision (Phase II).*

### V. WHAT IS THE REVIEW FEE FOR A CITIZEN INITIATED AMENDMENT?

The review fees are as follows:

- **Phase I** (decision whether to further study the request): **\$319 due with the application submittal.**
- **Phase II** (study and decision on the request): **\$319 due before the first study session in Phase II.**

If the request is from a recognized City Neighborhood Association for an amendment to the general city-wide elements or to a neighborhood plan, the fees are waived. Fees are not waived for amendments that affect specific properties, including Comprehensive Plan changes, Zoning Code changes and/or rezones.

## **VI. WHEN CAN THE APPLICANT AND THE PUBLIC PROVIDE INPUT IN THE PROCESS?**

During both Phase I and Phase II, the applicant and the public may provide oral comments at the study sessions and public hearings before the Planning Commission and Houghton Community Council. Written comments may be submitted for all study sessions and the public hearings.

When the City Council considers the requests in either Phase I or Phase II, the applicant and public may provide oral comments on requests at the beginning of their meeting under the "Comments from the Audience" section of the agenda. Written comments may be submitted in advance of the meeting, preferably at least 10 working days before the meeting so that the written comments can be included in the City Council meeting packet. No oral comments are taken at the City Council study session or when the City Council is deliberating its final decision on the amendments.

In addition to the public meetings, interested parties may contact the Planning Department (425-587-3225) to request information about the citizen initiated amendments or they may come to City Hall to review the official files.

## **VII. WHAT CRITERIA ARE USED FOR THE THRESHOLD DETERMINATION IN PHASE I?**

The City shall use the following threshold review criteria, found in Section 140.20 of the Zoning Code, in selecting proposals for further consideration. Proposals must meet 1, and either 2 or 3:

1. The City has the resources, including staff and budget, necessary to review the proposal.
  2. The proposal would correct an inconsistency within or make a clarification to a provision of the Comprehensive Plan.
  3. All of the following:
    - a) The proposal demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan; and
    - b) The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later neighborhood plan review or plan amendment process; and
- (1) The proposal is located in a neighborhood for which a neighborhood plan has not been recently adopted (generally not within two years); and

- (2) The proposal is located in a neighborhood for which a neighborhood plan will not be reviewed in the near future (generally not in the next two years).

## VIII. WHAT ARE THE CRITERIA USED TO APPROVE A REQUEST IN PHASE II?

A. **For a Comprehensive Plan amendment**, the City shall use the following criteria, found in Section 140.30 of the Zoning Code, in approving a request. Proposals must meet all of the following criteria:

1. The amendment must be consistent with the Growth Management Act.
2. The amendment must be consistent with the countywide planning policies.
3. The amendment must not be in conflict with other goals, policies, and provisions of the Kirkland Comprehensive Plan.
4. The amendment will result in long-term benefits to the community as a whole, and is in the best interest of the community.

B. **For a Zoning Code amendment**, the City shall use the following criteria, found in Section 135.25 of the Zoning Code, in approving a request. Proposals must meet all of the following criteria:

1. The amendment is consistent with the applicable provisions of the Comprehensive Plan; and
2. The amendment bears a substantial relation to public health, safety, or welfare; and
3. The amendment is in the best interest of the residents of Kirkland.

C. **For a Zoning Map amendment**, the City shall use the following criteria, found in Section 130.20 of the Zoning Code, in approving a request. Proposals must meet all of the following criteria:

1. Conditions have substantially changed since the property was given its present zoning or the proposal implements the policies of the Comprehensive Plan; and
2. The proposed rezone bears a substantial relationship to the public health, safety, or welfare; and
3. The proposed rezone is in the best interest of the community of Kirkland.



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**APPLICATION FOR AMENDMENTS TO THE COMPREHENSIVE PLAN,  
ZONING CODE AND ZONING MAP**

*Directions: You may use this form or answer questions on separate pages.*

**I. CONTACT INFORMATION:**

A. Applicant Name: \_\_\_\_\_

B. Mailing Address: \_\_\_\_\_

C. Telephone Number: \_\_\_\_\_

D. Email Address: \_\_\_\_\_

E. Property Owner Name (if different than applicant): \_\_\_\_\_

F. Mailing Address: \_\_\_\_\_

G. Telephone Number: \_\_\_\_\_

F. Email Address: \_\_\_\_\_

*Note: If the applicant is the property owner, or is representing the property owner, then the property owner must sign the last page. If the applicant is neither the property owner nor representing the property owner, then the affected property owner must be notified. Send or hand-deliver a copy of this completed application to all affected property owners. Complete the attached Affidavit of Service that this has been done.*

**II. FOR SITE SPECIFIC PROPOSAL:**

A. Address of proposal: (if vacant provide nearest street names) \_\_\_\_\_

B. King County Tax Parcel number(s): \_\_\_\_\_

C. Describe improvements on property if any: \_\_\_\_\_  
\_\_\_\_\_

D. Attach a map of the site that includes adjacent street names.

**III. FOR ALL PROPOSALS:**

A. Description of Proposal:

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B. Description of the specific reasons for making the proposal:

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C. Description of how the proposed amendment relates to the following criteria:

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1. The proposal demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan.

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2. The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later neighborhood plan review or plan amendment process.

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3. The proposal would correct an inconsistency within or make a clarification to a provision of the Comprehensive Plan.

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**IV. PROPERTY OWNER'S SIGNATURE OR SERVICE OF AFFIDAVIT:**

A. *If the applicant is the property owner, or is a legal representative of the property owner, then the property owner must sign below.*

Name – sign: \_\_\_\_\_

Name – print: \_\_\_\_\_

Property owner or Legal Representative? \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

B. *If the applicant is neither the property owner nor a legal representative of the property owner, then the affected property owner must be notified as follows:*

1. Send or hand-deliver a copy of this completed application to all affected property owners (Exhibit A or Exhibit B); and
2. Complete the attached Affidavit of Service that confirms that a copy of the completed application form has been provided to all property owners. Submit the Affidavit of Service along with Exhibit A and/or Exhibit B with the application form and fee.

**Attachments:**

- Affidavit of Service
- Exhibit A for mailing document
- Exhibit B for hand delivering document

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## NEIGHBORHOOD PLAN UPDATE SCHEDULE

October 2010

**Note: Schedule Subject to Change**

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<b>Comprehensive Plan &amp; Neighborhood Plans</b>
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Lakeview & Central Houghton	Pending
Comprehensive Plan Update	2010-2011
Bridle Trails and South Rose Hill	2012-2013
Everest and Moss Bay	2014-2015
North & South Juanita	2016-2017
Totem Lake	2018
Comprehensive Plan Update	2019-2020

## **NEIGHBORHOOD PLAN STATUS**

**February, 2008**

Lakeview	Completed – September 1985
Central Houghton	Completed – September 1985
Bridle Trails	Completed – January 1986
Everest	Completed – May 1988
Moss Bay (Central)	Completed – March 1989
North & South Juanita	Partial Update Completed – October 1990
South Rose Hill	Completed – February 1991
NE 85 <sup>th</sup> Street Subarea	Completed – April 2001
Totem Lake	Completed – January 2002
North Rose Hill	Completed – October 2003
Highlands	Completed – December, 2005
Market & Norkirk	Completed – January, 2007