



CITY OF KIRKLAND

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
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MEMORANDUM

DATE: February 16, 2012

To: Planning Commission and Houghton Community Council

FROM: Joan Lieberman-Brill, AICP, Senior Planner
Nancy Cox, AICP, Development Review Manager
Paul Stewart, AICP, Deputy Director
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SUBJECT: 2012 MISCELLANEOUS ZONING/MUNICIPAL CODE
AMENDMENTS STUDY SESSION (ZON12-00002)

RECOMMENDATION

- Review and direct further changes to draft Part 1 "*Minor Policy*" amendments first introduced and summarized in the memorandum prepared for your previous study session and again summarized in this memorandum.
- Review the proposed Part 2 Kirkland Zoning Code (KZC) and Municipal Code (KMC) amendments ("*Moderate Policy*" changes) and provide direction to staff on the draft list of amendments.

BACKGROUND DISCUSSION

The complete roster of proposed Zoning Code and Municipal Code Amendments is Attachment 1 to this memorandum. The work program is Attachment 2.

The Planning Commission (PC) and Houghton Community Council (HCC) reviewed the "*no policy*" and "*minor policy*" amendments as well as drafts of the "*no policy*" amendments on January 12th (PC) and 23rd (HCC).

Staff will present drafts of the "*minor*" amendments (Part 1) to determine if additional information and staff response is needed for review at the next study session in April. During this current round of study sessions, staff will also introduce the "*moderate*" zoning code amendments (Part 2).

The final study sessions are tentatively scheduled for April 23 (HCC) and 26 (PC) to go over the draft "*moderate policy*" amendments and address any remaining changes to the rest of them. A joint public hearing is tentatively set for May 24 (PC and HCC). City Council review and adoption is scheduled for June 19. The HCC is scheduled to take final action on July 23.

AMENDMENTS GENERAL

The sections below provide a breakdown of the proposed KZC/KMC amendments, grouped by their policy level implications: "*Minor Policy*" and "*Moderate Policy*" changes. (Since the "No Policy" draft amendments were prepared for your last meetings, they are not included in this memorandum.)

Drafts of the *Minor Policy* amendments are attached for your review and comment, based upon feedback provided at your last study sessions. Background for each of the amendments is provided in the section entitled MINOR POLICY CHANGES. Requested changes will be incorporated into revised drafts prepared for the next study sessions.

Proposed *Moderate Policy* changes are introduced for the first time in the section below entitled MODERATE POLICY CHANGES. Staff will be available to answer questions. Based on the PC and HCC direction, staff will bring back draft *Moderate Policy* amendments at subsequent meetings.

Please Note: Topics with an asterisk (*) denote items that are within Houghton's jurisdiction.

NO POLICY CHANGES

Refer to the Part I [memorandum](#) from the January 12 and 23rd study sessions for "*No Policy*" summary and draft amendments for each. No changes to these amendments were requested by either advisory body at the previous study session.

MINOR POLICY CHANGES

The proposed amendments do not clarify existing regulations, but instead change them. However, they are generally not considered significant policy issues. Amendments have been drafted for all of these except the one addressing FAR stairwell exemptions (discussed further below).

Totem Lake 10E KZC Chapter 55 Section 55.93.110

Purpose: Correct the sign category for “Vehicle or Boat Repair, Services, Washing or Rental”.

Staff Recommendation: Replace the current sign category A, (which is used for housing developments and single family homes), with category E, for non residential uses. Sign category E allows wall-mounted, marquee, pedestal, or monument signs. (Attachment 3)

***Waterfront Districts (WD) I, II & III KZC Sections 30.10,20 & 30**

Purpose: This amendment would add a new general regulation to all three Waterfront District zones to address required rear yard setbacks.

Background: There are situations when an upland lot that is within a WD zone does not abut the shoreline, and therefore may have a rear yard rather than a shoreline setback yard. However, no rear yard setback is specified in the use zone charts for WD I and III. A special regulation addresses rear yard setbacks in WD II, but only for detached dwelling units.

To remedy this, a new general regulation is proposed that would require the same rear yard dimension for the use as is used in the comparable zoning classification. A general regulation rather than a special regulation is proposed, since it would apply to all but the water dependent uses allowed in the WD zones.

In the WD II zone, located in the Market Neighborhood, the new general regulation would replace a special regulation that currently pertains only to detached dwelling units. The new proposed general regulation would require that the required rear yard is the same as for the uses in the RS zone. For example, “detached dwelling units” would have a required rear yard of 10 feet while “public utilities” would have a required 20 foot rear yard setback.

In the medium density residential WD I and III zones, from approximately Marina Park south, required rear yards would be the same as for the RM zone. Again, “detached dwelling units,” and “detached, attached or stacked dwelling units” would have a 10 foot rear yard setback while “public utilities would have a 20 foot yard. There are only 6 parcels in Houghton’s WD Zones that do not adjoin the shoreline. 4611, 4617, 4625, 4813, and 6207 Lake Washington Boulevard and parcel in PLA 15 A.

Staff Recommendation: Staff recommends the attached general regulation for each of the WD zones to address rear yard setbacks for properties that do

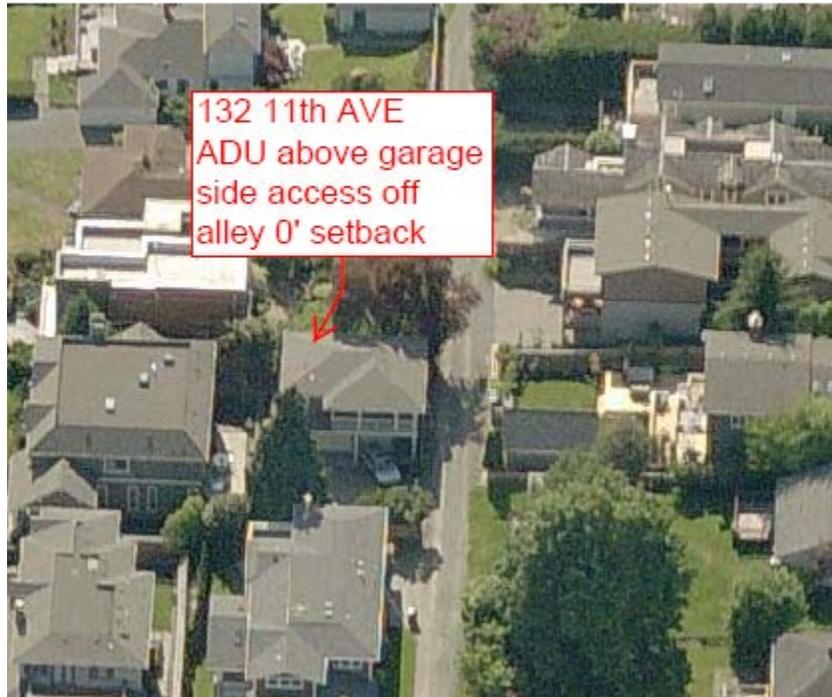
not abut the shoreline. The new general regulation in WD II would replace Special Regulation 4 in KZC Section 30.25.010, pertaining only to detached dwelling units. See Attachments 4-7 for the draft amendments.

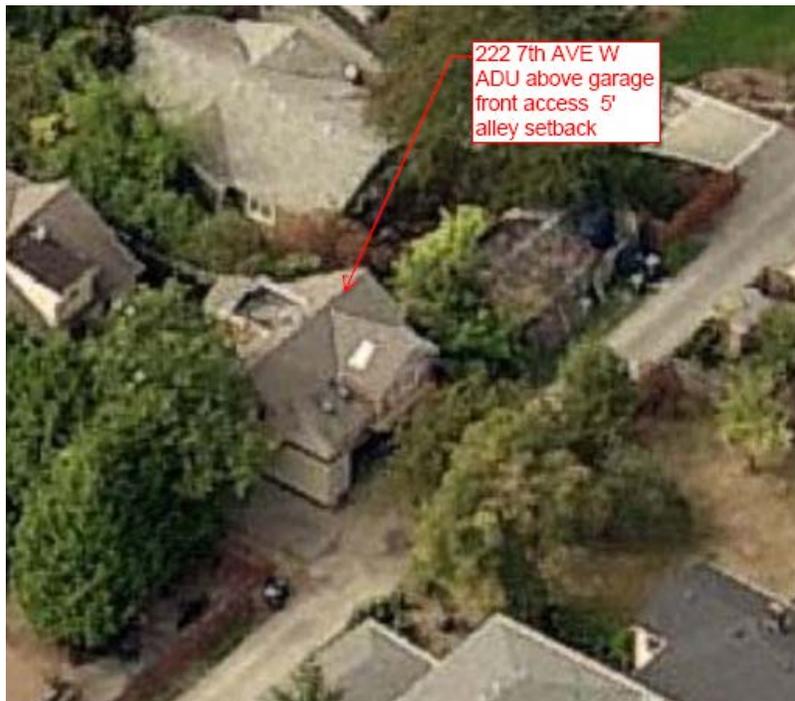
***Required Yards related to a 2nd Story above Garage Rear Yard Setback Encroachment - KZC Chapter 115 Section 115.115.3.o**

Purpose: This code amendment would clarify whether or not a second story above a detached garage, which utilizes an alley for primary vehicular access, may encroach into the rear yard setback.

Background: The Code is silent on this, but the past practice has been to allow the second story in the setback. The purpose of allowing garages to encroach into the required 10 foot rear yard alley setback is to incentivize taking access off of alleys. That intent is further reinforced by explicitly limiting detached garages to one story when located 5 feet from an unopened alley. Conversely, height is not addressed, let alone limited; when the alley is open, to encourage the preferred alley access.

Examples of existing two story garages with access off of an open alley are provided to consider impacts. ADU's and offices are typical uses in the second story space. The first two examples have zero setbacks from the alley, because the garages access from the side: 908 5th Street and 132 11thAve. The third and fourth examples have five foot alley setbacks because the garages access directly off of the alley: 605 1st Street and 222 7th Avenue W.





Two options are suggested:

1. Allow the same setback for the 2nd story as is allowed for the garage; or
2. Limit garages to one story when located within 5 feet of an open alley. This would be the same 5 foot encroachment into the required 10 foot rear yard as allowed for two story garages adjoining unopened alleys.

Staff recommendation: Amend Section 115.115.3.o to codify current practice, which is to allow the detached garage to include a second story in the required rear yard. As is now the case, the second story setback encroachment would be dependent upon whether the garage access is from the side or directly off the open alley. See Attachment 8 for the draft amendment.

***Front Yard Setback Flexibility in Low Density Residential Zones
KZC Chapters 5, 15, 17 and 18**

Purpose: This code amendment would give some setback relief when a parcel has two opposite front yards.

Background: There are a limited number of parcels with this configuration. As the Code now reads these parcels are required to provide two 20 foot front yard setbacks. It could be argued that this is an onerous requirement. King County requires two 10 foot setbacks in this situation. The example below is located in the annexation area.



An amendment could either:

1. Parallel the corner rule in RS/RSX zones that allows corner properties to choose which will be the front, and allows the other to be reduced, or
2. Prescribe the 20 foot front yard on the side of the lot to which the front façade of the house faces, with the opposite side of the lot regulated as a 10 foot rear yard.

Staff Recommendation: Staff recommends that the side of the lot to which the front facade faces be designated as the 20 foot front yard and the opposite be regulated as a rear yard. Amend Chapters 5, 15, 17, and 18 Special Regulations to implement this. See Attachments 9-12 for the draft amendments.

MODERATE POLICY CHANGES

These are considered more substantive changes to existing regulations. The actual draft amendments will be prepared for your review at the joint study meeting in April.

***Floor Area Ratio (FAR) Exemptions Chapter 115 Section 115.42.**

Purpose: This amendment would clarify whether stairwells should be exempt from FAR calculations, and if so, to what extent. Codifying a standard will help ensure that applicants understand how the City will review their permit application. Another option presented would consider approaches to simplify FAR to cut down on staff review time.

Background:

Current Method of Calculating FAR Exemptions:

The Kirkland Zoning Code does not specifically address how to calculate FAR for interior stairs. In practice, planners have been partially exempting stairwells from FAR calculations for similar reasons as why vaulted areas are exempted.

This amendment seeks to address concerns expressed by the development community that FAR exemptions are confusing and hard to interpret. The changes are also meant to address planners' frustration about administering the exemptions in a consistent and defensible way. Finally, the City Council has expressed an interest in simplifying permit review, while maintaining the quality of the built environment, to reduce barriers to development in the City.

KZC section 5.325.5 defines FAR as: "the maximum permitted gross floor area allowed, expressed as a percentage of the lot size (gross floor area/lot size = FAR)..."

KZC section 5.340 defines Gross Floor Area as: "the total sq. footage of all floors in a structure as measured from either the interior surface of each exterior wall of a structure or, if the structure does not have walls, from each outer edge of the roof. Exterior areas may constitute gross floor area."

KZC section 115.42 lists the partial exemption for vaulted space as follows: Floor area with a ceiling height greater than 16 feet shall be calculated as follows:

- a. The first 100 square feet of such floor area, in aggregate, shall be calculated only once toward allowable F.A.R.;
- b. Floor area in excess of the first 100 square feet shall be calculated at twice the actual floor area toward allowable F.A.R.

Our current regulations calculate FAR for single family dwelling units in low density zones based on those definitions. Even though vaulted areas, attics, ADU's and daylight basements are technically interior area that contribute to

the volume of the building, the Zoning Code currently exempts all or a portion of these areas. These elements are exempted (either partially or entirely), for different reasons: either because the area is unusable interior space, the space does not add to the perception of bulk, or to incentivize ADU's.

The partial vaulted space exemption is based on the idea that even though these have interior space, there is only a "floor" on one level and the upper level volume is "air space".

Currently, staff calculates stairwell exemptions based on the stairway footprint for one floor only. Any storage areas over 5 feet high beneath the stairs are not exempt, because they are considered useable space. A three story home is treated the same as a two story home.

Other Ways to Calculate FAR

At its January 23 study, a Houghton Community Council member requested that staff research other definitions and methods to calculate FAR and exemptions, by looking at how various building codes calculate gross floor area (GFA). The Zoning Code definition of GFA is consistent with how the International Building Code, which the City uses, measures gross floor area. They both measure area within the inside perimeter of exterior walls. Unlike the KZC, The IBC does not exempt stairways, vaulted space (e.g. foyers), or covered decks or porches in the calculation. The Building Official explained that this definition is used for calculating occupancy, the fire area for sprinklers and energy code compliance.

The IBC section 1002 defines GFA as: "FLOOR AREA, GROSS. The floor area within the inside perimeter of the exterior walls of the building under consideration, exclusive of vent shafts and courts, without deduction for corridors, stairways, closets, the thickness of interior walls, columns or other features. The floor area of a building, or portion thereof, not provided with surrounding exterior walls shall be the usable area under the horizontal projection of the roof or floor above. The gross floor area shall not include shafts with no openings or interior courts."

Although BOMA (Building Owners and Managers Association) has a standard method of measurement, it is different than the IBC, and their focus is on commercial buildings. The BOCA (Building Officials and Code Administrators) Code is used in other parts of the country but, like the Uniform Building Code, it is going to be phased out.

Of all our neighboring cities, only Bellevue uses FAR to limit overall mass of single family, and they measure GFA from interior wall to interior wall as we do. They do not exempt anything but parking from that calculation for single family. None of the rest of our neighboring municipalities use FAR for single family development. Instead, they use the building envelope to control the size of the home.

Stairwell Exemption Options

Staff has identified the following options for calculating the stairwell FAR exemption:

1. Codify Existing Practice: Currently we allow a partial exemption of a stairwell from the calculation of FAR. (See the illustration above). This recognizes that at least a portion of the space is usable since a person actually walks on a stairway within a stairwell, and therefore that area should be included in the calculation of FAR.
2. No exemption for stairwells. Since the stairwell is interior volume that increases the exterior perception of building mass and they are by definition gross floor area, do not exempt them.
3. Simplify the existing method of calculating stairwell exemptions. Rather than measuring stairwell exemptions on a case by case basis, establish a maximum square foot exemption, based upon the minimum requirements for stairways in the IBC. This would treat stairs similar to vaulted space and provide a standardized deduction.

FAR Exemption Options

In the process of reviewing FAR for stairs, staff has identified the following options for calculating FAR in general:

1. Retain the existing method of calculating FAR exemptions: The square footage of each exempt element is subtracted from the Gross Floor Area (GFA) of the dwelling unit. With this option, staff would still recommend codifying stairwell exemptions through one of the methods discussed above.
2. Eliminate stairwell and vaulted area FAR exemptions. This would simplify FAR calculations and provide a more true measurement of building volume/mass. Using this method would reduce significant staff time now spent calculating vaulted areas and stairwells. Attic and basement GFA

partial exemptions that arguably do not add to the perception of mass would remain. ADU partial exemptions would remain as an incentive to provide alternative housing.

3. Increase the FAR slightly for each zone. This option would be a variation of option 2. Option 2 results in a slight loss of FAR overall, since exemptions of certain spaces are eliminated. To compensate for this loss, this option would slightly increase the allowed floor area. Here's how it would work: Set a value for the stairwell exemption. That value, along with the permitted 100 sq. ft. vaulted area exemption, would then be added to all existing FAR's in each low density zone. Instead of subtracting the exempted areas from GFA, the FAR for each zone would increase to account for a prescribed square footage for both vaulted areas and stairwells. The revised FAR would be close to the same GFA that the existing method allows.

The case by case calculation for the partial attic, daylight basement and ADU exemptions would remain.

Staff Recommendation:

Staff recommends enacting one of the above options to clarify the treatment of stairwells in calculating FAR. Staff prefers options 2 or 3 due to their simplicity and time savings for both applicants and staff.

Between now and the next study session, direct staff to draft an amendment to Section 115.42 to codify the FAR calculation method for stairwells and vaulted areas and calculation of FAR exemptions in general.

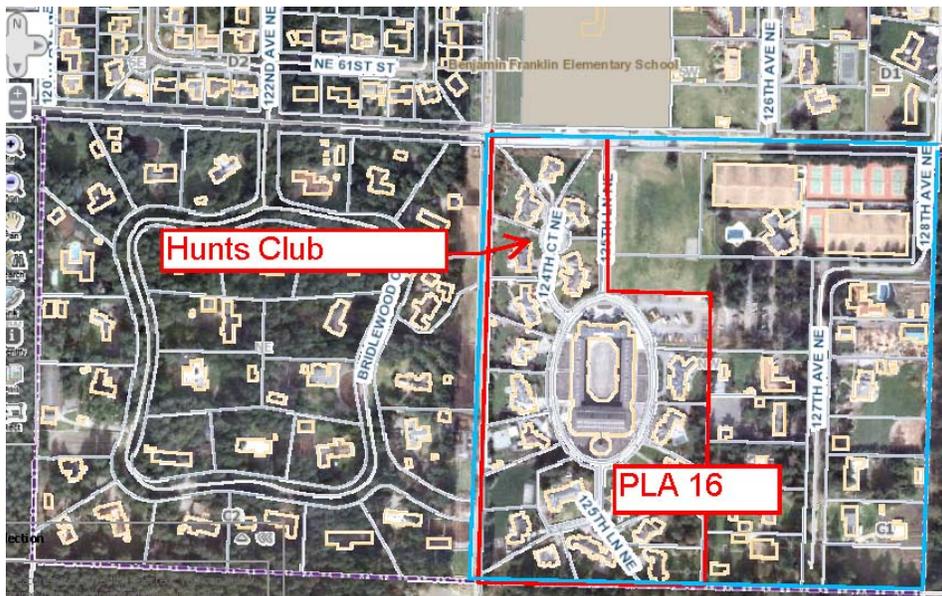
***PLA 16 Equestrian Regulations Chapter 160 Section 160.182.010 and Miscellaneous Regulations Animals in Residential Zones, Large Domestic Animals, Horses Chapter 115 Section 115.20.4**

Purpose: The amendments are proposed to eliminate redundancy between existing PLA 16 horse regulations, which apply only in PLA 16, and Miscellaneous Large Domestic Animals regulations regarding horses, which apply citywide. Too, the amendments would clarify which equestrian requirements apply specifically to the Kirkland Hunt Club, an approved master plan development in PLA 16.

Background: The confusion in part stems from the fact that the keeping of horses is addressed in two Chapters of the Code. Miscellaneous Section 115.20.4 Animals in Residential Zones, regulates Large Domestic Animals, which includes horses. KZC 60 PLA 16, which includes the Kirkland Hunt

Club, also regulates horses because the approved master plan adopted specific equestrian standards. Both Chapters must be used to administer the rules regarding horses because standards addressing size, setback and sanitation of the paddock area for all areas of the City, including PLA 16, are addressed in KZC 115, while standards only pertaining to the master plan are addressed in PLA 16.

Below is a map of PLA 16 outlined in blue, and the Hunt Club outlined in red.



The Hunt Club master plan requirements deviate in the following ways from the usual PLA 16 requirements:

	PLA 16 Kirkland Hunt Club Master Plan	Remainder of PLA 16 and other areas in the City
Lot area	26,000 sq. ft.	35,000 sq. ft.
Number of horses	2 maximum	Depends on sq. footage above 35,000 sq. ft.
Public equestrian trail	Required for detached dwelling units	Not required

Staff Recommendation: Eliminate redundancy between both chapters. Within PLA 16, clarify which special regulations apply to lots within the Master Plan development. Reformat KZC 115.20.4 chart. The following proposed changes have been identified so far:

- Eliminate PLA 16 General Regulation #3. This regulation requires an improved equestrian trail in the non-master plan area for limited land uses, and excludes residential development from this requirement. Since residential use is the primary use in this non master plan area, and the land uses that require the equestrian trail do not exist, this regulation does not make sense. Special Regulation #7. e., pertaining to the Kirkland Hunt Club Master Plan, requires a trail for detached dwelling units. Because access is available down 127th Avenue NE to the State Park and the north side of NE 60th Street will be improved with a pedestrian/equestrian trail as part of the Tennis Club expansion, it doesn't make sense for it to be required in the remainder of the non-master plan area in PLA 16.
- Relocate PLA 16 Special Regulation #4. This change would correct the use zone chart because the special regulation applies only to the master plan. Currently, this special regulation incorrectly limits the number of horses to two throughout PLA 16, which contradicts KZC 115.20 which applies this limit only to the master plan area. Lots in the non master plan portion of PLA 16 may have more horses if they exceed 35,000 square feet. This amendment would relocate and renumber the special regulation to #5.f.
- Eliminate PLA 16 Special Regulation #6, regarding manure pile location. It is proposed to be eliminated since it is already covered in Section 115.20.4 use zone chart Special Regulation #4 for Large Domestic Animals.
- Revise and replace PLA 16 Special Regulation #7 and label it #5, so that it explicitly states up front that the reduced lot size is only allowed if a master plan is approved. Also, a new standard, special regulation 5g would explicitly state that no review process is required for the keeping of horses with an approved master plan. (These standards were approved with the Hunt Club Master Plan.)
- Reformat and simplify the chart in the Miscellaneous Chapter addressing Large Domestic Animals, which includes horses. It is very hard to follow in its current form.

*** Miscellaneous Regulations Animals in Residential Zones, Small Domestic Animals, Chickens Chapter 115 Section 115.20.4**

Purpose: The amendments are proposed to expand the residential zones in which chickens are allowed, determine the maximum number of chickens, and the standards for their keeping (setbacks, prohibition on roosters, etc).

Background: Last year the Planning Commission directed staff to amend the rules regarding backyard chickens after they received a letter expressing their support for doing so. The letter is Attachment 13 to the memorandum.

KZC Section 115.20.4 establishes regulations that govern the keeping of animals in any zone where a dwelling unit is permitted. Chickens and other fowl are regulated as small domestic animals. The regulations address:

- The maximum number of fowl and the circumstances under which this number may be reduced based upon proximity to other dwelling units, compatibility with surrounding uses, lot size and isolation, and noise impacts.
- The minimum lot size,
- The minimum setbacks for pens,
- Structure/pen cleanliness,
- The minimum lot size for keeping rosters.

The City adopted the preexisting County regulations with annexation. In the annexation RSA zones (JFK area), there is no minimum lot size for chickens, but if the lot is less than 35,000 sq. ft. roosters are prohibited and a maximum of 3 chickens are allowed.

In preannexation Kirkland, in order to keep chickens, a lot must be at least 35,000 square feet and there is a limit of 20 chickens and 1 per each additional 500 sq. ft. Roosters are allowed.

As a result of the backyard food movement, there is increased interest in allowing chickens on residential lots with fewer restrictions. The cities of Seattle and Redmond have adopted regulations to address the keeping of chickens in residential areas. Along with reviewing those existing programs, staff is working with Seattle Tilth, and interested citizens to develop the draft regulations.

The State Health Department and Department of Agriculture regulate the sale of eggs and have determined that residentially raised chickens are exempt from their regulations. Municipalities are silent regarding the sale of eggs, and if there is an issue it is investigated as a complaint.

The following links contain information pertaining to chickens:

<http://www.ci.redmond.wa.us/Residents/ChickenHusbandry/>

<http://seattletilth.org/learn/resources-1/city-chickens>

<http://www.shorelinewa.gov/index.aspx?page=271> Backyard Chickens in Shoreline PDF

At the meeting, consider the following topics:

- Should there be a minimum lot size for keeping chickens?(Currently none in JFK, and 35,000 sq. ft. in the rest of Kirkland)
- Should lot size determine the number of chickens allowed? (Currently in the annexed JFK neighborhoods there is no limit in any zone, in the rest of Kirkland there is a limit of 20 and 1 per each additional 500 sq. ft on lots of at least 35,000 sq. ft.)
- Should roosters be allowed? (Currently they are only allowed in entire City on lots greater than 35,000 sq. ft.)
- Should there be an approval process? (Currently none)

Staff Recommendation: Amend Section 115.20.4 to provide the same rules throughout Kirkland allowing chickens on various sized residential lots. Standards would be prepared to address such issues as number of chickens, the location of pens and setbacks, and the keeping of roosters. Generally a formal approval process should not be required.

***Time Limits to Complete Construction of Projects Approved by the Design Review Board Chapter 142 Section 115.20.4**

Purpose: Provide authority for the Design Review Board (DRB) to extend the duration of time in which an applicant has to complete construction, prior to DRB approval lapsing.

Background: Section 142.55.1 establishes a one year period after a project has been approved by the DRB for an applicant to submit a complete building permit application and thereby vest the DRB decision. In addition, construction of the development must be completed within three years of the decision. The DRB is given the authority to establish a longer period of time (unspecified) to submit the building permit application, but is not given the authority to extend the time to complete construction. Section 142.55.2 allows the Planning Official to approve an additional one-time one year extension for both the application submittal and development completion.

For larger developments, particularly those that require phasing, three/ four years may be insufficient time to complete construction.

Staff Recommendation: Amend Section 142.55.1 to allow the DRB to extend the time to complete construction up to ten years.

Application of Small Lot and Historic Preservation Subdivision Regulations throughout the City Title 22- Subdivisions KMC

Purpose: Apply small lot regulations city-wide. The small lot regulations now apply only in the Norkirk, Market, Lakeview and Central Houghton Neighborhoods. The historic regulations now apply only in the Norkirk and Market Neighborhoods.

Background: Subdivision Ordinance section 22.08.042 allows up to half of the lots in a subdivision to be less than the normal minimum lot size if the houses on the lots are limited to a smaller than usual FAR (floor area ratio). For example, in the RS 7.2 zone, the minimum lot size is 7200 square feet and the floor area of houses is limited to 50% of the lot size. However, under section 22.08.042, a subdivision may have up to half the lots as small as 5000 square feet if the houses on the smaller lots are limited to no more than 30% of the lot size - or 35% if the house has a sloped roof.

Subdivision Ordinance section 22.28.048 allows up to two lots in a subdivision to be less than the minimum lot area required in that zone, (allowing the same reduced lot size for both lots) if a designated historic home is preserved on one of the lots. The FAR on the lot without the historic home would remain that required for the underlying zone.

The above regulations were first established when the Market and Norkirk neighborhood plans were updated in 2006. Small lot single family subdivisions were extended to the Central Houghton and Lakeview Neighborhoods in 2011, during the plan update process for those neighborhoods. Given the uncertain timing of future neighborhood plan updates, application of these regulations to other neighborhoods through neighborhood plan updates could take many years.

Staff Recommendation: Revise the small lot and historic preservation subdivision regulations to apply city-wide.

***Extension of Land Use Permit Approvals during the Economic Recession – Various code sections in KZC and KMC**

Purpose: To either codify or discontinue the interim regulations that have been in place since 2009 that allow the City to approve requests for land use permit extensions.

Background: The interim regulations extend: 1) the recording period for plats, and 2) the time to begin construction or submit a building permit or to complete construction for zoning permits. The regulations have been renewed four times. At the last renewal the City Council directed staff to prepare options for review by the City Council's Economic Development Committee (EDC) to help determine if the City should continue renewing or make permanent code changes. The goal is to include code changes, if any, in this code amendment package.

Staff Recommendation: Staff will be presenting options to the EDC in early March and will report back with a recommended direction. Options staff are formulating include: 1) codifying the interim regulations and making the extended timeframes permanent; 2) codifying the interim regulations with a sunset provision that would allow the majority of land use permits that have been impacted during the recession to get an extension; and 3) discontinuing the interim regulations and future land use permit extensions when the current ordinance expires. Any input from the PC and HCC about how to handle this would be welcome.

***Non-Conforming Density- Special Provisions for Continued Uses – Limitations on Maintaining, Repairing and Remodeling Structures with Nonconforming Density- Chapter 162 Section 162.60**

Purpose: Provide more flexibility to repair, maintain and remodel structures with nonconforming density without having to bring the density into conformance.

Background: During the recent preparation of the Lakeview and Central Houghton Neighborhood plans, concern was raised about the extent to which current regulations limit maintenance, repair and remodeling unless density is brought into conformance. Condominium owners noted that there are implications to reducing density when the units within a building are under separate ownership. These owners asked that the zoning code restrictions be eased.

Rather than establish a policy or regulation on this issue that would be applicable only to the two neighborhoods, the Planning Commission and

Houghton Community Council agreed to review the regulations and consider revisions that would apply city-wide.

Section 162.60 regulates nonconforming density on properties that were previously down-zoned to conform to the Comprehensive Plan. Key provisions of the section are:

- Ordinary repairs and maintenance may occur without restriction;
- Remodeling may occur provided that the value of improvements within any 24 month period may not exceed 50% of the value of the structure.
- Remodeling must maintain a density of at least 75% of the original density and the exterior dimensions of the structure may not be increased. (This clause was added in the late 1990's to encourage the retention of smaller and presumably more affordable units.)
- Structures damaged by fire or other casualties are exempt from the regulations provided that the rebuilt structures do not exceed the number of dwelling units, gross floor area and major dimensions prior to the casualty.

Concerns raised about existing regulations were that there was no definition of repairs or maintenance (leaving too much room for staff interpretation) and that the limitation on the value of remodeling is too restrictive.

In considering how to revise this section, two policy questions should be considered:

- What is the public interest in requiring the density of existing structures to be brought into conformance? Typically, there is an expectation that nonconformances eventually be eliminated. Limitations on improvements to nonconforming structures are established to limit the life span of the nonconformance and encourage eventual replacement with a conforming structure. The greater the public interest in correcting the nonconformance, the stricter the limitation on development activity should be.

With regard to nonconforming density, impacts primarily have to do with the activities associated with the number of units – for example traffic. Reducing density would reduce those impacts. However, there is also a broader public impact that would be created by a reduction in density. Under the Growth Management Act, the City is expected to plan for growth and accommodate increased density. Requiring existing

nonconforming density to be reduced results in the need to build even more units elsewhere in order to meet growth targets.

In addition, as noted by the condominium owners during the update of the Central Houghton and Lakeview Neighborhood Plans, requiring the density of existing condominium developments to be reduced creates a unique impact to property owners due to the divided ownership within a condominium building. If density is reduced, some of the existing owners would be left without units.

- Should complete redevelopment be allowed? Normally, complete redevelopment would be required to comply with current density restrictions. However, redevelopment could be allowed without a loss of units if the development provides specified public benefits. For example, rebuilding could be conditioned on the provision of more affordable housing than would otherwise be required. Another suggestion is to allow rebuilding if high standards of energy efficiency or storm water management are met (i.e. "green" building)

Staff Recommendation: Liberalize the ability to undertake remodeling without bringing density into conformance. One idea would be to remove the distinction between repair, maintenance and remodeling and increase the threshold for the value of work allowed to occur. Consider allowing redevelopment for projects with additional affordable housing or which meet high standards of green building.

New Hazardous Liquid Pipeline Zoning Code Amendments addressing the Olympic Pipeline now within Kirkland's jurisdiction.

Purpose: Draft new KZC regulations addressing hazardous liquid pipelines.

Background: As a result of annexation a portion of the Olympic Gas Pipeline is now located within Kirkland's jurisdiction. Both King County and Redmond already have regulations regarding land use planning near these facilities, but Kirkland does not. The Municipal Research Service Center provides information about options for land use near transition pipelines at their website titled "[Planning Near Pipelines](#)".

The pipeline consists of over 400 miles of transmission pipelines extending from refineries in Blaine, Washington to Portland. These pipelines carry refined liquid petroleum products: diesel, aviation fuel (basically a form of Kerosene) and gasoline. Olympics' facilities are largely underground, (except for shut off valves) typically buried approximately three feet deep, although

depths vary widely and should never be assumed. The pipes are welded carbon steel and range from 6-inch to 20-inches in diameter. The corridor is typically in a 50 foot private easement but in parts is as narrow as 10 feet. The pipes are parallel and generally spaced 15 feet apart.

Two of Olympics' main lines traverse the Kingsgate area of Kirkland, a 16-inch diameter and a 20-inch diameter. The 16" pipeline maximum operation pressure is 1253 psi (pounds per square inch), and the 20" pipeline is 926 psi, although the lines are more typically pressured at approximately 750 psi on the 16-inch line and 500 psi on the 20-inch line through Kirkland. The closest automated check valves are located in Woodinville just south of 522, and in Redmond south of Redmond Way.

The City has secured a grant to undertake research and drafting necessary to produce regulations governing land use decisions near transmission pipelines. Through an agreement between the Pipeline Safety Trust and the Association of Washington Cities, the Trust has agreed to provide technical assistance to local governments undertaking adoption of pipeline safety ordinances, and pass through \$3,000 of the US Dept of Transportation, Pipeline and Hazardous Material Safety Administration (PHMSA) grant funding to us help defray the cost of doing this work.

While land use regulations are one part of the safety strategy, prevention is the key. We will coordinate Planning efforts as necessary, with staff from various City departments that have a role in pipeline safety. For example, the Fire and Building Department are first responders and along with Redmond, have an incident response plan for dealing with the kind of accidents that could happen.

But the most effective way to prevent a pipeline accident is by not disturbing the pipeline in the first place – so getting the word out to property owners not to dig in the area close to the corridor is accomplished through the statewide program Utility Locate Program ["Call Before You Dig"](#). The Olympic Pipeline Company maintains line markers along the pipeline corridor. The When a grading or right-of-way permit is required, the City is required to notify all excavators working within 100 feet of the utility's facilities of their responsibility to notify the utility at least 48 hours prior to the work. The City is also required to keep the utility informed about work it undertakes in the franchise area on city owned property. The utility comes out and locates prior to any party commencing development.

Attachment 14 is a map showing the pipeline location and surrounding land use. Potential redevelopment and new development within about 150 feet

of both sides of the corridor could be impacted by the pipeline. King County and Redmond regulations apply to land use development within a range of 100 to 150 feet from the pipeline, respectively. Among other things they address high consequence land uses (schools, hospitals emergency services...), mitigation for expansions of existing uses otherwise required to setback from the corridor, and mitigation methods for various new construction. We will draw from the Code language already in place in the County and other cities in the region that already have regulations in place.

Staff Recommendation: Draft a Code amendment to consider at the April study sessions.

***Delete Heron Habitat Protection Area in Finn Hill Annexation Area – Chapter 90 – Section 90.127**

Purpose: Delete Section 90.127 and Plate 39 which refer to Heron Habitat Protection Area regulations and map that was carried over from the County regulations upon annexation. The deletion of Section 90.127 and Plate 39 were inadvertently omitted from Ordinance 4303 dated June 7, 2011, to implement clarification of the City's Shoreline Master Program.

Background: Both the City and King County agree that there is no evidence of heron habitat, which would have been the basis for the County's regulation. The City's s Shoreline Inventory Analysis Report showed no herons in the Finn Hill annexation area and the County staff concurred since they have no documentation as to why the heron overlay existed. Ordinance 4303 did include an amendment to the RSA use zone charts general regulations that deleted the requirement to meet Section 90.127 and Plate 39. The amendments to delete these additional sections were meant to be done at that time.

Staff Recommendation: Delete Zoning Code Section 90.127 and Plate 39.

***Changes to existing non-conforming Personal Wireless Service Facilities (PWSF) - KZC Chapter 117, various sections**

Purpose: To determine whether or not non-conforming PWSF facilities in the new neighborhoods and/or all of Kirkland should be approved for upgrades.

Background: There are numerous PWSF facilities in Kirkland that are non-conforming. Following are broad categories:

- Utility poles with antenna located too high on the poles (mostly in the new neighborhoods).
- Rooftop antenna that extend above the roofline.

- Monopoles with antenna that are higher or have antennas that are not flush mounted.

AT&T representatives have indicated that upgrading to the latest wireless broadband technology, the new 4G network, requires several sites to be upgraded. A representative will be at the meeting to explain the business plan they are trying to address.

As technologies change, the City receives requests to replace or add antennae fairly routinely. In fact, the City expects to receive four applications for utility pole upgrades in the new neighborhoods from AT&T. The four sites were permitted in King County. In reviewing the code, staff has determined that the four requests can go ahead – within certain parameters – while code amendments are being considered.

Staff will bring photographs of the four sites to the meeting. Code sections to review are 117.20 Applicability, 117.65.6 Antennas on a Utility Pole, and 117.105.2 Exception – Subsequent Modification. Following are some issues for consideration while considering amendments for future similar requests:

- The existing utility poles are between 60 and 105 feet tall. The code would require the antennas to be lowered to 15 feet above the electrical conductor, leaving excess pole above. The end result would not be much different.
- If the antennas are lowered, more sites will have to be developed to provide the coverage that is needed.

Following are some broader issues for consideration:

- Should amendments addressing non-conforming rooftop antenna or monopoles be considered? Or, is the City comfortable with the existing non-conforming provisions in KZC 117.20?
- Should amendments address all of Kirkland or only the new neighborhoods (Juanita, Finn Hill, Kingsgate)?

Staff Recommendation: Liberalize the code provisions for non-conforming utility pole antenna replacements in the new neighborhoods. Staff will prepare code language for the next meeting. Discuss liberalizing other code provisions for non-conforming PWSF in the new neighborhoods and/or Kirkland as a whole.

***Application of Electronic Readerboard Sign Regulations at all High Schools and Junior High/Middle Schools in all Single Family Residential RS, RSX, RSA Zones - – Chapters 15, 17, and 18**

Purpose: Determine if electronic readerboard signs may be located at all high schools and junior/middle schools in Kirkland. The regulations already apply at Juanita and Lake Washington High Schools.

Background: Finn Hill Junior High staff, students and parents spoke at the Kirkland City Council meeting on February 7, 2012 to request that an electronic readerboard sign be allowed at the newly renovated school. The School District also presented a letter to the City Council and a representative spoke at the meeting clarifying that the request is intended to apply to all Junior High/Middle Schools and High Schools. According to the School District, "As well as being educational facilities, our junior high schools are heavily used public facilities which regularly communicate community events. An electronic readerboard allows schools to provide information more effectively about events to parents and community members." The district asked the Council to put this issue on the code amendment list and did not request any changes to the standards in the code which are in place for Lake Washington and Juanita High Schools (Attachment 15).

The City Council directed staff to include the request for electronic readerboards at all junior/middle and high schools in the current group of miscellaneous code amendments. One council member requested that the current text be reworded to allow the Planning Director to impose additional conditions on the sign permits.

The current code includes a Special Regulation in the RSX Use Zone Chart for Schools (KZC 17.10.030) to address the electronic readerboards for Lake Washington and Juanita High Schools. If the City decides to allow the signs at all junior/middle schools and high schools, then a similar regulation would be added to the RS and RSA Use Zone Charts.

Staff Recommendation: Discuss and provide direction to staff.

Attachments:

1. Roster of proposed Zoning Code and Municipal Code amendments.
2. Work Program
3. Section 55.93.110 Zone TL 10E use zone chart sign category amendment

4. Section 30.10.3 Zone WDI general regulations rear yard amendment
5. Section 30.20.4 Zone WDII general regulations rear yard amendment
6. Section 30.25.010 Zone WDII use zone chart rear yard amendment
7. Section 30.30.4 Zone WDIII general regulations rear yard amendment
8. Section 115.115.3.o.1.c Required Yards second story garages amendment
9. Section 15.10.010 Zone RS use zone chart opposite front yards amendment
10. Section 17.10.010 Zone RSX use zone chart opposite front yards amendment
11. Section 18.10.010 Zone RSA use zone chart opposite front yards amendment
12. Section 5.10.326.5 Definitions Front Façade amendment
13. Letter from Kathy Weber and Bill Shain regarding chicken regulations
14. Olympic Pipeline Vicinity Map
15. Letter from Lake Washington School District regarding electronic readerboards

Cc: File ZON12-00002

Roster of Miscellaneous Zoning Code and Municipal Code Amendments 1/31/12.
Asterisk notes that these are in the Houghton jurisdiction.

Part 1

NO POLICY CHANGES

These proposed amendments result in no changes to current policy but intend to clarify and fix inconsistencies within the code.

***Code Enforcement KMC Title 1 Section 1.12.050.(d).(6)**

Purpose: Correct the reference regarding who gets the Hearing Examiner notice of decision after the required public hearing addressing a civil violation.

***Trees and Landscaping KZC Chapter 95 Section 95.23.5.e.1**

Purpose: Correct the reference in subsection 5.e, which refers to the Tree Removal Allowances not associated with development activity, when seeking to cut trees on private property.

***Process I Chapter 145 Section 145.22.2.a.**

Purpose: This amendment clarifies that state and federal agencies with jurisdiction must receive a Notice of Application for Process I development proposals.

MINOR POLICY CHANGES

The proposed amendments do not clarify existing regulations, but instead change them. However, they are generally not considered significant policy issues.

Totem Lake 10E KZC Chapter 55 Section 55.93.110

Purpose: Correct the sign category for "Vehicle or Boat Repair, Services, Washing or Rental".

***Waterfront Districts (WD) I, II and III KZC Chapter 30 Sections 30.10,20 and 30.**

Purpose: This amendment would add a new general regulation to all three Waterfront District zones to address required rear yard setbacks.

***Floor Area Ratio (FAR) Exemptions Chapter 115 Section 115.42**

Purpose: This amendment would clarify whether stairwells should be exempt from FAR calculations, and if so, to what extent. It would also consider options to simplify FAR and cut down on review time.

***Required Yards related to a 2nd Story above Garage Rear Yard Setback Encroachment - KZC Chapter 115 Section 115.115.3.o**

Purpose: This code amendment would clarify whether or not a second story above a detached garage, which utilizes an alley for primary vehicular access, may encroach into the rear yard setback.

***Front Yard Setback Flexibility in Low Density Residential Zones KZC Chapters 15, 17 and 18**

Purpose: This code amendment would give some setback relief when a parcel has two opposite front yard setbacks.

Part 2 - MODERATE POLICY CHANGES

These are considered more substantive changes to existing regulations.

***PLA 16 Equestrian Regulations Chapter 160 Section 160.182.010 and Miscellaneous Regulations Animals in Residential Zones, Large Domestic Animals, Horses Chapter 115 Section 115.20.4**

Purpose: The amendments are proposed to eliminate redundancy between existing PLA 16 horse regulations, which apply only there, and Miscellaneous Large Domestic Animals regulations regarding horses, which apply citywide. Too, the amendments would clarify which horse keeping requirements apply specifically to the Kirkland Hunts Club, an approved master plan development in PLA 16.

*** Miscellaneous Regulations Animals in Residential Zones, Small Domestic Animals, Chickens Chapter 115 Section 115.20.4**

Purpose: The amendments are proposed to expand the residential zones in which chickens are allowed, determine the maximum number of chickens, and standards for their keeping (setbacks, prohibition on roosters, etc).

***Time Limits to Complete Construction of Projects Approved by the Design Review Board Chapter 142 Section 115.20.4**

Purpose: Provide authority for the Design Review Board (DRB) to extend the duration of time in which an applicant has to complete construction, prior to DRB approval lapsing.

Application of Small Lot Subdivision Regulations throughout the City Title 22-Subdivisions KMC

Purpose: Apply small lot regulations city-wide. The regulations now apply only in the Norkirk, Market, Lakeview and Central Houghton Neighborhoods.

***Extension of Land Use Permit Approvals during the Economic Recession – Various code sections in KZC and KMC**

Purpose: To either codify or discontinue the interim regulations that have been in place since 2009 that allow the City to approve requests for land use permit extensions. Staff will be presenting options to the City Council's Economic Development Committee (EDC) at the end of February and will report back with a recommended direction.

***Non-Conforming Density- Special Provisions for Continued Uses – Limitations on Maintaining, Repairing and Remodeling Structures with Nonconforming Density- Chapter 162 Section 162.60**

Purpose: Provide more flexibility to repair, maintain and remodel structures with nonconforming density without having to bring the density into conformance.

New Hazardous Liquid Pipeline Zoning Code Amendments addressing the Olympic Pipeline now within Kirkland's jurisdiction

Purpose: Draft new KZC regulations addressing hazardous liquid pipelines.

***Delete Heron Habitat Protection Area in Finn Hill Annexation Area – Chapter 90 – Section 90.127**

Purpose: Delete Section 90.127 and Plate 39 which refer to Heron Habitat Protection Area regulations and map that was carried over from the County regulations upon annexation. The deletion of Section 90.127 and Plate 39 were inadvertently omitted from Ordinance 4303 dated June 7, 2011, to implement clarification of the City's Shoreline Master Program. Both the City and King County agree that there is no evidence of heron habitat, which would have been the basis for the County's regulation.

***Application of Electronic Readerboard Sign Regulations at all High Schools and Junior High/Middle Schools in all Single Family Residential RS, RSX, RSA Zones - – Chapters 15, 17, and 18**

Purpose: Determine if electronic readerboard signs may be located at all high schools and junior/middle schools in Kirkland. The regulations already apply at Juanita and Lake Washington High Schools.

***Personal Wireless Service Facilities –Flexibility to change non-conforming PWSF - Chapter 117**

Purpose: Determine whether the code should be amended to allow some non-conforming PWSF to be modified.

**Work Program Miscellaneous Zoning Code Amendments
(ZON12-00002)
February 2012**

- Jan 12* **PC study** review “no” and “minor” policy amendments and schedule, and provide direction
- Jan 23* **HCC study** review “no” and “minor” policy amendments and schedule, and provide direction
- Feb 27* **HCC study** review “moderate” policy amendments and follow-up on “minor” policy amendments
- March 8* **PC study** review “moderate” policy amendments and follow-up on “minor” policy amendments
- April 23* **HCC study** draft amendments
- April 26* **PC study** draft amendments
- May 24* **PC/HCC joint public hearing** proposed amendments and recommendation
- June 19* **CC adoption** of ordinance
- July 23* **HCC final action** on ordinance

Section 55.93

Zone
TL 10E

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS																		
Section 55.93	USE ↓ REGULATIONS ↓	Required Review Process	Lot Size	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)						
				REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure										
				Front	Side	Rear												
.080	High Technology	D.R., Chapter 142 KZC	None	10'	0'	0'	80%	Where adjoining a low density zone, 50' above average building elevation. Otherwise, 80' above average building elevation.	C See Spec. Reg. 3.	D	If manufacturing, then 1 per each 1,000 sq. ft. of gross floor area. If office, then 1 per 300 sq. ft. of gross floor area. Otherwise, see KZC 105.25.	<ol style="list-style-type: none"> This use may include research and development, testing, assembly, repair or manufacturing or offices that support businesses involved in the pharmaceutical and biotechnology, communications and information technology, electronics and instrumentation, computers and software sectors. May include, as part of this use, accessory retail sales or service occupying not more than 20 percent of the gross floor area. The landscaping and parking requirements for these accessory uses will be the same as for the primary use. Refer to KZC 115.105 for provisions regarding outside use, activity and storage. Any outdoor storage area must be buffered according to Landscape Category A. 						
.090	Public Utility			20'	If adjoining a low density zone, then 30' above average building elevation. Otherwise, 35' above average building elevation.	C See Spec. Reg. 1.							B	See KZC 105.25	<ol style="list-style-type: none"> Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses. 			
.100	Government Facility Community Facility			10'												Where adjoining a low density zone, 30' above average building elevation. Otherwise, 35' above average building elevation.	A E	<ol style="list-style-type: none"> Outdoor vehicle or boat parking or storage areas must be buffered as required for a parking area in KZC 95.45. See KZC 115.105, Outdoor Use, Activity and Storage, for additional regulations.
.110	Vehicle or Boat Repair, Services, Washing or Rental See Spec. Reg. 1.																	
.120	Restaurant or Tavern See Spec. Reg. 1.																	

(Revised 4/11)

CHAPTER 30 – WATERFRONT DISTRICT (WD) ZONES

30.05 User Guide.

The charts in KZC [30.15](#) contain the basic zoning regulations that apply in the WD I zones of the City. Use these charts by reading down the left hand column entitled Use. Once you locate the use in which you are interested, read across to find the regulations that apply to that use.

Section 30.10

Zone
WDI

Section 30.10 – GENERAL REGULATIONS

The following regulations apply to all uses in this zone unless otherwise noted:

1. Refer to Chapter [1](#) KZC to determine what other provisions of this code may apply to the subject property.
2. Developments creating four or more new dwelling units shall provide at least 10 percent of the units as affordable housing units as defined in Chapter [5](#) KZC. Two additional units may be constructed for each affordable housing unit provided. In such cases, the minimum lot size listed in the Use Regulations shall be used to establish the base number of units allowed on the site, but shall not limit the size of individual lots. See Chapter [112](#) KZC for additional affordable housing incentives and requirements.
3. The required rear yard for each use shall be the same as the required rear yard for the same use in the RM zone, unless otherwise specified in section 30.15.020.5. (does not apply to Public Access Pier, Boardwalk or Public Access Facility; Piers, Docks, Boat Lifts and Canopies Serving Detached Dwelling Unit; Piers, Docks, Boat Lifts and Canopies Serving Detached, Attached or Stacked Dwelling Units; Boat Launch; or Water Taxi)
3. The required 30-foot front yard may be reduced one foot for each one foot of this yard that is developed as a public use area if:
 - a. Within 30 feet of the front property line, each portion of a structure is set back from the front property line by a distance greater than or equal to the height of that portion above the front property line; and
 - b. Substantially, the entire width of this yard (from north to south property lines) is developed as a public use area; and
 - c. The design of the public use area is specifically approved by the City.
 (Does not apply to Public Access Pier, Boardwalk or Public Access Facility; Piers, Docks, Boat Lifts and Canopies Serving Detached Dwelling Unit; Piers, Docks, Boat Lifts and Canopies Serving Detached, Attached or Stacked Dwelling Units; Public Park; Public Utility Uses; Boat Launch; or Water Taxi.)
4. The required 30-foot front yard may be reduced, subject to all of the following conditions:
 - a. The existing primary structure does not conform to the minimum shoreline setback standard;
 - b. The proposed complete replacement or replacement of portion of the existing primary structure comply with the minimum required shoreline setback established under the provisions of Chapter [83](#) KZC, or as otherwise approved under the shoreline setback reduction provisions established in KZC [83.380](#);
 - c. The front yard for the complete replacement or the portion of replacement may be reduced one foot for each one foot of the shoreline setback that is increased in dimension from the setback of the existing nonconforming primary structure; provided, that subsection (4)(d) of this section is met; and
 - d. Within the front yard, each portion of the replaced or portion of replaced primary structure is set back from the front property line by a distance greater than or equal to the maximum height of that portion above the front property line.
 (Does not apply to Public Access Pier, Boardwalk or Public Access Facility; Piers, Docks, Boat Lifts and Canopies Serving Detached Dwelling Unit; Piers, Docks, Boat Lifts and Canopies Serving Detached, Attached or Stacked Dwelling Units; Public Park; Public Utility Uses; Boat Launch; or Water Taxi).
5. A view corridor must be maintained across 30 percent of the average parcel width. Refer to Chapter [83](#) KZC for additional details.
6. May not use lands waterward of the ordinary high water mark to determine lot size or to calculate allowable density.

7. May also be regulated under the Shoreline Master Program; refer to Chapter [83](#) KZC.

30.19 User Guide.

The charts in KZC [30.25](#) contain the basic zoning regulations that apply in the WD II zones of the City. Use these charts by reading down the left hand column entitled Use. Once you locate the use in which you are interested, read across to find the regulations that apply to that use.

Section 30.20



Section 30.20 – GENERAL REGULATIONS

The following regulations apply to all uses in this zone unless otherwise noted:

1. Refer to Chapter [1](#) KZC to determine what other provisions of this code may apply to the subject property.
2. May not use lands waterward of the ordinary high water mark to determine lot size or to calculate allowable density.
3. The required yard abutting an unopened right-of-way shall be a side property rather than a front property line.
4. [The required rear yard for each use shall be the same as the required rear yard for the same use in the RM zone, unless otherwise specified in sections 30.25.010.9 and 30.25.010.10. \(does not apply to Piers, Docks, Boat Lifts and Canopies Serving Detached Dwelling Unit;](#)
45. May also be regulated under the Shoreline Master Program; refer to Chapter [83](#) KZC.
56. Residential uses abutting Lake Washington may have an associated private shoreline park that is commonly owned and used by residents and guests.

[link to Section 30.25 table](#)

Section 30.25	USE ↓ REGULATIONS ↑	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	Lot Size	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
				REQUIRED YARDS (See Ch. 115)	Lot Coverage	Height of Structure						
			Front	Shoreline Setback	Side Property Line							
.010	Detached Dwelling Unit	None	12,500 sq. ft.	For those properties that conform to the standard shoreline setback requirements established in Chapter 83 KZC, either: a. 10' or b. The average of the existing front yards on the properties abutting the subject property to the north and south. Otherwise, 20'. See Spec. Regs. 3, 6, 7 and 11.	See Chapter 83 KZC.	5', but 2 side yards must equal at least 15' or 5' on each side. See Spec. Reg. 5.	50%	For properties with a minimum of 45' of frontage along Lake Washington, 30' above average building elevation. See Spec. Reg. 12. Otherwise, 25' above average building elevation.	E	A	2.0 per unit.	<ol style="list-style-type: none"> 1. No structure, other than a moorage structure, may be waterward of the ordinary high water mark. For the regulations regarding moorage, see Chapter 83 KZC. 2. For this use, only one dwelling unit may be on each lot regardless of lot size. 3. For properties located south of the Lake Avenue West Street End Park, the required front yard may be decreased to the average of the existing front yards on the properties abutting the subject property to the north and south. 4. The dimensions of any required yard, other than as specifically listed, will be determined on a case-by-case basis, unless otherwise specified in this section. The City will use the setback for this use in RS zones as a guide for this use. 45. The gross floor area of any floor above the first story at street or vehicular access easement level shall be reduced by a minimum of 15 percent of the floor area of the first story, subject to the following conditions: <ol style="list-style-type: none"> a. The structure must conform to the standard shoreline setback requirements established in Chapter 83 KZC, or as otherwise approved under the shoreline setback reduction provisions established in KZC 83.380. b. The required floor area reductions shall be incorporated into one or both facades facing the side property lines in order to provide separation between neighboring residences. (See Plate 36.) c. This provision shall not apply to residences that do not contain a ceiling height greater than 16 feet above the street or vehicular access easement level, as measured at the midpoint of the frontage of the subject property on the abutting right-of-way. d. The calculation of gross floor area shall apply the provisions established in KZC 115.42(1). 56. On corner lots with two required front yards, one may be reduced to the average of the front yards for the two adjoining properties fronting the same street as the front yard to be reduced. The applicant may select which front yard will be reduced (see Plate 24).

4

5

REGULATIONS FOR THIS USE CONTINUED ON THE NEXT PAGE

Section 30.25



USE ZONE CHART

Section 30.25		DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS									
		Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage				
Front	Shoreline Setback	Side Property Line									
.010	Detached Dwelling Unit (Continued)									<p>REGULATIONS CONTINUED FROM PREVIOUS PAGE</p> <p>6 * The front required yard provisions shall not apply to public street ends located west of Waverly Way, but the required yard shall be regulated as a side yard.</p> <p>7 8. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.</p> <p>8 9. Garages shall comply with the requirements of KZC 115.43, including required front yard. These requirements are not effective within the disapproval jurisdiction of the Houghton Community Council.</p> <p>9 10. The required yard along the east side of the vehicular access easements known as 5th Avenue West or Lake Avenue West is zero feet.</p> <p>10 11. The required yard along the west side of the vehicular access easements known as 5th Avenue West or Lake Avenue West is either five feet or the average of the existing rear yards on the properties abutting the subject property to the north and south. The garage shall be located to comply with the provisions for parking pads contained in KZC 105.47.</p> <p>11 12. For the increase in height from 25' to 30' above average building elevation, the structure must conform to the standard shoreline setback requirements established in Chapter 83 KZC, or as otherwise approved under the shoreline setback provisions established in KZC 83.380.</p> <p>12 13. At the northern terminus of the 5th Avenue West vehicular access easement, the average parcel depth shall be measured from the ordinary high water mark to the public pedestrian access easement providing access to Waverly Beach Park.</p>	

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 30.25	USE ↓ REGULATIONS ↑	Required Review Process	Lot Size	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
				REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Shoreline Setback	Side Property Line						
.020	Piers, Docks, Boat Lifts and Canopies Serving Detached Dwelling Unit	See Chapter 83 KZC.	None	See Chapter 83 KZC.			-	See Chapter 83 KZC.	See Chapter 83 KZC.	See Chapter 83 KZC.	None	1. Refer to Chapter 83 KZC for additional regulations.
.030 .040	Public Utility Government Facility Community Facility	Process IIA, Chapter 150 KZC.		20'	See Chapter 83 KZC.	5', but 2 side yards must equal at least 15'.	70%	25' above average building elevation.	A C See Spec. Reg. 4.	B	See KZC 105.25.	1. Site design must minimize adverse impacts on surrounding residential neighborhoods. 2. If any portion of a structure is adjoining a detached dwelling unit in a low density zone, then either: a. The height of that portion of the structure shall not exceed 15 feet above average building elevation, or b. The maximum horizontal facade shall not exceed 50 feet. See KZC 115.30, Distance Between Structures/Adjacency to Institutional Use, for more details. 3. The dimension of any required yard, other than as specifically listed, will be determined on a case-by-case basis. The City will use the setback for this use in RS zones as a guide. 4. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on nearby uses.

Section 30.25

Zone
WDII

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 30.25	USE ↓ REGULATIONS ↑	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Shoreline Setback	Side Property Line						
.050	Public Park	Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.						1. If any portion of a structure is adjoining a low density zone, then either: <ol style="list-style-type: none"> a. The height of that portion of the structure shall not exceed 15 feet above average building elevation, or b. The maximum horizontal facade shall not exceed 50 feet in width. See KZC 115.30, Distance Between Structures/Adjacency to Institutional Use, for more details. 2. This use may include a public access pier or boardwalk. See Chapter 83 KZC for regulations regarding these uses.				

30.29 User Guide.

The charts in KZC [30.35](#) contain the basic zoning regulations that apply in the WD III zones of the City. Use these charts by reading down the left hand column entitled Use. Once you locate the use in which you are interested, read across to find the regulations that apply to that use.

Section 30.30

Zone
WDIII

Section 30.30 – GENERAL REGULATIONS

The following regulations apply to all uses in this zone unless otherwise noted:

1. Refer to Chapter [1](#) KZC to determine what other provisions of this code may apply to the subject property.
2. Developments creating four or more new dwelling units shall provide at least 10 percent of the units as affordable housing units as defined in Chapter [5](#) KZC. Two additional units may be constructed for each affordable housing unit provided. In such cases, the minimum lot size listed in the Use Regulations shall be used to establish the base number of units allowed on the site, but shall not limit the size of individual lots. See Chapter [112](#) KZC for additional affordable housing incentives and requirements.
3. May not use lands waterward of the ordinary high water mark to determine lot size or to calculate allowable density.
4. [The required rear yard for each use shall be the same as the required rear yard for the same use in the RM zone, unless otherwise specified in section 30.35.020.5. \(Does not apply to Public Access Pier, Boardwalk, or Public Access Facility; Piers, Docks, Boat Lifts and Canopies Serving Detached Dwelling Unit; Piers, Docks, Boat Lifts and Canopies Serving Detached, Attached or Stacked Dwelling Units; Boat Launch; or Water Taxi\).](#)
- 4-5 The required 30-foot front yard may be reduced, subject to all of the following conditions:
 - a. The existing primary structure does not conform to the minimum shoreline setback standard;
 - b. The proposed complete replacement or replacement of portion of the existing primary structure comply with the minimum required shoreline setback established under the provisions of Chapter [83](#) KZC, or as otherwise approved under the shoreline setback reduction provisions established in KZC [83.380](#);
 - c. The front yard for the complete replacement or the portion of replacement may be reduced one foot for each one foot of the shoreline setback that is increased in dimension from the setback of the existing nonconforming primary structure; provided, that subsection (4)(d) of this regulation is met; and
 - d. Within the front yard, each portion of the replaced or portion of replaced primary structure is set back from the front property line by a distance greater than or equal to the maximum height of that portion above the front property line.

(Does not apply to Public Access Pier, Boardwalk, or Public Access Facility; Piers, Docks, Boat Lifts and Canopies Serving Detached Dwelling Unit; Piers, Docks, Boat Lifts and Canopies Serving Detached, Attached or Stacked Dwelling Units; Public Park; Public Utility Uses; Boat Launch; or Water Taxi).
- 5-6 The required 30-foot front yard may be reduced, subject to the following conditions:
 - a. The existing primary structure does not conform to the minimum shoreline setback standard;
 - b. The front yard may be reduced one foot for each one foot of the shoreline setback that is increased in dimension;
 - c. The new or remodeled primary structure must comply with the minimum required shoreline setback established under the provisions of Chapter [83](#) KZC, or as otherwise approved under the shoreline setback reduction provisions established in KZC [83.380](#); and
 - d. Within 30 feet of the front property line, each portion of a structure is set back from the front property line by a distance greater than or equal to the height of that portion above the front property line.
67. May also be regulated under the Shoreline Master Program, Chapter [83](#) KZC.

[link to Section 30.35 table](#)

115.115 Required Yards

1. General – *(No Change)*
2. Exceptions and Limitations in Some Zones – *(No Change)*
3. Structures and Improvements – No improvement or structure may be in a required yard except as follows:
 - a. - n. *(No Change)*.
 - o. In low density residential zones:
 - 1) Detached garages, [including second story uses](#), utilizing an alley for their primary vehicular access may be located within five (5) feet of the rear property line, if:
 - a) Garage doors will not extend over the property line when open; and
 - b) The garage complies with KZC [115.135](#), which regulates sight distance at intersections, ~~and-~~
 - c) [The portion of the structure that is located within the required rear yard is no taller than the maximum height allowed in the underlying zone.](#)
 - 2) Detached garages, [including second story uses](#), utilizing an alley for their primary vehicular access may extend to the rear property line, if:
 - a) The lot is 50 feet wide at the rear property line on the alley;
 - b) The garage has side access with garage doors that are perpendicular to the alley;
 - c) The garage eaves do not extend over the property line; and
 - d) The garage complies with KZC [115.135](#), which regulates sight distance at intersections.
 - e) [The portion of the structure that is located within the required rear yard is no taller than the maximum height allowed in the underlying zone.](#)
 - 3) Garages without alley access may be located within five (5) feet of the rear property line; provided, that:
 - a) The portion of the structure that is located within the required rear yard is no taller than 15 feet above average building elevation; and
 - b) The rear yard does not abut an access easement that is regulated as a rear property line.
 - p. HVAC and similar types of mechanical equipment may be placed no closer than five (5) feet to a side or rear property line, and shall not be located within a required front yard; provided, that such equipment may be located in a storage shed approved pursuant to subsection (3)(m) of this section or a garage approved pursuant to subsection (3)(o)(2) of this section. All HVAC and similar types of mechanical equipment shall be baffled, shielded, enclosed, or placed on the property in a manner that will ensure compliance with the noise provisions of KZC [115.95](#).



DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
USE	REGULATIONS ()	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.010	Detached Dwelling Unit	None	As established on the Zoning Map. See Spec. Reg. 1.	20' See Spec. Regs. 3 and 6.	5', but 2 side yards must equal at least 15 feet.	10'	50% See Spec. Reg. 5.	25' above average building elevation.	E	A	2.0 per dwelling unit.	1. Minimum lot size per dwelling unit is as follows: a. In RS 35 zones, the minimum lot size is 35,000 square feet. b. In RS 12.5 zones, the minimum lot size is 12,500 square feet. c. In RS 8.5 zones, the minimum lot size is 8,500 square feet. d. In RS 7.2 zones, the minimum lot size is 7,200 square feet. e. In RS 6.3 zones, the minimum lot size is 6,300 square feet. f. In RS 5.0 zones, the minimum lot size is 5,000 square feet. In RS 35, 12.5, 8.5, 7.2, 6.3 and 5.0 zones, not more than one (1) dwelling unit may be on each lot, regardless of the size of each lot. 2. Floor Area Ratio (F.A.R.) allowed for the subject property is as follows: a. In RS 35 zones, F.A.R. is 20 percent of lot size. b. In RS 12.5 zones, F.A.R. is 35 percent of lot size. c. In RS 8.5 zones, F.A.R. is 50 percent of lot size. d. In RS 7.2 zones, F.A.R. is 50 percent of lot size. e. In RS 6.3 zones, F.A.R. is 50 percent of lot size. f. In RS 5.0 zones, F.A.R. is 50 percent of lot size; provided, that F.A.R. may be increased up to 60 percent of lot size for the first 5,000 square feet of lot area if the following criteria are met: i. The primary roof form of all structures on the site is peaked, with a minimum pitch of four feet vertical: 12 feet horizontal; and ii. A setback of at least 7.5 feet is provided along each side yard. This special regulation is not effective within the disapproval jurisdiction of the Houghton Community Council. See KZC 115.42, Floor Area Ratio (F.A.R.) Calculation for Detached Dwelling Units in Low Density Residential Zones, for additional information. A reduced F.A.R. may be required pursuant to subdivision design requirements in Chapter 22.28 KMC. 3. On corner lots with two required front yards, one (1) may be reduced to the average of the front yards for the two adjoining properties fronting the same street as the front yard to be reduced. The applicant may select which front yard will be reduced (see Plate 24). 4. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.

4. On lots with two front yards that are essentially parallel to one another, only one front yard must be a minimum of 20 feet. The other will be regulated as a rear yard (minimum 10 foot yard). The front yard shall be the yard adjacent to the front facade of the dwelling unit.

5

REGULATIONS CONTINUED ON NEXT PAGE

Section 15.10



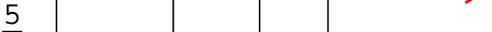
USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
USE	REGULATIONS ()	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.010	Detached Dwelling Unit (continued)									<p>REGULATIONS CONTINUED FROM PREVIOUS PAGE</p> <p><u>6</u> 5- Residential lots in RS 35 zones within the Bridle Trails neighborhood north of Bridle Trails State Park must contain a minimum area of 10,000 permeable square feet, which shall comply with Special Regulation 6 for large domestic animals in KZC 115.20(4) (chart).</p> <p><u>7</u> 6- Garages shall comply with the requirements of KZC 115.43, including required front yard. These requirements are not effective within the disapproval jurisdiction of the Houghton Community Council.</p>		



DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 17.10	USE () REGULATIONS	Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.010	Detached Dwelling Unit	None	As established on the Zoning Map. See Spec. Reg. 1.	20' See Spec. Reg. 6.	5' each side. See Spec. Reg. 3.	10'	50% See Spec. Reg. 5.	30' above average building elevation.	E	A	2.0 per dwelling unit.	<ol style="list-style-type: none"> 1. Minimum lot size per dwelling unit is as follows: <ol style="list-style-type: none"> a. In RSX 35 zones, the minimum lot size is 35,000 square feet. b. In RSX 8.5 zones, the minimum lot size is 8,500 square feet. c. In RSX 7.2 zones, the minimum lot size is 7,200 square feet. d. In RSX 5.0 zones, the minimum lot size is 5,000 square feet. In RSX 35, 8.5, 7.2 and 5.0 zones, not more than one dwelling unit may be on each lot, regardless of the size of the lot. 2. Floor Area Ratio (F.A.R.) allowed for the subject property is as follows: <ol style="list-style-type: none"> a. In RSX 35 zones, F.A.R. is 20 percent of lot size. b. In RSX 12.5 zones, F.A.R. is 35 percent of lot size. c. In RSX 8.5 zones, F.A.R. is 50 percent of lot size. d. In RSX 7.2 zones, F.A.R. is 50 percent of lot size. e. In RSX 5.0 zones, F.A.R. is 50 percent of lot size; provided, that F.A.R. may be increased up to 60 percent of lot size for the first 5,000 square feet of lot area if the following criteria are met: <ol style="list-style-type: none"> i. The primary roof form of all structures on the site is peaked, with a minimum pitch of four feet vertical: 12 feet horizontal; and ii. A setback of at least 7.5 feet is provided along each side yard. See KZC 115.42, Floor Area Ratio (F.A.R.) Calculation for Detached Dwelling Units in Low Density Residential Zones, for additional information. 3. On corner lots, only one front yard must be a minimum of 20 feet. All other front yards shall be regulated as a side yard (minimum five-foot yard). The applicant may select which front yard shall meet the 20-foot requirement. 4. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 5. Residential lots in RSX zones within the Bridle Trails neighborhood north and northeast of Bridle Trails State Park must contain a minimum area of 10,000 permeable square feet, which shall comply with Special Regulation 6 for large domestic animals in KZC 115.20(4) (chart). 6. Garages shall comply with the requirements of KZC 115.43, including required front yard. These requirements are not effective within the disapproval jurisdiction of the Houghton Community Council.
							5					<ol style="list-style-type: none"> 6 7

4. On lots with two front yards that are essentially parallel to one another, only one front yard must be a minimum of 20 feet. The other will be regulated as a rear yard (minimum 10 feet). The front yard shall be the yard adjacent to the front facade of the dwelling unit.



Section 18.10	USE () REGULATIONS	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.010	Detached Dwelling Unit	None	As established on the Zoning Map. See Spec. Regs. 1, 2 and 3.	20' See Spec. Regs. 5 and 6.	5' each side.	10'	50% except 30% for the RSA 1 zone. See Gen. Reg. 3.	30' above average building elevation. See Spec. Reg. 8.	E	A	2.0 per dwelling unit.	<ol style="list-style-type: none"> Maximum units per acre is as follows: <ol style="list-style-type: none"> In RSA 1 zone, the maximum units per acre is one dwelling unit. In RSA 4 zones, the maximum units per acre is four dwelling units. In RSA 6 zones, the maximum units per acre is six dwelling units. In RSA 8 zones, the maximum units per acre is eight dwelling units. In RSA 1, 4, 6 and 8 zones, not more than one dwelling unit may be on each lot, regardless of the size of the lot. Minimum lot size per dwelling unit is as follows: <ol style="list-style-type: none"> In RSA 1 zone, newly platted lots shall be clustered and configured in a manner to provide generally equal sized lots outside of the required open space area. In RSA 4 zones, the minimum lot size is 7,600 square feet. In RSA 6 zones, the minimum lot size is 5,100 square feet. In RSA 8 zones, the minimum lot size is 3,800 square feet. Road dedication and vehicular access easements or tracts may be included in the density calculation, but not in the minimum lot size per dwelling unit. Floor Area Ratio (F.A.R.) allowed for the subject property is as follows: <ol style="list-style-type: none"> In RSA 1 zone, F.A.R. is 20 percent of lot size. In RSA 4 zones, F.A.R. is 50 percent of lot size. In RSA 6 zones, F.A.R. is 50 percent of lot size. In RSA 8 zones, F.A.R. is 50 percent of lot size; provided, that F.A.R. may be increased up to 60 percent of lot size for the first 5,000 square feet of lot area if the primary roof form of all structures on the site is peaked, with a minimum pitch of four feet vertical to 12 feet horizontal. See KZC 115.42, Floor Area Ratio (F.A.R.) Calculation for Detached Dwelling Units in Low Density Residential Zones, for additional information. On corner lots, only one front yard must be a minimum of 20 feet. All other front yards shall be regulated as a side yard (minimum five-foot yard). The applicant may select which front yard shall meet the 20-foot requirement. Garages shall comply with the requirements of KZC 115.43, including required front yard. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. Maximum height of structure for properties located within the Juanita Beach Camps Plat (Volume 32, Page 35 of King County Records) or the Carr's Park Plat (Unrecorded) shall be 35 feet above average building elevation.
<div style="border: 1px solid red; padding: 5px; color: red;"> 6. On lots with two front yards that are essentially parallel to one another, only one front yard must be a minimum of 20 feet. The other will be regulated as a rear yard (minimum 10 foot yard). The front yard shall be the yard adjacent to front facade of the dwelling unit. </div>												7
												8
												9

5.10 Definitions

.326.5 Front Facade

– The face of a building essentially parallel to the street, access easement or tract serving the subject property. The front facade may have multiple planes, including a covered entry porch. On a corner lot, or other lot with two or more front yards, the front facade shall be the facade that includes the main entry.

To: Planning Commission members
 From: Kathy Weber and Bill Shain, residents of City of Kirkland
 March 6, 2011

We want to express our support for the updating of the City policy regarding backyard chickens. The current part of the City rules affecting backyard chickens were written in 1983 (source: City staff) and modeled after policies of our larger neighboring municipalities.

The current policy permits fewer than 4% of residents (472 of 11,943 lots) to have backyard chickens.* On an immediate basis, we request the City to adopt the current County policy that is in effect for neighborhoods that will be annexed to the City this Spring. These policies allow everyone to have a few (up to 3-6) chickens. After a more significant review of Kirkland City policies can be established to conform more closely with the Seattle policy of up to 8 chickens per backyard. One of the reasons for rapid action is that the season to purchase new chicks for raising hens and egg laying will begin in April.

We have studied with interest the backyard chicken information from Seattle Tilth (seattletilth.org) and the new City of Seattle policy. These new guidelines promote all forms of urban agriculture. These policies were adopted in August 2010 to great local fanfare and now national acclaim.

We have had backyard chickens prior to living in Kirkland and look forward to doing so again in the future. Here's why:

- Chickens are fun, entertaining, have personalities; will come running for snacks
- Instill a sense of community; bring us and our children back to basics; realize where our food comes from
- Through the regular production of eggs, chickens teach us sustainability; provide a local food source, thus decreasing carbon food print of our regular shopping
- Chickens will produce manure that will fertilize our lawns and gardens providing for a greener Kirkland
- By raising heirloom/rare breeds, we will help maintain breeds from becoming extinct
- Chickens are always looking for a good meal. They will scour our lawns looking for grubs and insects, thus eliminating over-wintering bugs, e.g. codling moth and apple maggot under fruit trees.
- Chickens will also eat plants and thus will help reduce common weeds, by preventing them from going to seed.
- Because chickens are omnivores they are great consumers of typical kitchen waste, thus reducing the amount of material being sent to municipal waste.

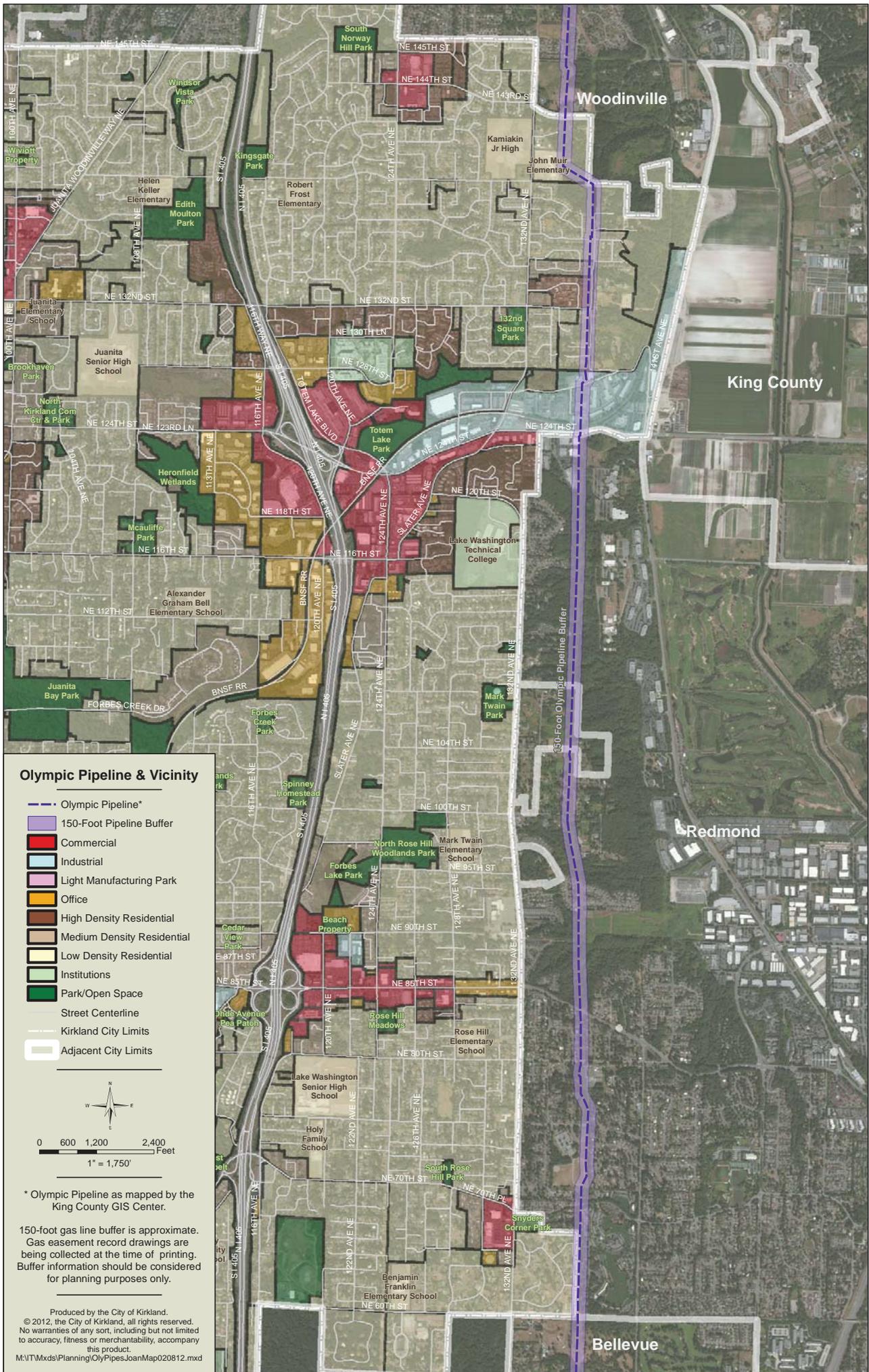
Issues? Non-issues?

- **Smell** – Chickens themselves have very little odor. Regular rotation of runs and cleaning of coops will prevent offensive odors. If it smells bad, you are doing something wrong
- **Flies**- It will kept coops and runs these will not be an issue. When manure is not allowed to accumulate, or if it is stored in closed containers, there should be not problems.
- **Rodents**- The largest temptation for rodents is improperly stored feed and improper husbandry that allows feed to accumulate. These issues are readily accommodated by use of metal trash cans and regular cleanup around feeding areas. Note: if rodents have habitat and food they will abound in any yard, not just ones with chickens
- **Chickens on the loose** can be an issue for eating the neighbor's lettuce and flowers.

The answer here is keep the chickens in a fenced yard or in their coop/run.

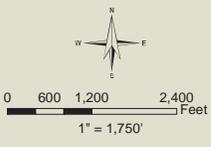
- **Noise** – Chickens/hens make clucking noises much less bothersome than crows and much more melodious than the freeway noise that is a prominent part of my environment.

*According to King County sources, there are 11,943 single family unit lots in Kirkland as of April 2010 (doesn't account for vacant lots), and there are 472 lots over 35,000 sq feet zoned for low or medium density residential. According to this data, then, there are at most 3.95% of single family residents in lots large enough to own backyard chickens.



Olympic Pipeline & Vicinity

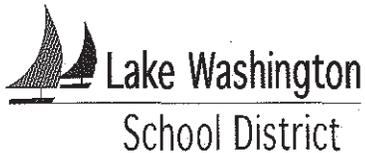
- Olympic Pipeline*
- 150-Foot Pipeline Buffer
- Commercial
- Industrial
- Light Manufacturing Park
- Office
- High Density Residential
- Medium Density Residential
- Low Density Residential
- Institutions
- Park/Open Space
- Street Centerline
- Kirkland City Limits
- Adjacent City Limits



* Olympic Pipeline as mapped by the King County GIS Center.

150-foot gas line buffer is approximate. Gas easement record drawings are being collected at the time of printing. Buffer information should be considered for planning purposes only.

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Support Service Center

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www.lwsd.org

December 9, 2011

AM PM
PLANNING DEPARTMENT

Eric R. Shields, AICP
Planning Director
City of Kirkland
Planning and Community Development
123 Fifth Avenue
Kirkland, WA 98033

Dear Mr. Shields,

Currently the City of Kirkland (City) signage code allows for electronic readerboard signage at High Schools in the City. The School District very much appreciates the City's code modifications for electronic readerboards at Lake Washington High School and Juanita High School.

I am writing this letter on behalf of the Lake Washington School District (District) to request expanding the signage code variance or code amendment to include electronic readerboard signage at all the District's secondary school sites. The District is not requesting a change to any other condition within the ordinance.

The schools included in the District request would be both junior high schools (to become middle schools in the fall of 2012) and high schools within the City. They are: Finn Hill Junior High School (i.e. Finn Hill Middle School in Fall 2012); Kamiakin Junior High School (i.e. Kamiakin Middle School in Fall 2012); Kirkland Junior High School (i.e. Kirkland Middle School in Fall 2012); and, BEST High School.

As well as being educational facilities, our junior high schools are heavily used public facilities which regularly communicate community events. An electronic readerboard allows schools to provide information more effectively about events to parents and community members.

Finn Hill Junior High was recently modernized, and the school is ready to update their old, pole-mounted readerboard. They would strongly prefer to install an electronic display board, partly to save valuable staff and student time required to manually change letters on a static board. The District supports their desire for an electronic reader board.

Letters of support for the sign code change from the principal, students and PTSA are attached.

Thank you for your consideration of this request.

Sincerely,

Forrest W. Miller, CFM, REFP, EFM
Director of Facilities
Lake Washington School District



Lake Washington
School District No. 414

Victor J. Scarpelli - Principal
Dana Greenberg - Assistant Principal

Finn Hill Junior High School
8040 N.E. 132nd Street • Kirkland, WA 98034-2522
Office: (425) 936-2340 • Fax: (425) 814-2955
vscarpelli@lwsd.org
dgreenberg@lwsd.org

Kirkland City Council
123 5th Avenue
Kirkland WA, 98033

Dear Council Members:

On behalf of the students, their parents, teachers, and staff of Finn Hill Junior High School, and the surrounding community, I would like to request a sign code amendment to allow an electronic readerboard to be installed and used at the southeast corner of the new Finn Hill Junior High campus. I envision that the readerboard at Finn Hill Junior High School would provide two unique functions for the Finn Hill community: expanding communication that will enhance the educational opportunities for all community members; and building community through offers of involvement in the activities of Finn Hill.

Schools strive to educate individuals on a daily basis and a readerboard would help extend that mission beyond the classroom. The new Finn Hill Junior High campus contains several unique features that, when shared with community, could provide a daily educational experience for all that drive or walk by and pause to read the readerboard messages. Messages will range from providing time and weather information (direct from Finn Hill Junior High's new weather station), to energy usage information (that will be closely and uniquely monitored in the new building) to information about upcoming school events. The readerboard could also provide information to the community in the event of an emergency (using the guidelines set forth during the April 5, 2011 Kirkland City Council meeting). Schools also celebrate the achievements of students, teachers, and staff, however, those achievements often are unacknowledged by the greater community. A readerboard would provide the opportunity for the entire community to participate in the successes of our students and staff.

Schools provide public spaces for community building and a readerboard would be a key component to welcoming the community to campus events. Each year, Finn Hill hosts a variety of events that would be enhanced by community attendance. Concerts, plays, open houses, and meetings are just a sampling of the events that are available to the general community. In the past, it has been challenging to involve community members who may not have school-aged children in these events. A readerboard would enhance community building by inviting the entire community to partake of these events. Finn Hill Junior High has always provided the community with access to its many facilities and now would like the opportunity to extend and enhance its educational mission to keep all of the Finn Hill community informed and involved.

The new Finn Hill Junior High School has much to offer and a readerboard provides the link between the school and the Finn Hill community. Students, community members, and neighbors of Finn Hill Junior High have professed their support for the installation of a readerboard on the campus (as evidenced by the attached letters). I hope that you agree that the installation of a readerboard on the Finn Hill Junior High campus will enhance the education opportunities of our surrounding community and increase our opportunities to develop links with the greater community.

Sincerely

Victor J. Scarpelli, Jr.
Principal
Finn Hill Junior High & Environmental Adventure School
Kirkland, Washington



Lake Washington
School District No. 414

Victor J. Scarpelli - Principal
Dana Greenberg - Assistant Principal

Finn Hill Junior High School
8040 N.E. 132nd Street • Kirkland, WA 98034-2522
Office: (425) 936-2340 • Fax: (425) 814-2955
vscarpelli@lwsd.org
dgreenberg@lwsd.org

Dear City of Kirkland,

Imagine that someone fell off their ladder while trying to change the letters on our current reader board. It would be tragic if they got hurt and the school would be responsible for them. Here at Finn Hill Junior High, we need an electric reader board, because at night, you can't read a non-electric reader board, reader boards are helpful and informative, and changing the letters on a non-electric reader board can be dangerous. For these reasons, Finn Hill Junior High should get an electric reader board.

First of all, at night, you can't exactly read a reader board. This is due to the lack of light, which defeats the purpose of having a reader board at all. With an electric reader board, the message will be visible at night, due to the illuminated display. You might not think people would be outside in the dark to see it, but many people go on walks, bike rides, or are looking out their car window. We should have an electric reader board because it would be readable in the dark. We would also be able to control the hours that the reader board is on and we could accommodate the community needs with the new technology that reader boards now come equipped with.

Secondly, reader boards are informative and helpful. You might be thinking we should just get rid of our current reader board and not get a new one, because they sound like they're dangerous and hard to see. There is, however, a purpose to having one. Many students don't remember to tell their parents what's going on at school, so some of those parents stay up-to-date purely based off of reading the school reader board. It's important that parents always know what's going on with school events, because if they don't, they could easily miss a fund raiser that could improve the school. We need an electric reader board so everyone can stay informed with school events.

Finally, it's dangerous to change the letters on non-electric reader boards. You would hope that the person changing the letters on the reader board doesn't lose their balance, but accidents do happen and the person could fall off their ladder. This would be bad for the school and obviously the person who fell off the ladder. The school could lose a lot of money in a lawsuit, plus it could acquire an un-fitting reputation. For this reason, we need an electric reader board.

It's plainly seen that we need an electric reader board. Normal reader boards aren't readable in the dark, reader boards are helpful and informative, and changing the letters on a non-electric reader board is dangerous. Some people would argue that the energy bill for the electric reader board would be too expensive; but keeping people safe and informed is definitely worth the cost of a power bill. For all of these reasons, Finn Hill Junior High needs an electric reader board.

Sincerely,

Peyton Mash

Peyton Mash
8th Grade Student
Finn Hill Junior High



Lake Washington
School District No. 414

Victor J. Scarpelli - Principal
Dana Greenberg - Assistant Principal

Finn Hill Junior High School
8040 N.E. 132nd Street • Kirkland, WA 98034-2522
Office: (425) 936-2340 • Fax: (425) 814-2955
vscarpelli@lwsd.org
dgreenberg@lwsd.org

Dear City of Kirkland,

As A.S.B. Officers, we like to communicate with the public as a whole. At our school we have many public events such as the Pasta Dinner and PTSA Auction. If we do not communicate with the public about these events, we will not be able to raise money. The community plays a big part in our school and we would like to keep it that way as we enter our new school building. This reader board will communicate to people so they know we care about the students and staff here at Finn Hill Jr. High.

With this new reader board comes new electronic technology and with this new technology our school will be more efficient. With our busy schedule we don't have time to send out multiple flyers every week. The reader board would make the secretary at this schools' job much more efficient and easier. This school needs ways to be more time efficient to have a working environment in our new school. Electric technology will make our school as affective as possible for our office staff and community announcements.

All in all, the Finn Hill community needs an electronic reader board. If we do not have a reader board, it will be hard to communicate with everyone and will sometimes cause confusion. We don't want that at our school. This will also make our lives more efficient and easy. So please Kirkland allow us the opportunity to acquire an electronic reader board, because as you can see, we need it!

Thank you for your time,

Finn Hill Junior High -A.S.B. Officers

Victoria Vacknitz
Tori Vacknitz

Rachel Blanch
Rachel Blanch

Tyrone Overby
Tyrone Overby

McCormick Clemensen
McCormick Clemensen

Justine Lewis
Justine Lewis