



HOUGHTON COMMUNITY COUNCIL
Special Joint Meeting With Planning Director
January 10, 2006

1. Call to Order and Roll Call 7:03 p.m.

- Members Present: Chair Rick Whitney, Hugh Givens, Bill Goggins, Betsy Pringle, and Elsie Weber. Absent/Excused: David Hess, James Nickle
- City Staff present: Eric Shields, Nancy Cox, Jon Regala; Robin Jenkinson, City Attorney; Kathi Anderson, City Clerk; Lynn Stokesbary, Assistant City Manager; Lt. Hamilton, PD.
- Consultant Michael Bergstrom

2. Oath of Office

City Clerk Anderson administered the oath of office for each Councilmember.

3. Election of Officers

Chair announced election of officers. Ms. Pringle nominated Hugh Givens who declined; she nominated Rick Whitney as Chair. Nominations closed. Passed unanimously. Ms. Weber nominated Bill Goggins for Vice Chair. Nominations closed by acclamation. Passed unanimously.

4. Reading and/or Approval of Minutes:

- a. November 28, 2005 – It was moved and seconded that Council dispense with reading of the minutes. Passed unanimously. Corrections were noted:
 - Page 3, top, make the following edit: In the case of a veto, the HCC is required to write Council a letter listing what revisions they require.
 - Page 3 at the end of the bulleted items, add: Houghton Community Council offered to provide a subcommittee to meet with members of the Kirkland City Council to resolve differences.

It was moved and seconded by that minutes are approved as revised. Passed unanimously.

5. Announcement of Agenda

Chair announced the agenda.

6. Council Member Reports and Comments

Ms. Weber mentioned that a neighborhood meeting was planned for the Yarrow Bay Marina office redevelopment on January 11.

7. Work Program Review

8. Requests from the Audience

- **Don Goodwin**, resident of Tent City 4, Temple B'nai Torah Bellevue – favors Staff regulations for legislation; has had a good relationship with the City of Kirkland.

- **Leo Rhodes**, resident of Tent City 4, Temple B'nai Torah Bellevue – the City of Kirkland has been very supportive and he thinks that the proposed legislation is great.
- **Tom Sherrard**, 558 20th Avenue, Kirkland – when Tent City 4 was at his Methodist Church, it was a very positive experience; wants Council to consider the ordinance as proposed.
- **Naomi Lombard**, 10917 NE 66th PI, Kirkland – her church Kirkland Congregational hosted Tent City 4 and it was a very positive experience; she supports the 90-day limit of the encampment.

Ms. Cox interjected that copies of all e-mails received on this subject have been distributed to everyone present.

- **James Kimbrough**, 12224 NE 8th St, Bellevue – was the Tent City point person for his Woodinville church. He said that residents of Tent City take the Code of Conduct seriously; some residents of Tent City were asked to leave when the rules were broken.
- **Margaret Schwender**, 6556 116th PI NE, Kirkland – supports helping the homeless and is active in this endeavor. She supports the 90-day stay limitation and the proposed ordinance.
- **Scott St Clair**, 11704 NE 148th PI, Kirkland – submitted information (Exhibit I) about court documents that recount Tent City law violations; supports solutions to homelessness other than tent cities; wants more regulation of tent city activities.

There being no further testimony, Chair closed audience participation on the homeless issue.

9. Special Joint Hearing with Planning Director 7:31 p.m.

A. Chapter 117 Kirkland Zoning Code – Personal Wireless Service Facilities (PWSF) Regulations – File No. IV-03-13

Mr. Bergstrom gave a presentation as set forth in his December 27, 2005 memo to Eric Shields. The industry has had the last three weeks to review this information and raise questions that have not been brought to Staff as of yet. The memo shows a summary of other entities' regulations and also had attached photos of various PWSF. Mr. Bergstrom reviewed the 16 issues discussed in the memo. He said that the overriding concern is that the community's priorities be reflected in the ordinance.

Ms. Pringle wanted clarification that all of the required information would be obtained from future applicants. Mr. Bergstrom said it would. He also explained about the use of "cubic" and "square" feet. He said that this is a holdover from the existing Code that uses cubic feet in residential zones and square feet in non-residential zones and "it works".

On a question from Mr. Goggins, Mr. Bergstrom stated he will write a clarification of pole diameter restrictions. There was brief discussion on this issue. On Mr. Shields' question, Mr. Bergstrom clarified height limitations in residential zones. Mr. Shields spoke to the issue written as "modification of standards", that should read "exceptions to standards." Mr. Bergstrom will clarify that issue in the draft.

Council raised the question of protection in an area immediately adjacent to residential zone. Mr. Bergstrom stated that the review process requires notice to properties that touch within a 300' radius of the external property boundaries of the proposed construction site.

Mr. Shields observed that Council was beginning to get into discussion of the matter. The Chair called for public testimony.

- **Gary Abrahams**, 655 Crocket St, Unit B-107, Seattle feels staff and consultant has done a great job trying to make the Code better. He suggested some rewording for clarity. He wants the door left open for rooftop antennas.

As there were no further comments from the audience, Chair closed the hearing as to public comment.

Deliberations are continued to Council's regular meeting of January 23 to allow Mr. Bergstrom to take into consideration the input from the public.

Council discussion with Mr. Bergstrom ensued. View blockage and the increased pole diameter issue were discussed as to ADA accessibility and aesthetic value.

10. Unfinished Business

A. Homeless Encampment Zoning Code Amendments to Chapter 127, File ZON05-00028

Ms. Weber reported that she was contacted by three Kirkland residents who are in favor of the regulations for Tent City 4. The Chair observed that there was correspondence from these residents in the packet. Ms. Cox said she has received 29 e-mails that she distributed to Council members along with a matrix of information from other jurisdictions.

Ms. Pringle moved to recommend draft code amendments presented by Staff, seconded by Mr. Givens. Further discussion ensued.

There was discussion regarding the fact that only churches have hosted tent cities to date. Ms. Weber recommends putting a limit on how many tent cities are allowed in Kirkland at one time. Ms. Jenkinson said that there is no guidance in Washington State as to how a court would consider that kind of limitation. Council discussion continued. On request of the Planning Commission, Ms. Cox contacted Kirkland Interfaith Network and Hopelink regarding the ordinance; she has not had a response to date.

Mr. Goggins favors eliminating other community organizations as sponsors [other than churches] and limit encampments to 60 or 62 days as with any other temporary-use permit. Ms. Pringle favors 90 or 92 days duration every 12 months. The comment was made that the "safe" record for Tent City is a relatively short history. Lt. Hamilton answered questions as did Ms. Cox and Ms. Jenkinson.

There was a call for the question. The following amendment was proposed:

- **Eliminate community organizations other than churches as sponsors for Tent City encampments**

Council voted to amend the draft, with Ms. Weber opposing.

MOTION: Recommend adoption of Staff's Draft code amendment on Homeless Encampments as amended: passed unanimously.

11. New Business 8:52 p.m.

None.

12. Administrative Reports and Community Council Discussion

None

13. Adjournment 8:52 p.m.

Rick Whitney, Chair

Eric Shields, Planning Director
Department of Planning and Community Development

Recording Secretary: Marlene Eisele