



HOUGHTON COMMUNITY COUNCIL  
Special Meeting  
October 10, 2005

1. Meeting called to order 7:00 p.m. – Roll Call

- Members Present: Chair Hugh Givens, James Nickle, David Hess, Betsy Pringle, Elsie Weber, and Rick Whitney\*. Absent/Excused: Bill Goggins  
\*Arrived at 7:02 p.m.
- City Staff present: Paul Stewart, Rob Jammerman, Elizabeth Walker, Teresa Swan, and Nancy Cox

2. Approval of Minutes

- August 1, 2005 meeting: reading waived, approved as written.

3. Announcement of Agenda

4. Council Member Reports and Comments

None

5. Work Program Review

Mr. Stewart reported that one thing that is being looked into now is the wireless that is due the end of November. Something that is on the near horizon is ratios affecting the neighborhood plans, particularly in Norkirk and Market. There is a consultant working with Staff on this.

6. Requests from the Audience

- **Bruce Knowlton** of CamWest Development, 9720 NE 120<sup>th</sup> Place, Suite 100, Kirkland, spoke regarding Section 95.35.4.A.3. He is concerned that when there are Type 1 trees, the Planning Official has power to override other considerations that have a cost impact on the contractor. He wants the section deleted or modified.
- **Steve Holzknicht**, Four Sons Construction, 9618 Observation Drive, Kirkland, spoke of the same concern. He feels money should be spent on planting trees instead of regulating trees. He also is opposed to adoption of this section.

Mr. Stewart spoke about this section and said that Staff feels it goes a long way toward improving the current system. The proposed regulations have some new ideas for specific tree plans tailored to various types of developments. Staff will obtain better and more accurate information early in the process, to work with developers in identifying opportunities to save the right trees in the right location. Distinction between “major” and “minor” improvements lessens the burden on minor improvements. Setback requirements and landscaping standards have been updated.

Mr. Stewart said that the proposed regulations provide for better rule enforcement and penalties for violators. He understands concerns that may be felt regarding “the unknown” of possible variations in site plan alterations. Mr. Stewart stated that the

regulations are based on Planning Commission and Houghton Community Council recommendations and have been reviewed by City Council. These bodies all feel that it is reasonable to expect that some site plan alterations will take place.

Mr. Stewart asked Ms. Walker to review the key issues that Staff had presented to this Council, Planning Commission, and City Council. Ms. Walker referred to Staff's October 3, 2005 memo to this Council. She pointed out Key Issues highlighted in the September 8, 2005 memo to Dave Ramsay:

**Flexibility vs. Predictability:** Ms. Walker stated that the Tree Types and the restriction of tree retention limited to required yards have increased flexibility and predictability. Also, as shown in Table 35.1 on Page 13 of the Draft of Chapter 95, credit was added for existing trees that are three to five inches in diameter. She states that requirements, as rewritten, are more easily understood. Also, "requirements" for major developments are cited as "encouragements" for minor developments, i.e., single-family and duplex minor additions, decks, and are seen as more of an education for these smaller projects.

**Financial Impact with Site Plan Alterations:** Ms. Walker stated that the fact that the Draft is very specific about Tree Retention Standards is seen to be a benefit for the developer and the City as it clarifies whether or not specific trees are viable and worth retention. There was extensive discussion regarding this section. Mr. Stewart stated that this Council had opined that the financial impact of these provisions should be tracked for a period of time, to measure their success, and that the Planning Commission and City Council had concurred.

Council invited audience members to speak. **Steve Holzknecht** discussed Staff's input and said that a site plan alteration may involve a floor plan redesign due to the possible change in vistas brought about by adjustment of the footprint.

Chair Givens said that he feels that the City is going in the right direction with this issue and encouraged Council members to allow it to go forward as written.

Ms. Walker spoke about the final change considered by the Planning Commission:

**Penalties and Enforcement:** There is an addition that, if there is a knowing and intentional violation of the Ordinance, the City can require restoration costs to be equal to the value of the tree that was harmed, with the balance of the value minus the actual restoration costs be placed into the City forestry account.

There was discussion about this provision. Ms. Walker said that the Cities of Seattle, Vancouver, and Olympia, among others, have the penalties and enforcement provision in place and it has been upheld in court.

Houghton Community Council  
Special Meeting  
August 1, 2005

There was continued discussion about the Ordinance and the length of time before review after passing and whether there could be a sunset clause. Mr. Stewart said the idea of a sunset clause would have to be discussed with the City attorney. Mr. Whitney submitted a letter from Bob Sternoff that states objection to the site plan alterations provision.

Mr. Stewart said he wanted to be clear about which direction this Council wants to go and bring to City Council any issues that are still outstanding. There was further discussion.

**COUNCIL ACTION:** Concur on the September 20, 2005 Draft of Chapter 95, Tree Management and Required Landscaping, with this Council's right to review its success after a period of two years.

Chair Givens declared a break at 8:30 p.m. and the meeting reconvened at 8:42 p.m.

Sight Distance at Intersection, File No. ZON05-00012.

**Ms. Swan gave a brief review of Ordinance 4000 adopted by City Council on October 4, 2005.**

**MOTION: Approve Resolution 2005-4, FINAL APPROVAL OF ZONING CODE AMENDMENTS TO SECTION 115.135, SIGHT DISTANCE AT INTERSECTIONS, FILE NO. ZON05-00012.** Moved by Mr. Hess, seconded by Mr. Whitney. Unanimous approval.

First Renewal of Interim Zoning Regulations for Homeless Encampments, File ZON05-00015

Ms. Cox discussed the interim regulations relating to Homeless Encampments. These address the frequency and duration of encampments. Staff is working to prepare zoning code amendments to bring before the Planning Commission and this Council in November.

**MOTION: Approve Resolution 2005-5, FIRST RENEWAL OF INTERIM REGULATIONS RELATING TO HOMELESS ENCAMPMENTS.** Moved by Ms. Pringle, seconded by Mr. Nickle. Discussion ensued. Unanimous approval.

**Street Improvement Regulations:** Mr. Jammerman of Public Works distributed paper copies of a PowerPoint presentation on Street Improvement Regulations. Revisions were reviewed. Under City Council's direction, Staff crafted language to exempt from these Regulations, homes that incur improvement costs of less than \$200,000.00. Mr. Jammerman will present new amendments to City Council on October 18, 2005 and bring the ordinance back to this Council subsequent to City Council's approval of the amendments. Discussion followed and Council thanked Mr. Jammerman for his good work.

Houghton Community Council  
Special Meeting  
August 1, 2005

7. Calendar

There will be no October 24<sup>th</sup> meeting. There will be a meeting November 28<sup>th</sup>. The December meeting will be moved to December 19<sup>th</sup>.

8. Hearings

None.

9. Unfinished Business

None

10. Adjournment

Meeting adjourned at 9:02 p.m.

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Hugh Givens, Chair

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Paul Stewart, Deputy Planning Director  
Department of Planning and Community Development