



## **CITY OF KIRKLAND**

**Planning and Community Development Department**

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### **MEMORANDUM**

**Date:** January 6, 2011

**To:** Planning Commission

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

**Subject:** Planning Commission Retreat and Proposed 2011 – 2013  
Planning Work Program

#### **Introduction**

The Planning Commission annual retreat is scheduled for January 13<sup>th</sup> from 5:30 – 8:30 pm. This year we will be meeting in the Peter Kirk Room at City Hall. The entrance is on the south side of City Hall.

The retreat is intended to look back at the accomplishments of the past year as well as reviewing the proposed 2011 – 2013 Planning Work Program that establishes the tasks, priority and schedule for the major long range planning projects. The retreat is also an opportunity to reflect on our how well our processes are working, consider other topics of interest and identify items for discussion at the joint meeting with the City Council (scheduled for the study session at 6:00 pm on March 15<sup>th</sup>, 2011).

At this year's retreat, City Manager Kurt Triplett will be attending in order to meet all the Commission members and share his perspectives and priorities for the City.

The retreat will cover the following topics:

- Remarks from the City Manager
- Review of 2010 projects and accomplishments
- Review of the proposed 2011 – 2013 Planning Work Program
- Discussion of other items

#### **Review of 2010 Projects**

In 2010, the Planning Commission met 19 times compared to 21 times in 2009. Attachment 1 is a list of the Commission meeting dates and topics. In 2010, the Commission met with the Houghton Community Council (HCC) on three occasions regarding the Comprehensive Plan update, miscellaneous code amendments, the neighborhood plan updates and the South Kirkland Park and Ride. The Commission also met with representatives from the Transportation Commission and the Parking Advisory Board.

The joint meetings with the HCC were a new approach in 2010. The intent was to enable both groups to hear the same information at the same time as well as to discuss areas of mutual interest and concern regarding major work program projects. The Planning Commission and the HCC also agreed that the HCC would take the lead on the neighborhood plan updates for Lakeview and Central Houghton.

The Commission should discuss whether or not the joint meetings were productive and if any changes would improve the process.

Four projects were completed by the Planning Commission and transmitted to the City Council with a recommendation of approval. These include the Touchstone amendments, the Comprehensive Plan update (including neighborhood boundaries in the annexation area), miscellaneous code amendments and Shoreline Master Program amendments related to the annexation area. For all of these projects the City Council adopted the plan and code amendments as recommended by the Commission with very few changes.

An item was mentioned at the December 18<sup>th</sup> Commission meeting regarding following-up to Planning Commission comments or actions. Staff strives to capture the direction of the Commission on action items. Perhaps at the end of the discussion of an agenda topic the Commission chair and staff can confirm those items that will be brought back to the Commission.

### **Planning Work Program**

The Planning Work Program establishes the tasks, scheduling and staffing levels for the major long range planning projects. The work program lays out these projects over a three year time period – however, the primary focus is on the tasks to be undertaken in 2011.

Staff is recommending the Commission review the proposed work program and provide comments and recommendations to the City Council. The Commission's recommendations will be transmitted to the City Council at a **joint meeting currently scheduled for March 15, 2011** (please note that date on your calendars). The joint meeting is a study session beginning at 6:00. Following the joint meeting and based on the direction of the City Council, staff will bring back to the Council a resolution approving the work program. Along with the work program, this meeting is also an opportunity to discuss other items of interest.

The Proposed 2011-2012 Planning Work Program is included as Attachment 2. Attachment 3 is a summary of the individual tasks in the work program. *(Note: Attachment 4 is the current adopted work program approved by the City Council on April 6, 2010).*

The proposed Planning Work Program shows eight major long range planning categories with individual tasks identified within each category. These tasks are described in more detail in the Summary of Tasks (Attachment 3). It is important to note that there are

several projects that began in 2010 that will carry-over to 2011. Staff resources have been committed to these tasks so it will be difficult to undertake any new major projects until mid-2011.

In looking at the proposed work program task that will come before the Planning Commission, we've grouped the tasks into three sets of priorities noted below. The first set is those projects that began in 2010 and will continue until 2011. The second set includes those projects that would start in 2011 and the third set of projects lists those that could be undertaken beginning in mid-year depending on staffing availability and level of priority.

#### Work in progress to complete in 2011

- Neighborhood boundaries for Finn Hill (Task 1.2)
- Touchstone Planned Action appeals (Task 1.6)
- Lakeview and Central Houghton Neighborhood Plans (Tasks 2.1 and 2.2)
- CBD ground floor use regulations (Task 3.3)
- Zoning regulations and design standards for the South Kirkland Park & Ride TOD (Task 4.1)
- Shoreline Master Program for the annexation area (Task 5.1)

#### New projects to start in 2011

- Annual Comprehensive Plan Update (Task 1.2)
- Private Amendment Requests Threshold Review (1.5)
- Totem Lake code assessment (Task 3.2)
- LID/Green Codes (Task 5.2)

Projects to consider mid-year (depends on staff availability, the PAR threshold review and the Totem Lake code assessment).

- PAR's selected for consideration (Task 1.5)
- Neighborhood plan assessment (Task 2.3)
- Miscellaneous code amendments (Task 3.1)
- Totem Lake Code Amendments (Task 3.3)

The City has committed significant staffing resources to the first category – particularly the neighborhood plans, South Kirkland TOD and the SMP for the annexation area. It is likely these will be completed by the fall of 2011.

Of the tasks noted above, there are four projects where there is some discretion or question on the timing and priority. The first is Task 1.5 – Private Amendment Requests. These are requests from property owners to amend the Comprehensive Plan and Zoning. The City received 3 such requests that are described in Attachment 3. The Planning Commission will go through a threshold review in early 2011 and make a recommendation to the City Council. The Commission and Council has the discretion based on criteria to determine if any or all requests will be further considered through a public review process.

The second item for consideration is the neighborhood plan assessment (Task 2.3). The intent is to spend some time in the latter part of 2011 exploring ideas or options on how and when we update neighborhood plans. This would occur prior to undertaking a new neighborhood plan update.

A third item relates to code amendments. The City Council has adopted a Totem Lake Action Plan (see Attachment 6). The intent is to look at a variety of approaches to promoting economic development in the Totem Lake neighborhood. One of the tasks identified is to scope our zoning regulations to see if there are impediments to redevelopment (Task 3.2). This would occur in early 2011. If there are amendments to be considered as a result of this scoping they could then be processed in the third or fourth quarter of 2011.

Another code amendment project is the annual bundle of miscellaneous code amendments (Task 3.1). Attachment 7 is the list of potential code amendments and Attachment 8 is letter requesting a specific code revision. The work program shows this task beginning in mid-2011.

Due to the economic slowdown, the City continues to experience budget constraints. Between 2007 and 2009, the Planning Department lost the equivalent of approximately 5 FTE (full time equivalent staff) generally consisting of vacant positions, interns and contract planners. In addition there is no one-time service package funding the long range projects (e.g. professional services, special notices or mailings, traffic analysis, etc.).

The draft Planning Work Program shows general staffing levels for the major categories for 2011. With annexation coming up and budget limitations staffing for long range projects have been reduced from previous years. We are anticipating the need for staffing to be available for development review as a result of annexation. For the first six to nine months staffing levels will be somewhat comparable to 2010 at around 5-6 FTE's. However as the 2010 major projects are completed (i.e. neighborhood plans, TOD) some staffing will be available for the other projects but at a 1.0 FTE position less than previous years.

The work program shows the next round of neighborhood plans (Bridle Trails and South Rose) beginning in 2012. Attachment 8 shows the Comprehensive Plan and Neighborhood Plan update schedule. Of particular note is the GMA required plan update (Task 1.3) and critical area regulations amendments (Task 5.3). These are major efforts requiring considerable staffing resources, extensive public outreach and funding. The state currently requires these to be completed by December 2014.

As the Commission reviews the proposed Planning Work Program, consideration should be given to the following questions:

- Are there specific questions the Commission has regarding the proposed tasks or projects?
- Do the projects and schedule reflect the priorities and level of effort for 2011?

- Is the Commission in general agreement with the proposed 2011 – 2013 Work Program?

Following the retreat, staff will prepare the final proposed work program for review by the Commission at the January 27<sup>th</sup> meeting. At that meeting the Commission should also identify other topics to be discussed with the City Council at the March 15 joint meeting.

### **Discussion Topics**

At the December 13<sup>th</sup> meeting, the Commission noted two other topics for discussion at the retreat: neighborhood plans and public outreach.

#### Neighborhood Plans

Over the past several years, the City has utilized a variety of approaches to neighborhood plans (citizen advisory committees, working groups, workshops, open houses, etc). Typically neighborhood plans take two to three years to complete. This is consistent with similar time frames for neighborhood plans in the cities of Bellevue and Redmond.

The Commission has expressed an interest in looking at different approaches to neighborhood plans. Task 2.3 on the proposed work program identifies a project to undertake an assessment of our neighborhood planning process in the latter part of 2011. This would be a discussion with the Planning Commission over the course of 2-3 meetings and would also involve meeting with representatives from neighborhood associations. The Commission should discuss whether this is a task that should be on the work program and identify some of the issues that should be addressed.

#### Public Outreach

The City strives to provide as much opportunity for interested parties to be involved in long range projects. Below is a listing of the various materials and formats we use when undertaking a long range planning item.

- Web page for each project
- List serv for notices and status of upcoming events for projects
- Notices sent to the Chamber of Commerce and Kirkland Alliance of Neighborhoods
- Signs posted in the appropriate neighborhood or location
- Articles in City Update
- Open houses
- Formation of citizen advisory groups
- Meetings with representatives of civic and professional organization
- Presentations to neighborhood associations
- Public workshops
- Web based surveys
- Information posted on the City's cable station
- Mailed out postcard notices
- Newsletters and flyers
- Informational handouts

At the start of each project, staff typically presents to the Commission the work program, schedule and plan for public outreach which is reviewed by the Commission. The retreat is an opportunity to discuss the effectiveness of these strategies and to explore other ideas and approaches. While there are a variety of techniques, there are some practical limits due to reduced resources. For example, due to budget reductions we are no longer able to mail out extensive flyers or notices. Staffing levels have been reduced – many of these outreach tasks were previously handled by interns. Staffing reductions have also resulted in fewer resources for graphics design and layout (e.g. flyers) and information technology (web pages, surveys, and data analysis). The other factor affecting resources is annexation – most departments are working intensively to gear up for the annexation which will occur in 2011.

#### Attachments

1. Planning Commission 2010 Agenda Topics
2. Proposed 2011 – 2013 Planning Work Program
3. Summary of Work Program Tasks
4. Adopted 2010-2012 Planning Work Program
5. Totem Lake Preliminary Action Plan
6. List of Miscellaneous Code Amendments
7. Letter from Kathy Weber and Bill Shain regarding backyard animals
8. Comprehensive Plan and Neighborhood Plan Update Schedule

## Planning Commission Agenda Topics for 2010

Meeting Date	Topic	Meeting Type
January 14	Transportation Conversation Proposed Planning Work Program Joint Meeting with City Council	Study Session Study Session Study Session
February 11	Central Business District Zoning – Deferred Zoning Amendment Issues	Study Session
March 11	2010 Comprehensive Plan Amendments Study Revised Rules of Procedure	Study Session Study Session
April 22	Touchstone Supplemental EIS	Study Session
May 13	Review Procedures for working with the Houghton Community Council Annexation Area Neighborhood Boundaries Miscellaneous Zoning Code Amendments Phase I	Study Session Study Session Study Session
May 27	Miscellaneous Zoning Code Amendments Phase I Minor Zoning Code and Subdivision Ordinance Amendments - follow up to the SMP Update	Hearing Study Session
June 10	Parkplace Draft Supplement EIS	Study Session
June 24	Minor Zoning Code and Subdivision Ordinance Amendments - follow up to the SMP Update Parkplace Draft Supplemental EIS	Hearing Hearing
July 22 Regular Meeting	Parkplace Draft Supplemental EIS and Amendments PC Rules on Public Comment	Study Session Study Session
July 22 Joint Meeting with PAB	Downtown Parking Standards	Study Session
August 12 Joint Meeting with HCC	2010 Comprehensive Plan Amendments Miscellaneous Zoning Code Amendments Phase II Code Enforcement Amendments	Study Session Study Session Study Session
August 23 Joint Meeting with HCC	Lakeview Neighborhood Plan Update	Study Session
August 26	Shoreline Master Program Amendments for the Annexation Area Parkplace Supplemental EIS	Study Session Study Session
September 23	Shoreline Master Program Amendments for the Annexation Area Miscellaneous Zoning Code Amendments Phase II Zoning Code Amendments for Code Enforcement	Study Session Study Session Study Session
October 14	Shoreline Master Program Amendments for the Annexation Area 2010 Comprehensive Plan Amendments	Hearing Hearing
November 4	2010 Miscellaneous Zoning Code Amendments East Side Rail Corridor	Hearing Study Session
November 18	CBD 1 Ground Floor Storefront Uses Neighborhood Boundaries	Study Session Study Session
December 13	Planning Commission Retreat Topics	Study Session
December 13 Joint Meeting with HCC	South Kirkland Park and Ride	Study Session



**PROPOSED 2011 – 2013 PLANNING WORK PROGRAM: LONG RANGE TASKS December, 2010**

				2011												2012				2013			
TASK	PROJECT MANAGER	2011 STAFF		J	F	M	A	M	J	J	A	S	O	N	D	1st	2nd	3rd	4th	1st	2nd	3rd	4th
<b>POLICIES, PLANS &amp; REGULATIONS</b>																							
<b>1.0</b>	<b>Comprehensive Plan</b>		<b>.7 FTE</b>																				
1.1	• Annual Comp Plan Update	Brill																					
1.2	• Annex Neighborhood Boundaries	McMahan																					
1.3	• GMA/Comp Plan																						
1.4	• Transp. Principles/Policy	PW - Godfrey																					
1.5	• Private Amendment Request								????	????	????	????	????	????									
1.6	• Touchstone Planned Action	Ruggeri																					
<b>2.0</b>	<b>Neighborhood Plans</b>		<b>2.0 FTE</b>																				
2.1	• Lakeview Plan	Soloff																					
2.2	• Central Houghton Plan	Ruggeri																					
2.3	• Neighborhood Planning Asses																						
2.4	• Bridle Trails & South Rose Hill	(1.0 FTE)																					
2.5	• Everest and Moss Bay																						
<b>3.0</b>	<b>Code Amendments</b>		<b>.7 FTE</b>																				
3.1	• Misc. Code Amend	Regala																					
3.2	• Totem Lake																						
3.3	• CBD Retail	McMahan																					
<b>4.0</b>	<b>Housing</b>		<b>.7 FTE</b>																				
4.1	• TOD @ Park & Ride	Collins																					
4.2	• Housing Preservation																						
4.3	• Affordable Housing Strategies	Nelson/ARCH																					
<b>5.0</b>	<b>Natural Env/Stewardship</b>		<b>1.2 FTE</b>																				
5.1	• SMP Annexation Area	Swan																					
5.2	• LID/Green Codes	Barnes/Gaus																					
5.3	• Critical Area Regs																						
5.4	• Urban Forestry	Powers																					
5.5	• Green Team/Env. Stewardship	Stewart/Schroder																					
<b>6.0</b>	<b>Database Management</b>		<b>.1 FTE</b>																				
6.1	• Community Profile	Goble																					
6.2	• LU Capacity	Nelson																					
<b>7.0</b>	<b>Regional Coordination</b>		<b>.1 FTE</b>																				
7.1		Shields																					
<b>8.0</b>	<b>Annexation</b>		<b>.5 FTE</b>																				
8.1	• Annexation Transition Work	Various																					
8.2	• Conduct Census																						
	<b>Planning Commission Tasks</b>																						
	<b>Other Tasks</b>																						





**2011-2013 PLANNING WORK PROGRAM**

**Summary of Tasks**

**Planning & Community Development**

**January 2011**

Summary of Long Range Tasks  
2011 – 2013 Planning Work Program

## **POLICIES, PLANS & REGULATIONS**

### **Task 1: Comprehensive Plan Update (.7 FTE)**

#### 1.1 Annual Comprehensive Plan Update

In 2010 the Planning Department initiated a number of amendments to the Comprehensive Plan including the following items adopted by the City Council in December 2010:

- minor housekeeping amendments;
- revisions associated with the Kingsgate, North Juanita and Fill Hill annexation;
- an updated Capital Facilities Plan (CFP); and
- policies regarding electrical vehicle infrastructure.

For 2011, only a few city-initiated amendments are necessary (e.g. the Finn Hill neighborhood boundary item and the CFP). However – other work program tasks such as the Private Amendment Requests or Totem Lake initiatives may result in more substantive tasks (see discussion below).

1.2 Annexation Neighborhood Boundaries: The 2010 annual plan update also included a discussion on the neighborhood boundaries which was resolved for the Kingsgate and North Juanita neighborhoods with the plan update. However, the Finn Hill neighborhood boundary issue was deferred to 2011.

1.3 Growth Management Act (GMA) – Comprehensive Plan Update. The Growth Management Act (RCW 36.70A.130) requires cities and counties to review and if needed, revise their comprehensive plans and development regulations every seven years. Last year legislation was approved extending the deadline to December 1, 2014 for King County and all its cities (including Kirkland). The City supported this legislation as it will give the City a chance to incorporate the annexation area into the Comprehensive Plan.

**However, the Comprehensive Plan update will be a major planning effort and will be staff and time intensive probably taking a minimum of two years to complete.** The work program anticipates this beginning in 2013 with some preliminary work in late 2012. Funding resources will likely be needed for some of these tasks (e.g. Environmental Impact Statement including traffic modeling).

This process would include the following:

- New vision statement (?)
- Extensive community outreach and involvement
- Revised land use and capacity analysis
- New transportation network and list of projects
- Revised level of service standards
- Updated Capital Facilities and Transportation Elements
- Framework for revisions to the impact fee program

Summary of Long Range Tasks  
2011 – 2013 Planning Work Program

- Environmental Impact Statement

In 2010, the Growth Management Planning Council allocated new housing and employment targets for 2031 to all the cities and King County through the countywide planning process. As part of the plan update, Kirkland will need to determine how and where to accommodate the targets in the land use plan. As a result, a revised transportation plan would be considered based on a new horizon year of 2031 along with possible amendments to the City's level of service standards for capital facilities (parks, transportation, etc.). This has to occur before the city updates its impact fee rate study.

#### 1.4 Transportation Principles and Policies

The Transportation Commission continues to explore a new direction on transportation that does not focus only on the automobile. This initial effort which has been presented to the Planning Commission, Houghton Community Council and City Council establishes principles to form the basis for decision-making and recommended policy changes.

These principles are:

- Move people
- Be sustainable
- Create partnerships
- Link to land use

As the Commission moves forward, amendments to the City's Comprehensive Plan and concurrency system would occur. This would also guide CIP projects and transportation funding. It is likely that this would be incorporated into the general GMA plan update (Task 1.3).

#### 1.5 Private Amendment Requests

December 1, 2010 was the deadline for private amendment requests applications to be submitted (every two years). Private amendment requests are submitted to request amendments to the Comprehensive Plan and (if necessary, a rezone). Three such requests were submitted by the application deadline. They are:

- Rhoda Altom (611 4<sup>th</sup> Avenue): Request in the Moss Bay Neighborhood to change from PLA5C to CBD 5 to clarify allowed density.
- Jeffrey S. Howard (12035 & 12203 Juanita Drive NE and 12034 76<sup>th</sup> Ave. NE): Request in the Finn Hill Neighborhood to change property zoned commercial (BNA) to allow residential (RMA 2.4) and to change property zoned RMA 5.0 to RMA 2.4.
- MRM Kirkland, LLC (434 Kirkland Way): Request to change Comprehensive Plan and zoning for a mixed use (retail/office; retail/office/multi-family; or retail/multifamily and increase the allowed height.

These private amendment requests will be part of a Threshold Review process beginning in February. This process entails the Planning Commission reviewing the individual requests and making a recommendation to the City Council on whether or not to study

Summary of Long Range Tasks  
2011 – 2013 Planning Work Program

the request further for possible amendments to the Comprehensive Plan and zoning. Of the three requests submitted by the December 1, 2010 deadline, the third request (MRM Kirkland) would require significant staffing and time to process.

#### 1.6 Touchstone SEIS and Planned Action Ordinance

In 2010, staff devoted considerable time and effort in the various appeals of the Touchstone private amendment request to the Growth Management Hearings Board and the courts. Several of the appeals will continue to be considered in 2011. Below is a summary of the Parkplace litigation before the courts and hearings board.

Davidson Serles & Assoc., et al. v. City of Kirkland, et al., Superior Court No. 09-2-02204-6 SEA: This was an action for declaratory and injunctive relief. The action challenged the adequacy of the environmental impact statement (EIS) prepared for the Planned Action Ordinance, Master Plan, Comprehensive Plan amendments, and Zoning Code amendments related to the Touchstone and Altom private amendment requests. The action alleged that the EIS failed to identify, consider, and evaluate a full range of alternatives for the proposed action.

The plaintiffs sought to have the Court declare that the EIS was inadequate and to have the City enjoined from taking action to implement the referenced ordinances. Touchstone filed a motion seeking the dismissal of the action in which the City joined. In June 2009, the Superior Court Judge granted summary judgment and dismissed the case. The plaintiffs filed an appeal with the Court of Appeals. See, Appeal No. 64072-I below.

Davidson Serles & Assoc., et al. v. City of Kirkland, et al., Central Puget Sound Growth Management Hearings Board No. 09-3-0007c (Davidson Serles I): This is a petition before the Central Puget Sound Growth Management Hearings Board (the "Board.") The petitioners sought review of Ordinance Nos. 4170 and 4171 which amended the Comprehensive Plan and Zoning Code, respectively, in association with the private amendment request for the Parkplace project. Among other grounds, the petitioners challenged the ordinances for: lack of compliance with the State Environmental Policy Act; inadequate service by transportation and other public facilities; lack of financing plans for capital improvements; and intensity of development inconsistent with the County-wide Planning Policies for King County.

The Board issued its decision on October 5, 2009. While it upheld the ordinances with respect to a number of the petitioners' objections, the Board found that the City should have considered off-site alternatives to the Parkplace project and that amendments to the Capital Facilities and Transportation Elements of the City's Comprehensive Plan were necessary.

On August 16, 2010, the City issued a Final Supplemental Environmental Impact Statement (SEIS). Using the additional information provided in the draft and Final SEIS, the Planning Commission, over the course of five meetings, reconsidered its previous recommendations to the City Council on the Zoning

Summary of Long Range Tasks  
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Code and Comprehensive Plan amendments enacted by Ordinances 4170 and 4171. Following a public hearing, the Commission recommended that the City Council reaffirm the ordinances and adopt the amendments. In September 2010, the City Council passed Ordinance 4257 to reaffirm its previous approval of Ordinances 4170 and 4171 and passed Ordinance 4258 adopting amendments to the Comprehensive Plan to include all necessary transportation improvements. A compliance hearing was conducted before the Board on November 2, 2010. A decision is anticipated in February 2011.

City of Kirkland v. CPSGMHB/Davidson Serles & Assoc., et al., Superior Court No. 09-2-43855-2 SEA: This is the City and Touchstone's challenge to the 2009 decision by the Board. Touchstone and the City moved to have the matter stayed while the City complies with the Board's decision. On March 10, 2010, the Superior Court stayed the matter.

Davidson Serles & Assoc., et al. v. CPSGMHB/City of Kirkland, et al., Superior Court

No. 09-2-43060-8: This is Davidson Serles and Continental Plaza's challenge to the 2009 decision by the Board. After filing for review by the Superior Court, the petitioners asked the Board to certify its decision for direct review by the Court of Appeals. The Board certified its decision and the Court of Appeals accepted discretionary review. See, Appeal No. 64751-2-I below.

Davidson Serles & Assoc., et al. v. City of Kirkland, et al., Court of Appeals No. 64072-I: This is the appeal from the dismissal of Davidson Serles and Continental Plaza's Superior Court action. Oral argument was conducted on November 1, 2010. The Court of Appeals has not yet issued its opinion.

Davidson Serles & Assoc., et al. v. CPSGHB/City of Kirkland, et al., Court of Appeals No. 64751-2-I: This is Davidson Serles and Continental Plaza's appeal from the decision of the Board. Oral argument was conducted on November 1, 2010. The Court of Appeals issued its opinion on December 29, 2010, affirming the Board decision to remand, but not invalidate the City ordinances.

Davidson Serles & Assoc., et al. v. City of Kirkland, et al., Superior Court No. 10-2-35867-6 SEA: This is an action for declaratory and injunctive relief. The action challenges the adequacy of the Final Supplemental Environmental Impact Statement prepared in response to the 2009 decision of the Board.

Davidson Serles & Assoc., et al. v. City of Kirkland, et al., Central Puget Sound Growth Management Hearings Board No. 10-3-0012 (Davidson Serles II): This is a second petition filed with the Central Puget Sound Growth Management Hearings Board (the "Board.") The petitioners challenge the adequacy of the Supplemental Environmental Impact Statement prepared in response to the 2009 decision of the Board and Ordinance 4258 passed in September 2010. The petitioners filed an amended petition alleging that the transportation element of the City's Comprehensive Plan as amended by Ordinance 4257 does not comply

Summary of Long Range Tasks  
2011 – 2013 Planning Work Program

with GMA. A hearing on the merits, including the City's motion to dismiss, was held December 21, 2010. A decision is due by April 18, 2011.

In December, the Design Review Board approved the design for all buildings in the development after 28 meetings. This approval was also appealed by Davidson Serles and Associates to the City's Hearing Examiner.

**Task 2: Neighborhood Plans (2.0 FTE for 2011)**

2.1 and 2.2 Lakeview and Central Houghton Neighborhood Plans.

The City initiated work on the Lakeview and Central Houghton Neighborhood Plans in late 2009. Over the past several months the Neighborhood Advisory Groups have been meeting and have completed their initial review and recommendations. While it was anticipated that the groups would meet 4-5 times, due to the interest and discussion topics the Central Houghton group met 9 times over the course of eight months and the Lakeview Neighborhood group met 13 times.

The 2010 – 2012 Planning Work Program anticipating completing the neighborhood plans by the end of 2010. Looking at the remaining work to be done including finalizing the draft plan and zoning regulations, public outreach, additional review by the advisory groups, public hearings, Planning Commission recommendation and City Council and HCC action the process is now scheduled to be completed by August or September of 2011.

2.3 Neighborhood Planning Assessment

During the discussion on the annexation area neighborhood boundaries, comments were noted regarding the approach to neighborhood plans. Are there ways to be more efficient or expeditious? Should we study broader areas at one time? How do we effectively engage the public? Task 2.3 is intended to undertake an assessment and have a discussion on our neighborhood planning process. The work program shows this occurring in the latter part of 2011 (following completion of the Lakeview and Central Houghton Neighborhood Plans and prior to undertaking any new neighborhood plans).

2.4 Bridle Trails and South Rose Hill Neighborhood Plan

Depending on the outcome of 2.3 above, some staff would be available to undertake another neighborhood plan update. Bridle Trails and South Rose Hill are currently "next-in-line" for an update. However, due to budget considerations, staff resources for neighborhood plans have been reduced which could affect the timing and level of effort devoted to the next neighborhood plan update.

2.5 Everest and Moss Bay Unless additional resources or approaches are identified, updates to other neighborhood plans would occur after completion of the GMA required Comprehensive Plan update (December, 2014).

**Task 3: Code Amendments (.7 FTE)**

3.1 Miscellaneous Code Amendments

Staff continues to maintain a list of potential code amendments and, as new issues arise, staff is constantly adding to and updating the list. The work program generally

Summary of Long Range Tasks  
2011 – 2013 Planning Work Program

strives to have an on-going code update task each year. The 2010 bundle was adopted by the Council on January 4, 2010. The work program shows this beginning in the second half of 2011 when staffing would be more available.

### 3.2 Totem Lake

On December 7, 2010 the City Council approved a "Totem Lake Preliminary Action Plan" for the Totem Lake Business District. This is a high priority for the City Council. The action plan is an outcome from the September 16, 2010 Totem Lake Symposium which brought together several interested participants to discuss catalysts needed to stimulate the revitalization of Totem Lake. One of the items is to look at the zoning to see if there are impediments to economic development. An initial scoping will occur in the first quarter of 2011 to determine if zoning code amendments are needed which could be processed in the second half of the year.

### 3.3 CBD Retail

The City is considering allowing flexibility for street level storefront uses in some portion of the downtown. The task was initially intended to consider additional uses for "end of block spaces" which traditionally have had difficulty attracting retail-type tenants. At the request of downtown property owners, the City Council asked the Planning Commission to broaden the scope to consider more uses in more areas. The exact scope of the project was discussed with the Planning Commission in late 2010 and with City Council in early 2011. The Planning Commission's public hearing will be scheduled in the 1<sup>st</sup> quarter, 2011 once the scope is resolved and any amendments should be completed in the second quarter, 2011.

## **Task 4: Housing (.7 FTE)**

### 4.1 TOD at South Kirkland Park and Ride

In December 2008, the City Council adopted amendments to the Comprehensive Plan that support "transit oriented development" including affordable housing at the South Kirkland Park and Ride facility. On January 26<sup>th</sup>, 2009 the Houghton Community Council approved the amendments but expressed strong interest in ensuring that their issues and questions were addressed with the zoning and design regulations. Part of the park and ride lot is located in Bellevue. At that time, Bellevue indicated they were not interested in pursuing this issue; however staff continued to explore the potential for a Kirkland-only project.

King County revised the plan and came up with a potential project on the Kirkland portion of the park and ride. Zoning regulations are still needed to implement the plan policies. The City of Bellevue and Kirkland have developed "Principles of Agreement" to establish the framework for this project.

With the initiation of the neighborhood plans for Lakeview and Central Houghton, advisory group participants raised questions regarding the proposed TOD project. Efforts are currently underway to draft the zoning regulations and design standards to include public workshops. These will be coming before the Planning Commission and Houghton Community Council in early 2011. Due to grant funding considerations, it is anticipated that this task will be completed by June 2011.

Summary of Long Range Tasks  
2011 – 2013 Planning Work Program

#### 4.2 Housing Preservation

As a result of staffing resources being allocated to other tasks in 2011, work on preservation housing could occur in 2012. This would entail an inventory of potential properties, contacting property owners to gauge interest and exploring options for preservation of existing housing.

#### 4.3 Affordable Housing Strategies

There are a number of other on-going staff efforts on housing including working with ARCH (A Regional Coalition for Housing) on the Housing Trust Fund, preservation of affordable housing, funding programs, and education.

### **Task 5: Natural Resources/Environmental Stewardship (1.2 FTE)**

#### 5.1 Shoreline Master Program (SMP)

On December 1, 2009 the City Council approved the Shoreline Master Program generally in accordance with the Planning Commission's recommendation. The City transmitted the SMP to the Department of Ecology (DOE) along with a required checklist that shows how the SMP meets the adopted State guidelines. DOE approved the SMP on July 26, 2010 and on August 3 the City Council approved the ordinance.

The City then began work on the SMP for the annexation area. On November 3, 2010, after a recommendation by the Planning Commission, the City Council approved the Resolution of Intent to adopt amendments to the SMP to incorporate the annexation area into the SMP. The City submitted the SMP to DOE and they have deemed the submittal to be complete and are in the process of scheduling the public comment period. Following the public comment period, DOE will prepare a decision letter with their findings along with any recommended or required changes. The decision letter will then be transmitted to the City for consideration. If changes are necessary, the City Council could take action in response to DOE and either agree to the proposed changes or submit an alternative proposal for DOE's approval. Since this is a limited amendment with only one public comment it is likely DOE will approve with few if any changes. Staff is currently working on implementation procedures, forms and handouts.

#### 5.2 Low Impact Development (LID) and Green Codes

The City's Green Building Team (Planning, Public Works and Building) have developed a list of actions to promote sustainability and encourage low impact development and green building techniques. On January 4, the work program and approach was approved by the City Council. Many, but not all tasks, will involve the Planning Commission. The Green Codes project will be presented to the Planning Commission at the January 27<sup>th</sup> meeting.

#### 5.3 Critical Area Regulations

In accordance with state law, the City will need to amend its Critical Area Regulations. However, similar to the deadline for the Comprehensive Plan update, the timeline was extended in the legislative session. As a result this effort would occur in 2013-2014.

Based on experiences in other jurisdictions and comments from the Department of Ecology, our regulations will need to be revised, particularly to address buffer widths

Summary of Long Range Tasks  
2011 – 2013 Planning Work Program

and our wetland classification system. This will require funding resources to assist in this update due to the technical, scientific and environmental issues that need to be addressed. This project may also be the appropriate time to review our slope regulations.

#### 5.4 Urban Forestry Program

In 2011, the focus will shift away from regulations to urban forestry management and education. In 2011 staff will undertake a canopy analysis. The city is currently pursuing grant funding to undertake a citywide urban forestry management plan.

#### 5.5 Natural Resource Management Plan and Environmental Stewardship

In 2003 the City adopted a Natural Resources Management Plan. The City has in place a "Green Team" consisting of representatives from several City departments that meet on a regular basis to coordinate activities and programs. Over the past year, the team has been focusing its efforts on implementation actions (education, funding, and programs). The Green Team has also broadened its role to address greenhouse emissions in response to the US Mayors Climate Protection Agreement, of which the City is participating. The City Council adopted a [Climate Action Plan](#) in April 2009.

### **Task 6: Database Management (.1 FTE)**

Database management consists of a number of sub-tasks such as our Community Profile, land use inventory, capacity analysis, and housing data that are used for a variety of purposes including neighborhood plans, economic development and the Comprehensive Plan. In addition we are required to provide data on buildable lands and benchmarks to King County. In 2011 data from the decennial census will become more readily available.

#### 6.1 Community Profile

In 2004, the City updated its [Community Profile](#). With new census information available and with the major GMA Comp Plan scheduled for 2013-2014 (Task 1.3), a revised Community Profile would need to be prepared to provide the basic demographic and economic data in order to commence the Plan update. The work program shows this beginning in mid-2012.

#### 6.2 Land Use Capacity

An analysis of our land use capacity is also necessary to determine if there is sufficient land available and zoned to accommodate our housing and employment targets. This is another task that is essential to undertaking our major GMA Plan Update (Task 1.3) and would occur in late 2012 and early 2013.

### **Task 7: Regional Coordination (.1 FTE)**

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

Summary of Long Range Tasks  
2011 – 2013 Planning Work Program

**Task 8: Annexation (.5 FTE)**

8.1 Annexation Transition & 8.2 Conduct Census

Staff will continue to work on tasks associated with the annexation which will take effect on June 1, 2011. The State requires a census of the population in the annexation area within 30 days of the effective date. Staff is preparing an RFP to retain services to conduct the census.

**ADOPTED 2010 – 2012 PLANNING WORK PROGRAM: LONG RANGE TASKS**      **April 6, 2010**

TASK	PROJECT MANAGER	2009 STAFF	2010												2011				2012			
			J	F	M	A	M	J	J	A	S	O	N	D	1st	2nd	3rd	4th	1st	2nd	3rd	4th
<b>POLICIES, PLANS &amp; REGULATIONS</b>																						
<b>1</b>	<b>Comprehensive Plan</b>	<b>1.8 FTE</b>																				
	• Annual Comp Plan Update	Brill																				
	• Annex Neighborhood Boundaries	McMahan																				
	• GMA/Comp Plan	Swan																				
	• Transp. Principles/Policy	PW - Godfrey																				
	• Private Amendment Requests																					
	• Touchstone Planned Action	Ruggeri																				
<b>2</b>	<b>Neighborhood Plans</b>	<b>2.0 FTE</b>																				
	• Lakeview Plan	Soloff																				
	• Central Houghton Plan	Ruggeri																				
	• Bridle Trails & South Rose Hill																					
	• Everest and Moss Bay																					
<b>3</b>	<b>Code Amendments</b>	<b>.4 FTE</b>																				
	• Code enforcement consolidation	Cox																				
	• Misc. Code Amend	Regala																				
<b>4</b>	<b>Housing</b>	<b>.4 FTE</b>																				
	• Affordable Housing Regs																					
	• TOD @ Park & Ride	Collins																				
	• Housing Preservation	Collins																				
	• Affordable Housing Strategies	Nelson/ARCH																				
<b>5</b>	<b>Natural Env/Stewardship</b>	<b>2.7 FTE</b>																				
	• Shoreline Master Program	Swan																				
	• Critical Area Regs																					
	• Urban Forestry Program	Powers																				
	• LID/Green Codes	Gaus/Barnes																				
	• Green Building Program	Barnes/Jensen																				
	• Green Team/Env. Stewardship	Stewart/Schroder																				
<b>6</b>	<b>Database Management</b>	<b>.2 FTE</b>																				
<b>7</b>	<b>Regional Coordination</b>	<b>.1 FTE</b>																				
<b>8</b>	<b>Annexation</b>	<b>1.5 FTE</b>																				
	• Update Maps																					
	• Amend Comp Plan																					
	• Update SMP																					
	• Update Regs																					
	• Wild Glen Annexation																					
	• Conduct Census																					
	• Prepare Neighborhood Plans																					
	<b>Planning Commission Tasks</b>																					
	<b>Other Tasks</b>																					



**RESOLUTION R-4856****A RESOLUTION OF THE CITY OF KIRKLAND RELATING TO THE ADOPTION OF A PRELIMINARY ACTION PLAN FOR THE TOTEM LAKE BUSINESS DISTRICT**

WHEREAS, the City sponsored a Totem Lake Symposium on September 16, 2010 to receive input from developers, financiers, commercial brokers, architects, Totem Lake property owners, tenants and neighborhood representatives to solicit their input on what should be done to revitalize Totem Lake; and

WHEREAS, among the suggestions expressed by Symposium attendees were to evaluate zoning and permitting changes, seek infrastructure funding from external sources, enhance and add amenities to create a sense of place, and improve connectivity for vehicles and pedestrians; and

WHEREAS, the City Council received an update on October 5, 2010, that included a recital of findings from the symposium, a draft action plan and next steps; and

WHEREAS, City staff has since incorporated Council suggestions and staff recommendations into a Preliminary Action Plan for the Totem Lake Business District; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Kirkland as follows:

Section 1. The City Council hereby adopts a Preliminary Action Plan for the Totem Lake Business District, attached as Exhibit A, based on the findings from the Totem Lake Symposium and authorizes City staff to proceed with its implementation.

Section 2. The City Council will incorporate projects in the 2011-2016 Capital Improvements Plan (CIP) that create opportunities in the Totem Lake Business District to solve storm water problems, improve transportation flow and provide public amenities. One such project shall be the potential acquisition of the portion of the Eastside Rail Corridor within the City of Kirkland. The Eastside Rail Corridor may provide storm water and mass transit solutions, as well as a potential regional recreational trail to the Totem Lake Business District.

Section 3. City staff shall complete the review of all suggestions received at the Totem Lake Symposium, categorize them into immediate, short, medium and long term actions, and establish points of accountability for each suggestion by December 31, 2010.

Section 4. The City Manager shall request that all pertinent City departments revise their 2011 work plans to reflect a focus on the revitalization of Totem Lake and report on work plan revisions to the City Council in March of 2011. The Preliminary Action Plan and Symposium suggestions shall be the initial basis for revised work plans.

Section 5. City staff shall establish a quarterly newsletter to all interested parties and the public detailing efforts related to revitalizing Totem Lake. The initial newsletter shall be distributed by December 15, 2010.

PASSED by majority vote of the Kirkland City Council in open meeting this 7th day of December, 2010.

SIGNED IN AUTHENTICATION thereof this 7th day of December, 2010.

  
\_\_\_\_\_  
Mayor

Attest:

  
\_\_\_\_\_  
City Clerk

Approved as to Form:

\_\_\_\_\_  
City Attorney

## Preliminary Totem Lake Action Plan

Symposium Issues	Action (City Response)			Responsibility	Comments
	Immediate	Short Term 2011-12	Mid-Long Term 2013-20		
<b>Planning</b>					
Reconsider zoning. Make more flexible or market-driven. Consider incentive-based, form-based and other zoning models.		<p>Verify specific concerns regarding current zoning (e.g. all usable uses) with developers.</p> <p>Evaluate potential code amendments that don't require comprehensive plan amendments.</p> <p>Identify prospective development sites, analyze current incentives, and explore additional ones.</p> <p>Identify plan amendments.</p> <p>Consider more flexible Comp Plan Amendment process.</p> <p>Consider special call for amendments to TL Plan.</p>		Planning Department	
Create shared parking option	Available. Need to promote through quarterly reports and other vehicles.			Planning Department; City Manager's Office	
Open space (Totem Lake Mall)	Already incorporated in mall plan. Need to inform.			Planning Department; City Manager's Office	
Diversify Uses (TLM)	Most uses allowed. Need to inform.			Planning Department; City Manager's Office	

## Preliminary Totem Lake Action Plan

Symposium Issues	Action (City Response)			Responsibility	Comments
	Immediate	Short Term 2011-12	Mid-Long Term 2013-20		
<b>Sense of Place</b>					
Prepare walking plan for TL Neighborhood.	Accomplished –Promote through Feet First Map and/or other resources.			City Manager’s Office	
Provide amenities such as parks.		Inventory existing park sites and suggest additions if appropriate.  Reprioritize CIP Real Estate Excise Tax and Surface Water Management funding.		Public Works Department; Parks Department; Economic Development Program; Planning Department; Parking Advisory Board	
Promote Totem Lake as viable neighborhood and business address.	Track business openings in Totem Lake.  In progress, first of four quarterly updates of Totem Lake activity.  Create blog/website content about new businesses and projects in Totem Lake and distribute to media.	Rebrand Kirkland as “open for business” in Promotional materials.  Prepare marketing materials for Totem Lake opportunities and distribute through developer networks, trade organizations, broker networks, etc.  Promote neighborhood awareness of Totem Lake Initiatives.		Economic Development Program; Economic Development Committee; Development Services Team; City Manager’s Office  Duncan Milloy, Business Retention Consultant	
Dog Park	In progress. Report out.			City Manager’s Office	
Public Safety Building	In progress. Report out.			Public Works Department; City Manager’s Office	

## Preliminary Totem Lake Action Plan

Symposium Issues	Action (City Response)			Responsibility	Comments
	Immediate	Short Term 2011-12	Mid-Long Term 2013-20		
<b>Transportation</b>					
Increase roadway capacity (e.g. reinstate grid, frontage roads, connections over I-405) and provide multi modal options (e.g. BNSF RR).	Create line item in CIP for RR acquisition. Implement the Totem Lake GTEC Plan to reduce drive-alone trips and encourage multi modal transportation through the Totem Lake Green Trip Program, an incentive program for employees, residents and employers. Already captured in Totem Lake Mall Project.	Identify system gaps with transportation staff and Transportation Commission.  Evaluate potential for reprioritizing Capital Improvement Program.  Identify and pursue new funding sources for transportation.		Public Works Department	
Provide additional access and egress to I-405.		Advocate for moving I-405 access projects forward		Public Works Department; Grant Committee; Legislative Committee	
Reconfigure 120th.	Already captured in Totem Lake Mall project.	Evaluate building ahead of mall development.		Public Works Department; Planning Department	
Take actions to reduce confusion such as renaming streets.		Evaluate, review with Transportation Commission and report out.		Public Works Department; Planning Department	Outreach to Neighborhood
<b>Drainage/Flood Relief</b>					
Reduce frequency and severity of flooding of roads and property adjacent to Totem Lake.		Pursue King County Flood Control Zone District funding and reprioritize CIP to develop and construct a solution.		Public Works Department	

## Preliminary Totem Lake Action Plan

Symposium Issues	Action (City Response)			Responsibility	Comments
	Immediate	Short Term 2011-12	Mid-Long Term 2013-20		
<b>Economic Development/ Customer Service</b>					
<p>Be more aggressive in regard to economic development. Compete with other cities.</p> <p>Adopt a more proactive stance to permitting of projects.</p>		<p>Review program comparison with other cities. Suggest enhancements, new strategies.</p> <p>Consider retaining marketing consultant to assist with messages and communications.</p> <p>Prepare marketing materials for Totem Lake opportunities and distribute through developer networks, trade organizations, broker networks, etc.</p>		Economic Development Program; Economic Development Committee; Development Services Team; City Manager's Office	
<b>Permitting</b>					
Provide faster, easier permitting (e.g. "Red carpet service").		<p>Evaluate options for simplifying permits and improving service.</p> <p>Identify and evaluate options with developer focus group.</p> <p>Create an overlay in Totem Lake to pilot new faster easier permitting process (e.g. consider giving Totem Lake projects review priority over other projects.)</p>		<p>Development Services Team</p> <p>Development Services Team</p>	

## Preliminary Totem Lake Action Plan

Symposium Issues	Action (City Response)			Responsibility	Comments
	Immediate	Short Term 2011-12	Mid-Long Term 2013-20		
<b>Incentives</b>					
<p>Offer incentives to catalyze development.</p> <p>Reduce taxes and upfront fees.</p> <p>Provide tax exemptions.</p> <p>Make development more affordable by relieving developers of costs (especially up-front costs).</p>	<p>Add desirable incentives (e.g. TIF) to Legislative agenda.</p>	<p>Evaluate actions that have been proposed (purchase of land; building of common parking garage; added density; enterprise zone). Seek input on most useful incentives from developer focus group.</p> <p>Evaluate.</p> <p>Completed for housing. Report out.</p> <p>Consider planned action EIS to relieve individual projects of SEPA requirement.</p> <p>Explore changes to critical area requirements.</p> <p>Explore extension of Single Family pilot procedures to commercial projects allowing payment of impact fees at escrow or certificate of occupancy.</p>		<p>Economic Development Program Planning Department</p> <p>Legislative Committee</p> <p>Planning Department, City Manager's Office</p> <p>Development Services Team; Planning Department</p> <p>Development Services Team; Economic Development Committee</p>	

## Preliminary Totem Lake Action Plan

Symposium Issues	Action (City Response)			Responsibility	Comments
	Immediate	Short Term 2011-12	Mid-Long Term 2013-20		
<i>Incentives, continued</i>					
Reduce costs of surface water portion of development requirements.		<p>Explore reducing impact fees if multi-modal efforts are demonstrated.</p> <p>Provide input to Ecology and/or legislature regarding NPDES Municipal Storm water Permit requirements.</p> <p>Develop regional-scale plan for surface water management including potential fee-in-lieu or mitigation banking for surface water impact mitigation.</p>		<p>Public Works Department</p> <p>Public Works Department</p>	

SECTION NUMBER	ORIGINATING PLANNER	DATE ADDED	PRIORITY	STATUS	CATEGORY	DESCRIPTION OF PROPOSED AMENDMENT	POLICY IMPLICATION
A							
KZC 115....		06/30/10	A	Review 2011	Chapter 115 – Miscellaneous Use Development and Performance Standards	Add regulations for electronic vehicle infrastructure per new State law	1_Minor
KZC 105....		06/30/10	A	Review 2011	Chapter 105 – Parking Areas, Vehicle and Pedestrian Access, and Related Improvements	Standards for green parking lots - per Seattle?	2_Moderate
KZC 105.18...		06/30/10	A	Review 2011	Chapter 105 – Parking Areas, Vehicle and Pedestrian Access, and Related Improvements	Exempt SF walkways from lot coverage requirements. Require pervious paving.	1_Minor
KZC 115....		06/30/10	A	Review 2011	Chapter 115 – Miscellaneous Use Development and Performance Standards	Potential code amendments for solar and green roofs (wind?)	3_Major
KZC 115.90...		06/30/10	A	Review 2011	Chapter 115 – Miscellaneous Use Development and Performance Standards	Clarify when to give lot coverage credit for semi-pervious materials. Also consider greater restrictions on use of brick pavers (8/2/06)	1_Minor
KZC 115.90.2..	TJS	06/30/10	A	Review 2011	Chapter 115 – Miscellaneous Use Development and Performance Standards	Should pools/pool covers be exempt from lot coverage calculations. Should pool covers be included in FAR?	2_Moderate
....			B				
KZC 115.20...	TJS	06/30/10	B	Review 2011	Chapter 115 – Miscellaneous Use Development and Performance Standards	Numerous corrections and formatting to equestrian regulations	0_None
KZC ....	ERS	10/25/10	B	Review 2011	Multiple Zones	Review ground floor uses in commercial zones. Which zones should require retail on ground floor and how much? Are personal services, recreation, gov. facilities, utilities & schools OK? Are residential uses/ lobbies OK where retail uses aren't required?	3_Major
KZC 50.10...	ERS	12/22/10	B	Review 2011	Chapter 50 – CBD-1A & 1B	Change general regulation 3 from "be limited to" to "contain."	
KZC 50.35.70..	DRN	11/22/10	B	Review 2011	Chapter 50 – CBD-5	Correct the sign category for offices. Change from B to D.	0_None
KZC 105.18.1.d.		06/30/10	B	Review 2012	Chapter 105 – Parking Areas, Vehicle and Pedestrian	Clarify or limit the requirement to provide pedestrian connections to all adjacent properties, or provide a modification option. ES comment: Would be nice to	2_Moderate
KZC 115.3...		06/30/10	B	Review 2012	Chapter 115 – Miscellaneous Use Development and Performance Standards	Allow more flexibility or modification option for horizontal façade general regulations in many zones.	2_Moderate
KZC 115.7.4..		11/30/10	B	Review 2012		Clarify that Detached ADUs are limited to lesser of 800 sq ft or 40% of combined primary & ADU sq. ft. Clarify that ADU floor area limit doesn't include garage.	

SECTION NUMBER	ORIGINATING PLANNER	DATE ADDED	PRIORITY	STATUS	CATEGORY	DESCRIPTION OF PROPOSED AMENDMENT	POLICY IMPLICATION
			C				
KZC 115....		06/30/10	C	Review 2012	Chapter 115 – Miscellaneous Use Development and Performance Standards	Prohibit living in RVs	2_Moderate
....		11/04/10	C	Review 2011	Multiple Zones	Review decisions requiring Process IIA (or IIB?) and reduce process where appeal to City Council not necessary	
KZC 115.23...		06/30/10	C	Review 2012	Chapter 115 – Miscellaneous Use Development and Performance Standards	Review common open space. Should it apply to detached & zero lot line attached units? Should there be maximum slope (see interpretation).	2_Moderate
KZC ....	ERS	10/25/10	C	Review 2012	Multiple Zones	Review use categories in commercial zones. Consider adding personal services use and removing from the retail category	3_Major
KZC ....		06/30/10	C	Review 2012	Multiple Zones	Use consistent terminology to regulate gas stations and auto repair	1_Minor
KZC ....		06/30/10	C	Review 2012	Multiple Zones	Review issues for detached units in the detached, attached & stacked listing: 1) standards for zero lot line; 2) need for common open space; 3) how to site common open space for zero lot line units; 4) allow ADUs for detached condo units.	2_Moderate
KZC 25.10.50.80.		06/30/10	C	Review 2012	Chapter 25 – PR and PRA Zones	Make side yards for all these nonresidential uses the same- 10'?	1_Minor
KZC 115.115.5.b.d	ERS	06/30/10	C	Review 2012	Chapter 115 – Miscellaneous Use Development and Performance Standards	Parking in front yards is different for different uses. Why should office and MF be different in same zones? (ES email 08/02/06)	2_Moderate
KZC 115.85.2..		06/30/10	C	Review 2012	Chapter 115 – Miscellaneous Use Development and Performance Standards	Review/ revise Rose Hill Business District lighting standards and consider city-wide.	3_Major
KZC ....	ERS	06/30/10	C	Review 2012	Multiple Zones	Why do we have different minimum lot sizes for different uses in some zones? Eg: in RM & PR retail requires 3600 sf, but office requires none; restaurant in WDI; office use in PLA 6B; service station in BC (ES e-mail 9/9/96 and AR).	2_Moderate
KZC ....	ERS	10/25/10	C	Review 2012	Multiple Zones	Correct special regulations for mini- schools and mini-day care centers that reference out of date state statutes.	
KZC 135....	PDS	06/30/10	C	Review 2012	Chapter 135 – Amendments to the Text of the Zoning Code	Determine best approach for public to request changes to the KZC	
KZC 142.35.3.c.	JGR	07/21/10	C	Review 2012	Design Guidelines	Update design guidelines. May need new guidelines for residential, mixed-use, and/or retail development	2_Moderate
KZC 19.16.40..		06/30/10	C	Review 2012	Title 19 Streets and Sidewalks	Make street vacation application requirements consistent with Zoning Code requirements	
KMC 22.28.80.b.		06/30/10	C	Review 2012	Title 22 Subdivisions	Should lots be able to be subdivided if they access from an easement across another lot & therefore make the servient lot nonconforming because the easement area would have to be deducted from the area of the servient lot? (8/11/04 SC email)	2_Moderate
....			D				
KZC 90....		06/30/10	D	Review 2012	Chapter 90 – Drainage Basins	If improved environment conditions are created that result in greater buffer requirements on neighboring properties, could those greater requirements be reduced?	3_Major
KZC 90....	DMG	06/30/10	D	Review 2012	Chapter 90 – Drainage Basins	Review and Reduce approval processes consistent with reasonable use level of decision	
KZC 90....		06/30/10	D	Review 2012	Chapter 90 – Drainage Basins	Eliminate definitions that are common with definitions applicable throughout entire code	1_Minor

SECTION NUMBER	ORIGINATING PLANNER	DATE ADDED	PRIORITY	STATUS	CATEGORY	DESCRIPTION OF PROPOSED AMENDMENT	POLICY IMPLICATION
KZC 90....		06/30/10	D	Review 2012	Chapter 90 – Drainage Basins	Allow reduced setbacks with minimal process where necessary to reduce wetland/stream impacts.	3_Major
KZC 90.140.5..		06/30/10	D	Review 2012	Chapter 90 – Drainage Basins	Add criterion that limits disturbance of Type 1 wetlands (per Dave Asher)	3_Major
KZC 90.140.6..		06/30/10	D	Review 2012	Chapter 90 – Drainage Basins	Allow modification of garage width standards with reasonable use permit.	2_Moderate
KZC 90.140.8..		06/30/10	D	Review 2012	Chapter 90 – Drainage Basins	Eliminate or revise so that lapse of approval date is the same as required with underlying review process (Process I or IIA)	
KZC 90.20.5..		06/30/10	D	Review 2012	Chapter 90 – Drainage Basins	Clarify "normal or routine maintenance or repair." See e-mail from Desiree 12/10	2_Moderate
KZC 90.45.3..		06/30/10	D	Review 2012	Chapter 90 – Drainage Basins	Allow stormwater outfalls to extend into wetlands	2_Moderate
KZC 90.55.4..		06/30/10	D	Review 2012	Chapter 90 – Drainage Basins	Allow off-site mitigation in another drainage basin for essential public facilities	3_Major
KZC 90.20.4..		12/08/10	D	Review 2012	Chapter 90 – Drainage Basins	Exempt electrical and other utility lines connecting existing lines in sensitive areas & buffers.	
KZC 90....		12/08/10	D	Review 2012	Chapter 90 – Drainage Basins	Codify Int. 08-4	
KZC 90.90.1..	WDB	07/01/10	D	Review 2012	Chapter 90 – Drainage Basins	Clarify where stream buffer is measured from (2.5 storm line?)	1_Minor
....			E				
KZC 5.10.570..	DMG	06/30/10	E	Review 2012	Chapter 5 – Definitions	City owned property should comply with the non-conformance provisions of the code and if we should amend the code to correct this issue?	2_Moderate
KZC 162....		06/30/10	E	Review 2012	Chapter 162 – Nonconformance	Int. 83-11 (may also affect 115.80) - Nonconforming lots held in common ownership	2_Moderate
KZC 162.30...		06/30/10	E	Review 2012	Chapter 162 – Nonconformance	Damaged improvements - What happens if damage exceeds 50%? Conflict with 162.35.7. Can damaged improvement be reconstructed under repair and maintenance clause?	2_Moderate
KZC 162.35.2.a.	JSM	06/30/10	E	Review 2012	Chapter 162 – Nonconformance	Look at definition of 'use' (e.g. office use)	2_Moderate
KZC 162.35.2.b.1		06/30/10	E	Review 2012	Chapter 162 – Nonconformance	Be less restrictive on structural alterations for nonconforming uses. See 'master list' for more info.	2_Moderate
KZC 162.35.2.b.2		06/30/10	E	Review 2012	Chapter 162 – Nonconformance	Clarify time to cease use. Provide reasonable time for owner to seek new tenant per case law. See Int. 85-4.	2_Moderate
KZC 162.35.2.b.3	PDS	06/30/10	E	Review 2012	Chapter 162 – Nonconformance	Develop criteria for allowing change of nonconforming use. Alternatively, consider not allowing change of nonconforming use. (8/10/04 PS email). Group with 162.9 and 10.	2_Moderate
KZC 162.35.3..		06/30/10	E	Review 2012	Chapter 162 – Nonconformance	Clarify criteria for structure expansion: measured by all structures on property per Int. 90-4	2_Moderate
KZC 162.35.5.d.		06/30/10	E	Review 2012	Chapter 162 – Nonconformance	Delete 10 years time period and replace with Director discretion with criteria	2_Moderate
KZC 162.35.7..	AAR	06/30/10	E	Review 2012	Chapter 162 – Nonconformance	Do not limit structural alterations as we do now. When can windows and doors be installed without a variance (see Angela's email) (maintenance and repair)	2_Moderate
KZC 162.35.8.a.		06/30/10	E	Review 2012	Chapter 162 – Nonconformance	Clarify improvement that 50% replacement threshold applies: the improvement to which alteration is being done per Int. 85-4	2_Moderate
KMC 162.60...	DRN	06/30/10	E	Review 2012	Chapter 162 – Nonconformance	Clarify continued provisions...also 162.90 and 162.135 (per 9/20/05 email from Dawn)	2_Moderate

SECTION NUMBER	ORIGINATING PLANNER	DATE ADDED	PRIORITY	STATUS	CATEGORY	DESCRIPTION OF PROPOSED AMENDMENT	POLICY IMPLICATION
....			F				
KZC 5.10.550..		06/30/10	F	Review 2012	Chapter 5 – Definitions	Clarify "multi-use complex" for consistency with 100.4.3.b. Delete requirement for exterior entrance.	1_Minor
KZC 100....		06/30/10	F	Review 2012	Chapter 100 – Signs	Int. 85-8, 5, & 100 Status of neon lighting and lighted awnings as signs. Add to definition	2_Moderate
KZC 100....		06/30/10	F	Review 2011	Chapter 100 – Signs	Interp 86-17-100 and 115- Temp. commercial signs when related to permitted temporary activities.	1_Minor
KZC 100....		06/30/10	F	Review 2011	Chapter 100 – Signs	Create criteria to allow for deviations from sign code to be reviewed at a planner level.	2_Moderate
KZC 100....		06/30/10	F	Review 2011	Chapter 100 – Signs	Int. 85-6(revised) - various updates to sign regs.	2_Moderate
KZC 100....		06/30/10	F	Review 2011	Chapter 100 – Signs	Interp 95-3R- Colors as signs, sign area- Add definition of sign area?	1_Minor
KZC 100....	ERS	06/30/10	F	Review 2011	Chapter 100 – Signs	Real estate signs (on- and off-site). Review regulations to reduce number of signs	2_Moderate
KZC 100....		06/30/10	F	Review 2011	Chapter 100 – Signs	Eliminate different restrictions for real estate signs than for other commercial signs. Consider restricting location, number, hours.	2_Moderate
KZC 100....	DMG	06/30/10	F	Review 2011	Chapter 100 – Signs	Address political signs duration and size - review temp chart with Rod Kaseguma	2_Moderate
KZC 100....	AAR	06/30/10	F	Review 2011	Chapter 100 – Signs	Under marquee signs - allow to be larger?	2_Moderate
KZC 100....		06/30/10	F	Review 2011	Chapter 100 – Signs	Reduce height of monument signs. Liberalize dimensions for sign base.	2_Moderate
KZC 100....		06/30/10	F	Review 2011	Chapter 100 – Signs	Increase signage for larger sites?	2_Moderate
KZC 100....	CES	06/30/10	F	Review 2011	Chapter 100 – Signs	Temporary advertising signs for public events (CSalzman 12/16/04)	2_Moderate
KZC 100....		06/30/10	F	Review 2011	Chapter 100 – Signs	Allow reduced setback for ground mounted signs subject to criteria	2_Moderate
KZC 100.115...		06/30/10	F	Review 2011	Chapter 100 – Signs	Interp 95-4- Temporary commercial sign- Add to definition of temporary sign?	1_Minor
KZC 100.115...		06/30/10	F	Review 2011	Chapter 100 – Signs	Int. 88-19 Off-site real estate signs. Rethink rules on temporary off-site signs. Private advertising signs - restrict size. Temporary commercial signs - limit 30 days plus size limitation. Real estate signs - redraft to allow (2) 32 sf advertisement signs and (1) 6 sf per lot (not now clear); and revise to conform with Supreme Court decision on Redmond signs.	2_Moderate
KZC 100.115...		06/30/10	F	Review 2011	Chapter 100 – Signs	Interp 92-4- Fuel price signs	1_Minor
KZC 100.115...	ERS	06/30/10	F	Review 2011	Chapter 100 – Signs	Allow under marquee signs for sign category A (and probably B) (8/11/04 ES email)	2_Moderate
KZC 100.35.3.c.	JGR	06/30/10	F	Review 2011	Chapter 100 – Signs	Allow for two monument signs along streets with long frontage and more than one entrance	2_Moderate
KZC 100.50...		06/30/10	F	Review 2011	Chapter 100 – Signs	Change 'NE 106th Street' to 'Forbes Creek Drive' (SUPdegrave 4/12/05)	0_None
KZC 100.52...		06/30/10	F	Review 2011	Chapter 100 – Signs	Prohibit cabinet signs in other business districts (citizen suggestion). Also for consistency with design guidelines/regulations?	2_Moderate
KZC 100.65...		06/30/10	F	Review 2011	Chapter 100 – Signs	Interp 86-16- Signs above rooflines	1_Minor

SECTION NUMBER	ORIGINATING PLANNER	DATE ADDED	PRIORITY	STATUS	CATEGORY	DESCRIPTION OF PROPOSED AMENDMENT	POLICY IMPLICATION
KZC 100.85...		06/30/10	F	Review 2011	Chapter 100 – Signs	Delete Interp 94-1- Changing message center and similar signs. Allow electronic readerboards outright with standard regulations? Allow for a variety of uses?	3_Major
KZC 100.85.2..		06/30/10	F	Review 2011	Chapter 100 – Signs	Int. 86-13 Sign regulations regarding holiday decorations	2_Moderate
KZC 162.35.5..		06/30/10	F	Review 2011	Chapter 162 – Nonconformance	Major nonconforming signs & amortization (e.g. billboards). Need to address constitutional issues.	2_Moderate
KZC 162.35.5.a.1		06/30/10	F	Review 2011	Chapter 162 – Nonconformance	Make cabinet signs in CBD and JBD major nonconforming	2_Moderate
KZC 162.35.5.b.	DBC	06/30/10	F	Review 2011	Chapter 162 – Nonconformance	Minor nonconforming signs - Is a new sign a 'structural alteration'? Is a new, less nonconforming sign permitted? Delete 'minor' in first paragraph b.3. Incorporate Int. 90-3	2_Moderate
			G				
KZC 45.5...		06/30/10	G	Review w/ Nbrhd Plan update	Chapter 45 – BC, BC 1 and BC 2 Zones	Add a special regulation like special regulation 6 for detached, attached and stacked uses in the PR zone. Allows exception from 25' height limit.	1_Minor
KZC 25.10.20..	TJS	06/30/10	G	Review w/ Nbrhd Plan update	Chapter 25 – PR and PRA Zones	Eliminate special regulation 6 for detached, attached and stacked uses. It's not applicable anywhere. Could just keep it, it's not hurting anything.	1_Minor
KZC 48....		06/30/10	G	Review w/ Nbrhd Plan update	Chapter 48 – Light Industrial Technology (LIT) Zones	Allow schools as a community facility. Codify Int 09-2	2_Moderate
KZC 48....		06/30/10	G	Review w/ Nbrhd Plan update	Chapter 48 – Light Industrial Technology (LIT) Zones	Should dance & martial arts training be added as a permitted use?	2_Moderate
KZC 48....	PDS	06/30/10	G	Review w/ Nbrhd Plan update	Chapter 48 – Light Industrial Technology (LIT) Zones	Re-examine the requirement that uses be limited to 2 stories (8/20/04, email)	2_Moderate
KZC 48....		06/30/10	G	Review w/ Nbrhd Plan update	Chapter 48 – Light Industrial Technology (LIT) Zones	Delete automobile sales use in Norkirk neighborhood- unless this also requires a Comprehensive Plan amendment	2_Moderate
KZC 48.5...		06/30/10	G	Review w/ Nbrhd Plan update	Chapter 48 – Light Industrial Technology (LIT) Zones	Add a special regulation like special regulation 6 for detached, attached and stacked uses in the PR zone.	1_Minor
KZC 48.15.190..		06/30/10	G	Review w/ Nbrhd Plan update	Chapter 48 – Light Industrial Technology (LIT) Zones	Delete special regulation 1 which requires special buffering for outdoor auto repair. Change in other zones?	1_Minor
KZC 35....		06/30/10	G	Review w/ Nbrhd Plan update	Chapter 35 – FCIII Zone	Eliminate or revise FC III zone	2_Moderate
KZC 45....		06/30/10	G	Review w/ Nbrhd Plan update	Chapter 45 – BC, BC 1 and BC 2 Zones	Rename BC zone to Houghton Business District Zone	0_None
KZC 45....		06/30/10	G	Review w/ Nbrhd Plan update	Chapter 45 – BC, BC 1 and BC 2 Zones	Consider deleting storage services and auto sales from BC zone or require retail frontage?	2_Moderate
KZC 47....		06/30/10	G	Review w/ Nbrhd Plan update	Chapter 47 – Community Business X (BCX) Zones	Consider deleting storage services from BCX zone or require retail frontage?	2_Moderate

SECTION NUMBER	ORIGINATING PLANNER	DATE ADDED	PRIORITY	STATUS	CATEGORY	DESCRIPTION OF PROPOSED AMENDMENT	POLICY IMPLICATION
47....		06/30/10	G	Review w/ Nbrhd Plan update	Chapter 47 – Community Business X (BCX) Zones	Rename BCX zone to Bridle Trails Business District Zone	0_None
KZC 50.32...		06/30/10	G	Review w/ Nbrhd Plan update	Chapter 50 – CBD-4	Change buffering (reduce) in consideration of reduced setback (see email from Lauri Anderson)	2_Moderate
KZC 50....		06/30/10	G	Review w/ Nbrhd Plan update	Chapter 50 – Central Business District (CBD) Zones	Consider remainder of 'parking lot' issues from City Council in early 2009	3_Major
KZC 60.180...	TJS	06/30/10	G	Review w/ Nbrhd Plan update	Chapter 60 – PLA16	Eliminate general regulation 3 which requires installation of a trail since a trail already exists.	0_None
KZC 60....	TJS	06/30/10	G	Review w/ Nbrhd Plan update	Chapter 60 – PLA5	Consider including all or portions of PLA 5 in CBD (TSwan 4/11/05)	3_Major
....	DRN	07/01/10	G	Review w/ Nbrhd Plan update	Multiple Zones	Remove General Regulation 2 requiring affordable housing in use zones that are only in Houghton jurisdiction (eg. PLA2, PLA3A, PLA3B, PLA15A, PLA15B, WDIII) since KZC 112.15.1 exempts Houghton.	0_None

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DEC 28 2010

AM  
PLANNING DEPARTMENT  
BY \_\_\_\_\_ PM

December 27, 2010

To: Eric Shields, Planning Director, City of Kirkland  
 From: Kathy Weber and Bill Shain, 1026 4<sup>th</sup> Street, Kirkland

As residents and taxpayers in the City of Kirkland, we were surprised to find that residents of the City are not permitted to raise chickens, on anything less than a 15,000 sq ft lot, thus preventing virtually every City resident from raising chickens. The fact that residents of our recently annexed area ARE permitted to raise backyard chickens makes this policy even more arbitrary.

In these challenging economic times, there has been a resurgence of backyard agriculture. We are growing more vegetables, for example, and wish to raise a few chickens for fresh eggs for our own use. We respectfully request that the City of Kirkland update the land use code re backyard animals, to include more ways that private residents can enjoy their private property.

We have scanned the rules and regulations in towns near us, and have noted several observations. In the City of Bellevue, anyone can raise up to 6 backyard chickens, no matter what their lot size. In the City of Bothell, up to 5 chickens. In the City of Kirkland, RSA up to 3 chickens. In the City of Kirkland proper, 0 chickens. We wonder how many years it's been since Kirkland has had this area of policy rules reconsidered.

The City of Seattle, for instance, has recently (effective August 23, 2010) fully updated Municipal Code for Urban Farms and Community Gardens. I think this is worth reviewing. We found a summary of the Animal Husbandry policies at the gardening organization's website for Seattle Tilth ([seattletilth.org](http://seattletilth.org)). Note: The new City of Seattle code permits up to 8 chickens for residents.

While the City of Kirkland has had to lay off staff and re prioritize what it can consider spending time on, we think reviewing and updating these policies at this time is a worthwhile endeavor. If we can be helpful to you in considering this request, we'd be happy to do so.

*Kathy Weber*      *Bill Shain*



## COMPREHENSIVE PLAN & NEIGHBORHOOD PLAN UPDATE SCHEDULE

January, 2011

**Note: Schedule Subject to Change**

NEIGHBORHOOD	STATUS	WORK PROGRAM SCHEDULE	NOTES
Lakeview	Completed –1985	2009 – 2010	Plan process underway
Central Houghton	Completed –1985	2009 – 2010	Plan process underway
Bridle Trails	Completed –1986	2012 - 2013	Could combine as one plan with South Rose Hill
South Rose Hill	Completed – 1991 Partial update in 2002	2012 - 2013	
Everest	Completed –1988	TBD	
Moss Bay	Completed –1989	TBD	
Annexation Neighborhoods	Boundaries to be determined in 2010 - 2011.	Could occur prior to Everest/Moss Bay or after North/South Juanita	.
North & South Juanita	Partial Updated Completed –1990	TBD	Boundaries may be adjusted due to annexation
GMA Comp Plan Update	Major update completed - 2005	2013 - 2014	GMA requires update by Dec. 1 2014
Totem Lake	Completed – 2002	TBD	Some Amendments occurred in 2008 & 2009
NE 85 <sup>th</sup> Street Corridor Plan	Completed - 2001	TBD	
North Rose Hill	Completed - 2003	TBD	
Highlands	Completed - 2005	TBD	Could combine with Market & Norkirk schedule
Market & Norkirk	Completed - 2007	TBD	