



## CITY OF KIRKLAND

Planning and Community Development Department

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### MEMORANDUM

**Date:** January 3, 2013

**To:** Planning Commission

**From:** Paul Stewart, Deputy Planning Director

**Subject:** 2013-2015 Planning Work Program (File No. PLN13-00010)

### RECOMMENDATION

Staff recommends the Planning Commission recommend approval to the City Council the proposed 2013 – 2015 Planning Work Program. Staff also recommends the Commission identify any other topics for discussion with the City Council at the February 19, 2013 joint meeting.

### BACKGROUND

#### Introduction

The Planning Commission reviewed the proposed 2013-2015 Planning Work Program at the December 13, 2012 retreat. That packet can be viewed at the following link: [Planning Commission Retreat](#). The retreat began with a review of the projects in 2012 (particularly the Central Houghton/Everest Neighborhood Center plan) followed by an introduction to community engagement strategies by Marilynne Beard, Deputy City Manager.

#### Planning Work Program

The Commission reviewed the proposed work program and was in general agreement with the tasks and schedule (Attachment 1). Concern was expressed regarding the Private Amendment Requests given the major focus on the Comprehensive Plan update. Staff is beginning the threshold review process and will be bringing those forward to the Commission for consideration in the near future.

#### Code Amendments

The Commission also began a discussion on the bundle of zoning code amendments being proposed. The list of the amendments is included as Attachment 2. The amendments are grouped by categories. Group A are the minor, fast track amendments that are not reviewed by the Commission.

Groups B, C and D would be coming before the Planning Commission for consideration and are reflected on the work program as Tasks 4.2, 4.3 and 4.4 respectively. One

particular issue on the list consists of floor area ratio standards for single family. Staff is requesting discussion and direction on whether or not the city should consider this year alternatives to the Zoning Code provisions regulating floor area ratios (Sec. 115.42) given the other tasks noted on the work program – particularly the Comprehensive Plan Update. This topic will likely require a significant effort to undertake and would involve extensive public outreach due to previous community interest in this issue.

As a result of the discussion at the retreat, Staff has also added another task to the work program regarding reformatting the Zoning Code (Task 4.7). Although not shown as a scheduled task at this point, it is included as a place keeper on the work program. As time permits, it could be worked on intermittently. This effort would entail looking at ways to consolidate zones and sections without undertaking substantive or policy changes.

#### Joint Meeting And Other Discussion items

The joint meeting with the City Council is scheduled for February 19 at 6:00 pm. At the meeting the City Council and Planning Commission will review the proposed work program as recommended by the Planning Commission with a particular focus on the Comprehensive Plan update. At the January 10 meeting, the Commission should discuss the approach to the joint meeting on the proposed work program as well as any other topics the Commission would like to discuss with the City Council at the meeting.

#### Attachments

1. Proposed 2013-3015 Planning Work Program
2. Master list of Zoning Code Amendments





SECTION NUMBER	PLANNER	DATE ADDED	GROUP	REVIEW YEAR	CATEGORY	DESCRIPTION OF PROPOSED AMENDMENT	POLICY LEVEL	HCC ?
			<b>A</b>			<b>2013 MISCELLANEOUS - PROCESS IVA</b>		
KMC 1.12.50.e.	NCC	06/21/12	<b>A</b>	2013	Municipal Code	Change violation" appeared" to violation "occurred."	0_None	Yes
KZC ....	ERS	10/25/10	<b>A</b>	2013	Multiple Zones	Correct special regulations for mini- schools and mini-day care centers that reference out of date state statutes. Do as charts are updated.	0_None	Yes
KZC 5. ....	JSM	07/23/12	<b>A</b>	2013	Ch 5 – Definitions	Delete references to UBC or change to Title 21, IRC or IBC. E.g. 5.10.210	0_None	Yes
KZC 15.10.10..	JLB	11/14/12	<b>A</b>	2013	Ch 15 - SF Residential	Correct references to equestrian regulations in special reg. 5 for RS and RSX zones	0_None	No
KZC 25.10.20..	TJS	06/30/10	<b>A</b>	2013	Ch 25 – PR & PRA Zones	Eliminate special reg. 6 for detached, attached & stacked units. It's not applicable anywhere.	0_None	Yes
118.20...	ERS	09/04/12	<b>A</b>	2013	Ch 118 - Hazard pipelines	Make chapter applicable within 500' (rather than 150" to match high consequence use regs.	0_None	No
KZC 115....	ERS	09/04/12	<b>A</b>	2013	Ch 5 & Ch 115	Clarify that adjoining measured from property line of low density use in low density zone.	0_None	Yes
KZC 170.50...	ERS	09/25/12	<b>A</b>	2013	Ch 170 - Code Enforce	Clarify that Comp. Plan is not a development regulation	0_None	Yes
KZC 115.115.20.1	JLB	10/25/12	<b>A</b>	2013	CH 115 - Miscellaneous	Delete statement about height being same as in underlying zone. Unnecessary and confusing.	0_None	Yes
KZC 5.10.7.20.	ERS	10/26/12	<b>A</b>	2013	Ch 5 - Definitions	Change Burlington Norhtern ROW to Cross Kirkland Corridor. Check other sections too.	0_None	Yes
KZC 3.30.10..	ERS	10/02/12	<b>A</b>	2013	Title 3 Admin & Personell	Eliminate Planning Director as member of the DRB	0_None	No
KZC 115.125...	TJS	10/04/12	<b>A</b>	2013	Ch 115 – Miscellaneous	Clarify role of subdivision ordinance in determining lot size.	0_None	Yes
KZC . . . .	NCC	11/08/12	<b>A</b>	2013	Multiple zones	Delete reference to HCC in zones not in Houghton: 17.10.010, 60.77.010, 60.67.010, 60.182.010.	0_None	No
KZC 30.25.10..	TJS	10/25/12	<b>A</b>	2013	Ch 30 - Waterfront Dist.	Clarify special regulation 5b for WDII regarding north property line yard.	0_None	No
KZC 100.50...		06/30/10	<b>A</b>	2013	Ch 100 – Signs	Change 'NE 106th Street' to 'Forbes Creek Drive' (Updegrave 4/12/05)	0_None	Yes
40....	JLB	12/04/12	<b>A</b>	2013	Multiple Zones	BN & BC zones add reference to Chapter 105 for entertainment uses. Also TL 4,5 & 6	0_None	Yes
KZC 100....		06/30/10	<b>A</b>	2013	Ch 100 – Signs	Interp 85-6. Center ID sign may only ID development. Signs not seen off site are excluded	1_Minor	Yes
#REF!		06/30/10	<b>A</b>	2013	Ch 100 – Signs	Interp 86-16. Signs may be above roof line if on a parapet.	1_Minor	Yes
KZC 100....		06/30/10	<b>A</b>	2013	Ch 100 – Signs	Interp 86-17-100. Temp. commercial signs only OK when for permitted temporary activities. Permaent signs may not be made of temporary material.	1_Minor	Yes
KZC 100....			<b>A</b>	2013	Ch 100 – Signs	Interp. 88-19. Off site RE signs may be in ROW if they don't obstruct peds or vehicles.	1_Minor	Yes
KZC 100....			<b>A</b>	2013	Ch 100 – Signs	Interp. 90- 3. Major nonconform. signs must be removed when underground tanks removed.	1_Minor	Yes
KZC 100.115...		06/30/10	<b>A</b>	2013	Ch 100 – Signs	Interp. 92-4. Fuel price signs may be > 20' if they use allotment from permitted isgn area.	1_Minor	Yes
KZC 100.115...		06/30/10	<b>A</b>	2013	Ch 100 – Signs	Interp 95-4- Temp. commercial sigs may not have name of business unless permanent sign not yet installed. Signs may be up for maximum of 60 days or end of event whichever 1st.	1_Minor	Yes
KZC 95.23.4.b.	DRN	07/19/12	<b>A</b>	2013	Ch 95– Trees/Landscape	Change appeals to follow Process I appeals process (per similar situations).	1_Minor	Yes
KZC 51.8...		12/12/12	<b>A</b>	2013	Ch 51 MSC 1 & 4 zones	Exempt detached dwellings from horizontal façade regulations per PR zpne	1_Minor	No
KZC 48.15...	TJS	09/25/12	<b>A</b>	2013	Ch 48 - LIT zone	Add schools as permitted use per interpretation 09-2 ?	1_Minor	No
KZC 115....	NCC	06/30/10	<b>A</b>	2013	Ch 115 – Miscellaneous	Prohibit living in RVs ?	1_Minor	Yes
145.60...	TJS	12/17/12	<b>A</b>	2013	Ch 145 - Process I	Clarify that in order to appeal, comments must be submitted in the designated comment period.		

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			<b>B</b>			<b>2013 COMMERCIAL ZONES</b>		
KZC 115.23.1..	ERS	10/25/10	<b>B</b>	2013	Multiple Zones	Revise regulations fo ground floor uses consistent with recent revisions for BN and BC zones.	3_Major	Yes
KZC 25.10.50.80.	ERS	06/30/10	<b>B</b>	2013	Multiple Zones	In commercial/ mixed use zones (including RM), setbacks, buffers & min. lot size are often different for different uses. Makes it difficult to change use in existing buildings.	2_Moderate	Yes
KZC 25.10.60..	ERS	12/06/11	<b>B</b>	2013	Ch 25 – PR & PRA Zones	Clarify permitted retail uses. May also apply to RM zone	1_Minor	Yes
KZC ....	ERS	10/25/10	<b>B</b>	2013	Multiple Zones	Correct special regs. in commercial zones for mini- schools and mini-day care centers that reference out of date state statutes.	0_None	Yes
KZC 45....		06/30/10	<b>B</b>	2013	Ch 45- BC & 1 & 2 Zones	Consider deleting storage services and auto sales from BC zone or require retail frontage?	2_Moderate	Yes
			<b>C</b>			<b>2013 MISCELLANEOUS PROCESS IV</b>		
KZC 115....	JSM	06/30/10	<b>C</b>	2013	Ch 115 – Miscellaneous	Allow averaging of lot coverage & shared common open space in zero lot lione MF projects	2_Moderate	Yes
KZC 135....	PDS	06/30/10	<b>C</b>	2013	Ch 135 – ZC Text Amend	Clarify what constitutes City initiated KZC amendment.	2_Moderate	Yes
KZC 70....	JSM	10/30/12	<b>C</b>	2013	CH 70- Holmes Pt Overlay	Allow clustering/ aggregation of undisturbed area in short plats and subdivisions	2_Moderate	No
KZC 115.125...	ERS	07/13/12	<b>C</b>	2013	Ch 115 – Miscellaneous	Restore King Co. rules for rounding of units in RSA zones. Consider allowing in other RS zones	2_Moderate	Yes
KZC 115.3...	ERS	06/30/10	<b>C</b>	2013	Ch 115 – Miscellaneous	Amend horizontal façade regs. Either: elimiinate entirely, revise dimensions, don't apply across ROW, or add flexibility.	2_Moderate	Yes
KZC 115.43...	ERS	03/01/12	<b>C</b>	2013	Ch 115 – Miscellaneous	Eliminate or simplify garage setback regulations.	2_Moderate	Yes
KZC 114....	PES	12/05/12	<b>C</b>	2013	Ch 114 - Low Impact Dev.	Allow lots with LID standards to be part of a conventional subdivision.	2_Moderate	
KZC 127.25...	NCC	11/27/12	<b>C</b>	2013	CH 127 - Temporary Uses	Simplify regulaions for homeless encampments and allow temporary homeless shelters.	2_Moderate	Yes
KZC 115.42...	ERS	04/01/12	<b>C</b>	2013	Ch 115 – Miscellaneous	Eliminate single family FAR or consider alternatives.	3_Major	Yes
KZC 115.23...	ERS	06/30/10	<b>C</b>	2013	Ch 115 – Miscellaneous	Eliminate or revise MF common open space requirements (also see interpretation).	3_Major	Yes
KZC 95....	NCC	12/18/12	<b>C</b>	2013	Ch 95-Trees & Landscape	Add time limit for tree permits and notifications		
			<b>D</b>			<b>2013 PARKING</b>		
KZC ....	ERS	09/20/12	<b>D</b>	2013	Multiple Zones	Amend MF parking requirements based on "right size parking" study.	3_Major	Yes
KZC 105.103.3.c.	JLS	01/01/12	<b>D</b>	2013	Ch 105 – Parking/ Ped	Consider removing the public notice for parking modifications.	2_Moderate	Yes
KZC ....	JLS	06/21/12	<b>D</b>	2013	Multiple Zones	Should parking requirement for restaurant and retail be the same to allow flexible use of space?	3_Major	Yes
KZC 105.60...	TJS	07/28/11	<b>D</b>	2013	Ch 105 – Parking/Ped	Clarify whether posts within garages are allowed to encroach into parking stalls.	2_Moderate	No
KZC 105.18.1.d.	ERS	06/30/10	<b>D</b>	2013	Ch 105 – Parking/ Ped	Clarify or limit the requirement to provide pedestrian connections to all adjacent properties, or provide a modification option.	2_Moderate	Yes
KZC 115.115.5.b.d	ERS	06/30/10	<b>D</b>	2013	Ch 115 – Miscellaneous	Restrictions on parking in front yards are different for different uses. Why should office and MF be different in same zones? (ES email 08/02/06)	1_Minor	Yes
			<b>E</b>			<b>MISCELLANEOUS - POTENTIAL IN FUTURE YEARS</b>		
KZC 22.28.80.b.		06/30/10	<b>E</b>	TBD	Title 22 Subdivisions	Consider allowing subdivided lots be able to be accessed from an easement across another lot even if that lot would otherwise become nonconformring in area (8/11/04 SC email)	2_Moderate	Yes
KZC ....	ERS	11/04/10	<b>E</b>	TBD	Multiple Zones	Review the process for zoning decisions (e.g. I, IIA, etc.) & reduce where appropriate.	2_Moderate	Yes
KZC 115.85.2..		06/30/10	<b>E</b>	TBD	Ch 115 – Miscellaneous	Review/ revise Rose Hill Business District lighting standards and consider city-wide.	2_Moderate	Yes
KZC 115.7...	ERS	06/30/10	<b>E</b>	2013	Ch 115 – Miscellaneous	Clarify whether ADUs are allowed in detached units within condominium plats.	2_Moderate	Yes
KZC 115.90...	DMG	11/21/12	<b>E</b>	2013	Ch 115 – Miscellaneous	Limit exception for area under eaves and cantilevers	2_Moderate	Yes
KZC 142.35.3.c.	JGR	07/21/10	<b>E</b>	TBD	Design Guidelines	Update design guidelines. May need new guidelines for residential, mixed-use, &/or retail dvlpmnt	3_Major	Yes
KZC ....		06/30/10	<b>E</b>	2013	Multiple Zones	Use consistent terminology to regulate gas stations and auto repair. Where auto sales allowed use combined use listing.	0_None	Yes
KZC ....	ERS	10/25/10	<b>B</b>	2013	Multiple Zones	Correct special regs. for mini- schools & day care centers referencing out of date state statutes.	0_None	Yes

SECTION NUMBER	PLANNER	DATE ADDED	GROUP	REVIEW YEAR	CATEGORY	DESCRIPTION OF PROPOSED AMENDMENT	POLICY LEVEL	HCC ?
			F			<b>CRITICAL AREAS UPDATE</b>		
KZC 90.30...	SMG	02/08/11	F	2015	Ch 90 – Drainage Basins	Add definitions for "bulkhead" and "rock toe" in streams.	1_Minor	Yes
KZC 90....		06/30/10	F	2015	Ch 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	Yes
KZC 90....	DMG	06/30/10	F	2015	Ch 90 – Drainage Basins	Review and Reduce approval processes consistent with reasonable use level of decision	2_Moderate	Yes
KZC 90....		06/30/10	F	2015	Ch 90 – Drainage Basins	Eliminate definitions that are common with definitions applicable throughout entire code	1_Minor	Yes
KZC 90....		06/30/10	F	2015	Ch 90 – Drainage Basins	Allow reduced setbacks with minimal process where necessary to reduce wetland/ stream impacts.	3_Major	Yes
KZC 90.140.5..		06/30/10	F	2015	Ch 90 – Drainage Basins	Add criterion limiting disturbance of Type 1 wetlands (suggested by Council member)	3_Major	Yes
KZC 90.140.6..		06/30/10	F	2015	Ch 90 – Drainage Basins	Allow modification of garage width standards with reasonable use permit.	2_Moderate	Yes
KZC 90.140.8..		06/30/10	F	2015	Ch 90 – Drainage Basins	Eliminate or revise so lapse date is same as for underlying review process (Process I or IIA)	1_Minor	Yes
KZC 90.20.5..		06/30/10	F	2015	Ch 90 – Drainage Basins	Clarify "normal or routine maintenance or repair." See e-mail from Desiree 12/10	2_Moderate	Yes
KZC 90.45.3..		06/30/10	F	2015	Ch 90 – Drainage Basins	Allow stormwater outfalls to extend into wetlands	2_Moderate	Yes
KZC 90.55.4..		06/30/10	F	2015	Ch 90 – Drainage Basins	Allow off-site mitigation in another drainage basin for essential public facilities	3_Major	Yes
KZC 90.20.4..		12/08/10	F	2015	Ch 90 – Drainage Basins	Exempt electrical and other utility lines connecting existing lines in sensitive areas & buffers.	2_Moderate	Yes
KZC 90....		12/08/10	F	2015	Ch 90 – Drainage Basins	Codify Int. 08-4	1_Minor	Yes
KZC 90.90.1..	WDB	07/01/10	F	2015	Ch 90 – Drainage Basins	Clarify where stream buffer is measured from (2.5 storm line?)	1_Minor	Yes
KZC 90. ....	TJS	09/01/11	F	2015	Ch 90 – Drainage Basins	Incorporate adequate provisions to qualify for FEMA/ESA Biological Opinion Option 2	2_Moderate	Yes
KZC 90....	ERS		F	2015	Ch 90 – Drainage Basins	Consider extending the lapse of approval for reasonable use permits	1_Minor	Yes
KZC ....			G			<b>SIGN CODE</b>		
KZC 100....			G	2013	Ch 100 – Signs	Interp. 94-1. Changing message centers limited to time & temp. unless approved in master plan.	1_Minor	Yes
KZC 100....		06/30/10	G	2013	Ch 100 – Signs	Interp 95-3. Colors and patterns associated with business counted as sign area.	1_Minor	Yes
KZC 5.10.550..		06/30/10	G	TBD	Ch 5 – Definitions	Clarify "multi-use complex" for consistency w/ 100.4.3.b. Delete requirement for exterior entrance	1_Minor	Yes
#REF!	ERS	01/14/11	G	TBD	Ch 100 – Signs	Do not exempt public service government signs from all provisions of chapter 100 - for example electronic readerboard signs.	1_Minor	Yes
KZC 100.115...		06/30/10	G	TBD	Ch 100 – Signs	Amend temporary off-site sign regs. Don't regulate by message per Supreme Ct case. Regulate RE signs same as others - restricting location, number, hours. Consider political & public event signs.	2_Moderate	Yes
KZC 162.35.5.b.	DBC	06/30/10	G	TBD	Ch 100 – Signs	Minor nonconforming signs - Is a new sign a 'structural alteration'? Is a new, less nonconforming sign permitted? Delete 'minor' in first paragraph b.3.	2_Moderate	Yes
KZC 100....		06/30/10	G	TBD	Ch 100 – Signs	Create criteria to allow for deviations from sign code to be reviewed at a planner level.	2_Moderate	Yes
KZC 100....		06/30/10	G	TBD	Ch 100 – Signs	Reduce height of monument signs. Liberalize dimensions for sign base.	2_Moderate	Yes
KZC 100....		06/30/10	G	TBD	Ch 100 – Signs	Increase signage for larger sites?	2_Moderate	Yes
KZC 100....		06/30/10	G	TBD	Ch 100 – Signs	Allow reduced setback for ground mounted signs subject to criteria	2_Moderate	Yes
KZC 100.115...	ERS	06/30/10	G	TBD	Ch 100 – Signs	Under marquee signs - allow larger & allow for sign category A & probably B (8/11/04 ES email)	2_Moderate	Yes
KZC 100.35.3.c.	JGR	06/30/10	G	TBD	Ch 100 – Signs	Allow for two monument signs along streets with long frontage and more than one entrance	2_Moderate	Yes
KZC 100.52. ...		06/30/10	G	TBD	Ch 100 – Signs	Prohibit cabinet signs in other business districts (citizen suggestion). Also for consistency with design guidelines/regulations?	2_Moderate	Yes
KZC 162.35.5..		06/30/10	G	TBD	Ch 100 – Signs	Major nonconforming signs & amortization (billboards). Need to address constitutional issues.	2_Moderate	Yes
KZC 162.35.5.a.1		06/30/10	G	TBD	Ch 100 – Signs	Make cabinet signs in CBD and JBD major nonconforming	2_Moderate	Yes

SECTION NUMBER	PLANNER	DATE ADDED	GROUP	REVIEW YEAR	CATEGORY	DESCRIPTION OF PROPOSED AMENDMENT	POLICY LEVEL	HCC ?
			H			<b>NONCONFORMANCE REGULATIONS</b>		
KZC 5.10.570..	DMG	06/30/10	H	TBD	Ch 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	Yes
KZC 162....		06/30/10	H	TBD	Ch 162 - Nonconform.	Int. 83-11 (may also affect 115.80) - Nonconforming lots held in common ownership	2_Moderate	Yes
KZC 162.30...		06/30/10	H	TBD	Ch 162 - Nonconform.	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	Yes
KZC 162.35.2.a.	JSM	06/30/10	H	TBD	Ch 162 - Nonconform.	Look at definition of 'use' (e.g. office use)	2_Moderate	Yes
KZC 162.35.2.b.1		06/30/10	H	TBD	Ch 162 - Nonconform.	Be less restrictive on structural alterations for nonconforming uses. See 'master list' for more info.	2_Moderate	Yes
KZC 162.35.2.b.2		06/30/10	H	TBD	Ch 162 - Nonconform.	Int. 85-4 - clarify time to cease use. Provide reasonable time to seek new tenant per case law	2_Moderate	Yes
KZC 162.35.2.b.3	PDS	06/30/10	H	TBD	Ch 162 - Nonconform.	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	Yes
KZC 162.35.3..		06/30/10	H	TBD	Ch 162 - Nonconform.	Clarify criteria for structure expansion: measured by all structures on property per Int. 90-4	2_Moderate	Yes
KZC 162.35.5.d.		06/30/10	H	TBD	Ch 162 - Nonconform.	Delete 10 years time period and replace with Director discretion with criteria	2_Moderate	Yes
KZC 162.35.7..	AAR	06/30/10	H	TBD	Ch 162 - Nonconform.	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	Yes
KZC 162.35.8.a.		06/30/10	H	TBD	Ch 162 - Nonconform.	Clarify improvement that 50% replacement threshold applies: the improvement to which alteration is being done per Int. 85-4	2_Moderate	Yes
KMC 162.60...	DRN	06/30/10	H	TBD	Ch 162 - Nonconform.	Clarify continued provisions...also 162.90 and 162.135 (per 9/20/05 email from Dawn)	2_Moderate	Yes
			I			<b>NEIGHBORHOOD PLAN ISSUES</b>		
KZC 45..08		02/01/11	I	TBD	Ch 45– BC & 1 & 2 Zones	JUANITA: Increase allowable height in BC 1 zone as per BC 2 zone.	2_Moderate	No
#REF!		06/30/10	I	TBD	Ch 47 –BCX Zone	BRIDLE TRAILS: Rename BCX zone to Bridle Trails Business District Zone	0_None	No
48....		06/30/10	I	TBD	Ch 48- LIT Zone	NORKIRK: Delete auto sales in neighborhood unless requires a Comprehensive Plan amendment	2_Moderate	No