



**CITY OF KIRKLAND**

**Planning and Community Development Department**  
123 Fifth Avenue, Kirkland, WA 98033 425.587-3225  
www.ci.kirkland.wa.us

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**MEMORANDUM**

**To:** Houghton Community Council

**From:** Nancy Cox, Development Review Manager

**Date:** January 16, 2009

**Subject:** Proposed Roster of Fast Track Zoning Code Amendments, FILE ZON09-00002

Please review and comment on the roster of proposed amendments and determine whether or not the Community Council will hold a public hearing on one or more of the Process IVA subjects and if so whether or not it will be a joint hearing with the Planning Director.

**BACKGROUND**

A roster of proposed zoning code amendments that amend, create or delete a wide variety of Zoning Code provisions follows. The “fast track” amendment process is codified in Chapter 161 KZC and limited to the review of Zoning Code amendments which are not quasi-judicial, not controversial, and do not need extensive policy study. Amendments, which promote clarity, eliminate redundancy, or correct inconsistencies are eligible for review under this process.

You will notice a number of proposed amendments to the Process Chapters 142 – 161. As a result of budget cut-backs, we are taking a serious look at our noticing requirements from a cost saving viewpoint. We have included measures that we believe will improve public notice while saving money. Use of the City website for official notices in lieu of or in addition to the newspaper and other means is a new idea that is being formulated.

The code states that the roster must be distributed 30 days prior to City Council review of the roster which is scheduled for February 17, 2009. The roster was emailed to you and others on January 15, 2009. Once the roster is established, the Planning Director will hold a public hearing and make a final recommendation to the City Council on the amendments. There is an option for the Community Council to also hold a hearing, or hold a hearing jointly with the Planning Director.

**FILE NO. ZON09-00002**  
**ROSTER OF PROPOSED FAST TRACK AMENDMENTS**  
**JANUARY 15, 2009**

**Chapter 1 – User Guide**

1.05            How To Use This Code – Eliminate the listing of zones shown on zoning map.

**Chapter 5 - Definitions**

5.10.145        Commercial Zones – Add TL 4C

5.10.\_\_\_\_        High Density Use – Create a new definition for High Density Use that correlates with the Low Density Use and Medium Density Use definitions.

5.10.485        Low Density Use – Fix overlap; a detached dwelling unit on 5,000 – 7,199 sq. ft. lot is in both the Low and Medium Density Use definitions.

5.10.515        Medium Density Use - Fix overlap; a detached dwelling unit on 5,000 – 7,199 sq. ft. lot is in both the Low and Medium Density Use definitions.

5.10.960        Use Zone – Clarify that the Use Zones are the designations shown on the Zoning Map without listing them.

**Chapter 17 – Single Family Residential Annexation (RSX) Zones**

17.10.020        Church - Addition to Special Regulation 2 to mirror the same RS zone regulation.

17.10.030        School or Day-Care Center - Addition to Special Regulation 2 to mirror the same RS zone regulation.

**Chapter 45 – Community Business (BC) Zones**

45.130            School or Day-Care Center - Change to front setback to mirror the same BCX zone regulation.

45.150            Assisted Living Facility – Change to allow lobby on ground floor like in Stacked Dwelling Unit use listing.

45.160            Convalescent Center or Nursing Home - Change to front setback to mirror the same BCX zone regulation.

**Chapter 47 – Community Business Annexation (BCX) Zone**

47.08            General Regulations – Delete No. 3; the area referred to is already zoned JBD.

47.10.150        Assisted Living Facility - Change to allow lobby on the ground floor like in the Stacked Dwelling Unit use listing. Add density requirement to mirror the same BC zone regulation.

## **Chapter 48 – Light Industrial Technology (LIT) Zones**

48.15.220 Commercial Recreation Area and Use - Delete this section; the area referred to is already zoned TL 10C, 10D and 10E.

## **Chapter 60 – PLA 16**

60.180 General Regulations – Delete Numbers 2 and 3; they are no longer relevant.

60.180.010 Detached Dwelling Unit – Delete regulation limiting the number of horses; this is already regulated by Section 115.20.

## **Chapter 95 – Tree management and Required Landscaping**

95.10 Definitions – Clarify that a “Qualified Professional” for tree removals in critical areas must have Tree Risk Assessor certification.

95.35.2.b Tree Plan and Retention Requirements – Clarify that for a Tree Plan 1 – Major that a “report” is required instead of an “assessment.”

95.35.3.c Tree Plan Review Procedure and Appeals - Clarify that an email date may start the appeal period if email is being used.

## **Various Chapters**

Revisions to allow electronic reader boards at schools and fire stations.

## **Chapter 105 – Parking Areas, Vehicle and Pedestrian Access, and Related Improvements**

105.103.2.a Modifications – Authority to Grant and Duration – Clarify that the Planning Official should approve modifications of this chapter for Design Review applications.

## **Chapter 115 – Miscellaneous Use Development and Performance Standards**

115.07.11.c Accessory Dwelling Units – Preexisting Units – Delete; this section is no longer applicable because it is out-of-date.

115.08 Accessory Structure (Detached Dwelling Unit Uses Only) – Allow height for a detached ADU above a garage to match the underlying zone. Reorganize the section for clarity and add reference to Section 115.07.

115.43 Garage Setback Requirements for Detached Dwelling units in Low Density Zones –There are two Section 115.43's in the code with different effective dates. Delete the first section with the effective date that has passed.

115.45 Garbage and Recycling Receptacles –Placement and Screening – Amendments to require adequate space for garbage and recycling containers in new development. Also addresses location and screening.

**Chapter 117 – Personal Wireless Service Facilities**

Add a new section to require or allow the City to attain a performance bond prior to issuance of the permit similar to other chapters.

**Chapters 142-161- Process Chapters**

- Various Delete an outdated requirement for bonds to be submitted to ensure proper maintenance and removal of public notice signs.
- Various Allow for the publication of all notices by summary in the official newspaper or in full on the City website, or both.
- Various Allow for the distribution of a summary notice of decision rather than the full decision and for distribution by email as an alternative to postal mail.
- Various Change to post only the first notice (i.e. Notice of Application) per application per public notice sign.
- Various Allow for email notification and distribution of staff reports.

**Chapter 162 – Nonconformance**

Add a new nonconformance regulation to assure that substandard paddocks do not have to be brought into conformance even when new septic systems are installed.

**Chapter 175 – Bonds**

- 175.25 Supplemental Administrative Costs - Delete the \$100 minimum cash deposit and state that the minimum amount will be administratively set and updated.

**Chapter 180 – Plates**

- Plates 1,2, 3,4,8A Clarify encroachment of posts into parking stalls in garages.