



**CITY OF KIRKLAND**  
**Planning and Building Department**  
**123 5th Avenue, Kirkland, WA 98033**  
**425.587.3600- [www.kirklandwa.gov](http://www.kirklandwa.gov)**

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**MEMORANDUM**

**To:** Planning Commission

**From:** Nick Cilluffo, Planner  
Dawn Nelson, Planning Manager  
Jeremy McMahan, Deputy Director, Planning and Building Department

**Date:** October 10, 2019

**Subject:** Public Hearing for Miscellaneous Zoning Code & Municipal Code Amendments  
File Number CAM19-00342

**Staff Recommendation**

Conduct a hearing to take public comment on proposed miscellaneous Kirkland Zoning Code (KZC) and Kirkland Municipal Code (KMC) amendments. Make a recommendation to City Council on proposed code changes.

**Background**

Staff keeps a list of miscellaneous code amendments that are necessary to reflect current practice, clarify sections of the Zoning and Municipal Code, and promote good planning principles. The KZC and KMC are updated periodically to correct the issues that have been identified and are included on the list.

Staff discussed these proposed amendments during a study session with Planning Commission on June 27<sup>th</sup>, 2019. At that meeting, Commissioners asked staff to clarify the reason for changing the driveway width requirements within parking areas; discussed the FAR design-based incentive language; and inquired about implications of proposed legal building site criteria.

The Houghton Community Council discussed these proposed amendments on August 26, 2019. Councilmembers gave staff feedback to help clarify some of the proposed code language. In particular, Councilmembers made suggestions to clarify the proposed language relating to public improvement waivers in KZC Section 110.70.5. Houghton Community Council waived their involvement in a joint public hearing on the proposed amendments.

After the Planning Commission and Houghton Community Council study sessions, staff has made minor edits to refine the proposed amendments, including clarification on which driveways KZC 105.60 applies to, and revision to the language proposed to be added to the public improvement waiver criteria in KZC 110.70.5.

## Kirkland Zoning Code and Municipal Code Amendments

The miscellaneous code amendments are summarized below. The topic, code section, reason for the amendment and proposed changes to the code wording are included for each amendment. Text to be added is in **bold and underlined**. Text to be removed is crossed-out.

### 1. KZC Section 105.10.1 – Vehicular Access Easement or Tract Standards

The pavement and easement width requirements for residential easements over 100 feet in length are often reduced because the codified standard widths are not necessary for safe ingress and egress. The following code modification allows the Public Works Department to decide on appropriate easement standards based on safe ingress and egress without requiring the additional time and process of a modification.

#### *Proposed Code Amendments:*

##### 105.10 Vehicular Access Easement or Tract Standards

###### 1. Roadway Widths – For vehicular access easements or tracts, minimum standards for widths are established as follows:

- a. When no Fire Department access road is required, and the access easement or tract will service one (1) to four (4) detached dwelling units or one (1) to two (2) duplex structures, the minimum standard is 16 feet of unobstructed pavement in a 21-foot-wide easement or tract; ~~for easements or tracts less than 100 feet in length, t~~he Public Works Department may reduce the standard to 10 feet of unobstructed pavement in a 15-foot-wide easement or tract if the easement or tract and abutting driveways are located to allow for safe ingress and egress.

### 2. KZC Section 105.60 – Parking Area Design - General

It is currently not clear how KZC Section 105.60.1 and KZC Section 105.60.2, as they pertain to driveway widths, apply to the scenarios listed below.

- Driveways within parking areas that do not provide direct access to parking spaces;
- The relationship of this section of the KZC to the Public Works Pre-Approved Plans Policy R-4 regarding driveways; and
- Application of these standards to parking garages where sight distance and maneuverability conflicts can occur more frequently than for a surface parking lot.

Staff has been interpreting KZC 105.60.2 to allow driveways that are not driving aisles within a parking area to have a minimum width of 20 feet. However, the Public Works Pre-Approved Plans could require certain driveways to have a minimum width of 24 feet for multi-family projects with 5 or more units and for non-residential projects. The sight distance (ability to see opposing vehicles) within a parking

garage is often limited by walls and other fixed structures and with a driveway design less than 24 feet wide, vehicles must drive in the opposing lane when turning a corner. This creates a potential head-on collision situation.

The proposed change to the KZC would provide clarity and consistency between the KZC and the Public Works Pre-Approved Plans by establishing a minimum width of 24 feet for driveways within parking areas that do not provide direct access to a parking space. This would eliminate confusion for applicants when determining which standard to follow when designing their parking garage or surface parking lot. The proposed KZC change would also allow a reduced driveway width where there is adequate sight distance and maneuverability.

*Current KZC sections that relate to the amendments:*

KZC 5.10.240 Driveway – An area of the subject property designed to provide vehicular access to a parking area or structure contained on the subject property.

KZC 5.10.632 Parking Area - Any area designed and/or used for parking vehicles.

KZC 5.10.635 Parking Space - An area which is improved, maintained and used for the sole purpose of temporarily accommodating a motor vehicle that is not in use.

KZC 105.60 Parking Area Design – General

1. The minimum dimensions for parking spaces and parking areas are displayed in plates in Chapter 180 KZC. These plates apply to parking for all uses except detached dwelling units.

*Proposed Code Amendments:*

**KZC 5.10.xxx Parking Aisle**

**The area within a parking area (single loaded or double loaded) providing direct access to a parking space.**

KZC 105.60.1 – The minimum dimensions for **parking aisles**, parking spaces, and parking areas are displayed in plates in Chapter 180 KZC. These plates apply to parking for all uses except detached dwelling units. Columns may encroach a maximum of six (6) inches into the specified minimum dimensions for parking stall width provided:

KZC 105.60.2 – Driveways ~~which are not driving aisles~~ **not** within a parking area or structure shall be a minimum width of 20 feet. **Driveways within a parking area or structure shall be a minimum width of 24 feet. This standard may be reduced if the City's Transportation Engineer determines that there are no conflicts due to sight obstructions, location, traffic volumes, or other circulation factors. Driveways shall also comply with Public Works Pre-Approved Plans.**

3. Pitched roof standards – Various sections of the KZC and KMC shown below.

After a rigorous drafting effort and review with Planning Commission in 2018 and 2019, City Council adopted amendments to Floor Area Ratio (FAR) regulations in KZC 115.42. The amendments included the addition of a “Design-based FAR Bonus,” which provides an optional criterion that requires roof forms consist of ridgelines peaked at the center of the structure with a minimum pitch of 4 feet vertical to 12 feet horizontal. This criterion was based on existing principles in the KZC and KMC that work to achieve a specific architectural form desired in the City.

The criterion existing prior to the recently adopted design-based incentive applies to a variety of small lot scenarios identified in the KZC and KMC where FAR may be increased based on the same design criteria. The phrasing of the pitched roof criterion in these sections differs slightly from each other and from the newly adopted language in KZC 115.42, while requiring the same design principle and intending to achieve the same outcome when increasing FAR. These proposed revisions will simply amend the phrasing in the sections identified below to be consistent with the recently adopted pitched roof design criteria, which was written with more clarity. These proposed amendments will bring all FAR-related design criteria into consistency with one another.

*Proposed Code Amendments:*

a. KZC 15.30.DD-3 (relating to Attached Dwelling Units in the PLA 3C zone):

For lots containing less than 7,200 square feet, the floor area ratio (F.A.R.) requirements of KZC 115.42 shall apply. The maximum floor area ratio is 50 percent of the lot size; provided, that F.A.R. may be increased to 60 percent if, ~~the primary roof form of all structures on the site is peaked with a minimum pitch of four feet vertical to 12 feet horizontal~~ **with the exception of accessory features, all roof forms consist of ridgelines peaked near the center of the structure, with a minimum pitch of 4 feet vertical to 12 feet horizontal.**

See KZC 115.42, Floor Area Ratio (F.A.R.) Calculation for Detached Dwelling Units in Low Density Residential Zones, for additional information.

b. KZC 15.30.DD 12.f (relating to Detached Dwelling Units in the RS 5.0 and RSX 5.0 zones):

In RS 5.0 and RSX 5.0 zones, F.A.R. is 50 percent of lot size; provided, that F.A.R. may be increased up to 60 percent of lot size for the first 5,000 square feet of lot area if the following criteria are met:

- 1) ~~The primary roof form of all structures on the site is peaked, with a minimum pitch of four feet vertical: 12 feet horizontal~~ **With the exception of accessory features, all roof forms consist of ridgelines peaked near the center of the structure, with a minimum pitch of 4 feet vertical to 12 feet horizontal;** and

- 2) A setback of at least 7.5 feet is provided along each side yard.  
See KZC 115.42, Floor Area Ratio (F.A.R.) Calculation for Detached Dwelling Units in Low Density Residential Zones, for additional information.  
A reduced F.A.R. may be required pursuant to subdivision design requirements in Chapter 22.28 KMC.  
Not effective within the disapproval jurisdiction of the Houghton Community Council.

c. KZC 15.30.DD 19.d (relating to Detached Dwelling Units in the RSA 8 zone):

- Floor Area Ratio (F.A.R.) allowed for the subject property is as follows:  
d. In RSA 8 zones, F.A.R. is 50 percent of lot size; provided, that F.A.R. may be increased up to 60 percent of lot size for the first 5,000 square feet of lot area if, the primary roof form of all structures on the site is peaked, with a minimum pitch of four feet vertical to 12 feet horizontal **with the exception of accessory features, all roof forms consist of ridgelines peaked near the center of the structure, with a minimum pitch of 4 feet vertical to 12 feet horizontal.**

F.A.R. is not applicable for properties located within the jurisdiction of the Shoreline Management Act regulated under Chapter 83 KZC. Back to Table  
See KZC 115.42, Floor Area Ratio (F.A.R.) Calculation for Detached Dwelling Units in Low Density Residential Zones, for additional information.

d. KZC 15.30.DD-27 (relating to Detached Dwelling Units in the PLA 3C zone):

- For lots containing less than 7,200 square feet, the Floor Area Ratio (F.A.R.) requirements of KZC 115.42 shall apply. The maximum Floor Area Ratio is 50 percent of the lot size; provided, that F.A.R. may be increased to 60 percent if:  
a. The primary roof form of all structures on the site is peaked with a minimum pitch of four feet vertical to 12 feet horizontal **With the exception of accessory features, all roof forms consist of ridgelines peaked near the center of the structure, with a minimum pitch of 4 feet vertical to 12 feet horizontal;** and  
b. A setback of at least 7.5 feet is provided along each side yard.  
See KZC 115.42, Floor Area Ratio (F.A.R.) calculation for Detached Dwelling Units in Low Density Residential Zones, for additional information.

e. KZC 75.105.2 (relating to structures replacing a historic residence destroyed for any reason outside the control of the property owner):

- If an historic residence is destroyed for any reason outside the control of the property owner, the maximum F.A.R. of the resulting structure shall not exceed 30 percent of the lot size, provided that F.A.R. may be increased up to 35 percent of the lot size if the following criteria are met:  
a. The primary roof form of all structures is gabled, with a minimum pitch of four (4) feet vertical: 12 feet horizontal **With the exception of accessory**

- features, all roof forms consist of ridgelines peaked near the center of the structure, with a minimum pitch of 4 feet vertical to 12 feet horizontal;** and
- b. A setback of at least 7.5 feet is provided along each side yard.
- f. KMC 22.28.042.d (relating to detached dwelling units in small lot single-family subdivisions):
- The floor area ratio (FAR) shall not exceed thirty percent of lot size; provided, that FAR may be increased up to thirty-five percent of the lot size if the following criteria are met:
- (1) ~~The primary roof form of all structures on the site is peaked, with a minimum pitch of four feet vertical to twelve feet horizontal~~ **With the exception of accessory features, all roof forms consist of ridgelines peaked near the center of the structure, with a minimum pitch of 4 feet vertical to 12 feet horizontal;** and
  - (2) All structures are set back from side property lines by at least seven and one-half feet.

4. KZC Section 115.115 - Required Yards

KZC 115.115 regulates what structures, improvements, and activities may be in or take place in required yards. Subsection 5 relates to driveways and parking areas and establishes permissible locations and dimensions for these improvements. Several phrases within KZC 115.115.5 have been identified for editing to clarify regulations and reduce confusion that has resulted in inconsistent application of the standards. Additionally, these changes will improve the applicability of regulations to home designs that are becoming more common.

*Proposed Code Amendments:*

115.115.5 - Required Yards: Driveways and Parking Areas – Driveways and parking areas are not allowed in required yards except as follows:

- a. Detached Dwelling Units, Duplexes, and Two-Unit Homes and Three-Unit Homes Approved Under Chapter 113 KZC
  - 1) General – Vehicles may be parked in the required front or rear yard if parked on a driveway and/or parking area. For the purpose of this section, vehicles are limited to those devices or contrivances which can carry or convey persons or objects and which are equipped as required by federal or state law for operation on public roads. A driveway and/or parking area shall not exceed 20 feet in width in any required front yard, and shall be separated from other hard-surfaced areas located in the required front yard by a landscape strip at least five (5) feet **eighteen (18) inches** in width. This landscape strip may be interrupted by a walkway or pavers providing a **lateral** connection from the driveway to other hard-surfaced areas, as long

as such walkway or pavers cover no more than 20 percent of the landscape strip **do not exceed 5 feet in width**. A driveway and/or parking area located in a required front yard shall not be closer than five (5) feet to any side property line (see Plate 14); provided:

- a) That where access to a legally established lot is provided by a panhandle or vehicle access easement measuring less than 20 feet in width, a driveway not exceeding 10 feet in width, generally centered in the panhandle or access easement, shall be permitted (see Plate 14A); and
  - b) That for flag lots, a 5-foot setback is not required from any side property line that abuts a neighboring lot that was part of the same plat.
  - c) That any driveway which generally parallels a right-of-way or easement road shall be set back at least five (5) feet from the right-of-way or easement, except for a 20-foot-wide section where the driveway connects with the right-of-way or easement. Such driveway shall not have a width of more than 10 feet within the front or rear yard (see Plate 14B) and shall be separated from other hard-surfaced areas located in the front or rear yard by a landscape strip at least five (5) feet in width. Where more than one (1) driveway is permitted within a front or rear yard, those driveways shall be separated by a landscape strip at least five (5) feet in width.
- 2) Exception – Driveways and/or parking areas may exceed 20 feet in width if:
- a) The driveway/parking area serves a 3-car garage; and
  - b) The subject property is at least 60 feet in width; and
  - c) The garage(s) is (are) located no more than 40 feet from the front property line; and
  - d) The driveway/parking area flares from 20 feet at the property line to a maximum of 30 feet in width.
- 3) The Planning Official may approve a modification to the driveway and/or setback requirements in subsection (5)(a)(1) of this section if:
- a) **The Public Works Department requires an on-site vehicular turnaround adjacent to the driveway, which must be the minimum necessary dimension as determined by the Public Works Department; or**
  - ab) The existing topography of the subject property or the abutting property decreases or eliminates the need for the setback; or

- b(c)** The location of pre-existing improvements or vegetation on the abutting site eliminates the need for or benefit of a setback; and
- ed)** The modification will not have any substantial detrimental effect on abutting properties or the City as a whole.

5. KZC Section 45.50 - Public Park (and various other locations in the KZC)

Kirkland's Parks, Recreation and Open Space (PROS) Plan is a six-year guide and strategic plan for managing and enhancing park and recreation services in Kirkland. It provides recommendations to develop high quality, community-driven parks, trails, open spaces and recreational opportunities. The Plan provides a vision for the City's park and recreation system, proposes updates to City service guidelines and addresses departmental goals, objectives and other management considerations toward the continuation of high-quality recreation opportunities to benefit the residents of and visitors to Kirkland.

KZC 45.50 requires that development or use of a park occur consistent with a Master Plan and be reviewed through a community review process established by the Parks and Community Services Director. The standards relating to the required Master Plan are currently detailed in the KZC. The KZC also requires Houghton Community Council hold a public hearing for any required park Master Plan, although there is no regulatory guidance provided to the HCC. Houghton Community Council would like to retain involvement on Master Plans for Parks in their jurisdiction as the code currently requires. Aside from the requirements for the HCC to hold a public hearing in specified circumstances, KZC 45.50 is proposed to be revised in whole to remove procedural and regulatory purview from the Zoning Code and make park development solely a matter of the Parks and Community Services Director and guided by the PROS Plan.

*Proposed Code Amendments to replace entire text of KZC 45.50 with the following:*

45.50 Public Park

**1. Any development or use of a park must be reviewed by the Parks and Community Services Director.**

**2. Any Development or use of a park proposed within the Houghton Community Municipal Corporation that involves any of the following shall be reviewed through a community review process with a public hearing conducted by the Houghton Community Council:**

**a. Lighting for outdoor nighttime activities;**

**b. The construction of any building of more than 4,000 square feet;**

**c. The construction of more than 20 parking stalls;**

**d. The development of any structured sports or activity areas, other than minor recreational equipment including swing sets, climber toys, slides, single basketball hoops, and similar equipment.**

**The public hearing may be a joint hearing with the Parks Board.**

**6. KZC Section 115.80 - Legal Building Site**

The current exceptions for legal building sites in the KZC are unclear, especially with regard to lots created through the various lot size flexibilities allowed within the subdivision regulations and those annexed from King County. The following amendments clarify when a lot is considered a legal building site in situations where an undersized lot was legally created in Kirkland or in King County and subsequently annexed to Kirkland. King County has code standards similar to Kirkland's and centering around whether substandard lots were appropriately subdivided and conveyed. Existing small lot standards will be used as a basis for what can be built on undersized lots in these situations.

*Proposed Code Amendments:*

**115.80 Legal Building Site**

1. General – It is a violation of this code to erect any structure on or to use or occupy any lot or parcel unless that lot or parcel is a legal building site. A lot or parcel is a legal building site if it meets all of the following criteria:
  - a. It was created or segregated pursuant to all applicable laws, ordinances and regulations.
  - b. Except as specified in subsection (2) of this section, it meets the allowable minimum lot size established by this code.
  - c. It is either adjacent to, or has a legally created means of access to, a street providing access to the lot or parcel.
2. Exception, Detached Dwelling Units – An applicant may build one (1) detached dwelling unit on a lot or parcel regardless of the size of the lot or parcel if:
  - a. ~~The applicant applies for necessary permits to construct the unit within five (5) years of the date the lot or parcel is annexed into the City and the lot or parcel was a lawfully created lot under King County subdivision and zoning laws; or~~
  - b. There is or ever has been a residence on the subject property. At any time, the applicant may remodel, rebuild, or enlarge that one (1) residence; provided, that all other Zoning Code requirements are met; or

**be.** The lot size was created after the enactment of the lawful zoning code by the City of Kirkland or King County and the lot size was approved pursuant to all applicable laws, ordinances and regulations in effect at the time it was created; or

**c.** The lot was created before the enactment of the lawful zoning code by King County; it was annexed to the City of Kirkland in 2011; the lot size is at least 60% of minimum lot size applicable under current Kirkland zoning; and development shall comply with the restrictions of KMC 22.28.042(d) and (f); or

d. The lot lines defining the lot or parcel were recorded in the King County Assessors Office prior to May 17, 1972, and the lot or parcel has not simultaneously been owned by the owner of a contiguous lot or parcel which fronts on the same right-of-way subsequent to May 17, 1972.

\*\*Section 22.28.042 (d) and (f) are referenced in c. above. The requirements for 22.28.042 (d) are outlined under #3.f of the Pitched roof standards on page 5 of this memo. Section 22.28.042 (f) does not allow accessory dwelling units.

## **7. KZC Chapter 110 – Required Public Improvements**

Explanatory language is added to the general section of Chapter 110 to help users understand and determine if their project triggers the street improvement requirements of this chapter of the KZC. Threshold numbers are revised in the waiver section of Chapter 110 to bring them up to today's dollars (2019) based on the adjustment procedures outlined in the code.

The proposed code changes to Chapter 110 shown below do not change the intent of the code. They are proposed to clarify how the code is implemented by staff.

### *Proposed Code Amendments:*

#### **110.10 General**

The applicant shall comply with the provisions of this chapter if the applicant is granted a development permit unless:

1. The cost of the street improvements along the property frontage is greater than 20 percent of the cumulative building alterations in any 5-year period according to the following:
  - a. Street improvement costs shall include, but not be limited to, roadway asphalt, storm drainage, curb and gutter, landscape strip, street trees, and concrete sidewalk.

- b. For properties with multiple street frontages, the average length of the combined multiple street frontages will be used for the purposes of determining whether street improvements are required. If street improvements are required, the cost of the improvements along any of the multiple street frontages shall not exceed 20 percent of the cumulative building alterations in any 5-year period.
- c. **For the purpose of this section, s**Street improvement costs shall be evaluated based on the most current edition of the City of Kirkland Department of Public Works Improvement Evaluation Packet (including engineering and administration costs).
- d. **For the purpose of this section, b**Building alteration costs shall be evaluated using the current Building Valuation Data charts published annually by the International Conference of Building Officials (ICBO) on file with the City Building Official. Any valuations not specified in that publication will be determined by the Building Official. Other site improvements such as driveways, sidewalks, utility lines, sheds, etc., will not be included in the valuation.
- e. The City shall track the cumulative building alterations in a 5-year time period using historical Building Permit information.

110.70.5. Waiver – The City may waive and not require or allow installations of a required improvement under the following circumstances:

- a. If the installation of the improvements will cause a safety hazard or an environmental impact that cannot be mitigated; or
- b. If the project is for a single-family dwelling alteration that is less than **\$268,000** \$200,000-in value, based on building alteration costs in effect on January 1, **2019** 2006. This threshold shall be reviewed annually and adjusted by a percentage equal to the percentage of increase in building alteration costs, if any (see KZC 110.10(1)(d) for building alteration costs information); or
- c. If the project does not remove more than 50 percent of the existing exterior walls of the dwelling unit; or**
- c.d. If the development project fronts on a neighborhood access type street in the RS 35, RSX 35 and Planned Area 16 zones within the Bridle Trails neighborhoods north of Bridle Trails State Park; or**
- c.e. If the City determines that the current level and extent of the improvement in the right-of-way adjacent to the subject property will not be changed in the future; or**

e.f. If the City and a neighborhood have agreed upon a street improvement waiver for a particular street (see the Public Works Pre-Approved Plans and Policies Notebook for a description of the Neighborhood Access Street Improvement Modification and Waiver Process).

8. KMC Section 22.16.100 – Final plat approval within Houghton community council jurisdiction and KMC Section 22.16.110 - Judicial review of city council action

Houghton Community Council review of preliminary subdivisions was removed by Ordinance O-4122 and these two sections of the Municipal Code were not updated at that time. This oversight is now being corrected.

*Proposed Code Amendments*

~~22.16.100 Final plat approval within Houghton community council jurisdiction.~~

~~If the city council approves a final plat within the jurisdiction of the Houghton community council, that approval is not effective until:~~

- ~~(a) A majority of the entire membership of the Houghton community council votes by resolution to approve it; or~~
- ~~(b) The Houghton community council fails to disapprove it within sixty calendar days after the city council adopts the resolution granting the plat. The vote to disapprove the application must be approved by a majority of the entire membership of the community council. (Ord. 3705 § 2 (part), 1999)~~

22.16.110 Judicial review of city council action.

The action of the city in granting or denying a final plat may be reviewed pursuant to the standards set forth in RCW 36.70C.130 in King County Superior Court. The land use petition must be filed within twenty-one calendar days of the issuance of the final land use decision by the city on the final plat. The date of the final decision of the city is the date of passage of the city council ordinance or resolution constituting the city's final decision, ~~unless such city council decision is subject to the disapproval jurisdiction of the Houghton community council, in which case the petition for judicial review must be filed within twenty one calendar days of the date of approval or disapproval action of the Houghton community council.~~

**Code Amendment Criteria**

KMC Section 22.04.05 states that proposals to amend or repeal provisions of Section 22 (Subdivisions) of the KMC must be set for a public hearing before the Planning Commission. Section 135.25 of the KZC provides the following criteria for evaluating proposed amendments to the Zoning Code:

The City may amend the text of this code only if it finds that:

1. The proposed amendment is consistent with the applicable provisions of the Comprehensive Plan; and
2. The proposed amendment bears a substantial relation to public health, safety, or welfare; and
3. The proposed amendment is in the best interest of the residents of Kirkland; and
4. When applicable, the proposed amendment is consistent with the Shoreline Management Act and the City's adopted shoreline master program.

**Next Steps (by the end of 2019)**

Following the public hearing, staff will prepare a Planning Commission recommendation to the City Council. The City Council will make a final decision by ordinance, after which the Houghton Community Council will review the ordinance and exercise their jurisdiction.

**Attachment(s):**

1. Kirkland Zoning Code Section 45.50

cc: File Number CAM19-00342  
Bill Blanchard  
Mahmood Namazi



**45.50 Public Park**

1. Except as provided for in subsection (3) of this section, any development or use of a park must occur consistent with a Master Plan. A Master Plan shall be reviewed through a community review process, established by the Parks and Community Services Director, which shall include at a minimum:

a. One formal public hearing, conducted by the Parks Board, preceded by appropriate public notice. The required public hearing on a Master Plan proposed within the Houghton Community Municipal Corporation shall be conducted by the Houghton Community Council, which may be a joint hearing with the Parks Board;

b. The submittal of a written report on the proposed Master Plan from the Parks Board to the City Council, containing at least the following:

- 1) A description of the proposal;
- 2) An analysis of the consistency of the proposal with adopted Comprehensive Plan policies, including the pertinent Park and Recreation Comprehensive Plan policies;
- 3) An analysis of the consistency of the proposal with applicable developmental regulations, if any;
- 4) A copy of the environmental record, if the proposal is subject to the State Environmental Policy Act;
- 5) A summary and evaluation of issues raised and comments received on the proposed Master Plan; and
- 6) A recommended action by the City Council.

c. City Council review and approval. The City Council shall approve the Master Plan by resolution only if it finds:

- 1) It is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, the Comprehensive Plan;
- 2) It is consistent with the public health, safety, and welfare;
- 3) If the Master Plan is proposed within the Houghton Community Municipal Corporation, it shall become effective according to the procedure in KMC 2.12.040.

2. In addition to the features identified in KZC 5.10.505, the Master Plan shall identify the following:

- a. Location, dimensions, and uses of all active and passive recreation areas;
  - b. Potential users and hours of use;
  - c. Lighting, including location, hours of illumination, lighting intensity, and height of light standards;
  - d. Landscaping;
  - e. Other features as appropriate due to the character of the neighborhood or characteristics of the subject property.
3. Development and use of a park does not require a Master Plan under this code if it will not involve any of the following:
    - a. Lighting for outdoor nighttime activities;
    - b. The construction of any building of more than 4,000 square feet;
    - c. The construction of more than 20 parking stalls;
    - d. The development of any structured sports or activity areas, other than minor recreational equipment including swing sets, climber toys, slides, single basketball hoops, and similar equipment.

(Ord. 4476 § 2, 2015)