

ORDINANCE NO. 3814

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, PLANNING, AND LAND USE AND AMENDING TITLE 23 OF THE KIRKLAND MUNICIPAL CODE; AMENDING PORTIONS OF ORDINANCE 3719 AS AMENDED, THE KIRKLAND ZONING CODE, AND AMENDING ORDINANCE 2699, AS AMENDED, THE KIRKLAND ZONING MAP; ADOPTING MINOR AMENDMENTS TO PROMOTE CLARITY, ELIMINATE REDUNDANCY, AND CORRECT INCONSISTENCIES PURSUANT TO CHAPTER 161 KZC.

WHEREAS, the City Council has received from the Kirkland Planning Director a recommendation to amend certain sections of the text of the Kirkland Zoning Code, Ordinance 3719 as amended, and certain portions of the zoning map for the City of Kirkland, Ordinance 2699, as amended, all as set forth in that certain report and recommendation of the Planning Director dated December 4, 2001 and bearing Kirkland Department of Planning and Community Development File No. IV-A-01-53; and

WHEREAS, pursuant to the City of Kirkland's Concurrency Management System, KMC Title 25, this action is exempt from the concurrency management process; and

WHEREAS, prior to making said recommendation, the Planning Director, following notice thereof as required by RCW 35A.63.070, on November 26, 2001, held a public hearing on the amendment proposals and considered the comments received at said hearing; and

WHEREAS, pursuant to the State Environmental Policies Act there has accompanied the legislative proposal and recommendation through the entire consideration process, a final determination of nonsignificance, including supporting environmental documents, issued by the responsible official pursuant to WAC 197-11-340 and WAC 197-11-390; and

WHEREAS, in regular public meeting the City Council considered the environmental documents received from the responsible official, together with the report and recommendation of the Planning Director.

NOW, THEREFORE, by the City Council of the City of Kirkland do ordain as follows:

Section 1. The following specified sections of the text of Ordinance 3719 as amended, the Kirkland Zoning Ordinance, be and they hereby are amended to read as follows:

As set forth in Attachment A which by this reference is incorporated herein.

Section 2. Zoning map amended: The following specific portions of the Kirkland zoning map as adopted by Ordinance 2699 as amended, be and they hereby are amended and reclassified (rezoned) from each parcel's current zoning classification to "P" (Park/Public use Zone), as set forth in Attachment B, attached to this ordinance and by this reference incorporated herein.

Section 3. The Director of the Department of Planning and Community Development is hereby directed to amend the official Kirkland zoning map to conform with this ordinance, indicating thereon the date of ordinance adoption.

Section 4. If any section, subsection, sentence, clause, phrase, part or portion of this ordinance, including those parts adopted by reference, is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.


Section 5. To the extent the subject matter of this ordinance, pursuant to Ordinance 2001, is subject to the disapproval jurisdiction of the Houghton Community Council, this ordinance shall become effective within the Houghton Community Municipal Corporation only upon approval of the Houghton Community Council or the failure of said Community Council to disapprove this ordinance within 60 days of the date of the passage of this ordinance.

Section 6. Except as provided in Section 5, this ordinance shall be in full force and effect five days from and after its passage by the Kirkland City Council and publication, pursuant to Section 1.08.017 Kirkland Municipal Code, in the summary form attached to the original of this ordinance and by this reference approved by the City Council, as required by law.

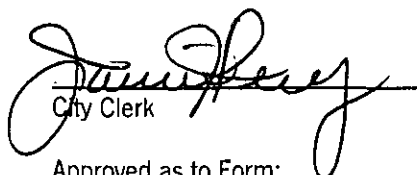
Section 7. A complete copy of this ordinance, including Findings, Conclusions and Recommendations adopted by reference, shall be certified by the City Clerk, who shall then forward the certified copy to the King County Department of Assessments.

PASSED by majority vote of the Kirkland City Council in regular, open meeting this 11th day of December, 2001.

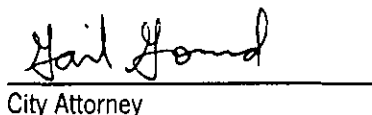
SIGNED IN AUTHENTICATION thereof this 11th day of December, 2001.

  
\_\_\_\_\_  
Mayor

Attest:

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

Approved as to Form:

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

## ATTACHMENT A

File No. IVA-01-53  
Text amendments to the Kirkland Zoning Code

## Chapter 1 - User Guide

1.10 Additional Regulations

In addition to the regulations in the use zone charts, this code contains a variety of provisions that may apply to the subject property or to a particular use or activity on the property. The following list of questions will help you determine what other factors of this code may contain regulations that are of interest.

1. - 21. *(no change)*

22. Accessory Dwelling Units - Are you interested in adding a second dwelling unit to your home? If so, you should read KZC 115.65.5.

23. Personal Wireless Service Facilities - Do you want to know the City's requirements for the installation of communication antennae or towers, cell sites, or other equipment used in wireless communications? If so, see Chapter 117 KZC.

24. Design Review - Do you want to learn about the City's Design Review and process? If so, read Chapter 92 KZC.

## Chapter 5 - Definitions

5.10 Definitions

The following definitions apply throughout this code unless, from the context, another meaning is clearly intended:

.050 - .017 *(no change)*

.022 - .043 *(no change)*

.045 Average Building Elevation - The average elevation of the topography, prior to any development activity, at the center of all exterior walls of a building or structure, including decks and porches, unless the deck or porch has no walls at or below the deck level and no roof above the deck or porch, and including cantilevered portions of a building which enclose interior space.

Formula:

$$\text{Average Building Elevation} = (\text{Mid-point Elevation}) \times (\text{Length of Wall Segment}) + \frac{(\text{Mid-point Elevation}) \times (\text{Length of Segment})}{(\text{Length of Segment}) + (\text{Length of Segment})}$$

(See Plate 17)

.050 - .105 *(no change)*

- .107 Cabinet Sign - A sign incorporating a rigid frame, which supports and retains the sign face panel(s) and/or background constructed of plastic or similar material, and which has an internal light source. Cabinet Signs do not include signs composed of individually-mounted and individually-illuminated letters, or logos no larger than the lettering to which they relate.
- .108 - .140 (no change)
- .145 Commercial Zones - The following zones: BN; BC; BCX; CBD; FC I; FC II; JBD 1; JBD 2; JBD 4; JBD 5; JBD 6; PLA B; PLA 10A; and PLA 13A.
- .150 - .190 (no change)
- .192 Day-Care Center - In RS Zones, a day-care operation with 13 or more attendees at any one time, not including immediate family members who reside in the center or employees of the day-care center. For all other zones, see day-care operation.
- .193 Day-Care Home - A day-care operation with no more than six attendees at any one time, not including immediate family members who reside in the home or employees of the day-care home.
- .195 - .240 (no change)
- .242 Driveway Easement - An easement encompassing a driveway shared by two abutting properties which front on the same right-of-way (see Plate \_\_\_\_\_).
- .245 - .300 (no change)
- .302 Family Day-Care Home - A child day-care operation in the family living quarters of the provider's home for no more than 12 children, not including family members who reside in the home or employees of the family day-care home.
- .305 - 320 (no change)
- .325 Floor - The horizontal surface inside a structure designed and intended for human use and occupancy, ~~excluding parking areas.~~
- .325.5 - .335 (no change)
- .345 - .355 (no change)
- .357 Height of Structure - The vertical distance measured from the Average Building Elevation to the highest point of any element or feature of a structure, excluding the exceptions identified in KZC 115.60
- .360 High Density Residential Zones - The following zones: RM 2.4; RM 1.8; PLA 5A, B, C, D, E; PLA 6A, D, I, J; and PLA 7A, B, C.
- .362 - .370 (no change)
- .375 Horizontal Dimension - The length of the facade of a structure, including covered decks, as measured along a plane, excluding eaves that extend out to a maximum of 18 inches from the exterior walls of a structure.
- .380 - .395 (no change)

- .400 Industrial Zones - The following zones: ILC; LIT; PLA 6G; and PLA 11.
- .405 - .410 (no change)
- .415 Institutional Zones - The following zones: P; PLA 1; and PLA 12.
- .420 - .485 (no change)
- .490 Low Density Zones - The following zones: RS 35.; RSX 35; RS 12.5; RSX 12.5; RS 8.5; RSX 8.5; RS 7.2; RSX 7.2; RS 5.0; RSX 5.0; ~~PLA 2; PLA 6C, 6E; PLA 16; WD II;~~ and comparable zones in other adjoining jurisdictions, except properties with approved intent to rezone to zoning designations other than low density.
- .491 Low Income Household - ~~A household whose total gross income is less than or equal to 80 percent of the median household income in the Seattle Metropolitan Statistical Area. For low income senior citizen households, total assets shall not exceed the maximum established by the City Council.~~ One or more adults and their dependents whose income does not exceed fifty percent (50%) of the median household income for the Seattle Metropolitan Statistical Area, adjusted for household size, as published by the United States Department of Housing and Urban Development.
- .492 Low Income Unit - ~~A unit which contains a low income household. In addition, the rent for this type of unit shall not exceed 30 percent of the gross income of the eligible low income household. A housing unit for which the monthly housing expense, including an appropriate utility allowance, is no greater than 30% of the median monthly income for a Low Income Household.~~
- .500 - .515 (no change)
- .520 Medium Density Zones - The following zones: RM 5.0; RM 3.6; WD I; WD III; PLA 2, 3B; ~~PLA 6B, 6F, H, K; PLA 7A 7C; and PLA 9; PLA 15B; and PLA 17A.~~
- .525 (no change)
- .527 Mini-Day-Care Center - A day-care operation with no more than 12 attendees at any one time, not including immediate family members who reside in the center or employees of the mini-day-care center.
- .528 Mini-School - A school operation with seven to 12 attendees at any one time, not including immediate family members who reside in the school or employees of the mini-school.
- .529 - .535 (no change)
- .536 Moderate Income Household - One or more adults and their dependents whose income exceeds fifty percent (50%), but does not exceed eighty percent (80%), of the median household income for the Seattle Metropolitan Statistical Area, adjusted for household size, as published by the United States Department of Housing and Urban Development.
- .537 Moderate Income Unit - A housing unit for which the monthly housing expense, including an appropriate utility allowance, is no greater than 30% of the median monthly income for a Moderate Income Household.
- .538 - .565 (no change)

.570 Nonconformance - Any use, structure, lot, condition, activity or any other feature or element of ~~private non-City-owned~~ property or the use or utilization of ~~private non-City-owned~~ property that does not conform to any of the provisions of this code or that was not approved by the City through the appropriate decision-making process required under this code.

.575 - .590 (no change)

.595 Office Zones - The following zones: PO; PR 8.5; PR 5.0; PR 3.6; PR 2.4; PR 1.8; JBD 3; PLA 3A; PLA 5B, C; PLA 6B; PLA 10B, C; PLA 11; PLA 13B; PLA 15A; PLA 17B, C; FC III.

.600 - .675 (no change)

.680 Portable Outdoor Sign - An outdoor sign that is not permanently or securely attached to the ground or a structure.

.685 - .715 (no change)

.720 Property Line - Those lines enclosing a lot and those lines defining a recorded vehicular access easement. The following are categories of property lines:

1. Front property line is any property line that is adjacent to a street or vehicular access easement or tract more than 21 feet in width, except when said vehicular access easement or tract is located entirely on an adjacent lot or lots and does not serve the subject property; except that neither the Burlington Northern, right-of-way nor the I-405, nor SR-520 rights-of-way shall be considered front property lines.
2. Rear property line is any property line that is farther from and essentially parallel to a front property line except on a lot which contains two or more front property lines; or any property line that is adjacent to a street, alley or vehicular access easement or tract easement 21 feet or less in width, except when said vehicular access easement or tract serves only one lot, or is located entirely on an adjacent lot or lots and does not serve the subject property.

~~Exception: A property line adjacent to an access easement or tract serving only one lot will be considered a side property line.~~

3. Side property line (no change)

4. North property line is the property line running essentially east to west at the northern end of the lot, at an angle of more than 67° 30' from a line running true north-south (see Plate XX).

5. South property line (no change)

6. High Waterline (no change)

.725 - .727 (no change)

.730 Public Park - A natural, or landscaped, or developed area, which may or may not contain structures, provided by a unit of government, to meet the active or passive, outdoor or indoor, recreational needs of people.

.735 - (no change)

.737 Public Works Official - Public Works Department employees designated by the Public Works Director to perform specific functions identified in this Code.

.740 (no change)

.745 Public Utility - A private business organization such as a public service corporation, including physical plant facilities, performing some public service and subject to special governmental regulations, or a governmental agency performing similar public services, the services by either of which are paid for directly by the recipients thereof. Such services shall include but are not limited to: water supply, sewer pump stations, electric power, telephone, cable television, gas and transportation for persons and freight. For the purposes of this code, public utility does not include personal wireless service facilities as defined in KZC 117.05, Definitions.

.750 - .780 (no change)

.785 Residential Zone - The following zones: RS 35; RSX 35; RS 12.5; RSX 12.5; RS 8.5; RSX 8.5; RS 7.2; RSX 7.2; RS 5.0; RSX 5.0; RM 5.0; RM 3.6; RM 2.4; RM 1.8; WD I; WD II; WD III; PLA 2; PLA 5A, D, E; PLA 6A, C, D, E, F, H, I, J, K; PLA 7A, B, C; PLA 9; PLA 15A; and PLA 15B; and PLA 16.

.790 - .881 (no change)

.882 Solid Screening Enclosure - A physical and visual screen, constructed of solid, durable, and non-reflective material, the appearance of which is complementary to the architecture of the building or landscaping of the site upon which it is located.

.882.1 Solid Screening Fence - A uniformly finished fence at least six feet high which is opaque or perforated; provided, that no more than 50 percent of the face is open. A chain-link fence with slats woven through the chain links shall not be considered a solid screening fence.

.883 - .886 (no change)

~~.890 Story - The area between and including the surface of a floor, the ceiling above and the horizontal supporting members for the ceiling. If the floor surface is on average not more than six feet above the finished grade, the area between the floor surface and the ceiling above is not a story.~~

That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. If the finished floor level directly above a usable or unused under floor space is more than six feet above finished grade as defined herein for more than 50 percent of the total perimeter or is more than 12 feet above finished grade as defined herein at any point, such usable or unused under floor space shall be considered a story.

.895 - .970 (no change)

.973 Vehicular Access Easement or Tract - A privately owned right-of-way, but not including a driveway easement.

.974 - .1000 (no change)

**Chapter 25 - PR Zones**

- 25.10 See attachment A - (revises Use Zone Chart to change minimum lot size in PR 5.0 zone from 3,600 sq. ft. to 5,000 sq. ft. for "Detached Dwelling Units" and "Detached, Attached, or Stacked Dwelling Units")

**Chapter 30 - WDII Zones**

- 30.25.010 Special Regulation 3:

If dwelling units exist on property that adjoins abuts the subject property to the north and south, the required high waterline yard is the average of the distance of existing legally-constructed structures from the high waterline yards on these two adjoining abutting properties. If, because of adjoining abutting properties, the required high waterline yard is increased, the required front yard may be decreased to the average of the existing front yards on the properties adjoining abutting the subject property to the north and south.

**Chapter 60 - Planned Area Zones**

- 60.187.090 See attachment B - (revises Use Zone Chart for Convalescent Center or Nursing Home in PLA 17A, changing maximum structure height from 20' to 30').

**Chapter 65 - P Zones**

- 65.15.030 See Attachment C - (revises Use Zone Chart to require that any government facility on the Houghton Landfill site be reviewed through Process IIB).

**Chapter 95 - Landscaping**

- 95.25 Buffering Standards

The chart in KZC 95.10 establishes which buffering standard applies in a particular case. The following subsections establish the specific requirement for each standard:

1. For standard 1, the applicant shall provide either the buffer described in subsection (1)(a) or the buffer described in subsection (1)(b) of this section:
  - a. *(no change)*
  - b. A 15-foot wide landscaped strip with a six-foot high ~~sight-obscuring~~ solid screening fence; except for public utilities, the fence must be on the outside edge of this strip. For public utilities, the fence may be placed either on the outside or inside edge of the landscaping strip. The landscaped strip must be planted as follows:
    - 1) - 2) *(no change)*
    2. - 9. *(no change)*

**Chapter 100 - Signs**

Table of Contents - Insert new listing as follows:

- 100.52 CBD and JBD - Certain Signs Prohibited
- 100.40 Sign Area



The maximum permitted sign area for each sign category is listed below. The permitted area applies only to the sign types listed in KZC 100.30 and does not apply to the special signs described in KZC 100.115.

1. - 2. (no change)

3. Sign Categories C, D, E and F

a. (no change)

b. Each individually-licensed business within a multi-use complex containing more than one use or business is allowed 30 square feet; per individual use or business and

c. (no change)

100.45 Sign Area Chart

SIGN AREA MULTIPLIERS Notes:

1. Except on a designated corridor, if no signs within the entire development are cabinet signs have internally lighted sign fields, then multiply the figure in the chart by 1.25, and multiply plus the sign area allowed by KZC 100.40(3)(b) by 1.25.

2. If all signs within the entire development, other than center identification signs, are building-mounted signs, multiply either the above product or the figure in the chart by 1.25, and multiply plus the sign area allowed by KZC 100.40(3)(b) by 1.25

100.52 CBD and JBD - Certain Signs Prohibited

Cabinet signs shall be prohibited in all Central Business District (Chapter 50 KZC) and Juanita Business District zones (Chapter 52 KZC).

100.85 Prohibited Devices

1. General - Except as specifically allowed under subsection (2) of this section, the following devices and facilities are specifically prohibited:

a. - h. (no change)

i. Except as allowed in KZC 100.115, any portable outdoor sign, except political, private advertising, or off-site real estate signs as regulated by KZC 100.115.

j. - k. (no change)

100.115 Temporary/Special Signs

A. The chart below establishes regulations that apply to numerous signs of a limited purpose or temporary or special nature or purpose. These signs are shall be permitted in addition to the signs permitted in Sign Categories A through F, and shall be subject to the requirements set forth in the following chart. Except as specifically stated in the chart, the signs in the chart are not subject to the regulations of KZC 100.30 through 100.75 and KZC 100.95. To use the chart on the following page, first read down to find the type of sign in which you are interested, then read across for the relevant

regulations. ~~You may want to consult the definitions in Chapter 5 KZC for the meanings and definitions of some of the types of signs listed.~~

No temporary or special signs shall be posted or placed upon public property; provided that, certain temporary signs may be posted or placed within certain portions of a public street right-of-way as identified by the chart below.

(See Attachment D - Sign Chart revisions)

- B. All temporary or special signs which are in violation of any provision of this section, shall be brought into conformance upon ten day's written notice of violation to the responsible party by the Planning Official, pursuant to the notice provisions of KZC 170.35. If the responsible party fails to remove or correct the sign violation within seven calendar days after being served with notice of the violation, the Planning Official shall have the authority to remove the violative sign(s), and to assess the charges for such removal against the responsible party. For the purposes of this section, the "responsible party" shall be the owner or operator of the subject property upon which the sign violation occurs; provided that, in the case of off-site directional signs, the "responsible party" shall be the applicant(s) for the off-site directional sign; and provided further that, in the case of political signs, the responsible party shall be the political candidate and/or the manager of the political campaign promoted by the violative sign(s).
- C. Notwithstanding the other provisions of this section, the Planning Official may remove without notice any temporary or special sign which is in violation of any provision of this chapter and is located in the public right-of-way or on public property, and may assess the costs of removal of such signs against the responsible party.

## Chapter 105 - Parking

### 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. For one to four detached dwelling units or one to two duplex structures served by an easement or tract: The minimum standard is 16 feet of unobstructed pavement in a 20 21-foot-wide easement. For easements or tracts less than 100 feet in length, the Public Works Department may reduce the standard to 10 feet of unobstructed pavement in a 15-foot-wide easement if the easement and abutting driveways are located to allow for safe ingress and egress.
  - b. - d. *(no change)*
2. General
  - a. - h. *(no change)*
  - i. Nonconforming access easements and tracts which were legally created shall not be required to comply with the dimensional standards of KZC 105.10.1.

### 105.20 Number of Spaces - Minimum

The number of parking spaces required for a use is the minimum required. The applicant shall provide at least that number of spaces, consistent with the provisions of this chapter.

The square footage of pedestrian, transit, and/or bicycle facilities, and/or garages or carports, on the subject property shall not be included in the gross floor area calculation used to determine required number of parking stalls. See also KAC 105.103.(3)(c).

For residential uses, the City may require guest parking spaces in excess of the required parking spaces if there is inadequate guest parking on the subject property.

105.70 Parking Area Design - Parking Designed for the Handicapped

The applicant shall design the parking area using standards set forth in ~~Chapter 75 of the Uniform Building Code regarding parking for handicapped persons.~~ Washington State regulations for Barrier-free Facilities.

**Chapter 115 - Miscellaneous Standards**

115.45 Garbage and Recycling Receptacles and Dumpsters - Placement and Screening

1. Placement - All garbage and recycling receptacles and dumpsters, including underground facilities, must comply with either of the following:

a. - b. *(no change)*

In either case, garbage and recycling receptacles and dumpsters may not be located in landscape buffers required by Chapters 95 and 105 KZC.

2. Screening - All garbage and recycling receptacles and dumpsters must be screened from view from the street and from adjacent properties by a solid ~~sight-obscuring~~ screening enclosure.

115.65 Home Occupations, Accessory Dwelling Units, and Other Accessory Components of Residential Uses

1. - 4. *(no change)*

5. Accessory Dwelling Units - One accessory dwelling unit (ADU) is permitted as subordinate to a single-family dwelling; provided, that the following criteria are met:

a. - d. *(no change)*

- e. Location. The accessory dwelling unit may be added to or included within the principal unit, or located in a detached structure. Detached structures must conform with the setbacks, height restrictions, lot coverage and other applicable zoning regulations required for single-family dwellings in the applicable use zone, provided that, an accessory dwelling unit shall not be considered a "dwelling unit" in the context of Special Regulations in Chapters 15-65 KZC which limit the number of detached dwelling units on each lot to one.

f. - j. *(no change)*

115.75 Land Surface Modification

1. - 2. *(no change)*

3. A land surface modification is permitted, only if it:

a. - j. *(no change)*

k. Complies with all of the following criteria:

1) - 2) *(no change)*

3) The land surface modification is not in a stream, lake, wetland, or required setback therefrom; is not on or within 25 feet of a ~~regulated slope~~ geologically hazardous area; and is not in an area with soft compressible soils; and

4) In any one-year period, not more than five healthy trees defined as significant natural vegetation are removed. If the subject property is larger than one acre, the limit is five trees within each acre, or one tree per each 1/5 acre over the first full acre. No tree whose removal would conflict with a Special Regulation contained in Chapters 15 through 65 may be removed under this Section. See also Chapter 95 KZC for regulations requiring the retention of significant natural vegetation in some cases; and

5) - 7) *(no change)*

4. *(no change)*

5. Prior to approving a land surface modification under subsection (4) of this section, the applicant shall submit to the Planning Official:

a. - f. *(no change)*

g. A soils report which contains all elements described in subsection ~~(3)(k)(6)~~ (3)(k)(7) of this section.

6. - 9. *(no change)*

115.90

Calculating Lot Coverage

1. General *(no change)*

2. Exceptions

a. - c. *(no change)*

d. Grass grid or brick pavers and compact gravel, when installed over a pervious surface, will be calculated as impervious surface at a ratio of 50 percent of the total area covered.

e. - f. *(no change)*

g. Pervious areas below eaves, balconies, and other cantilevered portions of buildings.

h. Landscaped areas at least 2 feet wide and 40 square feet in area located over subterranean structures if the Planning Official determines, based on site-specific information submitted by the proponent and prepared by a qualified expert, soil and depth conditions in the landscaped area will provide cleansing and percolation similar to that provided by existing site conditions.

i. Retaining walls not immediately adjacent to other impervious areas.

115.115 Required Yards

1. - 2. *(no change)*
3. Structures and Improvements - No improvement or structure may be in a required yard except as follows:
  - a. A driveway and/or parking area subject to the standards of KZC 115.115.(5)(a) and ~~115.115(5)(b)~~.
  - b. Any improvement or structure, other than a driveway and/or parking area, that is not more than four inches above finished grade may be anywhere in a required setback yard; provided, that minor utility structures such as transformers, telephone poles, guide wires, and electrical boxes may be located anywhere within a required setback if there is no feasible location within the public right-of-way and prior approval of the City is obtained; and provided further, that any franchise agreement between the City and a utility company shall supercede this Section. A bridge is allowed anywhere in a required setback yard regardless of its height above finished grade.
  - c. - l. *(no change)*
  - m. In low density residential zones, the applicant may request a modification to locate a no more than one storage shed in a required yard, except a required front yard. The Planning Official may approve a modification if:
    - 1) - 4) *(no change)*

If approved, the Planning Official may require the storage shed to be screened by a solid screening fence or dense vegetation.

The decision of the Planning Official in approving or denying a modification for a storage shed may be appealed using the appeal provision, as applicable, of Process I, KZC 145.60 through 145.110.
  - n. - o. *(no change)*
4. *(no change)*
5. Driveways and Parking Areas - Driveways and parking areas are not allowed in required yards except as follows:
  - a. Detached Dwelling Units *(no change)*
  - b. Attached and Stacked Dwelling Units and Assisted Living Facilities in Residential Zones
    - 1) Vehicle parking areas shall have a minimum 20-foot setback from all front property lines and meet the minimum required setbacks from all other property lines for that use. ~~Vehicle parking areas for schools and day care centers greater than 12 students shall have a minimum 20-foot setback from all property lines.~~
    - 2) *(no change)*

- c. Vehicle parking areas for schools and day care centers greater than 12 students shall have a minimum 20-foot setback from all property lines.
- ed. Other Uses - Parking areas and driveways for uses other than those addressed in subsections (5)(a), and (b), and (c) of this section may be located within required setback yards, but, except for the portion of any driveway which connects with an adjacent street, not closer than five feet to any property line.
- de. Shared Parking and Shared Driveways - (no change to text; numbering change only)

115.120 Rooftop Appurtenances - Required Screening

- 1. Except as noted in subsection (3) of this section, vents, mechanical penthouses, elevator equipment and similar appurtenances that extend above the roofline must be surrounded by a solid ~~eight-obscuring~~ screening enclosure.
- 2. - 3. (no change)

**Chapter 120 - Variances**

120.10 Process for Deciding Upon a Proposed Variance

*The following subsection is not effective within the disapproval jurisdiction of the Houghton Community Council:*

- 1. The City will use Process IIA, described in chapter 150 KZC, to review and decide upon an application for a variance except as to property located within an RS or RSX Zone or for a detached dwelling unit in any zone. For variance applications as to property located within an RS or RSX Zone or for a detached dwelling unit in any zone, the City will use Process I described in Chapter 145 KZC; provided, however, ~~KZC 145.10 shall not apply; and also provided,~~ that while the content of the notice shall be per KZC 145.22(1), while the distribution of the notice shall be per KZC 150.30(2).

*The following subsection is effective only within the disapproval jurisdiction of the Houghton Community Council:*

- 2. The City will use Process IIA, described in chapter 150 KZC, to review and decide upon an application for a variance except as to property located within an RS or RSX Zone. For variance applications as to property located with an RS or RSX Zone, the City will use Process I described in chapter 145 KZC; provided, however, ~~KZC 145.10 shall not apply; and also provided,~~ that while the content of the notice shall be per KZC 145.30(4) 145.22(1), while the distribution of the notice shall be per KZC ~~150.3(2)~~ 150.30(2).

**Chapter 125 - Planned Unit Development**

Table of Contents - Remove following listing:

~~125.67 Final Site Plan Review Appeals~~

125.30 Decision on the PUD - Density

The maximum residential densities that the City may approved in a PUD are as follows:

- 1. (no change)

2. If the PUD is designed, developed and maintained as "special needs housing", additional density may be permitted on the following basis:

a. (no change)

b. Housing for low or moderate income households may be permitted a maximum density above the density permitted under subsections 91) and (2)(a) of this section based upon the percentage of dwelling units which are low or moderate income units, using the following multipliers:

Density		Multiplier
% of "Low or Moderate Income Units"	=	
5 - 9%	=	1.1
10 - 14%	=	1.2
15 - 19%	=	1.3
20 - 24%	=	1.4
25%	=	1.5

125.45 Decision on the PUD - Effect of an Approved PUD

1. General (no change)

2. Exception - If the City approves the preliminary PUD, the applicant may, subject to all other applicable codes and ordinances, begin clearing and grading of the site, and any other site work on the subject property that is specifically approved in the resolution or ordinance approving the preliminary PUD.

~~125.67 Final Site Plan Review - Appeals~~

~~The decision of the Planning Director in approving or denying the final site plan may be appealed using the appeal provisions, as applicable, of Process I of this code, KZC 145.60 through 145.110.~~

**Chapter 130 - Rezones**

130.70 Quasijudicial Project Rezones - Minor Modifications

Subsequent to the adoption of the resolution of intent to rezone, the applicant may apply for a minor modification to the site plan approved as part of that resolution. ~~The City will use the Process I described in Chapter 145 KZC to~~ Planning Official shall administratively review and decide upon an application for a minor modification. The City may approve a minor modification only if it finds that:

1. - 5. (no change)

**Chapter 142 - Design Review**

142.35 Design Review Board

1. (no change)
2. Authority - The Design Review Board shall review projects for consistency with the following:
  - a. (no change)
  - b. The design regulations contained in KZC ~~50.63~~ 50.65 and 52.50. To the extent that the standards of the design guidelines or design regulations address the same issue but are not entirely consistent or contain different levels of specificity, the Design Review Board shall determine which standard results in superior design.
  - c. (no change)
3. - 8. (no change)

#### Chapter 145 - Process I

##### 145.12 Pre-Submittal Meeting

1. - 3. (no change)
4. Time Limits - The City will not accept an application under this chapter unless the applicant attended a pre-submittal meeting under this section, regarding the proposal for which application is made, within the ~~three~~ six months immediately prior to the date the application is submitted.

##### 145.22 Notice of Application and Comment Period

1. Contents - The Planning Official shall prepare a notice of each application containing the following information:
  - a. - l. (no change)
  - m. The name of the applicant.
2. Distribution
  - a. Not more than 10 calendar days after the Planning Official determines that the application is complete, and at least 18 calendar days prior to the end of the comment period, the Planning Official shall distribute this notice as follows:
    - 1) - 2) (no change)
    - 3) A copy of the notice, including a vicinity map, will be mailed to residents of each adjoining property, using mailing labels provided by the applicant.
  - b. (no change)

##### 145.45 Planning Director's Decision

1. - 4. (no change)



5. Notice of Decision - Within four calendar days after the Planning Director's written decision is issued, the Planning Official shall mail a copy of the decision to the following persons:
  - a. (no change)
  - b. Each person who submitted written comments or information on the application. The Planning Official is not required to send a notice of decision to a party who signed a petition, unless such party also submitted independent written comments or information.
  - c. (no change)
6. (no change)

145.60 Appeals

1. Who May Appeal - the decision of the Planning Director may be appealed by:
  - a. The applicant, or
  - b. Any person who submitted written comments or information to the Planning Director on the application. A party who signed a petition may not appeal unless such party also submitted independent written comments or information.
2. Time to Appeal/How to Appeal - The appeal, in the form of a letter of appeal, must be delivered to the Planning Department within 14 calendar days following the postmarked date of distribution of the Planning director's decision; provided, that the appeal letter must be delivered to the Planning department within 21 calendar days of the postmarked date of distribution of the Planning Director's decision if state or local rules adopted pursuant to SEPA allow for public comment on a declaration of nonsignificance issued on the proposed development activity; and provided further, that if the 14<sup>th</sup> or 21<sup>st</sup> day, as applicable, of the appeal period falls on a Saturday, Sunday, or legal holiday, the appeal period shall be extended through the next day on which the City is open for business. It must contain:
  - a. A clear reference to the matter being appealed; and
  - b. A statement of the specific elements of the Planning director's decision disputed by the person filing the appeal.
3. - 4. (no change)

145.110 Judicial Review

The action of the City in granting or denying an application under this chapter may be reviewed pursuant to the standards set forth in ~~RCW 36.21C.130~~ RCW 36.70C.130 in the King County Superior Court. The land use petition must be filed within 21 calendar days of the issuance of the final land use decision by the City. For more information on the judicial review process for land use decisions, see Chapter 36.70C RCW.

**Chapter 150 - Process IIA**

150.12 Pre-Submittal Meeting

1. - 3. (no change)

4. Time Limits - The City will not accept an application under this chapter unless the applicant attended a pre-submittal meeting under this section, regarding the proposal for which application is made, within the ~~three~~ six months immediately prior to the date the application is submitted.

150.22 Notice of Application

1. Contents - The Planning Official shall prepare a notice of each application containing the following information:
- a. - l. (no change)
  - m. The name of the applicant.

150.65 Hearing Examiner's Decision

1. - 5. (no change)
6. Notice of Decision - Within four calendar days after the Hearing Examiner's written decision is issued, the Planning Official shall mail a copy of the decision to the following parties:
- a. (no change)
  - b. Each person who submitted written or oral testimony to the Hearing Examiner on the application. The Planning Official is not required to send a notice of decision to a party who signed a petition, unless such party also submitted independent written comments or information.
  - c. (no change)
7. (no change)

150.80 Appeals

1. Who May appeal - The decision of the Hearing Examiner may be appealed by:
- a. The applicant; and
  - b. Any person who submitted written or oral testimony to the Hearing Examiner on the application. A party who signed a petition may not appeal unless such party also submitted independent written comments or information.
2. Time To Appeal/How To Appeal - The appeal, in the form of a letter of appeal, must be delivered to the Planning Department within 14 calendar days following the postmarked date of distribution of the Hearing Examiner's decision; provided, that the appeal letter must be delivered to the Planning Department within 21 calendar days of the postmarked date of distribution of the Hearing Examiner's decision if state or local rules adopted pursuant to SEPA allow for public comment on a declaration of nonsignificance issued on the proposed development activity; and provided further, that if the 14<sup>th</sup> or 21<sup>st</sup> day, as applicable, of the appeal period falls on a Saturday, Sunday, or legal holiday, the appeal period shall be extended through the next day on which the City is open for business. It must contain:
- a. - b. (no change)

3. Fee - (no change)
4. Jurisdiction - Appeals from the decision of the Hearing Examiner will be heard considered and decided upon by the City Council.

150.85 Notice of Consideration of the Appeal Hearing

1. Contents - The Planning Official shall prepare a notice of the appeal containing the following:
  - a. - b. (no change)
  - c. The time and place of the ~~public hearing on the appeal before the~~ consideration of the appeal by the City Council.
  - d. - e. (no change)
2. Distribution - At least 14 calendar days before the ~~hearing on~~ City Council consideration of the appeal, the Planning Official shall send a copy of this notice to each person entitled to appeal the decision under KZC 150.80(1).

150.90 Participation in the Appeal

Only those persons entitled to appeal the decision under KZC 150.80(1) who file an appeal under KZC 150.80(2) may participate in the appeal. These persons may participate in either or both of the following ways:

1. By submitting written arguments to the City Council prior to the commencement of the City Council's consideration of the appeal. ~~hearing.~~
2. By appearing in person, or through a representative, at the City Council's consideration of the appeal hearing and providing oral or written arguments directly to the City Council. The Council may reasonably limit the extent of the oral arguments to facilitate the orderly and timely conduct of ~~the hearing~~ their consideration of the appeal.

150.100 Staff Report on the Appeal

1. (no change)
2. Distribution - The Planning Official shall distribute copies of the staff report as follows:
  - a. Prior to the ~~hearing~~ City Council's consideration of the appeal, a copy will be sent to each member of the City Council.
  - b. At least seven calendar days before the ~~hearing~~ City Council's consideration of the appeal, a copy will be sent to:
    - 1) - 3) (no change)

150.105 Public Hearing City Council Consideration of the Appeal

1. Hearing in General - City Council shall hold on a closed record appeal ~~hearing~~ procedure on the appeal.

2. Hearing Consideration Declared Open - The hearings consideration of the appeal by the City Council are is open to the public.

150.110 Electronic Sound Recordings

City Council shall make a complete electronic sound recording of each hearing consideration of an appeal.

150.120 Continuation of the Hearing Consideration of the Appeal

City Council may continue ~~the hearing~~ their consideration if, for any reason, they are unable to ~~hear~~ receive all of the public comments on the appeal or if City Council determines that they need more information within the scope of the appeal. If, during ~~the hearing~~ their consideration, the time and place of the next ~~public hearing on~~ consideration of the matter is announced, no further notice of that hearing consideration need be given.

**Chapter 152 - Process IIB**

152.12 Pre-Submittal Meeting

1. - 3. *(no change)*
4. Time Limits - The City will not accept an application under this chapter unless the applicant attended a pre-submittal meeting under this section, regarding the proposal for which application is made, within the ~~three~~ six months immediately prior to the date the application is submitted.

152.22 Notice of Application

1. Contents - The Planning Official shall prepare a notice of each application containing the following information:
- a. - l. *(no change)*
- m. The name of the applicant.
2. Distribution *(no change)*

152.75 Distribution of the Hearing Examiner's Recommendation

The Planning Official shall distribute copies of the recommendation of the Hearing Examiner as follows:

1. Within four calendar days after the Hearing Examiner's written recommendation is issued, a copy will be sent to the applicant, and to any persons who submitted written or oral testimony to the Hearing Examiner on the application. The Planning Official is not required to send a notice of decision to a party who signed a petition, unless such party also submitted independent written comments or information.
2. *(no change)*

152.85 Challenge to the Hearing Examiner's Recommendation

1. Who May Challenge - The recommendation of the Hearing Examiner may be challenged by:

- a. The applicant; and
  - b. Any person who submitted written or oral testimony to the Hearing Examiner on the application. A party who signed a petition may not challenge unless such party also submitted independent written comments or information.
2. Contents of a Challenge (no change)
  3. How and When To File a Challenge
    - a. The challenge may be filed by delivering it to the Planning Department, together with the fee established by ordinance, within seven calendar days of the postmarked date of distribution of the Hearing Examiner's recommendation on the application, provided, that if the seventh day falls on a Saturday, Sunday, or legal holiday, the seventh day of the challenge period shall be extended through the next day on which the City is open for business.
    - b. - d. (no change)

#### 152.105 Notice of Decision

1. General (no change)
2. Distribution - Except as provided in KZC 152.105.3, Wwithin four calendar days after the City Council's decision is made, the Planning Official shall mail a copy of the decision to the following persons:
  - a. (no change)
  - b. Each person who submitted written or oral comments or testimony on the application. The Planning Official is not required to send a notice of decision to a party who signed a petition, unless such party also submitted independent written comments or information.
  - c. (no change)
3. Applications within the Jurisdiction of the Houghton Community Council - If the City Council approves an application within the disapproval jurisdiction of the Houghton Community Council, the notice of decision shall be distributed within four calendar days after approval by the Houghton Community Council or failure to disapprove also state that, while the decision of the City Council is the final decision of the City, such decision shall become effective only as specified in KZC 152.100(2). The notice shall be distributed as specified in KZC152.105.2.a-c.

#### Chapter 155 - Process III

#### 155.10 Decision To Be Made Using Process # IIA or IIB

1. General (no change)
2. ~~Exceptions. The City Council may not order that the following decision will be made using process IIA or IIB:~~
  - a. ~~A decision on an application for PUD under Chapter 125 KZC;~~
  - b. ~~A decision on an application for a reclassification under Chapter 130 KZC.~~

3 2. Effect - (no change to text; renumbering only)

155.12 Pre-Submittal Meeting

1. - 3. (no change)

4. Time Limits - The City will not accept an application under this chapter unless the applicant attended a pre-submittal meeting under this section, regarding the proposal for which application is made, within the ~~three~~ six months immediately prior to the date the application is submitted.

155.22 Notice of Application

1. Contents - The Planning Official shall prepare a notice of each application containing the following information:

a. - l. (no change)

m. The name of the applicant.

2. Distribution (no change)

155.75 Distribution of Planning Commission's Report Recommendation

The Planning Official shall distribute copies of the report of the Planning Commission as follows:

1. Within four calendar days following the date the planning Commission issues its written recommendation, a copy will be sent to the applicant, and to any persons who submitted written or oral testimony to the Planning Commission on the application. The Planning Official is not required to send a notice of decision to a party who signed a petition, unless such party also submitted independent written comments or information.

2. (no change)

155.85 Challenge to the Planning Commission's Recommendation

1. Who May Challenge - The recommendation of the Planning Commission may be challenged by:

a. The applicant; and

b. Any person who submitted written or oral testimony to the Planning Commission on the application. A party who signed a petition may not challenge unless such party also submitted independent written comments or information.

2. Contents of a Challenge (no change)

3. How and When To File a Challenge

a. The challenge may be filed by delivering it to the Planning Department, together with the fee established by ordinance, within seven calendar days of the postmarked date of distribution of the Planning Commission's recommendation on the application; provided, that if the seventh day falls on a Saturday, Sunday,

or legal holiday, the seventh day of the challenge period shall be extended through the next day on which the City is open for business.

b. - d. (no change)

155.105 Notice of Decision

1. General (no change)
2. Distribution - Except as provided in KZC 155.105.3, Wwithin four calendar days after the City Council's decision is made, the Planning Official shall mail a copy of the decision to the following persons:
  - a. (no change)
  - b. Each person who submitted written or oral comments or testimony on the application. The Planning Official is not required to send a notice of decision to a party who signed a petition, unless such party also submitted independent written comments or information.
  - c. (no change)
3. Applications within the Jurisdiction of the Houghton Community Council - If the City Council approves an application within the disapproval jurisdiction of the Houghton Community Council, the notice of decision shall be distributed within four calendar days after approval by the Houghton Community Council or failure to disapprove also state that, while the decision of the City Council is the final decision of the City, such decision shall become effective only as specified in KZC 155.100(2). The notice shall be distributed as specified in KZC155.105.2.a-c.

**Chapter 162 - Nonconformance**

162.35 Certain Nonconformances Specifically Regulated

1. - 5. (no change)
6. a. - b. (no change)
  - c. Parking lot surfaces must be brought into conformance in any of the following situations:
    - 1) An increase in gross floor area of any use except detached dwelling units; or
    - 2) - 3) (no change)
7. Nonconforming Height, Setbacks Yards, and View Corridors

Any structural alteration of a roof or exterior wall which does not comply with height, required yard, setback or view corridor standards will require that the nonconforming height, setback or view corridor be brought into conformance. Excepted from this section is the repair or maintenance of structural members.
8. - 10. (no change)
11. Vehicular Access Easement or Tract Standards

Nonconforming access easements and tracts are governed by KZC 105.10.2.i.

## Chapter 175 - Bonds

### 175.10 When May a Bond Be Used

1. Maintenance Bond - The Planning Official and/or Public Works Official may require an applicant to establish a maintenance bond only if another provision of this code or other ordinance specifically authorizes it.
2. Performance Bond - General - The Planning Official and/or Public Works Official may allow an applicant to establish a performance bond and obtain a certificate of occupancy or other permit in advance of completing all required work or improvements if the following criteria are met:
  - a. - c. *(no change)*

### 175.15 Type of Bond

In each case where the City requires or allows an applicant to post a bond, the Planning Official and/or Public Works Official shall determine the type of bond that will be used- and ~~The Official~~ shall select the type that will be least burdensome on the applicant while fully protecting the interests of the City.

### 175.20 Amount of the Bond

1. General - The Planning Official and/or Public Works Official shall determine the amount of the bond as follows:
  - a. - b. *(no change)*
2. Assistance in Determining Estimated Costs - The Planning Official and/or Public Works Official may consult with one or more persons with applicable special knowledge or expertise in determining the amount of a bond under subsection (1) of this section. The applicant shall pay the actual costs of this consultation prior to the Planning Official and/or Public Works Official accepting the bond and signing the bond agreement under KZC 175.30.

### 175.30 Bond Agreement

In each case where the City requires or allows an applicant to post a bond, the applicant and the Planning Official and/or Public Works Official shall sign an agreement prepared by the City stating the following:

1. - 4. *(no change)*

### 175.40 Release of Bond and Cash Deposit

After the work or improvements covered by a performance bond have been completed or, at the end of the time covered by a maintenance bond, the applicant may request the City to release the bond and refund the cash deposit. If the applicant has complied with the bond agreement and this code, the Planning Official and/or Public Works Official shall release the bond and the cash deposit remaining after any subtractions under KZC 175.55 and 175.60.

### 175.45 Use of Proceeds - Notice to Property Owner



If during the period of time covered by a maintenance bond or after the date by which the required work or improvements are to be completed under a performance bond, the Planning Official and/or Public Works Official determines that the bond agreement has not been complied with, he/she shall notify the applicant of this. The notice must state:

1. - 3. (no change)

#### **Chapter 180 - Plates**

Revisions to Plates 1-8, 12, 13, 13A, and 17, and new Plate XX (North Property Line for WD Zones), are shown on Attachment E.

#### **Zoning Map Amendments**

Reclassification of twenty-one (21) parcels or land owned by the City to the Public Use ("P") Zone, as identified in Attachment F.

#### **Attachments:**

- A. KZC 25.10 - PR Use Zone Chart
- B. KZC 60.187 - PLA 17A Use Zone Chart
- C. KZC 65.15 - P Use Zone Chart
- D. KZC 100.115 - Special Signs Chart
- E. Chapter 180 KZC - Plate Revisions
- F. Parcels to be rezoned to Public Use ("P") Zone

DIRECTIONS: FIRST, read down to find use. THEN, across for REGULATIONS

Section 25.10	USE REGULATIONS	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage				
			Front	Side	Rear						
.010	Detached Dwelling Units	None	20'	5' but 2 side yards must equal at least 15'	10'	70%	If adjoining a low density zone other than RSX, then 25' above average building elevation. 30' above average building elevation.	E	A	2.0 per dwelling unit.	1. For this use, only one dwelling unit may be on each lot regardless of lot size. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.020	Detached, Attached or Stacked Dwelling Units		5,000 sq. ft. if PR 5.0 zone, otherwise 3,600 sq. ft.					D		1.7 per unit.	1. Minimum amount of lot area per dwelling unit is as follows: a. In PR 5.0 zones, the minimum lot area per unit is 5,000 sq. ft. b. In PR 3.6 zones, the minimum lot area per unit is 3,600 sq. ft. c. In PR 2.4 zones, the minimum lot area per unit is 2,400 sq. ft. d. In PR 1.8 zones, the minimum lot area per unit is 1,800 sq. ft. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 3. If the subject property contains four or more units, then it must contain at least 200 sq. ft. per unit of common recreational space usable for many activities. This required common recreational open space must have the following minimum dimensions: a. For four to 20 units, the open space must be in one or more pieces each having at least 800 sq. ft. and having a length and width of at least 25 feet. b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet. The required common recreational open space may be reduced to 150 sq. ft. per unit if permanent outdoor furniture, pool, cooking facilities, playing equipment, and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced, based on the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area.

Section 60.187

Zone  
PLA17A

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use... THEN, across, for REGULATIONS

Section 60.187	USE REGULATIONS	Required Review Process	MINIMUMS			MAXIMUMS			Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)		
			Lot Size	REQUIRED YARDS (See Ch. 115)		Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)			Sign Category (See Ch. 100)	
				Front	Side							Rear
.060	Assisted Living Facility (Continued)									13. Lands upland of the ordinary high waterline only may be included in the calculation of lot area. 14. The parking area shall also include a designated location and facilities to serve on-site residents as they wash or otherwise service their personal vehicles. These facilities shall be so located, improved, and furnished to prevent surface water contaminants, such as detergents, oils and debris, from entering the lake or wetlands.		
.070	Family Day-Care Home	None	7,200 sq. ft.	20'	5', on each side. See Special Regulation 1.	10'	60%	30' above average building elevation.	E	A	2.0 per dwelling unit.	1. On corner lots, only one front yard must be a minimum of 20 feet. All other yards shall be regulated as a side yard (minimum five-foot yard). The applicant may select which front yard shall meet the 20-foot requirement. 2. Family day-care provider must be licensed by the state to operate a family child day-care home. 3. A safe passenger loading area as certified by the state office of child care policy licensor shall be provided. 4. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388).
.080	Golf Course See Special Regulations 2 and 3.	Process IIA, Chapter 150 KZC.	1 acre	50'	50' on each side	50'			B	See KZC 105.25.	1. Site design must minimize adverse impacts on surrounding residential neighborhoods. 2. May not include miniature golf. 3. The following accessory uses are specifically permitted as part of this use: a. Equipment storage facilities. b. Retail sales and rental of golf equipment and accessories. c. A restaurant.	
.090	Convalescent Center or Nursing Home		7,200 sq. ft.	20'	10' on each side	10'	70%	20' 30' above average building elevation.	C	B	1 for each bed.	4. No vehicular connection through this subarea to NE 90th Street is permitted. 5. If a nursing home use is combined with an assisted living facility use in order to provide a continuum of care for residents, the required review process shall be the least intensive process between the two uses.

**DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS**

Section 65.15 USE ↑ REGULATIONS ↑	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
		Lot Size	REQUIRED YARDS (See Ch. 115)		Lot Coverage	Height of Structure				
			Front Side	Rear						
.010 Public Park	See Special Regulations 1 and 2.	None	Will be determined on case-by-case basis.		-	-	See KZC 105.25.	1. Development and use of a park does not require a development permit under this Code if: a. A master plan for that park has been approved by the City and the proposed development and use is consistent with the master plan; or b. The proposed use and development will not involve: 1) Lighting for outdoor nighttime activities; and 2) The construction of any building of more than 4,000 square feet; and 3) The construction of more than 20 parking stalls; and 4) The development of any structured sports or activity areas. 2. Any development or use of a park that does not meet the requirements of Special Regulation 1 must be approved through the Process III, Chapter 155 KZC. The City will use the following factors in determining what facilities and uses will be permitted: a. Ease of access to the park. b. Character of the neighborhood. c. Size, nature, and topography of the subject property.		
.020 Public Utility	None								1. If the proposal is for a governmental facility located at the Houghton Landfill site as designated on the Official Zoning Map, Process IIA, Otherwise, Process IIA.	
.030 Government Facility Community Facility	Process IIA, Chapter 150 KZC.									

See Special Regulation 1.

TYPE OF SIGN	MAXIMUM NUMBER OF SIGNS	MAXIMUM SIGN AREA	PERMITTED LOCATION	PERMITTED DURATION OF DISPLAY
Real Estate, On-site	For each dwelling unit, use or development: 1 per broker per abutting right-of-way.	Dwelling units: 6 sq. ft. per sign face. Other uses or developments: 32 sq. ft. per sign face – not to exceed 64 sq. ft. per property for sale or rent.	Subject property.	Must remove when property is sold or rented.
Real Estate, Off-site	1 per block per property for sale or rent.	6 sq. ft. per sign face.	No limitation. <u>Private property/ public right-of-way.</u> <sup>3</sup>	Must remove when property is sold or rented.
Construction	1 per abutting right-of-way.	32 sq. ft. per sign face.	Subject property.	Shall not be displayed prior to issuance of a building permit. Must be removed prior to issuance of a certificate of occupancy.
Temporary Commercial	No maximum.	No maximum.	Subject property. Must be entirely attached to a building face or fence.	Must remove at end of use, event or condition.
Integral	1 per structure.	6 sq. ft. per sign face.	Subject property.	No limitation.
Private Notice and Instructional	No maximum.	2 sq. ft. per sign face.	Subject property.	No limitation.
Private Advertising	No maximum.	16 sq. ft. per sign face.	No closer than 50 ft. from another sign advertising the same use, event or condition.	Must remove at end of use, event or condition.
Private Traffic Direction	No maximum.	4 sq. ft. per sign face.	Subject property.	No limitation.
Off-site Directional <sup>1</sup>	1.	16 sq. ft. per use, not to exceed 64 sq. ft.	<del>Where necessary to direct the public to the subject properties.</del> <u>Private property/ public right-of-way.</u> <sup>3</sup>	Determined on case-by-case basis.
Political	No maximum.	6 sq. ft. per sign face.	<u>Private property/ public right-of-way.</u> <sup>3</sup>	No sooner than 30 days prior to the primary election and no later than 7 days after the final election.

TYPE OF SIGN	MAXIMUM NUMBER OF SIGNS	MAXIMUM SIGN AREA	PERMITTED LOCATION	PERMITTED DURATION OF DISPLAY
Projecting and Under Marquee	1 per pedestrian or vehicular entrance.	4 sq. ft. per sign face.	Subject property right-of-way abutting subject property. For uses subject to Sign Categories C, D, E and F only. Shall not project above roof-line of structure to which sign is attached.	No limitation.
Fuel Price <sup>(2)</sup>	1 per abutting right-of-way.	20 sq. ft. per sign face.	Subject property.	No limitation.
<p>(1) Must be approved by the Planning Director. Shall only be approved if there is a demonstrated need for an off-site sign because of poor visibility or traffic patterns. All uses in an area wanting a permanent off-site directional sign must use one sign. The applicant must show that the proposed sign can accommodate all uses in the area that may reasonably need to be listed on the sign. The decision of the Planning Director in approving or denying an off-site directional sign may be appealed using the appeal provision, as applicable, of Process I, KZC 145.60 through 145.110.</p> <p>(2) Fuel price signs are also subject to KZC 100.95.</p> <p>(3) <u>Signs which are permitted to be placed within a public street right-of-way shall be located between the curb and the abutting private property, or where no curb exists, between the edge of the paved travel lane or paved shoulder and the abutting private property, but in no case on a sidewalk or driveway.</u></p>				

100.120 Bonds

The City may require a bond under Chapter 175 KZC to ensure compliance with any aspect of this chapter.

Plate 1

ONE-WAY TRAFFIC - STANDARD SIZE STALL (8.5' X 18.5')

Parking Angle	Single Loaded Aisle			Double Loaded Aisle		
	A	B	C	D	*E	F
0	8.5	18.5	27.0	8.5	18.5	35.5
30	9.5	18.5	28.0	9.5	18.5	37.5
35	10.0	18.5	28.5	10.0	18.5	38.5
40	11.0	18.5	29.5	11.0	18.5	40.5
45	12.0	18.5	30.5	12.0	18.5	42.5
50	13.0	18.5	31.5	13.0	18.5	44.5
55	14.0	18.5	32.5	14.0	18.5	46.5
60	15.0	18.5	33.5	15.0	18.5	48.5
65	16.0	19.5	35.5	16.0	19.5	51.5
70	16.5	20.0	36.5	16.5	20.0	53.0
75	17.0	20.5	37.5	17.0	20.5	54.5
80	17.5	21.0	38.5	17.5	21.0	56.0
85	18.0	21.5	39.5	18.0	21.5	57.5
90	18.5	22.0	40.5	18.5	22.0	59.0

\*The Fire Department may require a minimum driving aisle width of 20' for access of fire apparatus to the structure(s).

\*For a double loaded aisle containing standards size stalls on one side and compact size stalls on the other side, the required driving aisle width (Column E) shall be the required width for standard size stalls.

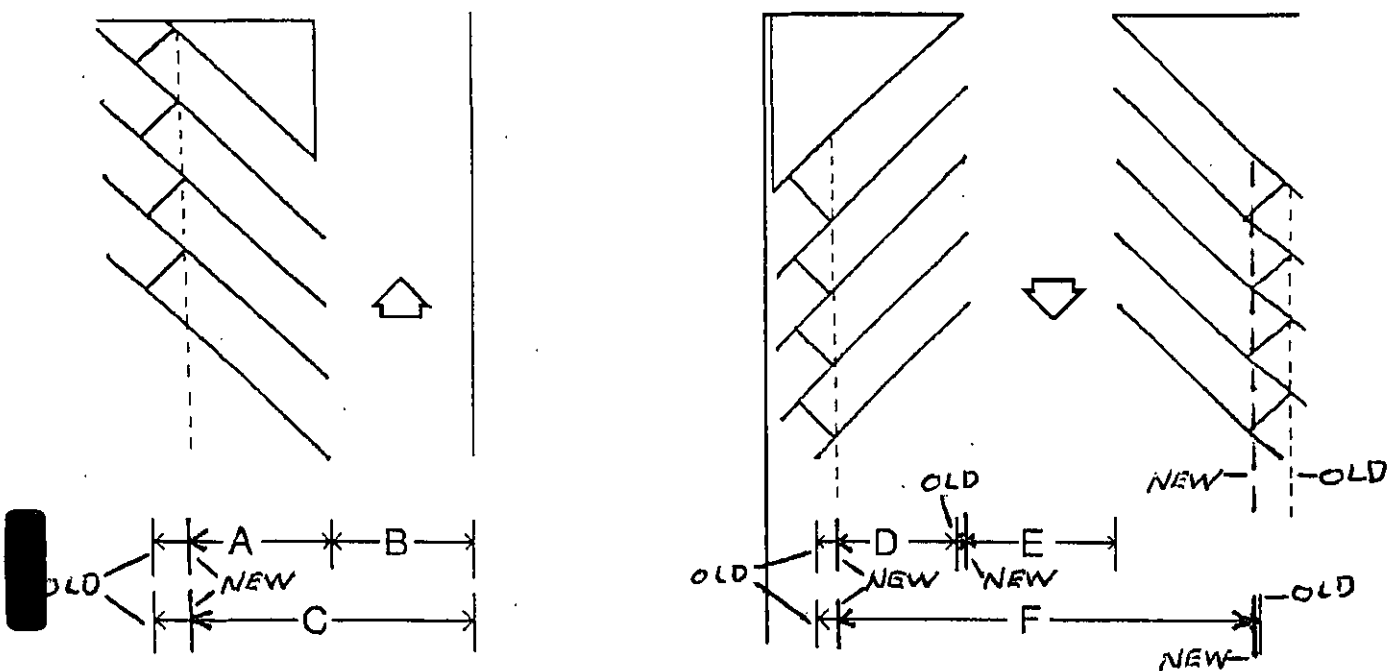


Plate 2

TWO-WAY TRAFFIC - STANDARD SIZE STALL (8.5' X 18.5')

Parking Angle	Single Loaded Aisle			Double Loaded Aisle		
	A	B	C	D	*E	F
0	8.5	24	32.5	8.5	24	41
30	9.5	24	33.5	9.5	24	43
35	10.0	24	34.0	10.0	24	44
40	11.0	24	35.0	11.0	24	46
45	12.0	24	36.0	12.0	24	48
50	13.0	24	37.0	13.0	24	50
55	14.0	24	38.0	14.0	24	52
60	15.0	24	39.0	15.0	24	54
65	16.0	24	40.0	16.0	24	56
70	16.5	24	40.5	16.5	24	57
75	17.0	24	41.0	17.0	24	58
80	17.5	24	41.5	17.5	24	59
85	18.0	24	42.0	18.0	24	60
90	18.5	24	42.5	18.5	24	61

\*For a double loaded aisle containing standards size stalls on one side and compact size stalls on the other side, the required driving aisle width (Column E) shall be the required width for standard size stalls.

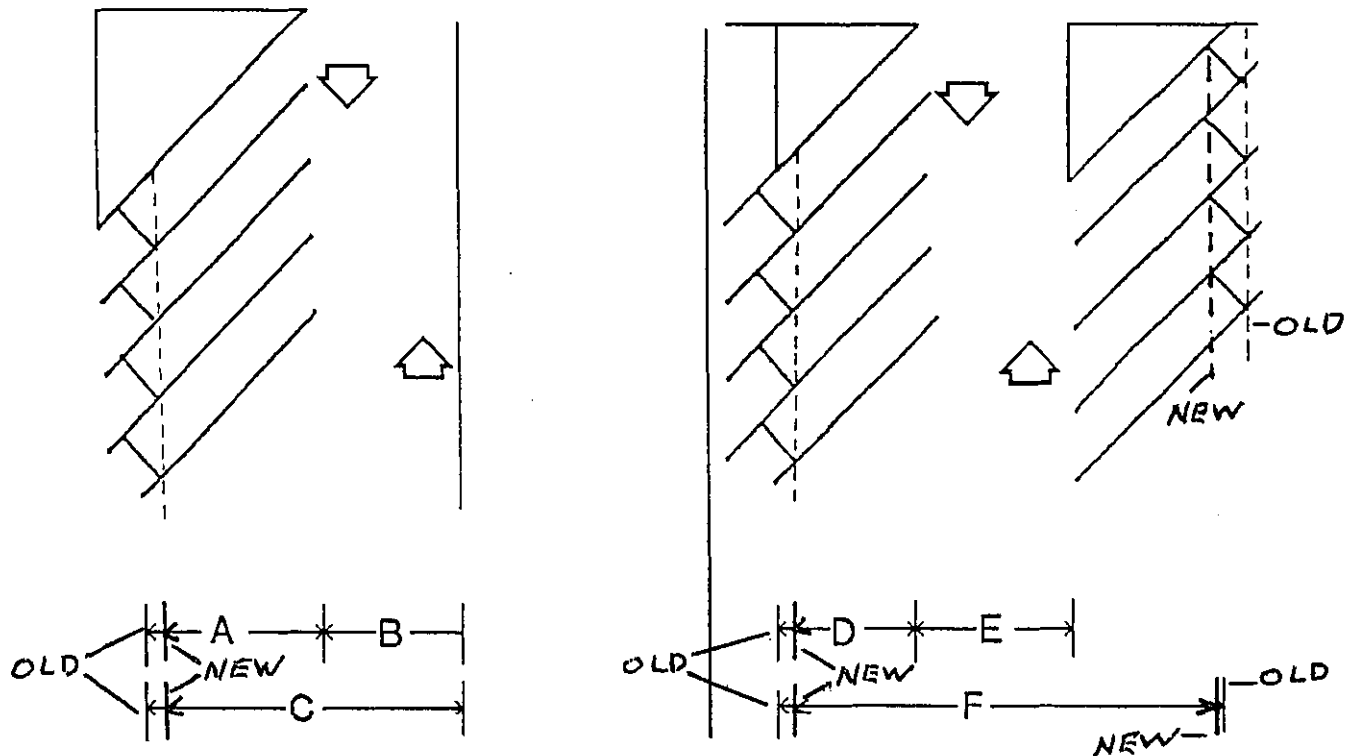




Plate 3

ONE-WAY TRAFFIC - COMPACT STALL (8' X 16')

Parking Angle	Single Loaded Aisle			Double Loaded Aisle		
	A	B	C	D	*E	F
0	8	17	25	8	17	33
30	8	17	25	8	17	33
35	9	17	26	9	17	35
40	10	17	27	10	17	37
45	11	17	28	11	17	39
50	12	17	29	12	17	41
55	13	17	30	13	17	43
60	13	17	30	13	17	43
65	14	17	31	14	17	45
70	15	17	32	15	17	47
75	15	17	32	15	17	47
80	16	18	34	16	18	50
85	16	18	34	16	18	50
90	16	18	34	16	18	50

\*The Fire Department may require a minimum driving aisle width of 20' for access of fire apparatus to the structure(s).

\*For a double loaded aisle containing standards size stalls on one side and compact size stalls on the other side, the required driving aisle width (Column E) shall be the required width for standard size stalls.

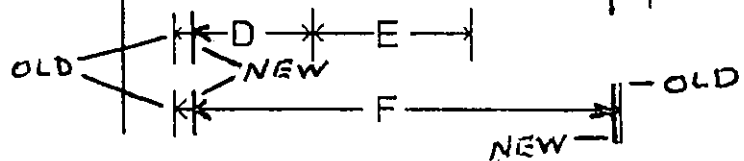
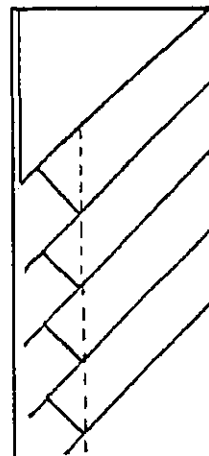
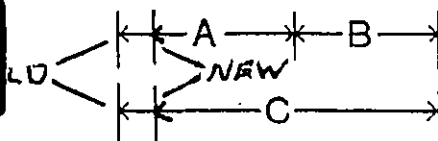
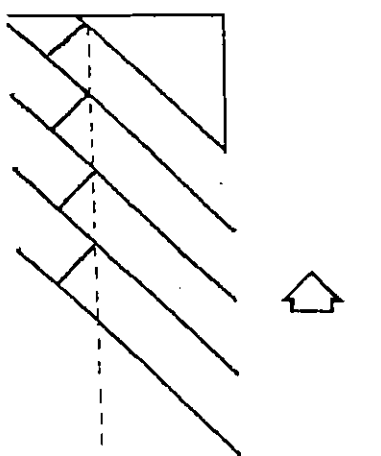


Plate 4

TWO-WAY TRAFFIC - COMPACT STALL (8' X 16')

Parking Angle	Single Loaded Aisle			Double Loaded Aisle		
	A	B	C	D	*E	F
0	8	20	28	8	20	36
30	8	20	28	8	20	36
35	9	20	29	9	20	38
40	10	20	30	10	20	40
45	11	20	31	11	20	42
50	12	20	32	12	20	44
55	13	20	33	13	20	46
60	13	20	33	13	20	46
65	14	20	34	14	20	48
70	15	20	35	15	20	50
75	15	20	35	15	20	50
80	16	20	36	16	20	52
85	16	20	36	16	20	52
90	16	20	36	16	20	52

\*For a double loaded aisle containing standards size stalls on one side and compact size stalls on the other side, the required driving aisle width (Column E) shall be the required width for standard size stalls.

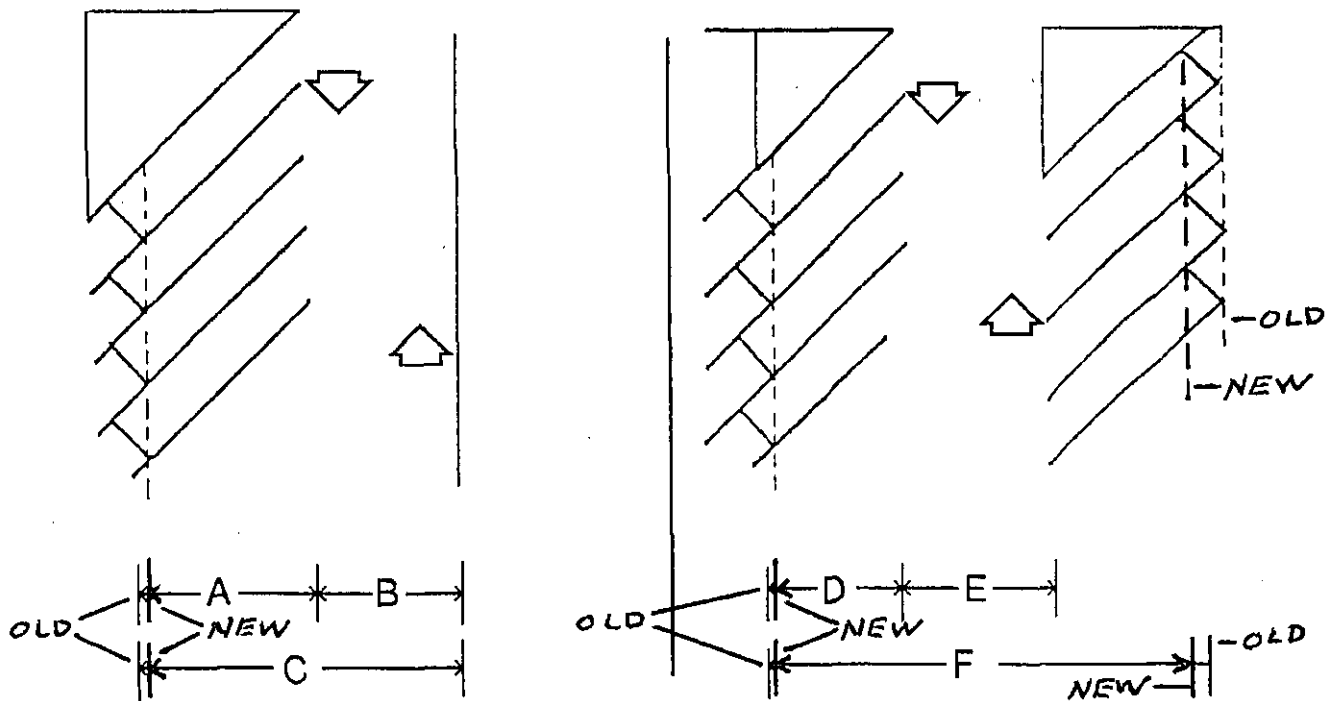


Plate 5

ONE-WAY TRAFFIC – STANDARD SIZE STALL (8.5' X 18.5') – DEAD-END STALL

Parking Angle	Single Loaded Aisle			Double Loaded Aisle		
	A	B	C	D	*E	F
0	8.5	18.5	27.0	8.5	18.5	35.5
30	9.5	18.5	28.0	9.5	18.5	37.5
35	10.0	18.5	28.5	10.0	18.5	38.5
40	11.0	18.5	29.5	11.0	18.5	40.5
45	12.0	18.5	30.5	12.0	18.5	42.5
50	13.0	18.5	31.5	13.0	18.5	44.5
55	14.0	18.5	32.5	14.0	18.5	46.5
60	15.0	18.5	33.5	15.0	18.5	48.5
65	16.0	19.5	35.5	16.0	19.5	51.5
70	16.5	20.0	36.5	16.5	20.0	53.0
75	17.0	20.5	37.5	17.0	20.5	54.5
80	17.5	21.0	38.5	17.5	21.0	56.0
85	18.0	21.5	39.5	18.0	21.5	57.5
90	18.5	22.0	40.5	18.5	22.0	59.0

\*The Fire Department may require a minimum driving aisle width of 20' for access of fire apparatus to the structure(s).

\*For a double loaded aisle containing standards size stalls on one side and compact size stalls on the other side, the required driving aisle width (Column E) shall be the required width for standard size stalls.

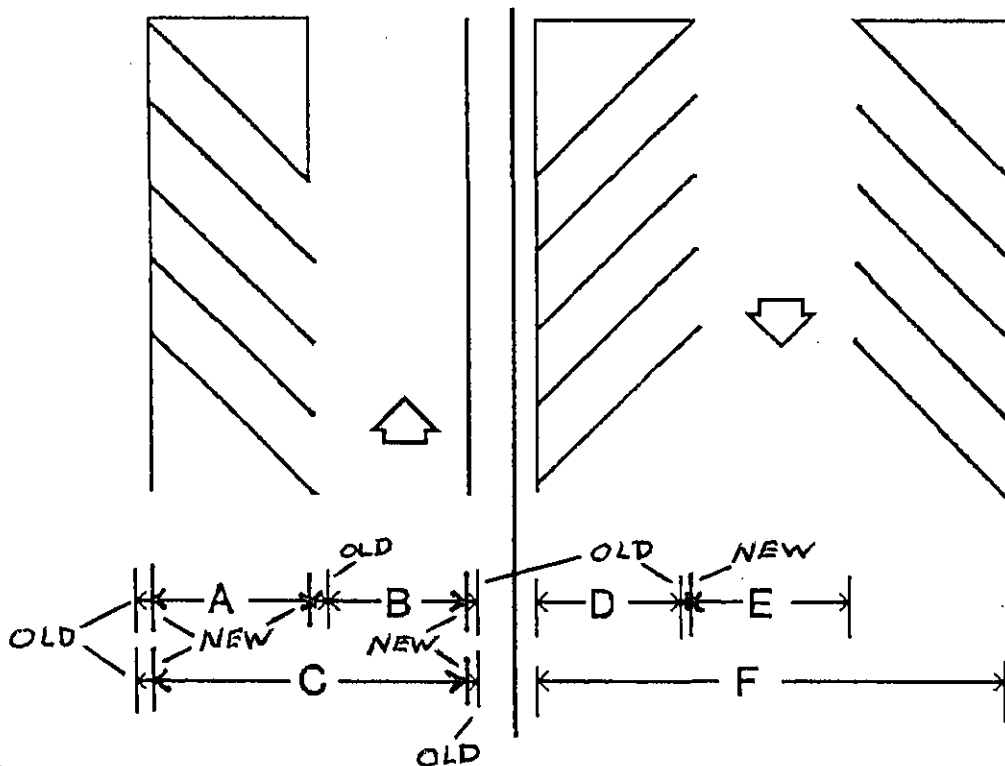


Plate 6

TWO-WAY TRAFFIC - STANDARD SIZE STALL (8.5' X 18.5') - DEAD-END STALL

Parking Angle	Single Loaded Aisle			Double Loaded Aisle		
	A	B	C	D	*E	F
0	8.5	24	32.5	8.5	24	41
30	9.5	24	33.5	9.5	24	43
35	10.0	24	34.0	10.0	24	44
40	11.0	24	35.0	11.0	24	46
45	12.0	24	36.0	12.0	24	48
50	13.0	24	37.0	13.0	24	50
55	14.0	24	38.0	14.0	24	52
60	15.0	24	39.0	15.0	24	54
65	16.0	24	40.0	16.0	24	56
70	16.5	24	40.5	16.5	24	57
75	17.0	24	41.0	17.0	24	58
80	17.5	24	41.5	17.5	24	59
85	18.0	24	42.0	18.0	24	60
90	18.5	24	42.5	18.5	24	61

\*For a double loaded aisle containing standards size stalls on one side and compact size stalls on the other side, the required driving aisle width (Column E) shall be the required width for standard size stalls.

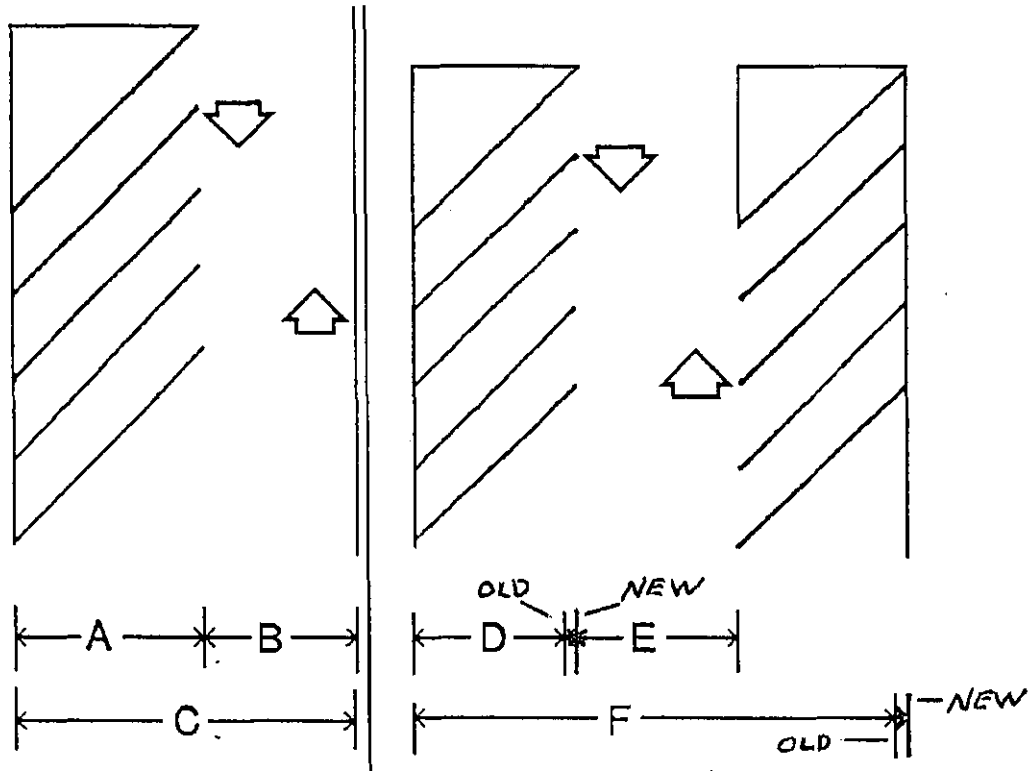


Plate 7

COMPACT

ONE-WAY TRAFFIC - ~~STANDARD~~ SIZE STALL (8' X 16') - DEAD-END STALL

Parking Angle	Single Loaded Aisle			Double Loaded Aisle		
	A	B	C	D	*E	F
0	8	17	25	8	17	33
30	8	17	25	8	17	33
35	9	17	26	9	17	35
40	10	17	27	10	17	37
45	11	17	28	11	17	39
50	12	17	29	12	17	41
55	13	17	30	13	17	43
60	13	17	30	13	17	43
65	14	17	31	14	17	45
70	15	17	32	15	17	47
75	15	17	32	15	17	47
80	16	18	34	16	18	50
85	16	18	34	16	18	50
90	16	18	34	16	18	50

\*The Fire Department may require a minimum driving aisle width of 20' for access of fire apparatus to the structure(s).

\*For a double loaded aisle containing standards size stalls on one side and compact size stalls on the other side, the required driving aisle width (Column E) shall be the required width for standard size stalls.

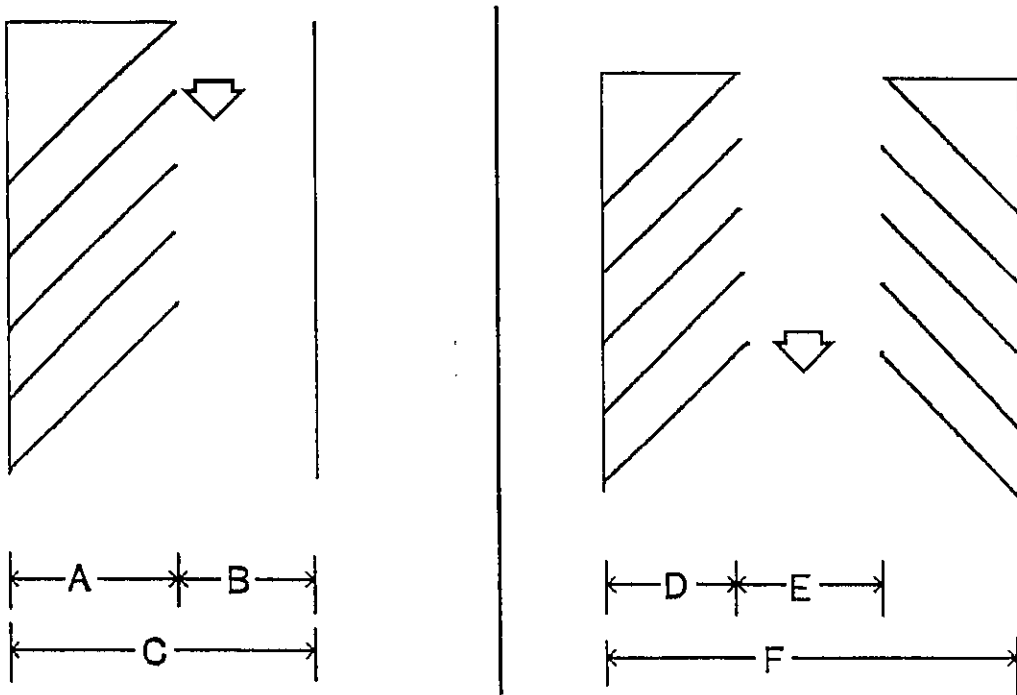
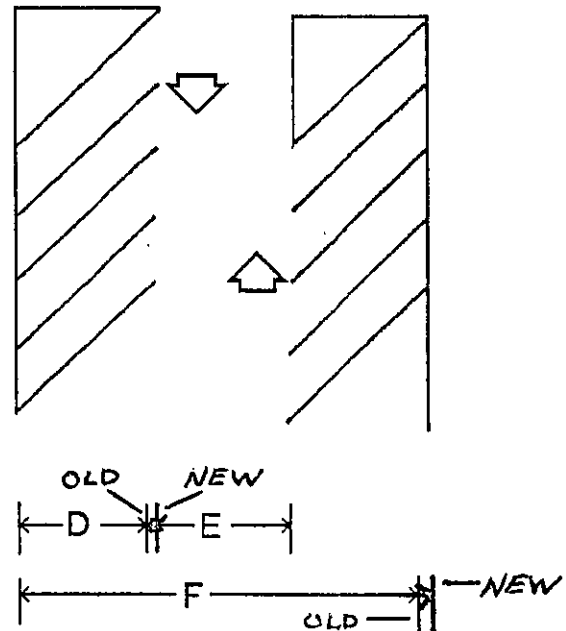
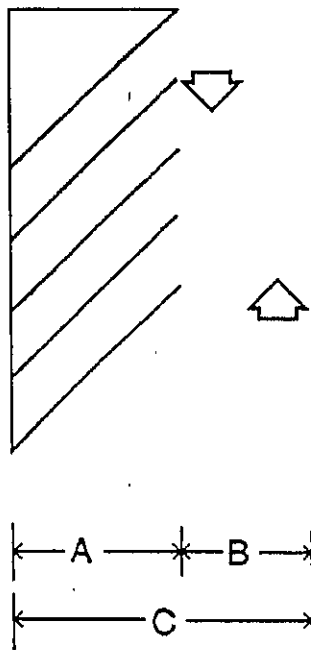


Plate 8

TWO-WAY TRAFFIC - COMPACT STALL (8' X 16') - DEAD-END STALL

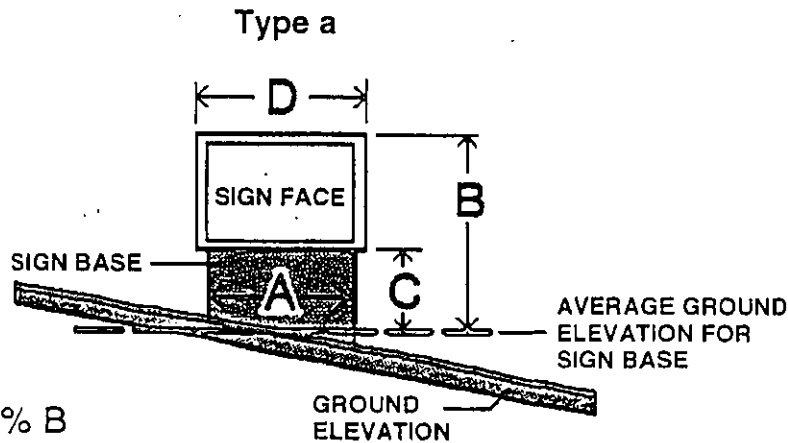
Parking Angle	Single Loaded Aisle			Double Loaded Aisle		
	A	B	C	D	*E	F
0	8	20	28	8	20	36
30	8	20	28	9	20	36
35	9	20	29	9	20	38
40	10	20	30	10	20	40
45	11	20	31	11	20	42
50	12	20	32	12	20	44
55	13	20	33	13	20	46
60	13	20	34	13	20	46
65	14	20	34	14	20	48
70	15	20	35	15	20	50
75	15	20	35	15	20	50
80	16	20	36	16	20	52
85	16	20	36	16	20	52
90	16	20	36	16	20	52

\*For a double loaded aisle containing standards size stalls on one side and compact size stalls on the other side, the required driving aisle width (Column E) shall be the required width for standard size stalls.



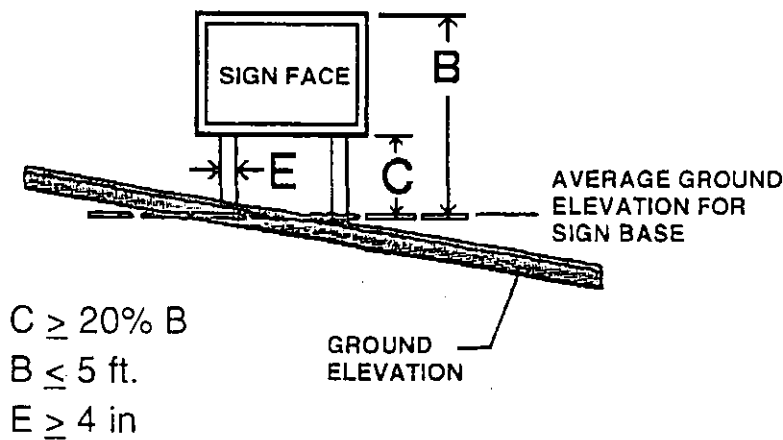
## Plate 12

## Pedestal Signs



- \*  $A \geq 50\% B$
- \*  $A \geq 50\% D$
- $C \geq 20\% B$
- $B \leq 5 \text{ ft.}$

\* Use whichever value of "A" is greater.

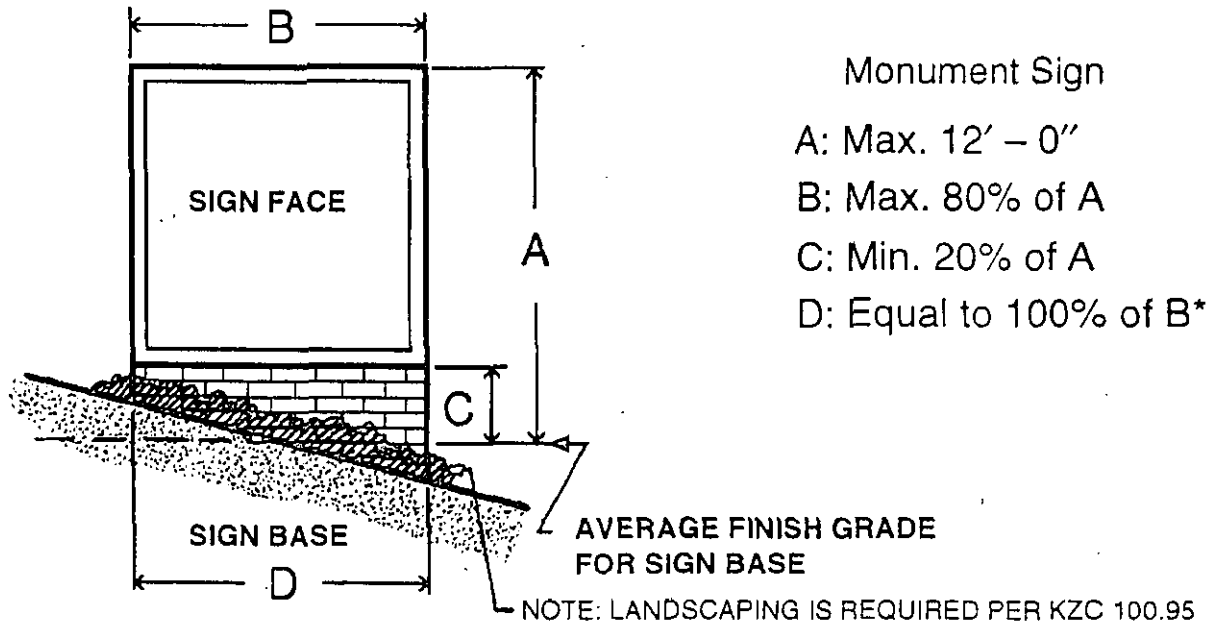


### Sign Area

To determine the proposed sign area, both sides/sign faces are to be included in the calculation. For example, if each side or sign face measures 4 sq. ft., the total sign area is 8 sq. ft.

Minor deviations from the dimensional standards for pedestal signs, except for maximum sign height, may be approved by the Planning Official if he/she concludes that the resulting sign has a clear and substantial visual linkage to the ground.

## Monument Signs



### Design Criteria

**SIGN BASE:** the base of the sign must be done in landscape construction materials such as brick, stucco, stonework, textured wood, tile or textured concrete or materials that are harmonious with the character of the primary structures on the subject property and subject to Planning Official approval. No visible gap shall be allowed between the sign base and the finished grade.

**SIGN FACE:** The color, shape, material, lettering, and other architectural details of the sign face must be harmonious with the character of the primary structures.

### Minor Deviations

Minor deviations from the dimensional standards for the monument signs, except for maximum sign height, may be approved by the Planning Official if he/she concludes that the resulting sign does not significantly change the relative proportion of the sign base to the sign face.

### Sign Area

To determine proposed area of the sign, both sides/sign faces are to be included in the calculation. For example, if each side or sign face measures 16 sq. ft., the total sign area is 32 sq. ft.

- \* If the height of the sign base is greater than three feet, then the width of the base may be as narrow as 90 percent of the width of the sign face.

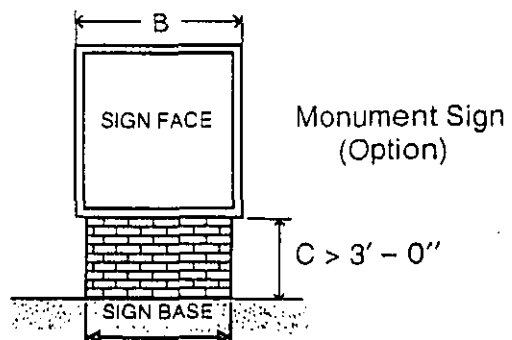
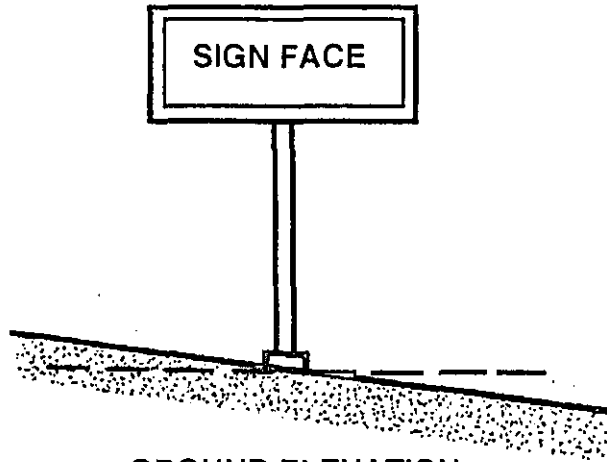




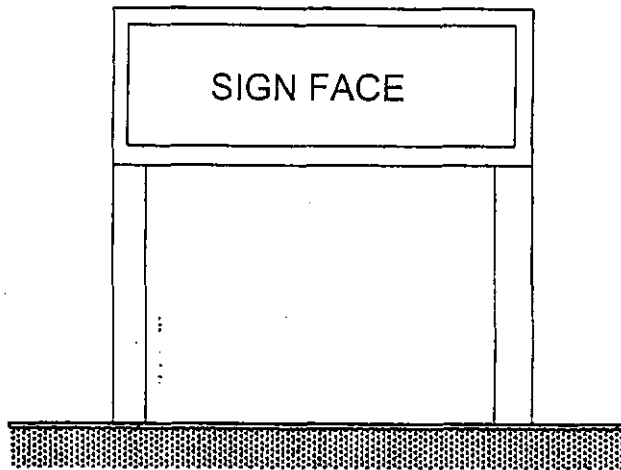
Plate 13A

# Pole Signs



GROUND ELEVATION

HEIGHT OF SIGN SHALL NOT EXCEED 20 FEET ABOVE AVERAGE GROUND ELEVATION.



GROUND ELEVATION

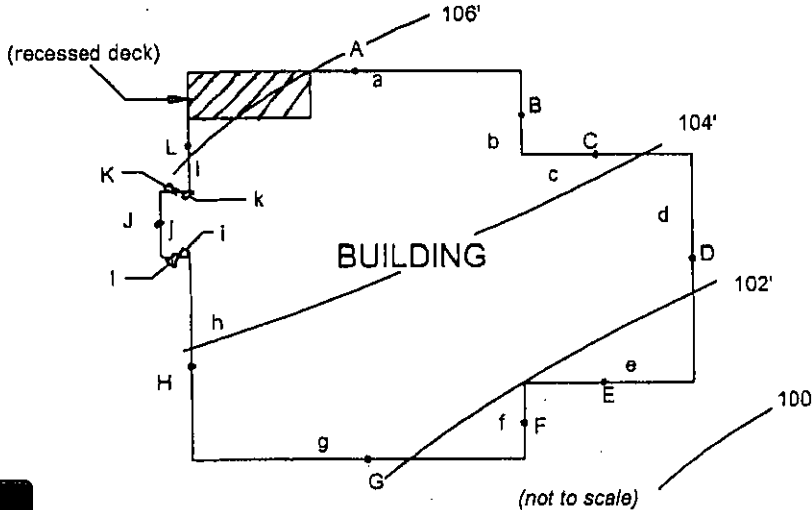
POLE SIGN - ANY GROUND MOUNTED SIGN THAT DOES NOT MEET THE DEFINITIONS OF MONUMENT OR PEDESTAL SIGNS AND WHICH IS COMPOSED OF TWO CHIEF ELEMENTS: THE SIGN FACE AND THE SIGN POLE(S) OR PYLON(S) WHICH CONNECT(S) THE SIGN FACE TO THE GROUND.

# Calculating Average Building Elevation

A, B, C, D... Existing Ground Elevation at Midpoint of Wall Segment \*

a, b, c, d... Length of Wall Segment Measured on Outside of Wall \*

\* Wall segment includes the perimeter of a deck, unless the deck has no walls at or below the deck level and no roof above the deck.



Midpoint Elevation
A = 105.9'
B = 104.7'
C = 103.7'
D = 102.2'
E = 101.6'
F = 101.7'
G = 102.2'
H = 103.2'
I = 105.0'
J = 105.0'
K = 105.0'
L = 105.8'

Wall Segment Length
a = 30'
b = 9'
c = 17'
d = 25'
e = 13'
f = 6'
g = 34'
h = 22'
i = 2'
j = 6'
k = 2'
l = 12'

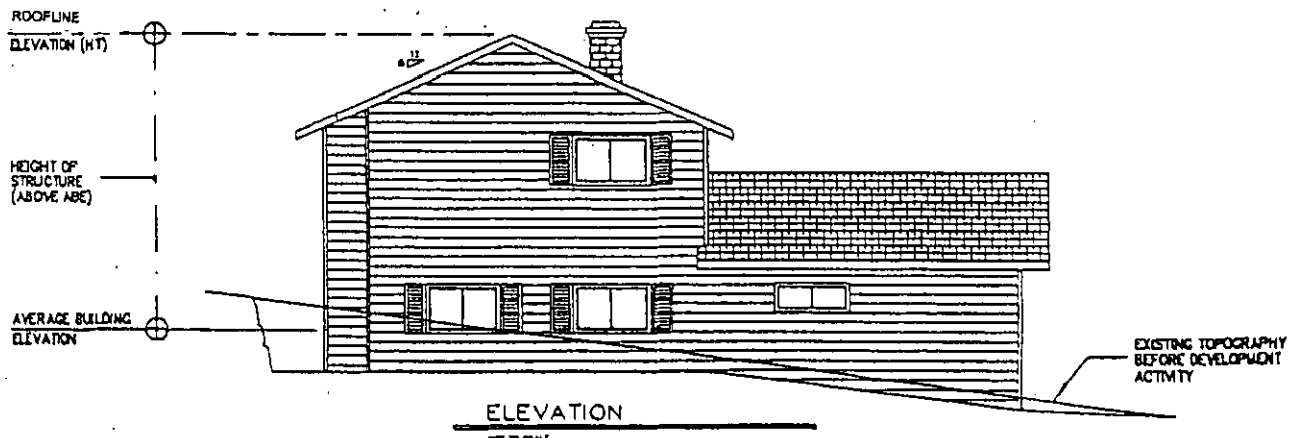
FORMULA:

$$\frac{(A \times a) + (B \times b) + (C \times c) + (D \times d) + (E \times e) + (F \times f) \dots + (L \times l)}{a + b + c + d + e + f \dots + l} = \text{Average Building Elevation (ABE)}$$

EXAMPLE:

$$\frac{(105.9)(30) + (104.7)(9) + (103.7)(17) + (102.2)(25) + (101.6)(13) + (101.7)(6) + (102.2)(34) + (103.2)(22) + (105.0)(2) + (105.0)(6) + (105.0)(2) + (105.8)(12)}{30 + 9 + 17 + 25 + 13 + 6 + 34 + 22 + 2 + 6 + 2 + 12} = \frac{18433}{178} = 103.6 \text{ ABE}$$

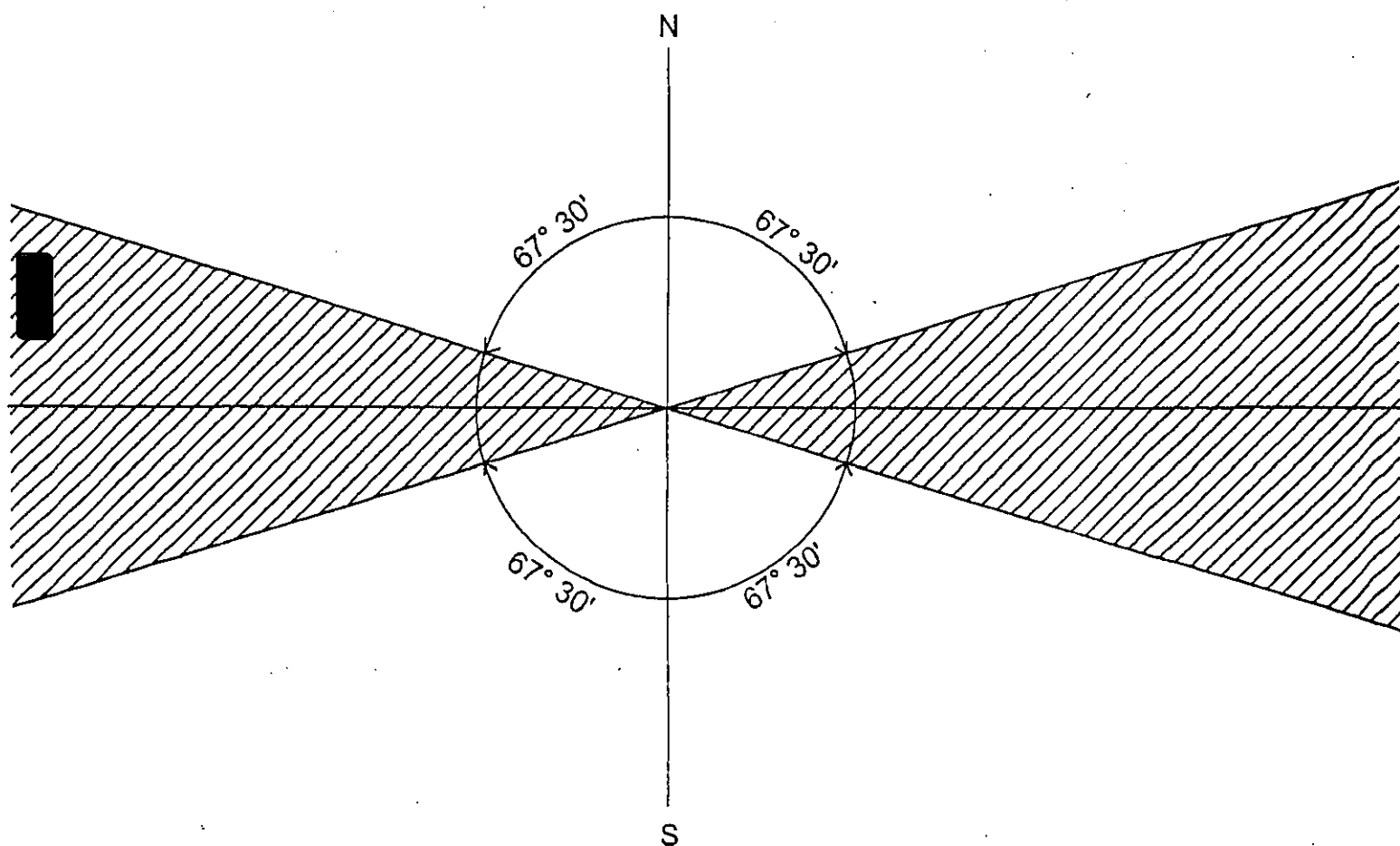
## CROSS-SECTION REPRESENTATION OF ABE



NOTE: PLEASE INCLUDE THE ELEVATION OF THE RIDGE OF THE ROOF ROOFLINE ON THE SITE PLAN AND/OR INDICATE ON THE ELEVATION DRAWINGS WHERE THE AVERAGE BUILDING ELEVATION (CALCULATED ABOVE) STRIKES THE BUILDING.

Plate \_\_\_\_\_

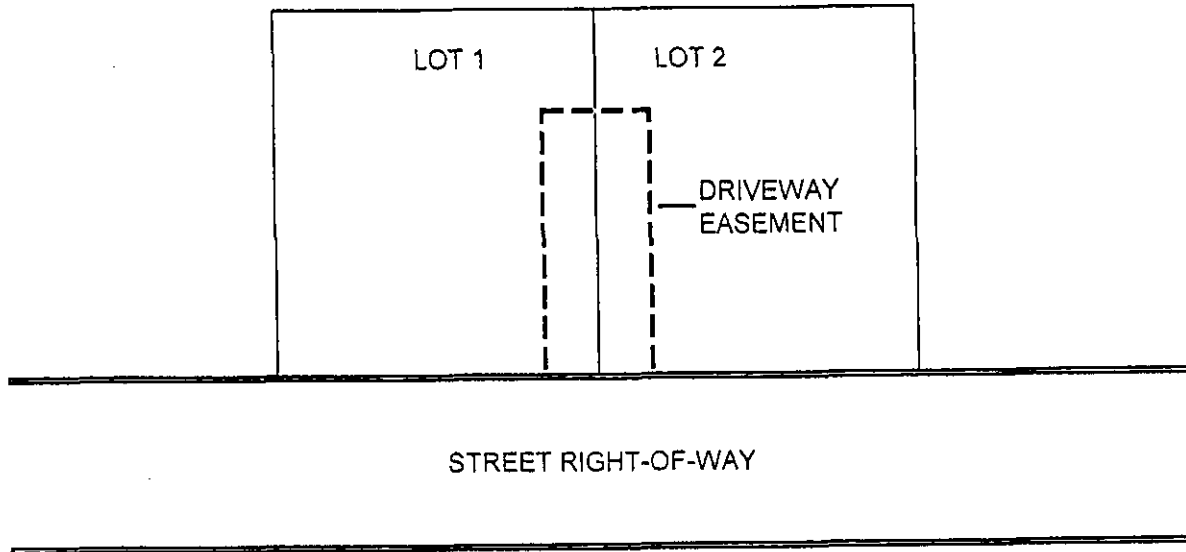
# North Property Line Waterfront District (WD) Zones



A line which falls within the shaded area  
is a north property line.

Plate \_\_\_\_\_

# Driveway Easement



TYPICAL CONFIGURATION OF A DRIVEWAY EASEMENT

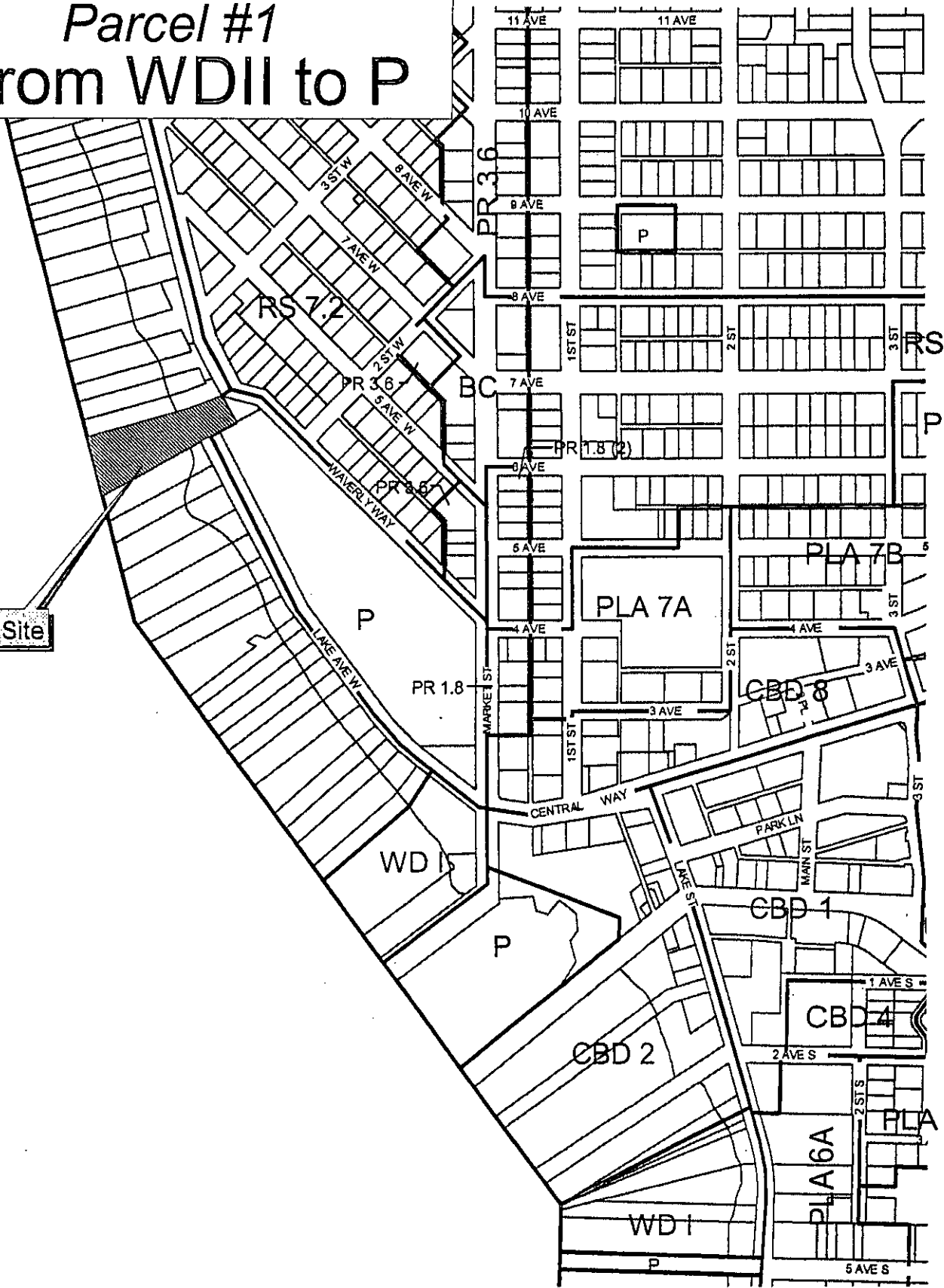
**ATTACHMENT B**

**File No. IVA-01-53 - Parcels to be Rezoned to P (Park/Public Use) Zone**

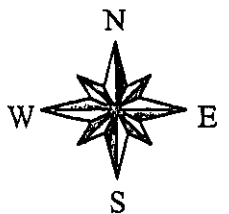
<b>Parcel</b>	<b>Tax Account #</b>	<b>Address or Other Identification</b>	<b>General Location</b>	<b>Current Zone</b>
1	N/A (street end)	297 2nd St W	North end of Waverly Park, between Waverly Way and Lake Washington	WDII
2-11	312670-0017 312670-0050 292605-9022 292605-9110 292605-9111 292605-9113 292605-9138 292605-9140 292605-9155 292605-9208	Includes the following:  10634 NE 116th St 10814 NE 116th St 10824 NE 116th St 10836 NE 116th St  And surrounding parcels.	North of NE 116th St at 108th Ave NE, near South Juanita Neighborhood Park.	RSX 7.2
12	329573-0200	Tract D of Highland Creste	South of Burlington Northern Railroad right-of-way, west of 116th Ave NE. North of 11510-11518 NE 107th Place and 11406 NE 106th Lane.	RS 8.5/PUD
13	507790-0170	Tract A of Manor Heights	North of NE 121st Pl, between 108th and 110th Aves NE; southwest of and adjacent to Heronfield Wetlands.	RS 7.2
14-16	123310-0425 123310-0436 123310-0445	8236 124th Ave NE; Parcel located east of 8212 124th Ave NE; Parcel located south of 8206 and north of 8046 124th Ave NE	East side of 124th Ave NE, between NE 80th and NE 85th Streets.	RSX 7.2
17	404575-0110	Tract A of Lake Kirkland Place	Northeast corner of Forbes Lake/Lake Kirkland, south of NE 97th St.	PLA 17A
18-19	123850-0725 123850-0730	Lots 13 and 14, Lochshire.	South end of Forbes Lake/Lake Kirkland, north of NE 92nd St.	PLA 17A
20	332605-0136	North of 10625 132nd Ave NE	Water tower site at north end of Mark Twain Park, west of 132nd Ave NE, south of NE 108th St	RSX 7.2
21	863990-0214	Tract B of Trillium Court PUD.	West of 124th Ave NE, north of NE 100th Place.	RSX 7.2

# Parcel #1 From WDII to P

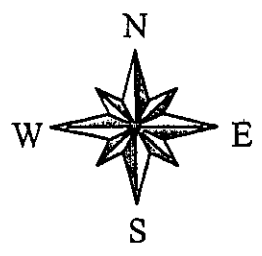
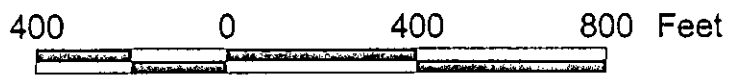
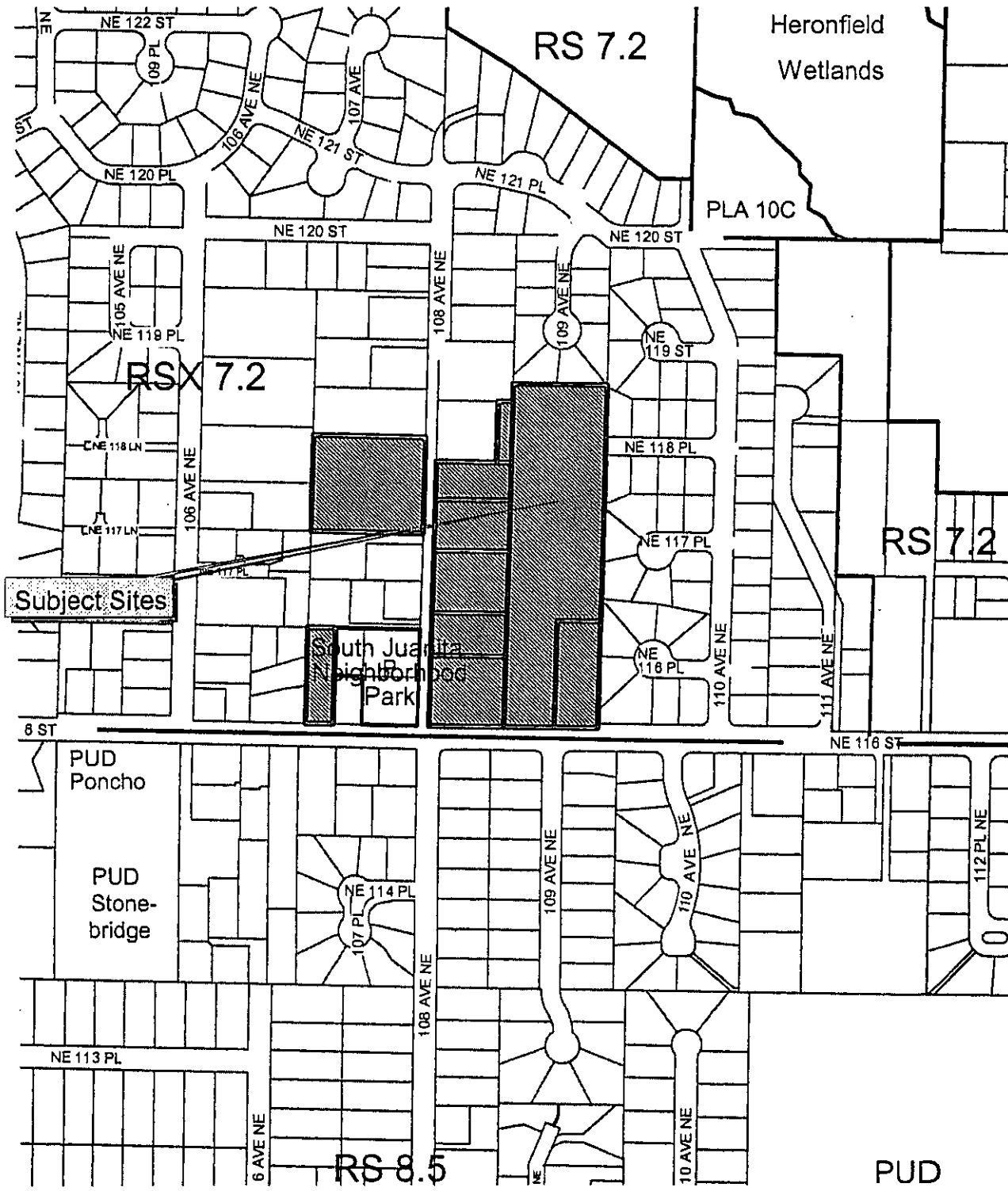
Subject Site



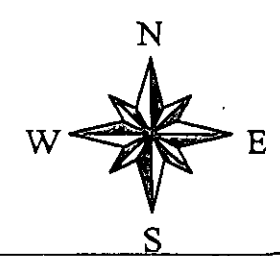
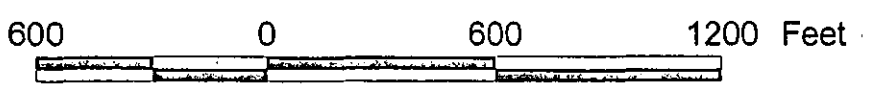
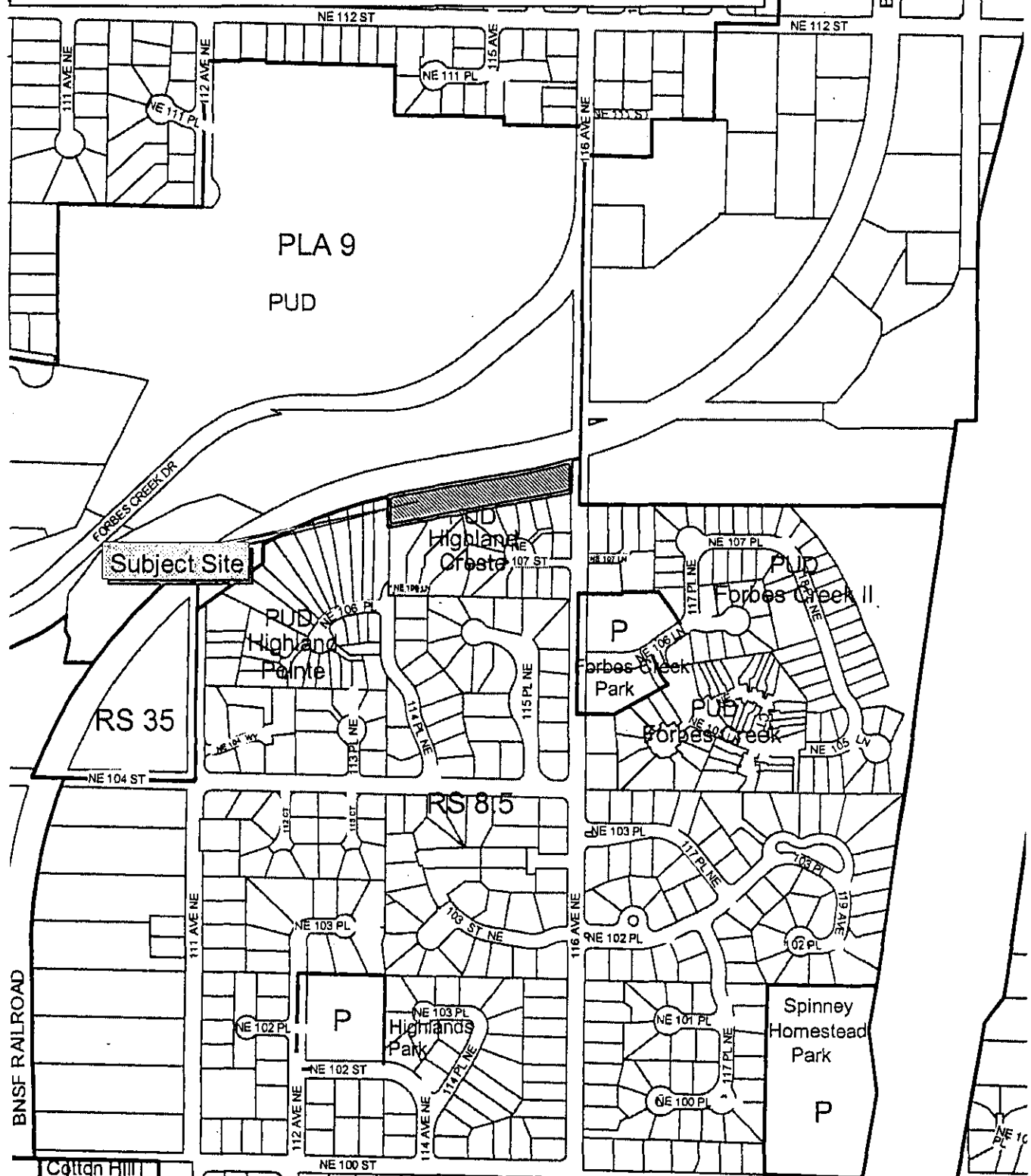
600 0 600 1200 Feet



# Parcel #2 - 11 From RSX 7.2 to P

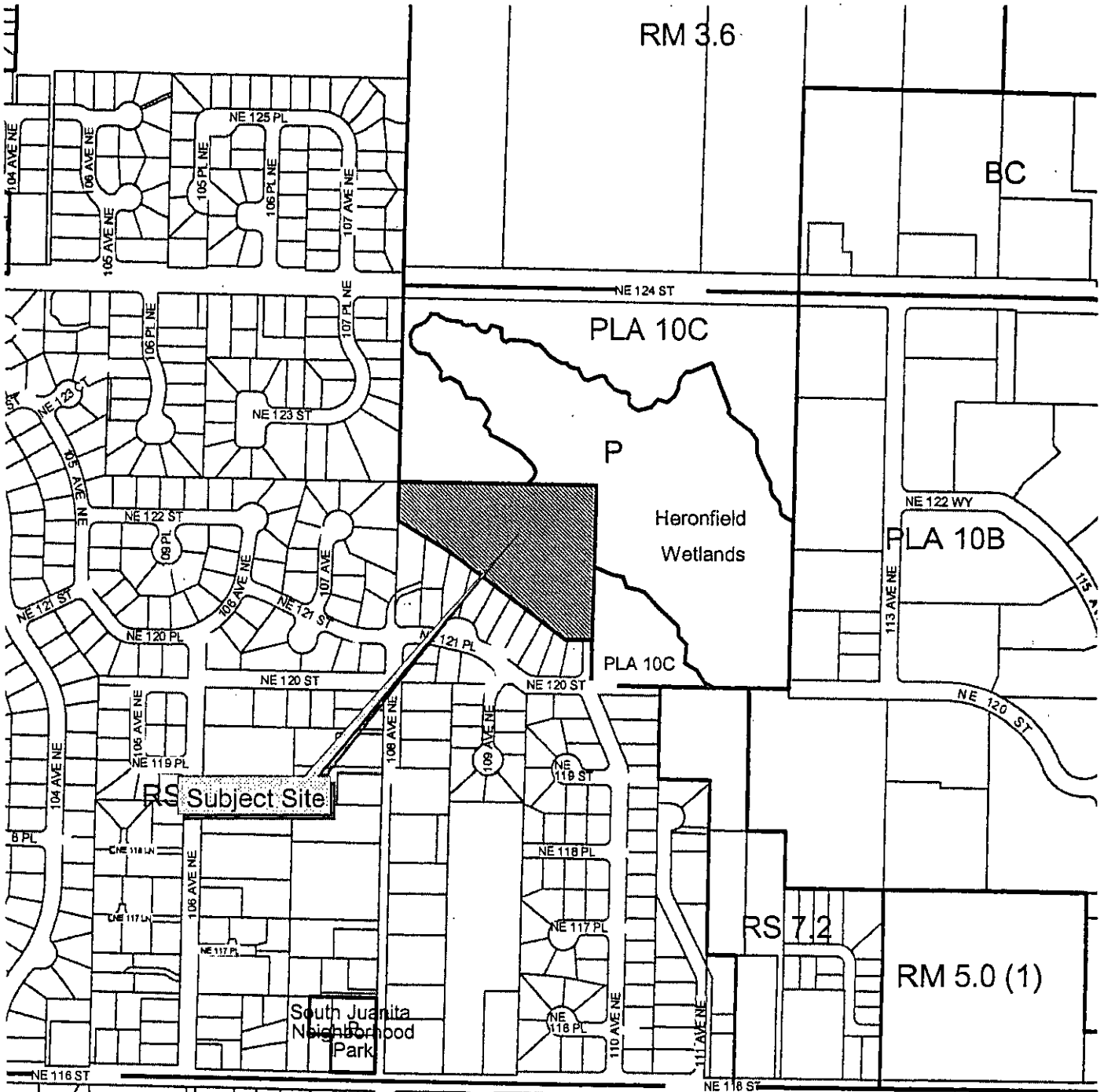


# Parcel #12 From RS 8.5/PUD to P

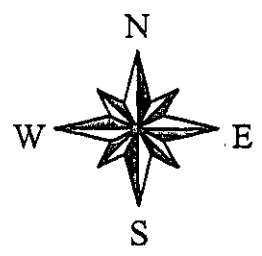




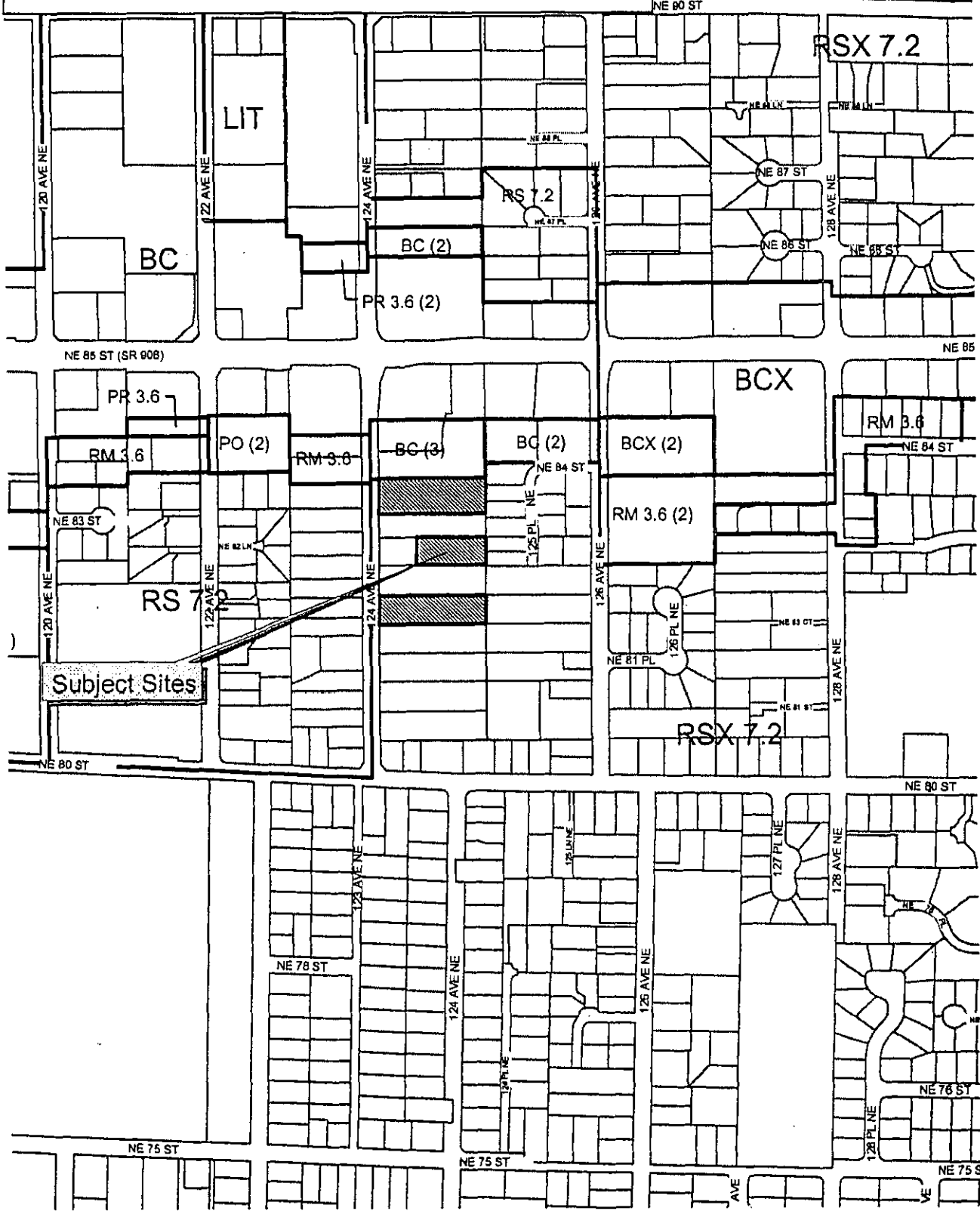
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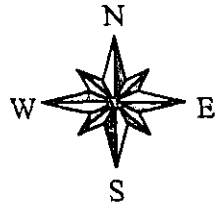
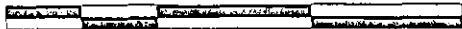
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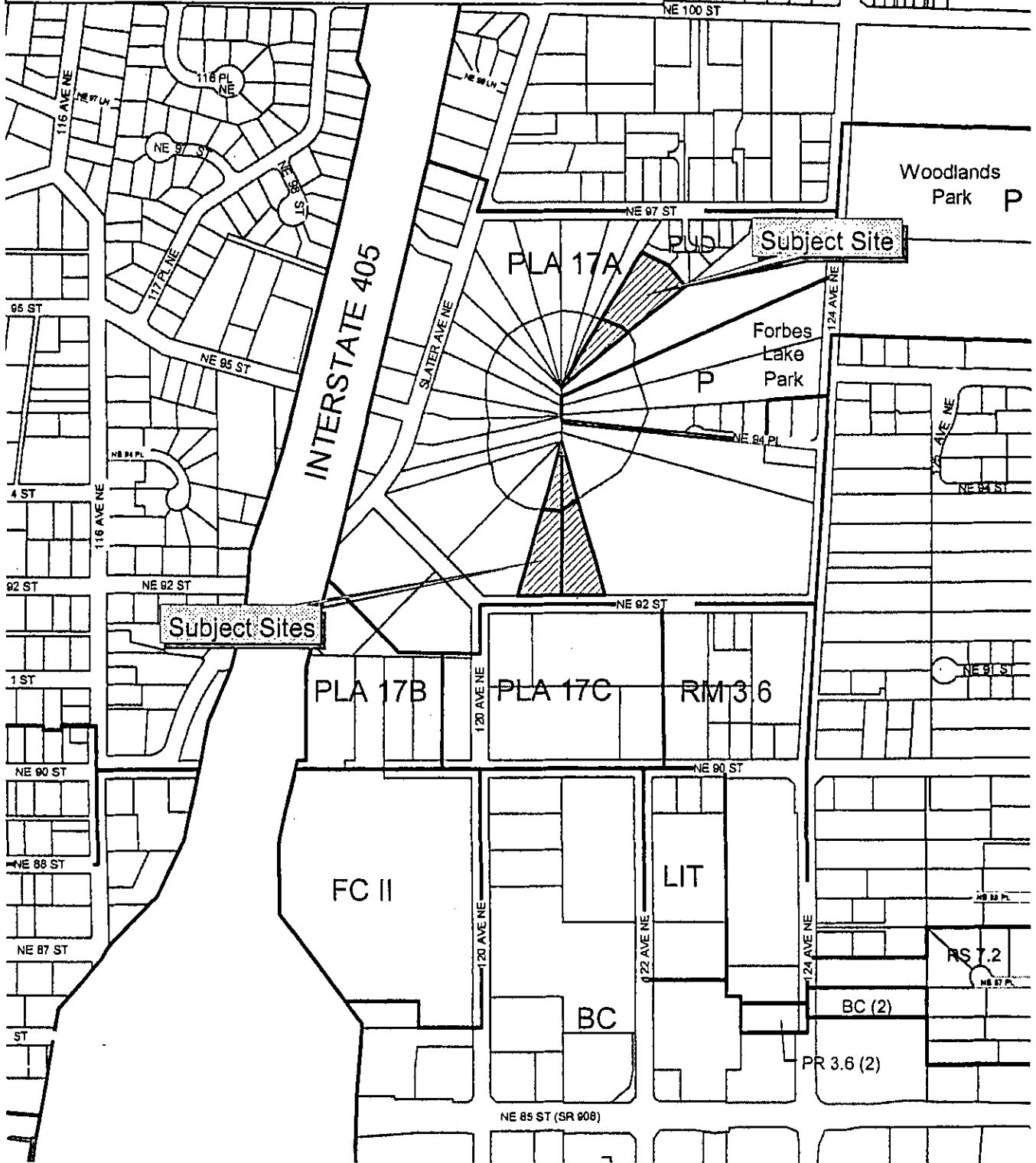
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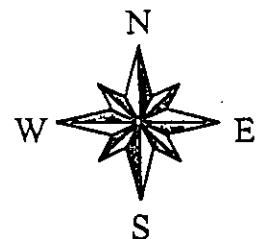
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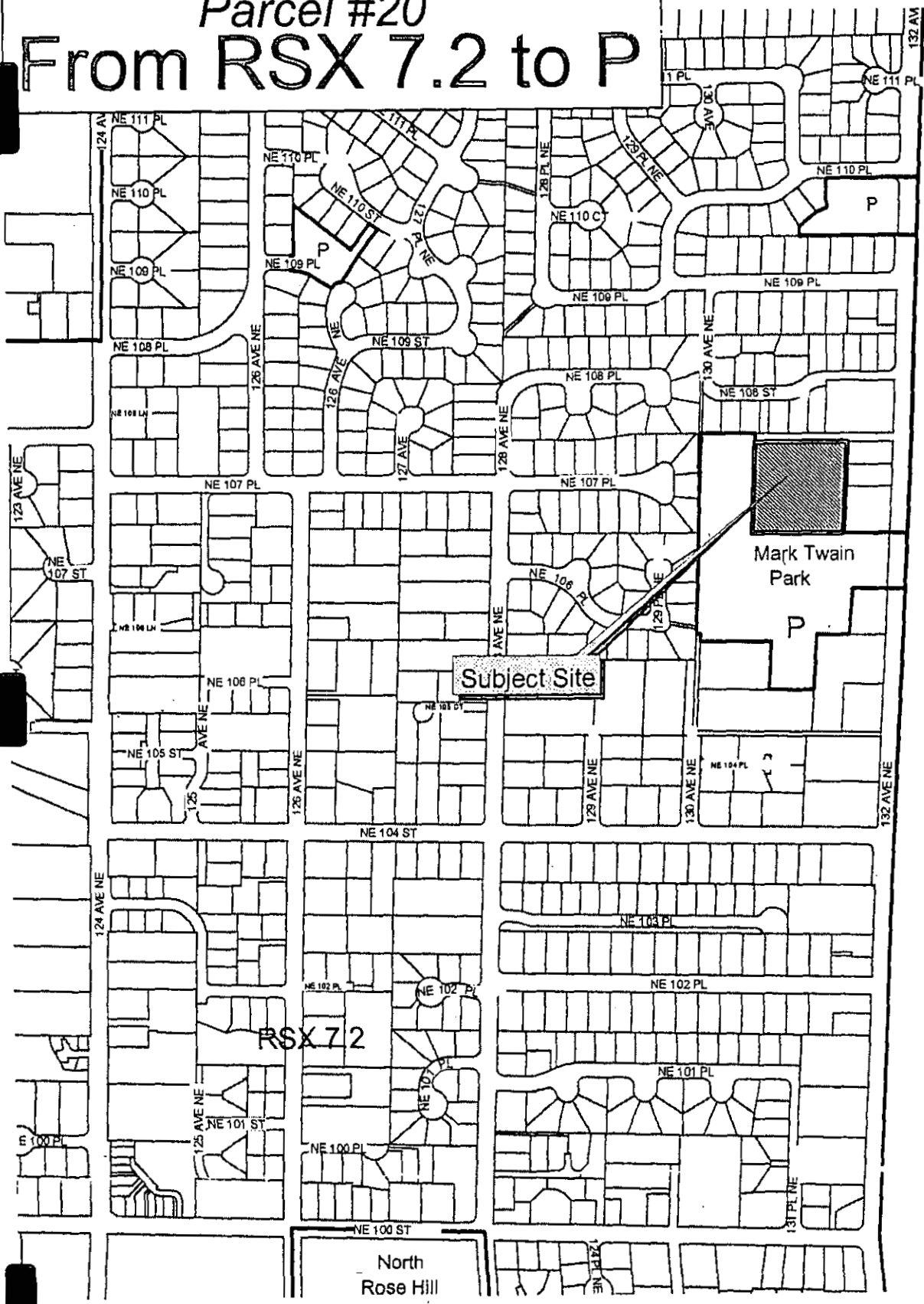
# Parcel #17 - 19 From PLA17A to P



600 0 600 Feet



# Parcel #20 From RSX 7.2 to P

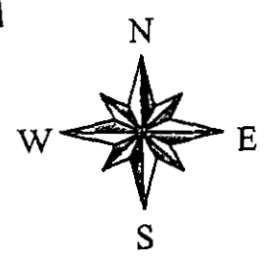
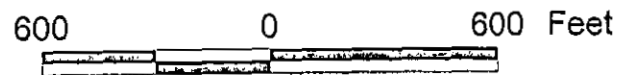


Subject Site

Mark Twain Park

RSX 7.2

North Rose Hill





L

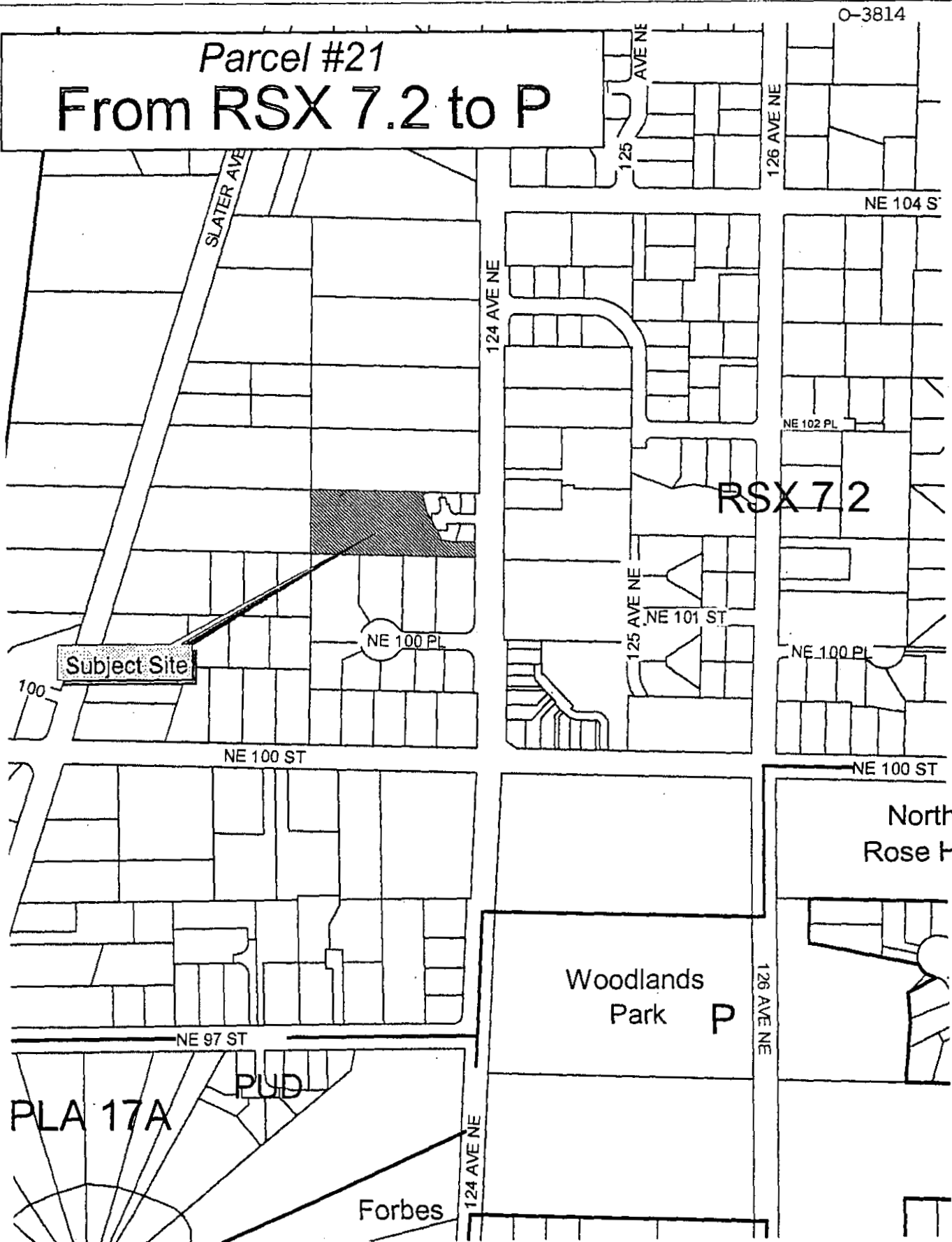


V

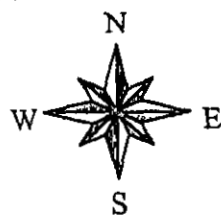


I

# Parcel #21 From RSX 7.2 to P



300 0 300 600 Feet



**FILE NO. IVA-01-53**  
**ROSTER OF PROPOSED FAST TRACK ZONING CODE AMENDMENTS**  
**December 4, 2001**

*Note: Changes made to this roster since its initial distribution on October 8, 2001 are indicated with asterisks, as follows:*

- \* = Change made between October 8 and November 8, 2001, prior to SEPA Threshold Determination and Public Hearing;
- \*\* = Change made as a result of November 26, 2001 Public Hearing;
- \*\*\* = No change to roster description, but change made to proposed text language as a result of November 26, 2001 Public Hearing

#### **Codification of Interpretations**

The following Interpretations issued by the Director of Planning and Community Development are included in the proposed Zoning Code amendments:

00-1**	94-3	91-1	89-9
97-1	93-5	90-6	89-5
95-5	92-5	90-5 **	88-12
94-6	92-1	90-4 **	85-6 (portion)

The effect of these interpretations, and the specific code sections affected by their codification, are identified in the Chapter listings presented below.

#### **Chapter 1 User Guide**

- 1.10.22 Directs user to KZC 115.65.5 for more information on Accessory Dwelling Units.
- 1.10.23 Directs user to Chapter 117 KZC for more information on Personal Wireless Service Facilities.
- 1.10.24 Directs user to Chapter 92 KZC for additional information on Design Review procedures.

#### **Chapter 5 Definitions**

- ~~\*\* 5.10.020 Adjoining - Codifies Interpretation 90-5 to clarify that, for the purpose of height and horizontal facade length regulations, the 100 foot measurement is measured from the property line of the low density zone, and not the centerline of the street. (deleted as result of public hearing; to be considered as part of future Process IV amendments)~~
- 5.10.045 Average Building Elevation - Codifies Interpretation 92-5 to clarify that decks and porches without walls and roof are not included in Average Building Elevation calculations, but that decks or porches with walls or roof, and cantilevered portions of buildings enclosing interior space, are included.
- 5.10.107 Creates definition of Cabinet Sign, which, when combined with new section KZC 100.52, clarifies sign restrictions in the CBD and JBD zones and along "designated corridors".
- 5.10.145 Commercial Zones - Adds JBD 1, 2, and 4-6 zones, for consistency with Comprehensive Plan.
- 5.10.192 Day-Care Center - Codifies Interpretation 91-1 which clarifies that employees of a Day-Care Center are not considered "attendees".

ATTACHMENT 1

IVA-01-53

- 5.10.193 Day-Care Home - Codifies Interpretation 91-1 which clarifies that employees of a Day-Care Home are not considered "attendees".
- ~~\*\* 5.10.194 Day-Care Operation - Codifies Interpretation 91-1 which clarifies that various uses which are accessory to a Day-Care Operation, such as administrative offices, resource centers, or plant facilities, are permitted as part of the Day-Care Operation. (deleted as result of public hearing)~~
- \*\*\* 5.10.242 Creates definition of Driveway Easement to distinguish them from Vehicular Access Easement or Tract, to codify Interpretation 93-5 (Revised) which clarifies that setbacks are not required from a Driveway Easement. See also 5.10.973 below. (proposed text language revised, plate created, as result of public hearing)
- \*\*\* 5.10.302 Family Day-Care Home - Codifies Interpretation 91-1 which clarifies that employees of a Family Day-Care Home are not considered "attendees". Also clarifies that immediate family members who reside in the home are not "attendees", consistent with other types of Day-Care Operations. (proposed text language revised as result of public hearing)
- \* 5.10.325 Floor - Revises definition to clarify that interior parking areas can be considered part of a floor. (added after October 8, but prior to November 8, 2001)
- ~~\*\* 5.10.340 Gross Floor Area - Codifies Interpretation 00-1 by revising this definition to clarify that garages and carports which are attached to, or within 20 feet of, the principal structure are included in gross floor area. See also revised KZC 105-20. (deleted as result of public hearing)~~
- \*\*\* 5.10.357 Creates definition of Height of Structure to clarify the meaning of this term and to ensure consistency in its measurement. (proposed text language revised as result of public hearing)
- \* 5.10.360 High Density Residential Zones - Adds PLA 7A, and PLA 7B zones; removes PLA 5B, PLA 5C, and PLA 7C zones, for consistency with Comprehensive Plan. (revised after October 8, but prior to November 8, 2001)
- 5.10.375 Horizontal Dimension - Clarifies that covered decks are to be included in the measurement of the length of the facade.
- 5.10.400 Industrial Zones - Adds introductory phrase consistent with other "zone" definitions; adds ILC zone for consistency with Comprehensive Plan.
- 5.10.415 Institutional Zones - Corrects punctuation error.
- 5.10.490 Low Density Zones - Removes PLA 2 zone, for consistency with Comprehensive Plan.
- 5.10.491 Low Income Household - Revises definition for consistency with industry standard.
- \*\*\* 5.10.492 Low Income Unit - Revises definition for consistency with industry standard. (proposed text language revised as result of public hearing)
- \* 5.10.520 Medium Density Zones - Adds PLA 2, PLA 3B, PLA 7C, PLA 15B, and PLA 17A zones, and removes PLA 6B and PLA 7A zones, for consistency with Comprehensive Plan. (revised after October 8, but prior to November 8, 2001)
- 5.10.527 Mini-Day-Care Center - Codifies Interpretation 91-1 which clarifies that employees of the Mini-Day-Care Center are not considered "attendees".



- \*\* 5.10.528 Mini-School - Codifies Interpretation 91-1 which clarifies that employees of the Mini-School are not considered "attendees". *(revised as a result of public hearing)*
- 5.10.536 Creates definition of Moderate Income Household for consistency with industry standard.
- \*\*\* 5.10.537 Creates definition of Moderate Income Unit for consistency with industry standard. *(proposed text language revised as result of public hearing)*
- 5.10.570 Nonconformance - Revises definition to clarify that the term "nonconformance" applies to all non-City-owned property, whether public or private.
- 5.10.595 Office Zones - Adds PR 8.5, JBD 3, PLA 3A, PLA 15A, PLA 17B, and PLA 17C zones, for consistency with Comprehensive Plan.
- \*\* 5.10.680 Portable Outdoor Sign - Clarifies definition of "portable outdoor sign". *(revised as a result of public hearing; see related change to KZC 100.85)*
- 5.10.720.1 Front property line - Codifies Interpretation 90-6 which clarifies that an access easement or tract located on one site does not create a front yard on an adjoining property when that adjoining property is not among the lots served by the tract or easement. Also codifies Interpretation 94-3 which clarifies that property lines abutting SR-520 are not considered front property lines.
- 5.10.720.2 Rear property line - Codifies Interpretation 90-6 which clarifies that an access easement or tract located on one site does not create front or rear yard on an adjoining property when that adjoining property is not among the lots served by the tract or easement.
- 5.10.720.4 North property line - Clarifies that a property line is considered to be a "North property line" when that property line lies at an angle than 67° 30' from true north-south.
- \*\*\* 5.10.730 Public Park - Clarifies that a public park may include developed areas and structures. *(proposed text language revised as result of public hearing)*
- 5.10.737 Creates definition of Public Works Official for consistency with definition in City's Concurrency Ordinance and with term used in Chapter 175.
- 5.10.745 Public Utility - Clarifies that sewer pump stations are considered a Public Utility.
- 5.10.785 Residential Zone - Removes PLA 15A zone, for consistency with Comprehensive Plan.
- 5.10.882 Creates definition of Solid Screening Enclosure to clarify standards for screening of refuse collection areas and rooftop appurtenances.
- 5.10.882.1 Solid Screening Fence - Renumbers and revises definition to codify Interpretation 89-5, which clarifies that a chain-link fence with slats shall not be considered a solid screening fence.
- 5.10.890 Story - Revises definition to correct errors and to clarify meaning of the term "Story".
- 5.10.973 Vehicular Access Easement or Tract - Revises definition to clarify that a Driveway Easement is excluded, per Interpretation 93-5 (Revised). See also 5.10.242 above.

#### Chapter 25 PR Zone

- 25.10 Revises Use Zone Chart to change minimum lot size in PR 5.0 zone from 3,600 sq. ft. to 5,000 sq. ft. for "Detached Dwelling Units" and "Detached, Attached, or Stacked Dwelling Units".

**Chapter 30 WDII Zone**

30.25.010 Revises Special Regulation No. 3 to clarify setback averaging provision from high waterline.

**Chapter 60 Planned Area Zones**

\* ~~60.132~~ — ~~Revises PLA 9 Use Zone Chart for consistency with approved PUD. (deleted after October 8, but prior to November 8, 2001)~~

60.187.090 Revises Use Zone Chart for Convalescent Center or Nursing Home in PLA 17A, changing maximum structure height from 20' to 30' for consistency with other uses in this zone.

**Chapter 65 P Zone**

\* \*\*\* 65.15.030 Adds Special Regulation to require that any government facility proposed at the Houghton Landfill site as designated on the Zoning Map be reviewed through Process IIB. (added after October 8, but prior to November 8, 2001; proposed text language revised as result of public hearing)

**Chapter 95 Landscaping**

95.25.1.b Changes "sight-obscuring fence" to "solid screening fence" for consistency with defined term.

**Chapter 100 Signs**

Table of Contents - Revises table of contents to reflect new Section 100.52.

100.40.3.b Clarifies that each individually-licensed business within a multi-use complex in Sign Category C, D, E, or F is allowed 30 sq. ft. of signage.

100.45 Revises notes on the Sign Area Chart to clarify how sign area multipliers are applied, codifying a portion of Interpretation 85-6.

100.52 Creates new section to clarify that "cabinet signs" are prohibited in CBD and JBD zones.

\*\* 100.85 Codifies Interpretation 95-5 which clarifies that Political, Private Advertising, and Off-Site Real Estate signs are Portable Outdoor Signs. (added as a result of public hearing, in lieu of previously-proposed revisions to KZC 5.10.680 - Portable Outdoor Sign definition)

\*\*\* 100.115 Changes title from "Special Signs" to "Temporary/Special Signs"; revises sign chart to change "permitted duration of display" language for political signs, for consistency with judicial determinations; clarifies what temporary signs may be located within certain portions of the right-of-way; and clarifies procedures for enforcement of signs in violation. (proposed text language revised as result of public hearing)

**Chapter 105 Parking**

105.10.1.a Changes minimum width of vehicular access easements or tract which serve one to four units from 20 feet to 21 feet, for consistency with 16-foot asphalt width and 5-foot setback requirement.

105.10.2.i Codifies Interpretation 88-12, which clarifies that nonconforming, but legally established access easements and tracts are not required to be brought into conformance with current code requirements.

- 105.20 Clarifies that floor area contained in garages and/or carports is not included in the gross floor area calculation used to determine required quantity of parking.
- 105.70 Changes reference from Uniform Building Code requirements to Washington State regulations for Barrier-free Facilities, with respect to parking designed for the handicapped.

#### **Chapter 115 Miscellaneous Standards**

- 115.45 Clarifies that recycling receptacles are subject to same placement and screening provisions as garbage receptacles and dumpsters. Changes "solid sight-obscuring enclosure" to "solid screening enclosure" for consistency with defined term.
- 115.65.5.e Clarifies that adding an Accessory Dwelling Unit does not violate Special Regulations of Chapters 15-65 KZC which limit the number of detached units on each lot to one.
- 115.75.3.k Clarifies the number of trees which may be removed with a Land Surface Modification permit on properties over one acre in size. Clarifies that tree removal must comply with geologically sensitive area requirements and Special Regulations of Chapters 15-65 KZC.
- 115.75.5.g Corrects erroneous Zoning Code reference.
- 115.90.2 Codifies Interpretation 92-1 which clarifies the treatment of certain surface materials and pervious areas in calculating lot coverage.
- 115.115.3 Required Yards - Structures and Improvements
- a. Simplifies reference in this subsection to other code provisions.
  - b. Codifies Interpretation 94-6 which clarifies that minor utility structures are permitted within a required setback under certain conditions.
  - m. Codifies Interpretation 89-9 which clarifies that no more than one storage shed may be allowed to located in a required yard under a modification. Revises "solid fence" to "solid screening fence" for consistency with defined term.
- 115.115.5 Reorganizes information and renumbers sections for clarity.
- 115.120.1 Changes "solid sight-obscuring screen" to "solid screening enclosure" for consistency with defined term.

#### **Chapter 120 Variances**

- 120.10 Removes conflict with Chapter 145, which states that Process I decisions may be combined with other review processes, and corrects erroneous Zoning Code references.

#### **Chapter 125 Planned Unit Development**

Table of Contents - Revises table of content to remove reference to KZC 125.67.

- 125.30.2.b Clarifies that PUD's can achieve a bonus density for the provision of either low or moderate income housing, using terminology consistent with industry standards.
- 125.45.2 Clarifies that clearing and grading of a site can begin after Preliminary PUD approval, and prior to Final PUD approval.
- 125.67 Removes section, to reflect fact that final site plan approval is a ministerial action.

**Chapter 130 Rezones**

- 130.70 Clarifies that the Planning Official is authorized to administratively approve a minor modification, consistent with other zoning decisions.

**Chapter 142 Design Review**

- 142.35.2.b Corrects erroneous Zoning code reference.

**Chapter 145 Process I**

- 145.12.4 Revises period of time during which a pre-submittal fee may be credited toward a full application from three months to six months, to remove conflict with fee ordinance.
- 145.22.1.m Clarifies that the name of the applicant must appear on the notice.
- 145.22.2.a Clarifies that a notice of the application must be sent to each adjoining property.
- 145.45.5.b Clarifies recipients of notice of Planning Director's decision.
- 145.60.1.b Clarifies who can appeal a Planning Director decision.
- 145.60.2 Codifies Interpretation 97-1, which clarifies that a challenge period ending on a weekend or legal holiday extends through the next business day.
- 145.110 Corrects erroneous RCW reference.

**Chapter 150 Process IIA**

- 150.12.4 Revises period of time during which a pre-submittal fee may be credited toward a full application from three months to six months, to remove conflict with fee ordinance.
- 150.20 Revises terminology for consistency with fact that consideration of an appeal is a closed record proceeding.
- 150.22.1.m Adds section to clarify that the applicant's name must appear on the notice of application.
- 150.65.6.b Clarifies recipients of notice of Hearing Examiner's decision.
- 150.80.1.b Clarifies who can appeal a Process IIA decision.
- 150.80.2 Codifies Interpretation 97-1, which clarifies that a challenge period ending on a weekend or legal holiday extends through the next business day.
- 150.80.4 Revises terminology for consistency with fact that consideration of an appeal is a closed record proceeding.
- 150.85 Revises terminology for consistency with fact that consideration of an appeal is a closed record proceeding.
- 150.90 Clarifies who may participate in the City Council's consideration of an appeal, and revises terminology for consistency with fact that consideration of an appeal is a closed record proceeding.

150.100 - .120 Revises terminology for consistency with fact that consideration of an appeal is a closed record proceeding.

#### Chapter 152 Process IIB

152.12.4 Revises period of time during which a pre-submittal fee may be credited toward a full application from three months to six months, to remove conflict with fee ordinance.

152.22.1.m Adds section to clarify that the applicant's name must appear on the notice of application.

152.75.1 Clarifies recipients of notice of Hearing Examiner's recommendation.

152.85.1.b Clarifies who can challenge the Hearing Examiner's recommendation

152.85.3.a Clarifies when challenge period begins, and codifies Interpretation 97-1, which clarifies that a challenge period ending on a weekend or legal holiday extends through the next business day.

152.105.2 Clarifies recipients of notice of City Council's decision.

152.105.3 Clarifies timing of distribution of notice of decision when application is within jurisdiction of the Houghton Community Council.

#### Chapter 155 Process III

155.10 Revises section title, to clarify Process II consists of Process IIA and/or Process IIB. Deletes subsection .10.2 since both PUDs and quasi-judicial rezones are reviewed through Process IIB. Renumbers subsection .10.3.

155.12.4 Revises period of time during which a pre-submittal fee may be credited toward a full application from three months to six months, to remove conflict with fee ordinance.

155.22.1.m Adds section to clarify that the applicant's name must appear on the notice of application.

155.75.1 Clarifies recipients of notice of Planning Commission's recommendation.

155.85.1.b Clarifies who can challenge the Planning Commission's recommendation.

155.85.3.a Clarifies when the challenge period begins, and codifies Interpretation 97-1, which clarifies that a challenge period ending on a weekend or legal holiday extends through the next business day.

155.105.2 Clarifies recipients of notice of City Council's decision.

155.105.3 Clarifies timing of distribution of notice of decision when application is within jurisdiction of the Houghton Community Council.

#### Chapter 162 Nonconformance

~~\*\* 162.35.3.a Codifies Interpretation 99-4 which clarifies that the 10% limitation for nonconforming structures on a site is based upon the combined gross floor area of all structures on the site. (deleted as a result of public hearing; item to be considered as part of future Process IV amendments)~~

162.35.6.c Clarifies that single-family uses are not required to bring parking lot surfaces into conformance due solely to an increase in gross floor area.

162.35.7 Changes the term "setback" to "yard", for consistency with defined terms.

162.35.11 Refers treatment of nonconforming access easements and tracts to KZC 105.10.2.i for clarity.

#### Chapter 175 Bonds

175.10, .15, .20, .30, .40, .45 - Changes "Planning Official" to "Planning Official and/or Public Works Official" for consistency with existing process for administering bonds.

#### Chapter 180 Plates

Plates 1-8 (Parking Dimensions) - Revises diagrams to correctly show required measurement locations, and to correct Plate 7 title.

Plate 12/13 (Pedestal Signs, Monument Signs) - Clarifies how sign area is calculated.

\*\*\* Plate 13A (Pole Signs) - Clarifies definition and different configurations of pole signs. *(proposed text language revised as result of public hearing)*

Plate 17 (Calculating Average Building Elevation (ABE)) - Clarifies how to measure ABE.

\*\* New Plate Illustrates "North Property Line" in Waterfront District (WD) zones *(this item was proposed prior to October 8, 2001, but was not specifically listed on the roster)*

\*\* New Plate Illustrates KZC 5.10.242 - "Driveway Easement" *(added as result of public hearing)*

#### Zoning Map Amendments

Rezone of twenty-one (21) City-owned parcels of land to Public Use ("P") Zone. The parcels are generally located as follows:

One parcel: 2nd Ave West street-end, near the north end of Waverly Park between Waverly Way and Lake Washington.

Ten parcels: North of NE 116th St at 108th Ave NE, near South Juanita Neighborhood Park.

One parcel: South side of the Burlington Northern Railroad, west of 116th Ave NE (Tract D of Highland Creste)

One parcel: Southwest of Heronfield Wetlands, north of NE 121st Pl, between 108th and 110th Aves NE (Tract A of Manor Heights).

Three parcels: East side of 124th Ave NE, between NE 80th and NE 85th Streets ("North Park Site")

Three parcels: Adjacent to Lake Kirkland; one parcel on the northeast side of the lake, and two parcels on the south side.

One parcel: Water tower site at north end of Mark Twain Park, west of 132nd Ave NE, south of NE 108th St.

One parcel: West of 124th Ave NE, in the 123XX block (Tract B of Trillium Court PUD).

**JOINT MEETING – HOUGHTON COMMUNITY COUNCIL and  
TRANSPORTATION COMMISSION: OCTOBER 22, 2001****DRAFT****CALL TO ORDER/ROLL CALL**

The meeting was called to order at 7:02 p.m. by Chair Hugh Givens. Members present: Bill Goggins, David Hess, Kathleen McMonigal, Dan Turner and Elsie Weber. Member absent: Betsy Pringle. Transportation Commission members present: Michelle Goedel, Norman Storme, and Roland White. Paul Stewart and Teresa Swan represented the Department of Planning and Community Development. David Godfrey represented the Department of Public Works.

**READING AND/OR APPROVAL OF MINUTES: SEPTEMBER 10, 2001**

Motion by Mr. Goggins, second by Mr. Hess, to dispense with the reading of the minutes of the September 10, 2001 Houghton Community Council meeting.  
Motion carried (5-0).

Motion by Mr. Turner, second by Mr. Hess, to approve the minutes of the September 10, 2001 Houghton Community Council meeting, as amended on page 4, to change the bulleted item to, "Special Regulations 7A-7B: Strike from recommendations," and on page 5, at the end of the first motion, add, "Motion carried (6-0)." Motion carried (5-0).

**ANNOUNCEMENT OF AGENDA**

The Chair reviewed the agenda.

**COUNCIL MEMBER REPORTS AND COMMENTS**

Mr. Givens reported that Attorney Carol Morris would be presenting a seminar on the Eastside on November 10, in which she would cover a wide range of subjects on appearance of fairness and procedures.

Regarding the memo on the 1995 Fast Track Code Amendments, Mr. Turner noted that he listened to the tapes and could pick up nothing on the landfill rezoning, although the HCC had discussed the zoning map for the Merriwether property. He reported that he reviewed the entire file and found nothing that would back up that zoning change or the implications of that change. He recommended determining how to revert to the previous zoning, so that the HCC would have jurisdiction over the Houghton Transfer Station. He stated that he would not characterize the notice as adequate and could not tell the designation was for the landfill site. Ms. Weber also reviewed the file and said she found nothing that would convey that this was the landfill property. Mr. Stewart noted that this was on the agenda for discussion later on.

ATTACHMENT 21VA-01-53

**JOINT MEETING – HOUGHTON COMMUNITY COUNCIL and  
TRANSPORTATION COMMISSION: OCTOBER 22, 2001**

(Kathleen McMonigal arrived at 7:08 p.m.)

Ms. McMonigal reported that she went on the recent ARCH tour that showed different projects with different types of housing in Bellevue, the Cougar Mountain area, and Redmond.

**WORK PROGRAM REVIEW**

- The Housing Task Force will present its final report to the HCC on November 26.
- The Citizens Advisory Committee for North Rose Hill has completed work and will have an open house on November 27 from 6:30-8:30 p.m. at Mark Twain Elementary School.
- The Planning Commission has completed the Draft Totem Lake Plan. There will be a City Council Study Session on the Draft Totem Lake Plan on November 7.
- Staff and the Planning Commission will soon be putting together the 2002 Work Program schedule.

**REQUESTS FROM THE AUDIENCE:** None

**HEARING**

- a. Comprehensive Plan Amendments – Transportation Level of Service (LOS), including the Central Houghton Neighborhood Association's Private Request and Other Housekeeping Changes, File IV-01-1

The Chair opened the public hearing at 7:15 p.m. and reviewed the rules of the hearing.

Teresa Swan presented the staff memorandum dated October 15, 2001.

In response to Mr. Turner's question about what would happen if a proposed project would cause an intersection to exceed a LOS of 1.4, Mr. Godfrey responded that a prospective project developer would not pass concurrency and would then have the following options:

- Could scale back the project.
- Could try to do improvements that would bring the affected intersection down to the accepted level of 1.4 LOS.
- Could opt not to do the project.
- Could phase the project.
- Could wait for other capital facilities projects to be completed.

Mr. Turner inquired if the Transportation Commission or Public Utilities had analyzed the effect that raising the LOS to 1.4 would have on other policies and goals in the Comprehensive Plan? Of particular interest to Mr. Turner and the other HCC members was the impact of a 1.4 V/C ratio on emergency response vehicles at peak hours. Mr. Godfrey responded that this has not been analyzed specifically, but assured the HCC that this would be a better system than what is currently in place.



**JOINT MEETING – HOUGHTON COMMUNITY COUNCIL and  
TRANSPORTATION COMMISSION: OCTOBER 22, 2001**

Mr. White clarified that currently any intersection could be as bad as a 2.0 V/C ratio, and the intent of the limitation to a 1.4 V/C ratio is to keep any one intersection from getting extremely bad. This would be a benefit for emergency vehicle access.

Mr. Storme added that currently there is no limit on exceeding the adopted LOS on any one intersection within a subarea.

In response to Mr. Turner's question about what tools Public Works has available for identifying emergency vehicle response time problems, Mr. Godfrey explained that the Fire Department could identify where the response times are not meeting the standard, and Public Works could work with the Fire Department on finding solutions. He added that the Fire Department is constantly monitoring its emergency response times.

In response to questions about improving the LOS to 1.3 or 1.2, Mr. Storme explained that the Transportation Commission would be reviewing the LOS issue every year as long as the Commission is in existence, but for now, the Commission wanted to work within present funding sources, which limited the LOS to 1.4, rather than 1.3 or 1.2.

The majority of the HCC supported the Transportation Commission recommendation for a 1.4 LOS because so much study had gone into the recommendation, and the proposal is better than what is currently in place, which does not limit any one intersection from exceeding the LOS. Mr. Hess and Mr. Turner spoke strongly in support of limiting the LOS to 1.3. The HCC supported improving the LOS to 1.3 should additional funds become available, and encouraged the Transportation Commission to continue to review the issue and the City to pursue additional funding.

The HCC recommended that the City and Transportation Commission aggressively pursue the goals of finding incentives for people to get out of cars and into buses, improving public health and safety, and preserving the neighborhoods.

Michelle Goerdal, Chair of the Transportation Commission, explained that she has begun contacting neighboring cities for joint discussions of regional traffic issues. She continued that Bellevue has a Transportation Commission, and Redmond and Issaquah are interested in forming a Transportation Commission. She listed some programs already in place in Kirkland to improve traffic and level of service, as follows:

- All large employers fall under the Commute Trip Reduction Act.
- City Council targeted \$25K to match Metro's \$25K for Rideshare Plus for I-405 public parking.
- Rideshare Online – A mailing to all Kirkland citizens offering them \$10 for carpooling; \$75 for vanpooling.
- Metro service is on a 30-minute frequency.
- Kirkland circulator bus.
- Kirkland spent \$400K on Norkirk traffic improvements.

**JOINT MEETING – HOUGHTON COMMUNITY COUNCIL and  
TRANSPORTATION COMMISSION: OCTOBER 22, 2001**

Motion by Mr. Goggins, second by Mr. Hess, to approve File IV-01-1, the City recommendation on Level of Service, with the direction to the City and to the Transportation Commission to aggressively look hard at making improvements to traffic other than vehicular LOS, such as bus incentives, carpool incentives, bike lanes, non-motorized improvements, traffic calming, and to take a hard look at cut-through traffic, and also work with the Transportation Commissions in Bellevue, Redmond, and Issaquah to try to come up with a regional coalition to go to the State legislature. Motion carried (6-0).

Motion by Ms. Weber, second by Mr. Goggins, to amend File IV-01-1, that response times of the Fire Department be considered and to prioritize keeping the response times at a high level of service. Motion carried (6-0).

Ms. Swan presented the minor housekeeping amendments to the Comprehensive Plan.

Motion by Ms. Weber, second by Mr. Hess, to accept the other minor housekeeping amendments to the Comprehensive Plan for File IV-01-1 as presented. Motion carried (6-0).

The Chair closed the public hearing at 8:45 p.m.

**NEW BUSINESS**

a. Fast Track Amendments, File No. IVA-01-53

Mr. Stewart introduced Mike Bergstrom, consultant, who explained the fast track amendment process and introduced the HCC to the list of proposed fast track amendments. He requested HCC comments or observations and noted that the HCC and Planning Director would hold a Joint Public Hearing on November 26

The HCC requested to see the final list as soon as possible, and also would like to receive the language two weeks prior to the Joint Public Hearing.

Mr. Turner commented that he would like to have Code interpretations included as well, and also asked to reserve an opportunity to refer any questions or concerns to the HCC legal counsel. Mr. Stewart said that staff could send the interpretations out right away.

Ms. Weber pointed out on page 2 of the Zoning Code, under 5.10.490, low-density zone removes PLA-2 on NE Points Drive and puts in into high-density, but the zoning chart shows it as medium-density

Staff agreed to provide the requested information two weeks prior to the Joint Public Hearing with the Planning Director on November 26.

b. Houghton Transfer Station Memorandum

**JOINT MEETING – HOUGHTON COMMUNITY COUNCIL and  
TRANSPORTATION COMMISSION: OCTOBER 22, 2001**

O-3814

Mr. Stewart presented the staff memorandum dated October 8, 2001. He explained the process by which the zoning was changed from RS to Park/Public Use. He said that as a result of that change, a Government Facility changed from a Process IIB to a IIA. He noted that this was an inadvertent oversight which could be corrected. He suggested that if the HCC is interested in changing the Use Zone Chart for the Park/Public Use Zone so that a Government Facility is a Process IIB at the Houghton Landfill site, the request could be added to the fast track amendments roster. He noted that the County wants to be cooperative with the HCC. He also noted that the HCC has the right to appeal the Process IIA permit, if King County were to apply now for a permit, to the City Council.

Mr. Turner recommended inserting language under the Park/Public Use Zone (P), to allow the ability to identify if a property is a government facility proposed to be developed on a P-zone property and, if so, that it be subject to a Process IIB or Process III review.

Staff agreed to provide the language for a special regulation to identify a government facility, to require a Process IIB review for a solid waste facility. Mr. Stewart suggested that staff develop language so that a government facility at the Houghton Landfill site would be subject to a IIB process that would be within Houghton's jurisdiction.

**Motion by Mr. Turner, second by Mr. Hess, to direct staff to prepare a special regulation regarding government facilities review process within the P zone for the Houghton Landfill and to adopt a review process of IIB including the Houghton Community Council. Motion carried (6-0).**

**UNFINISHED BUSINESS: None**

**ADMINISTRATIVE REPORTS AND COMMUNITY COUNCIL DISCUSSION: None**

**ADJOURNMENT**

**Motion by Mr. Goggins, second by Ms. McMonigal, to adjourn the meeting at 9:12 p.m.**

**Motion carried (6-0).**

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Hugh Givens, Chair  
Houghton Community Council

**JOINT MEETING – HOUGHTON COMMUNITY COUNCIL and  
TRANSPORTATION COMMISSION: OCTOBER 22, 2001**

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Paul Stewart, Deputy Director  
Department of Planning and Community Development

Recording Secretary: Karen Nolz  
PROFESSIONAL OFFICE SERVICES

## Chapter 161 – PROCESS IVA

## Sections:

- 161.05 User Guide
- 161.15 Initiation of Proposals
- 161.20 Compliance with SEPA
- 161.25 Suitability for Process IVA
- 161.35 Official File
- 161.40 Notice
- 161.45 Staff Report
- 161.55 Public Hearing
- 161.60 Material To Be Considered
- 161.65 Electronic Sound Recording
- 161.70 Public Comments and Participation at the Hearing
- 161.75 Continuation of the Hearing
- 161.80 Planning Director Action
- 161.85 Planning Director Recommendation to City Council
- 161.90 Publication and Effect
- 161.95 Jurisdiction of the Houghton Community Council

161.05 User Guide

Certain proposals to amend this code will be reviewed and decided upon using Process IVA. This is an abbreviated process which will only be used if the proposal is suitable for Process IVA as specified in this chapter. If you wish to participate in a decision that will be made using this process, you should read this chapter.

161.15 Initiation of Proposals

Process IVA is used to review and decide upon proposed minor Zoning Code amendments. It is an abbreviated process used for proposals which are not controversial and do not need extensive policy study. The Planning Director prepares a roster of amendments proposed for review under Process IVA.

161.20 Compliance with SEPA

The State Environmental Policies Act (Chapter 43.21C RCW) applies to some of the decisions that will be made using this chapter. The Planning Director shall evaluate each proposal and, where applicable, comply with SEPA and with state regulations and City ordinances issued under authority of SEPA.

161.25 Suitability for Process IVA

1. General – Process IVA is for minor Zoning Code amendments to promote clarity, eliminate redundancy, or to correct inconsistencies. The Planning Director may propose amendments for review under Process IVA. To do so, the Planning Director shall periodically present to the City Council a roster of proposed amendments for review and decision under Process IVA. The City Council, by motion, may approve the entire proposed Process IVA roster. Otherwise, the City Council may ask for more discussion about the suitability of a subject for Process IVA or could remove a subject from the Process IVA roster.
2. Distribution – Thirty days prior to City Council consideration of the roster of proposed amendments, the Planning Director shall distribute a copy of it to the City Council, the Planning Commission, the Houghton Community Council, neighborhood associations and the Chamber of Commerce.

ATTACHMENT 3

IVA - 01-53

161.35 Official File

1. Contents – The Planning Official shall compile an official file containing all information and materials relevant to the proposal and to the City's consideration of the proposal.
2. Availability – The official file is a public record. It is available for inspection and copying in the Planning Department during regular business hours.

161.40 Notice

1. Contents – The Planning Official shall prepare a notice of hearing for proposed amendments. This notice shall contain the following information:
  - a. The citation of the provision that would be changed by the proposal along with a brief description of that provision.
  - b. A statement of how the proposal would change the affected provision.
  - c. A statement of what areas, zones, or locations will be directly affected or changed by the proposal.
  - d. The time and place of the public hearing.
  - e. A statement of the availability of the official file.
  - f. A statement of the right of any person to submit written comments to the Planning Director and to appear at the public hearing before the Planning Director to give comments orally.
2. Distribution – The Planning Official shall have this notice published once in the official newspaper of the City at least 14 days before the public hearing. Continued hearings may be held at the discretion of the Planning Director, but no additional notices need be published.

161.45 Staff Report

1. General – The Planning Official shall prepare a staff report containing:
  - a. An analysis of the proposal and a recommendation on the proposal; and
  - b. Any other information the Official determines is necessary for consideration of the proposal.
2. Distribution – The Planning Official shall distribute the staff report as follows:
  - a. A copy will be given to the Planning Director prior to the hearing.
  - b. A copy will be sent promptly to any person requesting it.
  - c. If applicable, a copy will be sent to each member of the Houghton Community Council.

161.55 Public Hearing

1. General – The Planning Director shall hold one or more public hearings on a proposal.
2. Effect – The hearing of the Planning Director is the hearing for City Council. City Council need not hold another hearing on the proposal.

161.60 Material To Be Considered

Review under Process IVA shall use the decisional criteria established in applicable provisions of this code. The City may not consider a specific proposed site plan or project in deciding whether or not an amendment should be approved through this process.

161.65 Electronic Sound Recording

The Planning Director shall make a complete electronic sound recording of each public hearing.

161.70 Public Comments and Participation at the Hearing

Any interested person may participate in the public hearing in either or both of the following ways:

1. By submitting written comments to the Planning Director either by delivering these comments to the Planning Department prior to the hearing or by giving them directly to the Planning Director at the hearing.
2. By appearing in person, or through a representative, at the hearing and making oral comments. The Planning Director may reasonably limit the extent of the oral comments to facilitate the orderly and timely conduct of the hearing.

161.75 Continuation of the Hearing

The Planning Director may for any reason continue the hearing on the proposal.

161.80 Planning Director Action

1. General – Following the public hearing, the Planning Director shall consider the proposal in light of all of the information submitted to him/her. The Planning Director may modify the proposal in any way.
2. Modifications Requiring a Rehearing – If, following the public hearing, the Planning Director materially modifies the proposal, the Planning Director shall give notice of a new public hearing on the proposal as modified.
3. Recommendation – If the Planning Director determines that the proposal meets the applicable decisional criteria established in KZC 161.60, he/she may recommend that City Council give effect to the proposal by amending the appropriate text.

161.85 Planning Director Recommendation to City Council

1. General – The Planning Director may forward a proposed ordinance to Council which, if passed, would make the recommended amendment to this code. The proposed ordinance may be placed on the City Council consent calendar. The Planning Official shall prepare a Planning Director report on the proposal, containing a copy of the proposal, along with any explanatory information, and the Planning Director recommendation on the proposal.
2. City Council Action – The City Council may pass the proposed ordinance and amend the Zoning Code by passage of the consent calendar. Alternatively, the City Council could carry the topic over as unfinished business or may instead decide to hold a new public hearing on the proposed Zoning Code amendment. The City Council may adopt the proposed ordinance at any time subsequent to its receipt of the Planning Director report on the proposed amendment. If the City Council wants to consider adoption of a materially modified ordinance, then the City Council shall first hold a public hearing on the proposal as modified, after notice as provided in this chapter.

161.90 Publication and Effect

1. Publication – If the City Council adopts an ordinance, the City Clerk shall post or publish the ordinance as required by law.
2. Effect – Except as stated in KZC 161.95, the ordinance will be in effect on the date specified in the ordinance.

161.95 Jurisdiction of the Houghton Community Council

1. If applicable, all staff reports or Planning Director reports about the proposed amendments will also be distributed to the Houghton Community Council. The Houghton Community Council may decide to take these reports for their information or for their review.
2. Process IVA includes only minor Zoning Code amendments which are not quasijudicial. In turn, the Houghton Community Council may limit its review of the proposals. Alternatively, a majority of the members of the Houghton Community Council may choose to hold a public hearing at any time on one or more of the Process IVA subjects. Such a public hearing would use the procedures set forth in this chapter.
3. General – If the City Council approves an ordinance within the disapproval jurisdiction of the Houghton Community Council, that ordinance is not effective within the Houghton Community until:
  - a. A majority of the entire membership of the Houghton Community Council votes to approve it; or
  - b. The Houghton Community Council fails to disapprove it, by majority vote of the entire membership, within 60 days after City Council approves the resolution or ordinance.



ORDINANCE NO. 3814  
PUBLICATION SUMMARY

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, PLANNING, AND LAND USE AND AMENDING TITLE 23 OF THE KIRKLAND MUNICIPAL CODE; AMENDING PORTIONS OF ORDINANCE 3719 AS AMENDED, THE KIRKLAND ZONING CODE, AND AMENDING ORDINANCE 2699, AS AMENDED, THE KIRKLAND ZONING MAP; ADOPTING MINOR AMENDMENTS TO PROMOTE CLARITY, ELIMINATE REDUNDANCY, AND CORRECT INCONSISTENCIES PURSUANT TO CHAPTER 161 KZC.

Section 1. Identifies the specific amendments to Ordinance 3719, as amended, the Kirkland Zoning Code.

Section 2. Identifies twenty-one City-owned parcels to be reclassified to the "P: (Parks/Public Use) zone.

Section 3. Authorizes the Director of Planning and Community Development to amend the official Kirkland Zoning Map to conform with this ordinance.

Section 4. Addresses severability.

Section 5. Establishes that this ordinance will be effective within the disapproval jurisdiction of the Houghton Community Council Municipal Corporation upon approval by the Houghton Community Council or the failure of said Community Council to disapprove this ordinance within 60 days of the date of the passage of this ordinance.

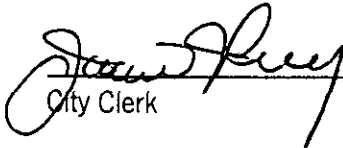
Section 6. Authorizes publication of the ordinance by summary, which summary is approved by the City Council pursuant to Section 1.088.017 Kirkland Municipal Code and establishes the effective date as five days after publication of summary.

Section 7. Directs the City Clerk to certify and forward a complete certified copy of this ordinance to the King County Department of Assessments.

The full text of this ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The

ordinance was passed by the Kirkland City Council at its regular meeting on the 11th day of December, 2001.

I certify that the foregoing is a summary of Ordinance 3814 approved by the Kirkland City Council for summary publication.

  
City Clerk

ICAOEXTSUMM73001