



**CITY OF KIRKLAND**  
**PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT**  
**123 FIFTH AVENUE, KIRKLAND, WA 98033 425.587.3225**  
**WWW.KIRKLANDWA.GOV**

---

## **MEMORANDUM**

**DATE:** August 22, 2012

**To:** Kurt Triplett, City Manager

**FROM:** Jeremy McMahan, Planning Supervisor  
Eric Shields, AICP, Planning Director

**SUBJECT:** Single Family Density Provisions for RSA Zones in Recently Annexed Areas

## **RECOMMENDATION**

Direct staff on whether to process an amendment to the Kirkland Municipal Code to allow rounding up of the number of allowed lots in subdivisions in RSA zones. Staff recommends allowing the change.

## **BACKGROUND**

Prior to annexation in June, 2011, subdivisions in the annexation areas were allowed to round up the number of allowed lots if density calculations resulted in a fraction of .5 or more. For example, if the density calculation indicated the ability to subdivide a parcel into 2.5 lots, the King County Code allowed the property owner to subdivide the parcel into 3 lots. Kirkland's codes allow similar rounding up of the allowed number of units in multifamily zones, but not for the number of lots in subdivisions (since the number of lots is based on minimum lot size). With the adoption of subdivision regulations for the annexation areas, the City did not adopt the County's rounding provisions.

Attachment 1 is a chart use by planners to help applicants calculate the number of allowed lots in a subdivision based on the size of the property. Note that current regulations allow properties that are slightly smaller than that required for a subdivision to proceed with a subdivision. The maximum flexibility is for properties that have a shortage equal to 15% of the minimum lot size for the zone. A new column has been added showing how much additional flexibility would be allowed if the City adopts the County's rounding provisions.

Recently, two property owners have brought situations to staff's attention where they had been working with King County prior to annexation on subdivisions that relied on the County's rounding provisions (see Attachment 2). These property owners had made significant investment in time and money but were stalled by the recession so did not proceed with vesting short plat applications with the County. With improvement in the economy, they contacted the City and discovered the change in regulations.

### **Council Direction Needed**

This issue was reviewed by the Housing Committee at their August 7, 2012 Committee meeting and the Committee recommended the full Council approves rounding up in the RSA zones. If the Council decides to proceed with consideration, the process for amending the City's subdivision regulations requires a public hearing before the Planning Commission and an ordinance adopted by the City Council. Options for codification include allowing rounding up in RSA zones on a permanent basis or allowing rounding for some period of time after annexation (5 years is used in the Zoning Code in other circumstances related to subdivisions). Staff will be asking whether the Council wishes to proceed with an amendment, and whether the Council prefers a temporary or permanent amendment.

### **Attachments**

1. Subdivision Chart
2. Correspondence

RSA 4				Minimum Lot Size in RSA 4 zone	Average Lot Size at 4 units per acre
# of lots	Required parcel size if 0% short	Required parcel size if 15% short (max reduction currently allowed)	Required parcel size if allowed to round up	7,600	10,890
2	21,780	20,640	16,335		
3	32,670	31,530	27,225		
4	43,560	42,420	38,115		
5	54,450	53,310	49,005		
6	65,340	64,200	59,895		
7	76,230	75,090	70,785		
8	87,120	85,980	81,675		
9	98,010	96,870	92,565		

RSA 6				Minimum Lot Size in RSA 6 zone	Average Lot Size at 6 units per acre
# of lots	Required parcel size if 0% short	Required parcel size if 15% short (max reduction currently allowed)	Required parcel size if allowed to round up	5,100	7,260
2	14,520	13,755	10,890		
3	21,780	21,015	18,150		
4	29,040	28,275	25,410		
5	36,300	35,535	32,670		
6	43,560	42,795	39,930		
7	50,820	50,055	47,190		
8	58,080	57,315	54,450		
9	65,340	64,575	61,710		

RSA 8				Minimum Lot Size in RSA 8 zone	Average Lot Size at 8 units per acre
# of lots	Required parcel size if 0% short	Required parcel size if 15% short (max reduction currently allowed)	Required parcel size if allowed to round up	3,800	5,445
2	10,890	10,320	8,168		
3	16,335	15,765	13,613		
4	21,780	21,210	19,058		
5	27,225	26,655	24,503		
6	32,670	32,100	29,948		
7	38,115	37,545	35,393		
8	43,560	42,990	40,838		
9	49,005	48,435	46,283		

**From:** [Bijan Parsadmehr](#)  
**To:** [Eric Shields](#)  
**Subject:** RE: project # L08L0054 BLA  
**Date:** Thursday, July 26, 2012 10:56:55 AM

---

**Atten:** Mr. Eric Shields, Planning Director

Dear Mr. Shield,

My name is Bijan Parsadmehr and own a property: address 14328 84th Ave NE, Kirkland WA 9803.

Right around 2007/2008 I contacted King County Department of Development and Environmental Services for short platting the subject property and I was told based on the zoning I need additional 400SF in order to short plat in to two, which would satisfy the Minimum 5400SF requirement each. And in order for me to to come up with the 400SF additions, I was basically forced to purchase the adjacent property (8411 NE 144th st.) and did a Boarder Line Adjustment which cost me around \$4500. The BLA was completed in 2008, but due to financial difficulties I had to postpone the subdivision to later date and since I was told by King County that I could do the subdivision when ever I have the budget for. Now we are annexed to City of Kirkland and the annexation completely ignores and does not honor Ref. King County code (please see below). I'm requesting whether there is a oppportunity to amend City of Kirkland code to provide similar flexibility.

**King County Code 21A.12.070 Calculations - allowable dwelling units, lots or floor area.**

Permitted number of units, or lots or floor area shall be determined as follows:

A. The allowed number of dwelling units or lots (base density) shall be computed by multiplying the site area specified in K.C.C. 21A.12.080 by the applicable residential base density number;

B. The maximum density (unit or lot) limits shall be computed by adding the bonus or transfer units authorized by K.C.C. chapters 21A.34 and 21A.37 to the base units computed under subsection A of this section;

C. The allowed floor area, which excludes structured or underground parking areas and areas housing mechanical equipment, shall be computed by applying the floor-to-lot area ratio to the project site area specified in K.C.C. 21A.12.080;

D. If calculations result in a fraction, the fraction shall be rounded to the nearest whole number as follows, except as provided in subsection E of this section:

1. Fractions of 0.50 or above shall be rounded up; and
2. Fractions below 0.50 shall be rounded down; and

E. For subdivisions and short subdivisions in the RA and A zones, rounding up of the number of development units or lots is not allowed. (Ord. 14190 § 35, 2001: Ord. 14045 § 21, 2001: Ord. 11927 § 1, 1995: Ord. 10870 § 344, 1993).

Any help is greatly appreciated.

Sincerely,

Bijan Parsadmehr  
cell: 206-334-3230

**Eric Shields.**

7/25/2012

Director

Kirkland Department of Planning & Community Development

[eshields@kirklandwa.gov](mailto:eshields@kirklandwa.gov) | 425-587-3226

Re: The Seiler Lot at 12605 82<sup>nd</sup> Ave NE, Kirkland, WA

Eric,

Thanks for taking the time to research my questions.

I am writing to summarize our discussions and ask for consideration from the counsel.

I live on Finn Hill in the new Kirkland annexation area.

I own an 11,594 square foot lot in the RSA-6 zone.

I want to be able to build two homes on 5,774 square foot lots.

This lot is bordered on two sides by RSA-8 zoning.

In King County the R-6 zone allowed me to subdivide my lot into two 5,774 square foot lots. The math worked like this (11,594 square feet of lot / 43,560 square feet per acre = .265 acres, times six units per acre = 1.59 lots. (round up to 2 lots) minimum lot size = 2,500 square feet.

In the Kirkland zone RSA-6, I must have more area to qualify for subdivision. (43,560 feet / 6 units per acre = 7,260 feet per lot required to begin.) minimum lot size = 5,100 square feet after roads and easements.

I am asking for a letter grandfathering the density and allowing me to apply for subdivision of this lot at a later date.

My wife and I bought our home on Finn Hill in 1985. This lot was a separate, buildable lot at that time. When the nursery to the south developed into 35 homes on 5,000 square foot lots, in 1995, 126<sup>th</sup> Ave NE was built on our south line with curb cutter and utilities installed. Our lot is flat and ready to build.

This was and is part of our retirement plan. We want to build a new home on half of the lot and subdivide later to build a third home.

Please forward my request to preserve our density to the counsel.

Thanks again,

Greg Seiler

12605 82<sup>nd</sup> Ave NE

Kirkland, WA 98034

206-660-0803