



## CITY OF KIRKLAND

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**To:** Dave Ramsay, City Manager

**From:** Eric R. Shields, AICP, Director  
Michael Bergstrom, AICP, Consultant

**Date:** September 15, 2006

**Subject:** SEPTEMBER 26, 2006 STUDY SESSION - SINGLE-FAMILY FLOOR AREA RATIOS AND SETBACK ENCROACHMENTS, FILE NO. ZON05-00019

**NOTE: Council members should also refer to their packets from the August 1, 2006 meeting. The August 1 packet is available on-line or through the following link.**

[http://www.ci.kirkland.wa.us/\\_shared/assets/3a\\_StudySession4281.pdf](http://www.ci.kirkland.wa.us/_shared/assets/3a_StudySession4281.pdf)

### RECOMMENDATION:

1. Review and discuss the Zoning Code amendment options identified in this memo, and
2. Determine whether an additional study session should be held prior to final consideration, or
3. If the Council is prepared to give final consideration to the proposal, then
  - a. Provide Staff with direction on the amendments desired.
  - b. Schedule a Council meeting to conduct a hearing on the SEPA appeal and take action on the proposed amendments.

### BACKGROUND DISCUSSION:

The City Council met in a study session on August 1, 2006 to review Planning Commission recommendations for changes to the City's Floor Area Ratio regulations that apply to detached dwelling units in low density zones. Those recommendations also addressed allowable encroachments into required yards. The Council determined that additional study was warranted, and will continue discussion of the Commission recommendations in a study session on September 26, 2006.

The recommendations forwarded by the Planning Commission address the following Zoning Code components:

1. FAR in the RS 5.0 and RSX 5.0 zones.
2. The FAR exemption for accessory structures located more than 20 feet from primary structures.

3. The treatment of vaulted space in FAR calculations.
4. Allowable setback encroachments.

The City Council has the option of adopting any or all of the Commission recommendations, or adopting other options that were reviewed through the public hearing process but were not recommended by the Commission. The options are discussed below. At the study meeting, it is recommended that the Council discuss and provide direction on the different FAR components one at a time. If there is insufficient time to discuss all of the components, an additional study meeting can be scheduled.

OPTIONS:

The Planning Commission reviewed several options for each of the four Zoning Code components summarized above. Those options, and the recommendation reached by the Planning Commission, are as follows:

A. FAR in RS/RSX 5.0 Zones.

**Option 1:** Reduce allowable FAR from 60% to 50% or 55%.

**Option 2:** Reduce allowable FAR from 60% to 50%, with incentives/standards to reach 60%.

**Option 3:** No change. Retain existing FAR of 60%.

**Planning Commission Recommendation (Variation on Option 2):** Reduce FAR to 50%, but allow 60% FAR for the first 5,000 sq. ft. of a lot if:

- a. The primary roof form of all structures on the site is peaked, with a minimum pitch of 4 feet vertical: 12 feet horizontal; and
- b. A setback of at least 7.5 feet is provided along each side yard.

B. Detached Accessory Structures.

**Option 1:** Remove the FAR exemption for accessory structures located more than 20 feet from the primary structure.

**Option 2:** Exempt up to a specified limit of accessory structures located more than 20 feet from the primary structure. Variables within this option include:

- a. Apply this exemption only to space used as an Accessory Dwelling Unit;
- b. Apply this exemption only to space used as a garage;
- c. Apply this exemption to space regardless of use;
- d. Apply this exemption to accessory structures that are limited to one story in height;

e. Apply this exemption to accessory structures regardless of height.

**Option 3:** No change; retain current exemption provisions.

**Planning Commission Recommendation (Option 1):** Remove the exemption entirely.

C. Vaulted Spaces.

**Option 1:** Require that vaulted spaces be counted twice where ceiling height exceeds a certain height.

**Option 2:** Retain current code provisions; the floor area of vaulted space is counted only once regardless of height.

**Planning Commission Recommendation (Option 2):** Continue to count vaulted space only once toward FAR.

D. Allowable Setback Encroachments.

**Option 1:** Eliminate allowances for encroachments into required yards by such building features as chimney enclosures, bay windows, and awnings.

**Option 2:** Reduce encroachment allowance from 18 inches to 12 inches.

**Planning Commission Recommendation:** Prohibit encroachments from extending closer than 4 feet to any property line, but do not apply that prohibition to eaves.

The Planning Commission also reviewed two additional Zoning Code components during study sessions leading up to the public hearing. The Commission decided not to pursue changes to these components, and therefore they were not evaluated through the public hearing process. If the City Council feels these issues should be considered, additional SEPA review, public notice, and a hearing would be required:

E. FAR for “undersized” lots (i.e., lots that are smaller than required by their zone).

**Option 1:** Develop “sliding scale” to give undersized lots lower FAR.

F. Determine yard requirements based on building massing.

**Option 1:** Require houses over a certain size to provide 7.5-foot yards along each side.

**Option 2:** Require that the “larger” building elevation maintain a larger side yard.

**Option 3:** Change side yard provisions for all RSX zones to require that the two side yards total 15 feet (currently, these zones allow side yards to be 5 feet each, for a total of 10 feet).

Additional concepts were discussed in early study session by the Planning Commission, but were not fully developed and were not reviewed through either the SEPA process or in public hearings. These concepts include using an alternative approach to addressing compatibility, such as using a volumetric measurement of building size rather than FAR, establishing design guidelines and/or design review for certain residential construction (possibly determined by size, design, or location), and/or making changes to allowable structure height to encourage more pitched roof forms. These concepts are outside the scope of the current proposal, and would require significant evaluation and public input to develop further. If the Council so desires, Staff can prepare a work program proposal for conducting such an evaluation

**SEPA APPEAL:**

As the City Council is aware, an appeal of the SEPA Determination of Non-Significance was filed with the City. Before any of the measures discussed above can be adopted, the Council will need to hold a hearing and reach a decision on the SEPA appeal.

**CONCLUSION:**

The Council should focus their discussion on the first four topics (A – D) outlined in “Options” above. Once these issues are dealt with, the Council can decide whether to request a work program proposal from Staff for a more comprehensive evaluation of Zoning Code provisions relating to residential compatibility. At the conclusion of the September 26 study session, the Council should determine whether an additional study session is needed or whether the proposal is ready for final consideration, and set a date for such action.