



**CITY OF KIRKLAND**  
**PLANNING & COMMUNITY DEVELOPMENT**  
123 Fifth Avenue, Kirkland, WA 98033  
425.587.3225 ~ [www.kirklandwa.gov](http://www.kirklandwa.gov)

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**METHODS TO REQUEST CHANGES TO DENSITY, LAND USE  
OR ZONING CODE REGULATIONS**

A change to the allowable land use, residential density or development standards of a property requires an amendment to the Comprehensive Plan, Zoning Code and/or Zoning Map. The City of Kirkland has several possible ways in which to request a change. Keep in mind that there is no guarantee that the City Council would approve a proposed change to a property, even when a fee is paid.

- 1. Planned Unit Development (PUD).** Chapter 125 of the Zoning Code has a provision to propose an increase in density of either up to 10% of that permitted in the zone or as recommended in the Comprehensive Plan. For the second option, a few areas in the City have density ranges shown on the neighborhood land use maps. An applicant can propose to achieve the higher of the density range. Housing for low to moderate income in low density zones can be proposed to increase density up to a 1.5 multiplier. See Chapter 125 for details.

One of the criteria for approving a PUD is providing public benefit for the increase density. Section 125.35 of the Zoning Code lists some ideas for public benefit. It is up to the City Council to decide if the public benefit is adequate. The process takes about six to seven months to complete.

- 2. Citizen Initiated Request.** Currently, the City accepts applications on an even year and considers applications on an odd year (see Citizen Initiated Request application) to change the land use, density or Zoning Code development standards on private property. The requests are considered as part of the City's updates to the citywide chapters of the Comprehensive Plan.

The process is done in two stages: the threshold determination stage to determine which requests, if any, will be studied further and then the study stage. The process takes one to two years depending on if and when the City Council decides to study the request.

Formal applications are required and must be submitted by December 1 of the even year (i.e. 2012, 2014, etc.). There is a review fee for each phase.

The process involves study sessions and hearings before the Planning Commission and a final decision by the City Council. If the application is within the jurisdiction of the Houghton Community Council, the Community Council must also approve the change.

The criteria for reviewing a request are found in Chapters 140 and 160 of the Zoning Code. One of the criteria for the threshold determination is that the property is not in a neighborhood that will have its plan updated within the next two years or the plan has not been updated generally within the past two years.

- 3. Neighborhood plan update.** The Comprehensive Plan contains long range plans for each of its neighborhoods, except the annexed areas of Finn Hill/Juanita/Kingsgate which will be prepared in the future. The City maintains a schedule for updating these neighborhood plans. It takes about one and a half to two years to update each plan as part of this process, the City will consider suggested changes to individual properties or areas within the neighborhood for density or land use.

For those wishing to propose a change in use or density, the Kirkland City Council prefers the neighborhood plan update process because the request is considered within the context of the overall neighborhood plan and its vision. The neighborhood plan update process involves extensive community outreach so neighbors have more opportunity for providing public comments on changes that may affect them.

The process involves study sessions and hearings before the Planning Commission and a final decision by the City Council. If the plan is in the former town of Houghton, then the Houghton Community Council has final jurisdiction.

Currently, there is no charge for making a suggestion to the neighborhood plan update. If you are interested in pursuing this option, you would send a letter to **Paul Stewart, Deputy Planning Director**, requesting that your letter be placed in the neighborhood plan update file. Include in your request the address and tax identification number of the property, your contact information and what change you would like to the property.

- 4. Affordable Housing.** Chapter 112 of the Zoning Code contains provisions for affordable housing which allows additional density when affordable units are provided. See the chapter for more information. In addition to increased density, other incentives are provided. See Chapter 112.
- 5. Historic Overlay Zone.** The owner of a historic home listed in the Community Character Element chapter of the Comprehensive Plan may propose additional density or a use not allowed in the zone. Also, if a property owner thinks that their property is historic, but is not on the list, check with the Planning & Community Development's historic specialist.

One of the criteria listed in Chapter 75 of the Zoning Code is that the historic home must be preserved, and in particular, the exterior of the historic home cannot be changed. If approved, the property would have an historic zoning overlay noted on the Zoning Map. The review process is a Process IIB (Hearing Examiner recommendation and City Council final approval), but there is a reduced fee to encourage preserving historic structures.

- 6. Quasi-judicial Rezone.** Chapter 130 of the Zoning Code has a process (Sections 130.35-40) in which the public can request a rezone of a property if the applicable Neighborhood Plan map contains a density range that would allow for a rezone or if Section 130.45.4.b. or 4.c. are applicable. One criterion for approving this type of rezone is that surrounding circumstances have change significantly such that the rezone should occur. This criterion must be demonstrated and may be difficult to meet.

The Process IIB involves a hearing before the Hearing Examiner and a final decision before the City Council. There is a review fee (see City's current fee schedule). Timeline for a decision is generally six to seven months once the application is deemed to be complete. If the application is within the jurisdiction of the Houghton Community Council, the Community Council must also approve the rezone.