



## MEMORANDUM

**To:** Planning Commission

**From:** Sean LeRoy, Planner  
Adam Weinstein, AICP, Planning and Building Director

**Date:** April 4, 2019

**Subject:** Missing Middle Housing (MMH)  
Kirkland Zoning Code (KZC) 113 – Cottage, Carriage and Two/Three Unit Homes and  
Miscellaneous Zoning Code Amendments in Zones Requiring Density Minimums  
Code Amendments, File Number CAM19-00152

### Background

During the April 11, 2019 study session on potential amendments to KZC 113, the Planning Commission provided comments to staff on parking requirements, design guidelines, compatibility with single-family residences, and other topics. In response to the Commission's comments and feedback, staff has identified more aggressive amendment concepts to further incentivize missing middle housing (MMH) in Kirkland. Additionally, staff has looked at the current design guidelines relating to Cottage, Carriage and Two-/Three-Unit homes, and proposed revisions in an attempt to provide clearer, actionable design direction. Please refer to the [April 11<sup>th</sup>, 2019 memo](#) for more information on the background to this code amendments project, the genesis of KZC 113, and other information about MMH.

For the May 9 study session, staff has also included amendment concepts related to required density in zones allowing medium- and high-density residential uses (see the section titled "Miscellaneous MMH Proposed Amendments (Medium and High Density Residential Uses)" and Table 5 below).

### Staff Recommendation

Provide feedback on the revised code proposals, including design guidelines. Additionally, staff recommends that the Planning Commission identify additional regulations for consideration and/or revision that would help advance the goals and intent of the project.

### Proposed Amendments

The City's goals in amending KZC 113 are summarized below:

1. Develop amendments that incentivize development of MMH which is both economically viable and reflects Kirkland's community values; and
2. Draft clear, concise and actionable code, that is responsive to the needs of the development community, the market and the public, and can be administered by City staff in a consistent and predictable manner.

The tables which follow provide two options for each code amendment concept – staff’s initial proposal and a “bolder” option.

**Table 1: Concept Amendments to KZC 113**

Topic	Cottage	Carriage	Two/Three-Unit Home	Proposed Amendment	Bolder Option	Staff Notes
<b>Applicable Use Zones</b>	The housing types described in this chapter may be used only in the following low-density zones: RSA 4, RSA 6, RS 7.2, RSX 7.2, RS 8.5, RSX 8.5, RS 12.5 and RSX 12.5			Allow in all low-density zones	NA	
<b>Max Unit Size</b>	1,500 square feet	800 square feet	1,000 square feet average unit size  Structure total:  Two-Unit: 2,000 sf;  Three-Unit: 3,000 sf	Eliminate maximum unit size provisions for two-/three-unit homes. Allow maximum sizes of two-/three-unit homes to be dictated by underlying floor area ratio (FAR) maximum	Same as Initial Staff Option, but increase maximum size of Cottage to 1,700 square feet (not to include attached ADUs)	FAR will serve to “control” massing; reduces duplicate restraints and allows for more functional housing unit sizes
<b>Density</b>	2 times the maximum number of detached dwelling units allowed in the underlying zone			Retain existing provisions	NA	No density amendment is warranted in order to preserve compatibility with single-family neighborhoods
<b>Max Floor Area Ratio (F.A.R.)</b>	0.35			Allow the same FAR as would apply to a single-family house built on property	NA	Increasing the FAR will provide further incentive to build MMH developments with desirable design features such as pitched roofs and other features which mimic typical single-family

Topic	Cottage	Carriage	Two/Three-Unit Home	Proposed Amendment	Bolder Option	Staff Notes
						residences
<b>Development Size</b>	For cottages: Min. 4 units  Max. 24 units  Maximum cluster: 12 units	Allowed when included in a cottage project	Must be limited to either one (1) two-unit home or one (1) three-unit home, or be part of a cottage development, unless approved through Process IIA, Chapter 150 KZC	Reduce to 2 units; or delete minimum but keep maximum (allowing one duplex on one lot)	NA	Provides the potential to construct a cottage development on smaller lots
<b>Review Process</b>	Process I (Planning Director decision, appealable to the Hearing Examiner)	Allowed when included in a cottage project	Single two-unit home or single three-unit home: Process I  Development containing more than one two-unit or one three-unit home (other than a cottage project): Process IIA (Hearing Examiner Decision, appealable to the City Council)	Retain existing provisions	Process Cottage and/or Two-/Three-unit homes through the same review process as a single-family residence	Removing the requirement for zoning permit approval would allow for a more streamlined and expeditious approval, similar to a single-family residence

Topic	Cottage	Carriage	Two/Three-Unit Home	Proposed Amendment	Bolder Option	Staff Notes
<b>Location</b>	Developments containing cottage, carriage and/or two/three-unit homes may not be located closer than the distance noted below to another development approved under the provisions of KZC 113 or under Ordinance 3856 (Interim Regulations - Innovative Housing Demonstration): 1 to 9 Units: 500' 10 – 19 Units: 1,000' 20 – 24 Units: 1,500'			Eliminate location requirements (i.e., restrictions on proximity to another similar housing type)	NA	Staff did not identify adverse impacts associated with clusters of MMH
<b>Minimum Lot Size</b>	Beyond density restrictions, there is no required minimum lot size for lots created through the subdivision process. (The number of allowed units on the subject property is determined by the density provision of this chart.)			Retain existing provisions	NA	Limited/regulated by density (see above)
<b>Parking Requirements</b>	Units under 700 square feet: 1 space per unit Units between 700 – 1,000 square feet: 1.5 spaces per unit Units over 1,000 square feet: 2 spaces per unit. Must be provided on the subject property.			Reduce parking requirement to 1 space/unit if unit is located within ¼ mile of transit service with 15-minute headways during commute hours	Reduce parking requirement to 1 space per unit within ½ mile of transit service with 15-minute headways during commute hours  For units more than ½ mile away from transit service with 15-minute headways during commute hours:  Units 1,000 square feet or less = 1 space per unit  Units over 1,000 square feet = 1.5 spaces per unit  See KZC 105.20 for visitor parking  Attached ADU = no additional on-site space required	Staff believes that current and projected transit service in Kirkland is not sufficient to support parking ratios below 1 space/unit

Topic	Cottage	Carriage	Two/Three-Unit Home	Proposed Amendment	Bolder Option	Staff Notes
<b>Minimum Required Yards (from exterior property lines of subject property)</b>	Front: 20' Other: 10'	Must be included in a cottage project	Front: 20' Other: 10'	Revise to: Front: 20' Rear: 10' Side: 5'	NA	This would provide more development flexibility; already allowed in some residential zones (w/ larger structures)
<b>Lot coverage (all impervious surfaces)</b>	50%	Must be included in a cottage project	50%	Retain existing provisions	NA	Staff does not see a compelling reason at this point to change this regulation
<b>Height</b>	25' (RS Zones) and 27' (RSA and RSX Zones) maximum above ABE, (where minimum roof slope of 6:12 for all parts of the roof above 18' are provided). Otherwise, 18' above ABE			RS zones – 25' RSA and RSX – 30' Accessory structure – One story not to exceed 18' above ABE	NA	Raising the height allowance in the RSA and RSX would equate to current allowances for single-family residences
<b>Accessory Structures</b>	One (1) story, not to exceed 18' above ABE			Retain existing provisions	NA	
<b>Tree Retention</b>	The tree retention plan standards contained in KZC 95.30 apply to development approved under this chapter			Retain existing provisions	NA	
<b>Common Open Space</b>	400 square feet per unit.  Private open space is also encouraged (see KZC 113.35)			Retain existing provisions	300 feet per unit for Cottage developments of 5 or more units and not required for duplexes  Can be reduced to 200	Provides more land area for parking and/or structures, while allowing for community and common use

Topic	Cottage	Carriage	Two/Three-Unit Home	Proposed Amendment	Bolder Option	Staff Notes
					feet per unit if a permanent recreational/communal feature, such as cooking facilities, play equipment or permanent outdoor furniture, is provided	
<b>Community Buildings</b>	Community buildings are encouraged. See KZC 113.30 for further regulations			Retain existing provisions	NA	
<b>Attached Covered Porches</b>	Each unit must have a covered porch with a minimum area of 64 square feet per unit and a minimum dimension of 7' on all sides.			Retain existing provisions	NA	
<b>Development Options</b>	Subdivision, Condominium, Rental or Ownership			Retain existing provisions	NA	
<b>Accessory Dwelling Units (ADUs)</b>	Not permitted as part of a cottage, carriage or two/three-unit home development			Allow attached ADUs	NA	

**Table 2: Other KZC 113 Proposed Amendments**

Topic	Initial Staff Option	Bolder Option	Staff Notes
<b>Prohibition in Houghton of stand-alone two/three-unit homes</b>	Remove prohibition of stand-alone two/three-unit homes within Houghton	NA	
<b>Limitations on single-family zones</b>	Allow in all single-family zones; allow cottage developments in RSX 35, RS 35 and PLA 16 zones	NA	Maintain paddock requirements

**Table 3: Design Guidelines: Cottage Developments**

Topic	Existing	Initial Staff Option	Staff Notes
<b>Building Orientation</b>	<p>Oriented to promote a sense of community</p> <p>Where feasible, each dwelling unit that abuts a common open space shall have a primary entry and/or covered entry porch, oriented to the common open space</p> <p>Each dwelling unit abutting a public right-of-way shall have an inviting facade</p>	Retain existing provisions	
<b>Required Common Open Space</b>	<p>Required Common Open Space:</p> <p>Provide a sense of openness and visual relief, being centrally located with prescribed dimensions</p>	<p>300 feet per unit for Cottage developments of 5 or more units and not required for duplexes</p> <p>Required open space may be reduced to 200 feet per unit if a permanent recreational/communal feature is provided</p>	No density amendment is warranted in order to preserve compatibility with single-family neighborhoods
<b>Shared Detached Garages</b>	Parking clusters must be separated by a distance of at least 20 feet	Surface parking clusters must be separated by a distance of at least 10 feet (113.35.5)	Reduces amount of subject property dedicated to parking area

Topic	Existing	Initial Staff Option	Staff Notes
<b>Low Impact Development</b>	Must employ LID strategies (techniques that mimic natural watershed hydrology)	MMH developments shall comply with current King County Surface Water Design Manual (2016); LID techniques shall be employed if feasible	SWDM (2016) requires LID techniques if feasible
<b>Variation in Unit Sizes, Building and Site Design</b>	Cottage projects should establish building and site design that promotes variety and visual interest, compatible with the character of the surrounding neighborhood	NA	Retain current guidelines

**Table 4: Design Guidelines: Two-/Three-Unit Homes**

Topic	Existing	Initial Staff Option	Staff Notes
Two and three-unit homes should be consistent in height, bulk, scale and style with surrounding single-family residential uses			
<b>Entries and materials</b>	Maintain the traditional character of detached single-family dwelling units by using elements such as the appearance of single points of entry addressing the street, pitched roofs, substantial trim around windows, porches and chimneys	To maintain and reflect the traditional character of single-family dwelling units, projects shall include at least two of the following design elements: <ul style="list-style-type: none"> <li>• Covered entry porch;</li> <li>• Peaked roof with a minimum pitch of 3:12;</li> </ul>	Retain current guidelines

Topic	Existing	Initial Staff Option	Staff Notes
		<ul style="list-style-type: none"> <li>• Façade modulation;</li> <li>• Entry features and front doors should be dominant elements facing the street</li> <li>• Provide second story step back or modulation</li> <li>• Utilize a variety of materials with decorative or textural qualities</li> <li>• Provide trimming around windows</li> <li>• Divided window panes</li> </ul>	
<b>Low Impact Development</b>	Must employ LID strategies (techniques that mimic natural watershed hydrology)	MMH developments shall comply with current King County Design Manual (2016); LID techniques shall be employed if feasible	SWDM 2016 requires LID techniques if feasible
<b>Shared Detached Garages and Surface Parking Design</b>	<p>Must meet the standards established in KZC 115.43 and 115.115.5 and no more than three (3) garage doors may be visible on any façade of the structure</p> <p>Surface parking limited to no more than three (3) stalls; areas with more than two (2) stalls must visually separated from the street, perimeter parking lines and common areas through site planning, landscaping or natural screening</p>	NA	Retain current guidelines

**Miscellaneous MMH Proposed Amendments (Medium- and High-Density Residential Uses)**

Regulations in several medium density and high density zones within the City of Kirkland, such as RM 5.0, RM 3.6 and PLA 3B, establish density maximums for new development. Density is calculated by dividing the lot area by the minimum lot size required in the respective zone.

As the housing market has continued to favor larger detached single-family residences, properties located in medium- and high-density zones have often developed at a density less than the maximum allowed. As a result, areas which the City has previously determined can accommodate density and thereby contribute toward MMH stock, have been underutilized. The concepts presented in Table 5 would establish minimum densities in the City’s medium- and high-density zoning districts, promoting the development of more compact housing in these areas.

**Table 5: Density Requirements for Medium- and High-Density Development**

Topic	Existing	Initial Staff Option	Bolder Option	Staff Notes
<b>Minimum Density in Medium- and High-Density Residential Zones</b>	Properties can be developed at any density proposed by an applicant, as long as the maximum allowable density isn’t exceeded	New projects shall develop at 80% of the maximum density allowed in the underlying zone	New projects shall develop at 100% of the maximum density allowed in the underlying zone	Potential for increased density in areas zoned for MMH type housing

Staff would like to leave this second study session with clear input and direction from the Planning Commission on the following questions:

- Please indicate whether staff should prepare code amendments using the Initial Staff Option or Bolder Option for each concept.
- What are the Planning Commission’s initial thoughts on staff’s recommendation of requiring new medium and high-density residential projects develop at a percentage of the density allowance in the underlying zone?
- Do you prefer either 80% or 100% of the total density allowed?

Following the May 9 Planning Commission meeting, staff will begin the process of preparing code amendments, using either the Initial Staff Option or the Bolder Option for each zoning concept.

Attachments:

1. Existing KZC 113 Code

cc: CAM19-00152

# Chapter 113 – COTTAGE, CARRIAGE AND TWO/THREE-UNIT HOMES

Sections:

[113.05](#) User Guide

[113.10](#) Voluntary Provisions and Intent

[113.15](#) Housing Types Defined

[113.20](#) Applicable Use Zones

[113.25](#) Parameters for Cottages, Carriage Units and Two/Three-Unit Homes

[113.30](#) Community Buildings and Community Space in Cottage Developments

[113.35](#) Design Standards and Guidelines

[113.40](#) Median Income Housing

[113.45](#) Review Process

[113.50](#) Additional Standards

## **113.05 User Guide**

This chapter provides standards for alternative types of housing in single-family zones. If you are interested in proposing cottage, carriage or two/three-unit homes or you wish to participate in the City's decision on a project including these types of housing units, you should read this chapter.

(Ord. 4152 § 1, 2008; Ord. 4120 § 1, 2007)

## **113.10 Voluntary Provisions and Intent**

The provisions of this chapter are available as alternatives to the development of typical detached single-family homes. In the event of a conflict between the standards in this chapter and the standards in KZC 15 or 17, the standards in this chapter shall control. These standards are intended to address the changing composition of households, and the need for smaller, more diverse, and often, more affordable housing choices. Providing for a variety of housing types also encourages innovation and diversity in housing design and site development, while ensuring compatibility with surrounding single-family residential development.

(Ord. 4152 § 1, 2008; Ord. 4120 § 1, 2007)

### 113.15 Housing Types Defined

The following definitions apply to the housing types allowed through the provisions in this chapter:

1. Cottage – A detached, single-family dwelling unit containing 1,500 square feet or less of gross floor area.
2. Carriage Unit – A single-family dwelling unit, not to exceed 800 square feet in gross floor area, located above a garage structure in a cottage housing development.
3. Two/Three-Unit Home – A structure containing two (2) dwelling units or three (3) dwelling units, designed to look like a detached single-family home.

(Ord. 4152 § 1, 2008; Ord. 4120 § 1, 2007)

### 113.20 Applicable Use Zones

The housing types described in this chapter may be used only in the following low density zones: RSA 4, RSA 6, RS 7.2, RSX 7.2, RS 8.5, RSX 8.5, RS 12.5 and RSX 12.5 (see KZC [113.25](#) for further standards regarding location of these housing types).

(Ord. 4196 § 1, 2009; Ord. 4152 § 1, 2008; Ord. 4120 § 1, 2007)

### 113.25 Parameters for Cottages, Carriage Units and Two/Three-Unit Homes

Please refer to KZC [113.30](#), [113.35](#) and [113.40](#) for additional requirements related to these standards.

	Cottage	Carriage	Two/Three-Unit Home <sup>1</sup>
Max Unit Size <sup>2</sup>	1,500 square feet <sup>3</sup>	800 square feet	1,000 square feet average unit size Structure total <sup>4</sup> : Two-Unit: 2,000 s.f. Three-Unit: 3,000 s.f.
Density	2 times the maximum number of detached dwelling units allowed in the underlying zone <sup>5, 6, 7, 8</sup>		
Max Floor Area Ratio (F.A.R.) <sup>9</sup>	.35		
Development Size	Min. 4 units Max. 24 units	Allowed when included in a	Must be limited to either one (1) two-unit home or one (1) three-unit home, or be part of a

	<b>Cottage</b>	<b>Carriage</b>	<b>Two/Three-Unit Home</b> <sup>1</sup>
	Maximum cluster <sup>10</sup> : 12 units	cottage project.	cottage development, unless approved through Process IIA, Chapter 150 KZC.
Review Process	Process I		Single two-unit home or single three-unit home: Process I <sup>11</sup>  Development containing more than one two-unit or one three-unit home (other than a cottage project): Process IIA <sup>12</sup>
Location	Developments containing cottage, carriage and/or two/three-unit homes may not be located closer than the distance noted below to another development approved under the provisions of this chapter or under Ordinance 3856: 1 to 9 Units: 500' 10 – 19 Units: 1,000' 20 – 24 Units: 1,500'		
Minimum Lot Size	Beyond density restrictions, there is no required minimum lot size for lots created through the subdivision process. (The number of allowed units on the subject property is determined by the density provision of this chart.)		
Parking Requirements <sup>13</sup>	Units under 700 square feet: 1 space per unit Units between 700 – 1,000 square feet: 1.5 spaces per unit Units over 1,000 square feet: 2 spaces per unit. Must be provided on the subject property.		
Minimum Required Yards (from exterior property lines of subject property)	Front: 20'  Other: 10'	Must be included in a cottage project.	Front: 20'  Other: 10'
Lot coverage (all impervious surfaces) <sup>14</sup>	50%	Must be included in a cottage project.	50%
Height Dwelling Units	25' (RS Zones) and 27' (RSA and RSX Zones) maximum above A.B.E., (where minimum roof slope of 6:12 for all parts of the roof above 18' are provided). Otherwise, 18' above A.B.E.		
Accessory Structures	One (1) story, not to exceed 18' above A.B.E.		
Tree Retention	The tree retention plan standards contained in KZC 95.30 shall apply to development approved under this chapter.		

	<b>Cottage</b>	<b>Carriage</b>	<b>Two/Three-Unit Home<sup>1</sup></b>
Common Open Space	400 square feet per unit. Private open space is also encouraged (see KZC <a href="#">113.35</a> ).		
Community Buildings	Community buildings are encouraged. See KZC <a href="#">113.30</a> for further regulations.		
Attached Covered Porches <sup>15</sup>	Each unit must have a covered porch with a minimum area of 64 square feet per unit and a minimum dimension of 7' on all sides.		
Development Options	Subdivision  Condominium  Rental or Ownership		
Accessory Dwelling Units (ADUs)	Not permitted as part of a cottage, carriage or two/three-unit home development.		

- 1 Within the jurisdiction of the Houghton Community Council, this housing type is only allowed where it is included in a cottage project.
- 2 A covenant restricting any increases in unit size after initial construction shall be recorded against the property. Vaulted space may not be converted to habitable space.
- 3 Maximum size for a cottage is 1,500 square feet. A cottage may include an attached garage, not to exceed an additional 250 square feet.
- 4 Maximum size for a two-unit home is 2,000 square feet. A two-unit home may include an attached garage, not to exceed an additional 500 square feet. The maximum size for a three-unit home is 3,000 square feet. A three-unit home may include an attached garage, not to exceed an additional 750 square feet.
- 5 Existing detached dwelling units may remain on the subject property and will be counted as units.
- 6 When the conversion from detached dwelling units to equivalent units results in a fraction, the equivalent units shall be limited to the whole number below the fraction.
- 7 See KZC 90.170 for density calculation on a site which contains a wetland, stream, minor lake, or their buffers.

8 To determine equivalent units for a two- or three-unit home, the following formula will be used: Lot area/min. lot size per unit in underlying zone x 2 = maximum units (always round down to nearest whole number). Example (RS 7.2 zone):  $10,800/7200 = 1.5 \times 2 = 3$  units

9 FAR regulations:

a. FAR regulations are calculated using the “buildable area” of the site, as defined in KZC 90.170. Where no critical areas regulated under Chapter 90 KZC exist on the site, FAR regulations shall be calculated using the entire subject property, except as provided in subsection (b) of this footnote.

b. Where Native Growth Protective Easements (NGPEs) for slopes result in a restricted area for development, density may be limited to ensure that the FAR on the developed portion of the site remains compatible with surrounding development and generally consistent with the FAR limitation of this chapter.

c. FAR for individual lots may vary. All structures on site, other than median income units and any attached garages for the median income units provided under KZC [113.40](#), shall be included in the FAR calculation for the development.

10 Cluster size is intended to encourage a sense of community among residents. A development site may contain more than one (1) cluster, with a clear separation between clusters.

11 Stand-alone two/three-unit homes are not allowed within the jurisdiction of the Houghton Community Council.

12 See KZC [113.45](#). Carriage units and two/three-unit homes may be included within a cottage housing proposal to be reviewed through Process I; provided, that the number of two/three-unit homes and carriage units does not exceed 20 percent of the total number of units in the project.

13 See KZC 105.20 for requirements related to guest parking.

14 Lot coverage is calculated using the entire development site. Lot coverage for individual lots may vary.

15 Requirements for porches do not apply to carriage or two/three-unit homes.

(Ord. 4551 § 4, 2017; Ord. 4238 § 2, 2010; Ord. 4196 § 1, 2009; Ord. 4152 § 1, 2008; Ord. 4120 § 1, 2007)

### **113.30 Community Buildings and Community Space in Cottage Developments**

Community buildings and community space are encouraged in cottage developments.

1. Community buildings or space shall be clearly incidental in use and size to the dwelling units.

2. Building height for community buildings shall be no more than one (1) story. Where the community space is located above another common structure, such as a detached garage or storage building, standard building heights apply.
3. Community buildings must be located on the same site as the cottage housing development, and be commonly owned by the residents.

(Ord. 4152 § 1, 2008; Ord. 4120 § 1, 2007)

### **113.35 Design Standards and Guidelines**

#### 1. Cottage Projects

##### a. Orientation of Dwelling Units

Dwellings within a cottage housing development should be oriented to promote a sense of community, both within the development, and with respect to the larger community, outside of the cottage project. A cottage development should not be designed to “turn its back” on the surrounding neighborhood.

- 1) Where feasible, each dwelling unit that abuts a common open space shall have a primary entry and/or covered porch oriented to the common open space.
- 2) Each dwelling unit abutting a public right-of-way (not including alleys) shall have an inviting facade, such as a primary or secondary entrance or porch, oriented to the public right-of-way. If a dwelling unit abuts more than one (1) public right-of-way, the City shall determine to which right-of-way the inviting facade shall be oriented.

##### b. Required Common Open Space

Common open space should provide a sense of openness, visual relief, and community for cottage developments. The space must be outside of wetlands, streams and their buffers, and developed and maintained to provide for passive and/or active recreational activities for the residents of the development.

- 1) Each area of common open space shall be in one (1) contiguous and usable piece with a minimum dimension of 20 feet on all sides.
- 2) Land located between dwelling units and an abutting right-of-way or access easement greater than 21 feet in width may not serve as required common open space, unless the area is reserved as a separate tract, and does not contain pathways leading to individual units or other elements that detract from its appearance and function as a shared space for all residents.
- 3) Required common open space may be divided into no more than two (2) separate areas per cluster of dwelling units.

- 4) Common open space shall be located in a centrally located area and be easily accessible to all dwellings within the development.
- 5) Fences may not be located within required open space areas.
- 6) Landscaping located in common open space areas shall be designed to allow for easy access and use of the space by all residents, and to facilitate maintenance needs. Where feasible, existing mature trees should be retained.
- 7) Unless the shape or topography of the site precludes the ability to locate units adjacent to the common open space, the following standards must be met:
  - a) The open space shall be located so that it will be surrounded by cottages or two/three-unit homes on at least two (2) sides;
  - b) At least 50 percent of the units in the development shall abut a common open space. A cottage is considered to “abut” an area of open space if there is no structure between the unit and the open space.
- 8) Surface water management facilities shall be limited within common open space areas. Low Impact Development (LID) features are permitted, provided they do not adversely impact access to or use of the common open space for a variety of activities. Conventional stormwater collection and conveyance tools, such as flow control and/or water quality vaults are permitted if located underground.
- c. Shared Detached Garages and Surface Parking Design

Parking areas should be located so their visual presence is minimized, and associated noise or other impacts do not intrude into public spaces. These areas should also maintain the single-family character along public streets.

- 1) Shared detached garage structures may not exceed four (4) garage doors per building, and a total of 1,200 square feet.
- 2) For shared detached garages, the design of the structure must be similar and compatible to that of the dwelling units within the development.
- 3) Shared detached garage structures and surface parking areas must be screened from public streets and adjacent residential uses by landscaping or architectural screening.
- 4) Shared detached garage structures shall be reserved for the parking of vehicles owned by the residents of the development. Storage of items which preclude the use of the parking spaces for vehicles is prohibited.
- 5) Surface parking areas may not be located in clusters of more than four (4) spaces. Clusters must be separated by a distance of at least 20 feet.

6) The design of carports must include roof lines similar and compatible to that of the dwelling units within the development.

d. Low Impact Development

The proposed site design shall incorporate the use of low impact development (LID) strategies to meet stormwater management standards. LID is a set of techniques that mimic natural watershed hydrology by slowing, evaporating/transpiring, and filtering water, which allows water to soak into the ground closer to its source. The design should seek to meet the following objectives:

- 1) Preservation of natural hydrology.
- 2) Reduced impervious surfaces.
- 3) Treatment of stormwater in numerous small, decentralized structures.
- 4) Use of natural topography for drainageways and storage areas.
- 5) Preservation of portions of the site in undisturbed, natural conditions.
- 6) Reduction of the use of piped systems. Whenever possible, site design should use multifunctional open drainage systems such as vegetated swales or filter strips which also help to fulfill landscaping and open space requirements.

e. Two/Three-Unit Homes and Carriage Units within Cottage Projects

Two/three-unit homes and carriage units may be included within a cottage housing development. Design of these units should be compatible with that of the cottages included in the project.

f. Variation in Unit Sizes, Building and Site Design

Cottage projects should establish building and site design that promotes variety and visual interest that is compatible with the character of the surrounding neighborhood.

- 1) Projects should include a mix of unit sizes within a single development.
- 2) Proposals are encouraged to provide a variety of building styles, features and site design elements within cottage housing communities. Dwellings with the same combination of features and treatments should not be located adjacent to each other.

g. Private Open Space

Open space around individual dwellings should be provided to contribute to the visual appearance of the development, and to promote diversity in landscape design.

h. Pedestrian Flow through Development

Pedestrian connections should link all buildings to the public right-of-way, common open space and parking areas.

## 2. Two/Three-Unit Homes Not Included in Cottage Developments

Two and three-unit homes are an allowed use on individual lots in the zones listed in KZC [113.20](#). These homes should be consistent in height, bulk, scale and style with surrounding single-family residential uses.

### a. Entries

Two and three-unit homes shall maintain the traditional character and quality of detached single-family dwelling units by using design elements such as the appearance of single points of entry addressing the street, pitched roofs, substantial trim around windows, porches and chimneys. Ideally, the multiple-unit home will have no more than one (1) entry on each side of the structure.

### b. Low Impact Development (LID)

Projects containing two (2) or more two/three-unit homes shall follow the LID standards set forth in this section.

### c. Garages and Surface Parking Design

1) Garages and driveways for two/three-unit homes shall meet the standards established in KZC 115.43 and 115.115(5). In addition, no more than three (3) garage doors may be visible on any facade of the structure.

2) Surface parking shall be limited to groups of no more than three (3) stalls. Parking areas with more than two (2) stalls must be visually separated from the street, perimeter property lines and common areas through site planning, landscaping or natural screening.

(Ord. 4152 § 1, 2008; Ord. 4120 § 1, 2007)

## **113.40 Median Income Housing**

1. Requirement to Provide Median Income Housing – Projects including 10 or more housing units shall be required to provide 10 percent of the units as affordable to median income households. The level of affordability shall be determined according to the following schedule:

10-unit project:	1 unit affordable to households earning 100% of King County median income
11-unit project:	1 unit affordable to households earning 98% of King County median income

12-unit project:	1 unit affordable to households earning 96% of King County median income
13-unit project:	1 unit affordable to households earning 94% of King County median income
14-unit project:	1 unit affordable to households earning 92% of King County median income
15-unit project:	1 unit affordable to households earning 90% of King County median income
16-unit project:	1 unit affordable to households earning 88% of King County median income
17-unit project:	1 unit affordable to households earning 86% of King County median income
18-unit project:	1 unit affordable to households earning 84% of King County median income
19-unit project:	1 unit affordable to households earning 82% of King County median income

For projects with 20 units or more, the following schedule will apply:

20-unit project:	2 units affordable to households earning 100% of King County median income
21-unit project:	2 units affordable to households earning 98% of King County median income
22-unit project:	2 units affordable to households earning 96% of King County median income
23-unit project:	2 units affordable to households earning 94% of King County median income
24-unit project:	2 units affordable to households earning 92% of King County median income

Median income dwelling units shall have the same general appearance and use the same exterior materials as the market rate dwelling units, and shall be dispersed throughout the development.

The type of ownership of the median income housing units shall be the same as the type of ownership for the rest of the housing units in the development.

As noted in KZC [113.25](#), any median income units, and any attached garages for the median income units, provided under this section shall not be included in the floor area ratio (F.A.R.) calculation for the development.

2. Agreement for Median Income Housing Units – Prior to issuance of a certificate of occupancy, an agreement in a form acceptable to the City Attorney shall be recorded with King County Recorder’s Office. The agreement shall address price restrictions, homebuyer or tenant

qualifications, long-term affordability, and any other applicable topics of the median income housing units. The agreement shall be a covenant running with the land and shall be binding on the assigns, heirs and successors of the applicant.

Median income housing units that are provided under this section shall remain as median income housing for a minimum of 50 years from the date of initial owner occupancy for ownership median income housing units and for the life of the project for rental median income housing units.

(Ord. 4491 § 11, 2015; Ord. 4152 § 1, 2008; Ord. 4120 § 1, 2007)

### **113.45 Review Process**

#### 1. Approval Process – Cottage Housing Development

- a. The City will process an application for cottage development through Process I, Chapter 145 KZC.
- b. Public notice for developments proposed through this section shall be as set forth under the provisions of Chapter 150 KZC (Process IIA).

#### 2. Approval Process – Carriage Unit and Two/Three-Unit Home Development

- a. Single two/three-unit homes shall be reviewed through Process I. Developments containing two/three-unit homes and carriage units that are part of a cottage project shall also be reviewed through Process I; provided, that the number of two/three-unit homes and carriage units does not exceed 20 percent of the total number of units in the project. Noticing requirements shall be as described in subsection (1)(b) of this section.
- b. All other developments containing carriage and two/three-unit homes shall be reviewed using Process IIA.

#### 3. Approval Process – Requests for Modifications to Standards

##### a. Minor Modifications

Applicants may request minor modifications to the general parameters and design standards set forth in this chapter. The Planning Director or Hearing Examiner may modify the requirements if all of the following criteria are met:

- 1) The site is constrained due to unusual shape, topography, easement or critical areas.
- 2) The modification is consistent with the objectives of this chapter.
- 3) The modification will not result in a development that is less compatible with neighboring land uses.

#### 4. Review Criteria

a. In addition to the criteria established for review of development proposals in Chapters 145 and 150 KZC, the applicant must demonstrate that:

1) The proposal is compatible with and is not larger in scale than surrounding development with respect to size of units, building heights, roof forms, setbacks between adjacent buildings and between buildings and perimeter property lines, number of parking spaces, parking location and screening, access and lot coverage.

2) Any proposed modifications to provisions of this chapter are important to the success of the proposal as an alternative housing project and are necessary to meet the intent of these regulations.

(Ord. 4551 § 4, 2017; Ord. 4372 § 1, 2012; Ord. 4152 § 1, 2008; Ord. 4120 § 1, 2007)

### **113.50 Additional Standards**

1. Application fees for the Process I or IIA review of the proposed project shall be based on the number of single-family units that would be allowed by the underlying zoning, regardless of the number of units proposed under this chapter.

2. Impact fees under Kirkland Municipal Code Chapters 27.04 and 27.06 for the proposed project shall be assessed at the rates for multifamily dwelling units, as identified in Appendix A of Kirkland Municipal Code Chapters 27.04 and 27.06.

3. The City's approval of a cottage housing or two/three-unit home development does not constitute approval of a subdivision or short plat. An applicant wishing to subdivide in connection with a development under this chapter shall seek approval to do so concurrently with the approval process under this chapter. To the extent there is a conflict between the standards set forth in the chapter and Title 22 of the Kirkland Municipal Code, the standards set forth in this chapter shall control. A lot that has existing cottage, carriage or two/three-unit homes may not be subdivided unless all of the requirements of the Zoning Code and Title 22 of the Kirkland Municipal Code are met. A lot containing a two/three-unit home may not be subdivided in a manner that results in the dwelling units being located on separate lots.

(Ord. 4152 § 1, 2008; Ord. 4120 § 1, 2007)