



**CITY OF KIRKLAND**  
**Planning and Building Department**  
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**MEMORANDUM**

**To:** Houghton Community Council

**From:** Nick Cilluffo, Senior Planner  
Jeremy McMahan, Deputy Planning & Building Director

**Date:** December 27, 2021

**Subject:** 2022 Miscellaneous Code Amendments  
File Number CAM21-00773

**Staff Recommendation**

Receive a briefing on the 2022 Miscellaneous Code Amendments and decide if Houghton Community Council (HCC) will hold a joint public hearing with Planning Commission on January 13, 2022.

**Background**

Staff keeps an ongoing list of miscellaneous code amendments that are necessary to reflect current practice, clarify sections of the Zoning and Municipal Codes, maintain consistency with relevant state and/or federal regulations, and promote good planning principles. The KZC and KMC are updated periodically to correct the issues that have been identified and are included on the list.

The proposed 2022 miscellaneous code amendment package consists of several minor code amendments that include administrative and non-policy items, with one exception being a policy-driven change to the permissibility of storage uses in the City. Generally, this package of code amendments does not have broad public interest and did not necessitate extensive public outreach. Targeted outreach did occur, by way of an informational mailing, to property owners potentially affected by the change to storage use permissibility. Staff has followed all required public notice steps and created a webpage for interested parties to learn more and participate.

To assist the HCC in determining whether to hold a joint hearing, staff provides the following list of the proposed package of amendments, with brief descriptions of each. The list is separated into items within HCC jurisdiction and those that are outside HCC jurisdiction. Those items outside HCC jurisdiction are provided for informational purposes only

**Proposed Amendments**

*Amendments within the Houghton Community Council jurisdiction:*

1. KMC 22.28.042.d.1 (Subdivisions)  
**Description:** Correct the language that was inadvertently reverted to an outdated version due to clerical error. Ordinance O-4716, adopted in March 2020, included references to a version of the KMC text that had previously been amended by O-4706, adopted on November 19, 2019. This amendment will accurately reflect what was previously considered and intended for adoption.  
**Effect:** No regulatory change. Corrects an error in the code.
2. KZC 5.10.720.2 (Definition of Rear Property Line)  
**Description:** Reformat the rear property line definition. No wording changes will be made. Reformatting will improve legibility by splitting the existing text into subsections in order to break up a run-on sentence.  
**Effect:** No regulatory change. No text added or deleted. Maintains current code in a more legible format.
3. KZC 90.70.3 (stream buffer modifications)  
**Description:** Correct a scrivener's error where the code references a non-existent section (KZC 90.72(2)) and replaces it with the correct code reference (KZC 90.70(2)).  
**Effect:** No regulatory change. Scrivener's error correction.
4. KZC 115.80 (Legal Building Site criteria)  
**Description:** Clarify an existing criterion by specifying the exact date of enactment of the lawful zoning code by Kirkland and King County and delete the ambiguous phrase.  
**Effect:** No regulatory change. Maintains existing requirement with improved clarity.
5. KZC 115.90 (Lot Coverage)  
**Description:** Allow minor lot coverage exemption on multi-family developments for HVAC units (similar to the recently adopted exemption for single family).  
**Effect:** Increases flexibility for locating HVAC equipment on sites, particularly when new equipment like ground mounted heat pumps, are retrofitted on existing developed sites. Will result in a de minimis amount of increase lot coverage.
6. KZC 115.115.5.a.2  
**Description:** Add a criterion to allow modification of the maximum driveway width within a front setback when a shared driveway is used.  
**Effect:** Codifies a current practice by making modification allowance more transparent to applicants and providing more relevant criteria. Gives the Planning Official discretionary authority to accommodate good design where shared driveways are required or desired in order to reduce the number of curb cuts on the property frontage.

*Amendments NOT within the Houghton Community Council jurisdiction:*

1. KZC permitted uses in several zones (storage services)

**Description:** Limit/prohibit retail establishments providing storage services (i.e., mini storage uses) in remaining zones where it is currently permissible as a primary use. This is consistent with existing City policy; for example, Norkirk Neighborhood Plan Policy N-19. (Note: This use is not currently permitted in any zone within the Houghton Community Council jurisdiction.)

**Effect:** Prohibits any new storage uses from being located as primary uses in the City.

2. KZC 55.09.010 (parking requirements in TL 1A)

**Description:** Add more precise code reference for parking requirement in TL 1A. Current text refers to KZC Chapter 105 in general, but a more precise code reference would be to identify the specific subsection within KZC 105 that relates to determining the number of required parking stalls

**Effect:** No regulatory change. Maintains current practice and clarifies internal reference.

3. KZC 113.50 (non-Houghton Chapter of Cottage, Carriage and Two/Three Unit Homes)

**Description:** Require a pre-submittal meeting prior to application for cottage projects to identify project requirements and assess conceptual designs. (Note: Within HCC jurisdiction, these projects require a Process I land use permit, which triggers a pre-submittal meeting.)

**Effect:** Maintains same permitting requirement but adds a pre-application step (fee associated) to discuss and preliminarily assess projects early in the design process. This will help identify and prevent fatal design flaws prior to formal permit submittal. The net result will be savings in project costs and reduced review timelines due to earlier vetting and due diligence.

4. KZC 115.42.1 (Floor Area Ratio exemptions)

**Description:** Clarify that uncovered decks are always exempt from Floor Area Ratio by splitting it out from an existing list of exempt elements. (Note: Floor Area Ratio requirements do not apply within HCC jurisdiction).

**Effect:** No regulatory change. Maintains existing code language and practice.

### **Next Steps**

A public hearing is scheduled with the Planning Commission for January 13, 2022. The Houghton Community Council may choose to participate in the public hearing and make a recommendation to the Planning Commission, which will subsequently make a recommendation to City Council on the proposed code amendments. The final adopting ordinance will be brought back to the HCC to consider within their disapproval jurisdiction.

City Council is scheduled to consider the 2022 Miscellaneous Code Amendments on February 1, 2022.

cc: File Number CAM21-00773