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MEMORANDUM

To: Planning Commission

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

Date: August 2, 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

Staff Recommendation

Receive staff briefing on a consolidated list of MMH zoning concepts that have been refined based on feedback from the Planning Commission and Houghton Community Council. Provide staff with additional feedback on the zoning concepts prior to a public hearing.

Background

Policy and Work Program

Consistent with the 2019-21 Planning Work Program, staff is proposing to amend Chapter 113 of the Kirkland Zoning Code in order to further incentivize construction of MMH, through liberalizing certain key zoning concepts and allowing MMH to be built in all single-family residential zones. An increase in MMH housing will provide more variety in housing choice and stock, in addition to more affordable options for those individuals and families looking to buy or rent in the City.

MMH Incentives and High Frequency Transit Services

In past discussions, City Council has expressed an interest in incentivizing more MMH/ADU density in areas well-served by transit/transportation infrastructure. Staff is recommending reducing the parking requirement to one (1) parking space for MMH projects within ½ mile of high-frequency transit service (i.e., 15-minute headways during commute hours). Another way that the MMH (and ADU projects) may address the link between land use and transportation is to modestly increase densities in primarily single-family neighborhoods to support new transit service in the future, along with local-serving commercial uses (supporting the City's goal of "10-minute neighborhoods"). Further options for incentivizing MMH (and ADU) development near transportation facilities include:

- Granting an FAR bonus
- Allowing two (2) ADUs
- Eliminating parking requirements
- For future potential transit build out and use, treating the Cross Kirkland Corridor similar to high-capacity transit

Houghton Community Council Meetings

Following the May 9, 2019 Planning Commission meeting, staff presented MMH code amendments to the Houghton Community Council on May 30. Staff's [May 30 presentation](#) included a "bold" and "bolder" approach to key zoning concepts, as previously presented to the Planning Commission. In addition to providing preliminary input, the Houghton Community Council expressed a need for further analysis and clarification on some of the concepts presented by staff. In response, on [July 22 staff presented](#) responses and analysis on the following topics, followed by a brief staff summary:

- **Parking for MMH Projects**

Summary: By amending the parking requirements, staff is attempting to strike a balance between providing sufficient parking, reducing projects costs, and addressing aesthetic/stormwater concerns. While sympathetic to the concern about increased demand for street parking, staff believes that the additional parking demand can realistically be captured by existing available street parking in most locations.

- **Accessory Dwelling Units**

Summary: As ADUs occupy a subset of MMH, staff discussed potential plans to merge the ADU code amendment project with the MMH amendment project. A joint public hearing is planned to encompass both code amendment projects.

- **Design Guidelines for Duplexes and Triplexes**

Summary: Staff clarified some of the language relating to design concepts and proposed a list of eight (8) common residential design elements. Staff proposed two options:

- *Applicants may pick any three (3) elements to integrate into their design; or*
- *Applicants must incorporate three (3) specific elements; an additional two (2) elements selected by applicants at their discretion must be incorporated into the design, for a total of five (5) elements. Staff's original proposal provided to the Planning Commission was to allow applicants to choose any two (2) design elements at their discretion.*

- **Projects Constructed Under KZC 113**

Summary: A limited number of MMH projects have been built since the inception of KZC 113, due to several factors. Staff's goal in amending the current code is to incentivize more construction of MMH which is both economically viable to the development community and serves the needs of the public by providing more varied housing stock, at more affordable prices.

- **Ownership**

Summary: Staff reiterated its proposal to leave the existing code provision intact, which is basically to employ the same rules/flexibility that would apply to single-family residential projects (i.e., each unit can be owned or rented).

- **MMH and Adult Family and Recovery Homes**

Summary: No adult family or recovery home has been applied for under the City's MMH code. Adult family homes could, theoretically be applied for under the auspices of KZC

113. However, recovery homes are not permitted in single-family zones, and are regulated as "Convalescent Centers" elsewhere in the City's Zoning Code.

- **MMH and Single-family Home Values and Taxes**

Summary: The City has no data suggesting that a change to the MMH zoning standards would result in a devaluing of single-family homes. On the contrary, well-designed, new MMH, in addition to supplying new housing stock, is expected to positively contribute to the overall value of the neighborhood as a whole, including parcels improved with single-family residences.

The two key factors the County Assessor's Office uses in assessing individual property values are neighborhood sales data for comparable homes (in age, square footage and improvements) and changes to homes, such as a remodel or an addition. While allowing more flexibility in developing MMH in single-family zones could theoretically increase property values, which could increase property value assessments, staff has seen no evidence that the County Assessor would take into account zoning code amendments such as the ones proposed for MMH in assessing the value of a residential property. Therefore, amending the MMH code is expected to have a de minimus effect on assessed property values.

- **Easements and Tracts**

Summary: Staff is not proposing to change the code requirements for access easements and tracts.

- **Lessons Learned from Other Jurisdictions**

Summary:

Staff has reached out to Planning staff in Olympia, WA; Minneapolis, MN; Nashville, TN; Des Moines, IA; San Mateo, CA and Eugene, Oregon. For the most part, due to the recent adoption of MMH regulations, and, therefore, the construction of a limited number of projects, little data exists to elucidate success stories, lessons learned or unintended impacts to surrounding neighborhoods.

The City of Olympia, WA has published a two-part blog entry for Municipal Research and Services Center of Washington (MRSC) on the City's approach to MMH. [Part one](#) discusses the challenges of and opportunities in incentivizing MMH housing. [Part two](#) discusses lessons learned in public outreach, policy development and code revision. No substantial adverse impacts associated with a potential new supply of MMH have been identified, but many positives have been mentioned in the literature surrounding Olympia's initiative, including additional housing choice and affordability, reduced urban sprawl, the promotion of walkable neighborhoods with local-serving retail uses, land use that support transit accessibility, and the potential for reduced commutes if MMH allows residents to live closer to job centers.

Cities as diverse geographically and demographically as those listed above generally agree on the goal – increasing the supply of more affordable housing options such as cottage and two- and three-unit homes in low density zones.

As previously mentioned at the May 30 meeting, MMH housing is already permitted in most low-density residential zones in Kirkland and, with the few projects constructed thus far, the City has observed little or no adverse effects (although parking requirements have contributed to the construction of large paved areas in the front yard of a recent project, reducing compatibility with the surrounding neighborhood). Within many desirable single-family oriented King County neighborhoods, duplexes and triplexes are found, allowing for additional (and more affordable) housing choices in a manner compatible with the look and feel of predominantly single-family neighborhoods. The same observation has been made in closer-in, established neighborhoods in communities throughout the U.S., where MMH was historically permitted.

MMH Zoning Concepts

The following tables represent a consolidated list of recommended amendments, based on staff’s research and analysis, as well as various interactions with public and private stakeholders over the last several months. Staff’s recommendations are highlighted.

Table 1: Concept Amendments to KZC 113

Topic	Cottage	Carriage	Two/Three-Unit Home	Proposed Amendment	Bolder Option	Staff Notes
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			Allow in all low-density zones	NA	
Max Unit Size	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
Density	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

Topic	Cottage	Carriage	Two/Three-Unit Home	Proposed Amendment	Bolder Option	Staff Notes
Max Floor Area Ratio (F.A.R.)	0.35			Allow the same FAR as would apply to a single-family house built on property	NA	Increasing the FAR to match that allowed for single-family development will provide further incentive to build MMH developments
Development Size	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 and keep the maximum	NA	Would not affect two-/three-home projects, but provides the potential to construct a cottage development on smaller lots
Review Process	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 cottage project): Process IIA (Hearing Examiner, appealable to the City Council)	Retain existing provisions	Process Cottage and 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
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 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
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.)			Retain existing provisions	NA	Limited/regulated by density (see above)
Parking Requirements	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 ADUs associated with MMH developments shall comply with the parking requirements stipulated in KZC	Staff believes that current and projected transit service in Kirkland is not sufficient to support parking ratios below 1 space/unit. Reduced parking requirements would also help MMH projects look more like single-family developments, and reduce costs and environmental impacts associated with stormwater management.

Topic	Cottage	Carriage	Two/Three-Unit Home	Proposed Amendment	Bolder Option	Staff Notes
					115.07	
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'	Revise to: Front: 20' Rear: 10' Side: 5'	NA	This would provide more development flexibility; already allowed in some residential zones (w/ larger structures)
Lot coverage (all impervious surfaces)	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
Height – Primary Structure	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'	NA	Raising the height allowance in the RSA and RSX districts would match current allowances for single-family residences
Height – Accessory Structures	One (1) story, not to exceed 18' above ABE			Retain existing provisions	NA	
Tree Retention	The tree retention plan standards contained in KZC 95.30 apply to development approved under this chapter			Retain existing provisions	NA	
Common Open Space	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 feet per unit if a permanent recreational/communal feature, such as cooking facilities, play	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
					equipment or permanent outdoor furniture, is provided	
Community Buildings	Community buildings are encouraged. See KZC 113.30 for further regulations			Retain existing provisions	NA	
Attached Covered Porches	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	
Development Options	Subdivision, Condominium, Rental or Ownership			Retain existing provisions	NA	
Accessory Dwelling Units (ADUs)	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
Prohibition in Houghton of stand-alone two/three-unit homes	Remove prohibition on stand-alone two/three-unit homes within Houghton	NA	Houghton Community Council has not yet voted to recommend this concept proposal
Limitations on single-family zones	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
Building Orientation	<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</p>	Retain existing provisions	

Topic	Existing	Initial Staff Option	Staff Notes
	<p>porch, oriented to the common open space</p> <p>Each dwelling unit abutting a public right-of-way shall have an inviting facade</p>		
Required Common Open Space	<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>	
Shared Detached Garages	<p>Parking clusters must be separated by a distance of at least 20 feet</p>	<p>Surface parking clusters must be separated by a distance of at least 10 feet (113.35.5)</p>	<p>Reduces amount of subject property dedicated to parking area</p>
Low Impact Development	<p>Must employ LID strategies (techniques that mimic natural watershed hydrology)</p>	<p>MMH developments shall comply with current King County Surface Water Design Manual (2016); LID techniques shall be employed if feasible</p>	<p>SWDM (2016) requires LID techniques if feasible</p>
Variation in Unit Sizes, Building and Site Design	<p>Cottage projects should establish building and site design that promotes variety and visual interest, compatible with the character of the surrounding neighborhood</p>	<p>NA</p>	<p>Retain current guidelines</p>

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

Topic	Existing	Initial Staff Option	Revised Staff Option
Two and three-unit homes should be consistent in height, bulk, scale and style with surrounding single-family residential uses			
Entries and materials	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	<p>To maintain and reflect the traditional character of single-family dwelling units, projects shall include at least two of the following design elements:</p> <ul style="list-style-type: none"> • Covered entry porch; • Peaked roof with a minimum pitch of 3:12; • Façade modulation; • Entry features and front doors should be dominant elements facing the street • Provide second story step back or modulation • Utilize a variety of materials with decorative or textural qualities • Provide trimming around windows • Divided window panes 	<p>To maintain and reflect the traditional character of single-family dwelling units, projects shall include the following design elements:</p> <ul style="list-style-type: none"> • Façade modulation; • Entry features are dominant elements facing the street; and • Utilize a variety of high-quality materials reflected in the surrounding neighborhood <p>In addition to the three (3) required design elements, applicants shall integrate two (2) other design options from the following list:</p> <ul style="list-style-type: none"> • Architectural articulation in walls and roofs; • Covered entry porch (not permitted to extend into the required front yard within Houghton); • Second story step back or modulation; • Minimize the appearance of garages on the front façade with: <ul style="list-style-type: none"> -Windows so that it appears to be habitable space -Vegetation -Recessed from the remainder of the façade • Roof forms compatible with surrounding single-family residences
Low Impact Development	Must employ LID strategies (techniques that mimic natural watershed hydrology)	MMH developments shall comply with current King County Design Manual	SWDM 2016 requires LID techniques if feasible

Topic	Existing	Initial Staff Option	Revised Staff Option
		(2016); LID techniques shall be employed if feasible	
Shared Detached Garages and Surface Parking Design	<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 separate 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
Minimum Density in Medium- and High-Density Residential Zones	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

Summary

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

- Does the Commission have any further input on proposed zoning concept changes?
- Are the final zoning concepts proposed by staff solidified sufficiently to schedule a public hearing?

Following the August 8, 2019 Planning Commission study session, staff will continue to refine the potential amendments as necessary, prepare for the future public hearing and formally notify the State as required.