



**CITY OF KIRKLAND**  
**Planning and Building Department**  
**123 5th Avenue, Kirkland, WA 98033**  
**425.587.3600- [www.kirklandwa.gov](http://www.kirklandwa.gov)**

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**MEMORANDUM**

**To:** Houghton Community Council

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

**Date:** February 17, 2022

**Subject:** FINAL ACTION ON MISCELLANEOUS ZONING CODE & MUNICIPAL CODE AMENDMENTS, FILE NUMBER CAM21-00773

**Recommendation**

The Houghton Community Council (HCC) has three options for final action on the Miscellaneous Zoning Code and Municipal Code Amendments. They are:

1. Approve the enclosed Houghton Resolution No. 2022-2 which adopts Ordinances O-4780 and O-4781 as approved by the City Council on February 1, 2022. Approval of the resolution would make the ordinances effective within HCC jurisdiction; or
2. Disapprove the amendments by a majority of the Community Council approving a resolution to disapprove. Disapproval would essentially retain existing regulations effective within HCC jurisdiction; or
3. Fail to disapprove the ordinance within 60 days after City Council approval. This would have the effect of approving the amendments.

**City Council Action**

The City Council adopted the Miscellaneous Zoning Code and Municipal Code amendments by Ordinances O-4780 and O-4781 (see Attachments 1 and 2) containing the proposed code amendments at their February 1, 2022 meeting.

**Background**

Staff keeps a list of miscellaneous code amendments that are necessary to reflect current practice, clarify sections of the Zoning and Municipal Code, and promote good planning principles. The Houghton Community Council received a briefing on the amendments on December 27, 2021 and opted to not hold a joint public hearing on the amendments. The Planning Commission held a Public Hearing on January 13, 2022 and recommended the amendments. The Commission recommended the amendments as drafted, with the addition of a 180-day delayed effective date for the zoning amendments related to storage uses within the Norkirk LIT zone. City Council considered the recommendation of the Planning Commission on February 1, 2022 and adopted the amendments as recommendation by the Commission, except for the recommended delayed effective date and adopted a.

**Future Related Amendment**

Staff realized an error in the zoning code amendment relating to retail storage service uses (see description on Page 3 of the [December 27, 2021 meeting packet](#)). The amendment, which limits

the permissibility of standalone retail storage service uses, was believed to not affect any zones in the HCC jurisdiction because the use was already prohibited or limited in all HCC zones. However, after the HCC briefing and public noticing for the Planning Commission hearing, staff discovered that HENC 1 and 3 currently allow the use and were not included in the amendment. The intent of the amendment was to be effective Citywide, but the inadvertent omission of HENC 1 and 3 means that a subsequent amendment will be needed to achieve Citywide implementation of the amendments. Staff intends to include the amendment, specific to HENC 1 and 3, in a future package of miscellaneous code amendments. The portions of the HENC 1 and 3 zones located south of NE 70<sup>th</sup> Street fall within the jurisdiction of the Houghton Municipal Corporation so will be brought to the HCC for consideration.

**Attachments:**

1. Ordinances O-4780 & O-4781
2. Houghton Resolution No. 2022-2

ORDINANCE O-4781

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, PLANNING, AND LAND USE AND AMENDING THE KIRKLAND ZONING CODE CHAPTERS 5, 35, 40, 50, 53, 55, 90, 113, AND 115 (ORDINANCE 3719 AS AMENDED) AND APPROVING A SUMMARY ORDINANCE FOR PUBLICATION, FILE NO. CAM21-00773.

1 WHEREAS, the City Council has received a recommendation  
2 from the Kirkland Planning Commission to amend certain sections of the  
3 Kirkland Zoning Code, as set forth in the memorandum dated January  
4 20, 2022 and recommendation of the Planning Commission dated  
5 January 13, 2022 and bearing Kirkland Planning and Building  
6 Department File No. CAM21-00773; and  
7

8 WHEREAS, prior to making the recommendation, the Kirkland  
9 Planning Commission, following notice as required by RCW 36.70A.035,  
10 held a public hearing on January 13, 2022 on the amendment proposals  
11 and considered the comments received at the hearing; and  
12

13 WHEREAS, pursuant to the State Environmental Policy Act  
14 (SEPA), there has accompanied the legislative proposal and  
15 recommendation through the entire consideration process, a SEPA  
16 Addendum to Existing Environmental Documents issued by the  
17 responsible official pursuant to WAC 197-11-625; and  
18

19 WHEREAS, in an open public meeting the City Council  
20 considered the environmental documents received from the responsible  
21 official, together with the memorandum and recommendation of the  
22 Planning Commission.  
23

24 NOW, THEREFORE, the City Council of the City of Kirkland do  
25 ordain as follows:  
26

27 Section 1. The following specified sections of the Kirkland  
28 Zoning Code are amended to read as set forth in Attachment 1 attached  
29 to this ordinance and incorporated by reference: Chapters 5, 35, 40, 50,  
30 53, 55, 90, 113, and 115.  
31

32 Section 2. If any section, subsection, sentence, clause, phrase,  
33 part or portion of this ordinance, including those parts adopted by  
34 reference, is for any reason held to be invalid or unconstitutional by any  
35 court of competent jurisdiction, such decision shall not affect the validity  
36 of the remaining portions of this ordinance.  
37

38 Section 3. To the extent the subject matter of this ordinance is  
39 subject to the disapproval jurisdiction of the Houghton Community  
40 Council, this ordinance shall become effective within the Houghton  
41 Community Municipal Corporation only upon approval of the Houghton  
42 Community Council or the failure of said Community Council to  
43 disapprove this ordinance within 60 days of the date of the passage of  
44 this ordinance.

45        Section 4. Except as provided in Section 3, this ordinance shall  
46 be in full force and effect five days from and after its passage by the  
47 Kirkland City Council and publication, pursuant to Kirkland Municipal  
48 Code 1.08.017, in the summary form attached to the original of this  
49 ordinance and by this reference approved by the City Council, as  
50 required by law.


51  
52        Section 5. A complete copy of this ordinance shall be certified  
53 by the City Clerk, who shall then forward the certified copy to the King  
54 County Department of Assessments.

55  
56        Passed by majority vote of the Kirkland City Council in open  
57 meeting this 1 day of February, 2022.

58  
59        Signed in authentication thereof this 1 day of February, 2022.

  
Penny Sweet, Mayor

Attest:

  
Kathi Anderson, City Clerk

Approved as to Form:

  
Kevin Raymond, City Attorney

Publication Date: 02/07/2022



**KZC Chapter 5**

**5.10.720 Property Line**

Those lines enclosing a lot and those lines defining a recorded vehicular access easement. The following are categories of property lines:

1. Front property line is any property line that is adjacent to a street or vehicular access easement or tract more than 21 feet in width, except when said vehicular access easement or tract:
  - a. Is located entirely on an adjacent lot or lots and does not serve the subject property; or
  - b. Encompasses a hammerhead turnaround required by the Fire Department, whether or not it is located on or serves the subject property.

Neither the Cross Kirkland Corridor railbanked rail corridor, the Eastside Rail Corridor, nor the I-405 or SR-520 rights-of-way shall be considered front property lines.

2. Rear property line is any property line that is:

~~a. farther~~ a. farther from and essentially parallel to a front property line except on a lot which contains two (2) or more front property lines; or

~~b. any property line that is adjacent~~ b. adjacent to a street, alley or vehicular access easement or tract 21 feet or less in width, except when said vehicular access easement or tract serves only one (1) lot, or is located entirely on an adjacent lot or lots and does not serve the subject property; or

~~c. any property line that is adjacent~~ c. adjacent to a vehicular access easement or tract which encompasses a hammerhead turnaround required by the Fire Department.

3. Side property line is any property line other than a front property line or a rear property line, or in Waterfront District Zones, any property line other than a front or ordinary high water mark.

**KZC Chapter 55**

KZC 55.09.010

*See Exhibit A to this Attachment*

**KZC Chapter 90**

90.70.3

3. Limited Buffer Modification – A stream buffer may only be modified or otherwise reduced as part of an approved stream or buffer modification in this section or in limited circumstances under permitted activities; improvements or uses subject to development standards pursuant to KZC 90.40; public agency and public utility exceptions pursuant to KZC 90.45; programmatic permits – public agency and public utility pursuant to KZC 90.50; or reasonable use exception pursuant to KZC 90.180.

The following stream buffer modifications may also be proposed in conjunction with the following sections:

- a. Impacts to associated buffer as part of stream modification, pursuant to KZC 90.~~72~~70(2);
- b. Change to meandering course of a stream pursuant to KZC 90.80;
- c. Daylighting of a stream pursuant to KZC 90.75;
- d. Buffer averaging permitted pursuant to KZC 90.115; or
- e. Limited buffer waivers permitted pursuant to KZC 90.120.

**KZC Chapter 113 (Not effective within the Houghton Community Municipal Corporation)**

113.25 Development Chart 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
Max Unit Size	1,700 square feet <sup>1, 2</sup>	800 square feet located above a garage structure in a cottage housing development	Maximum size of a two- or three-unit home is determined by the floor area ratio (F.A.R.) in the underlying zone <sup>3</sup>
Density	Two times the maximum number of detached dwelling units allowed in the underlying zone <sup>4, 5, 6, 7</sup>		
Max Floor Area Ratio (F.A.R.) <sup>8</sup>	Equal to the base zoning allowance for single-family residences		
Development Size <sup>9</sup>	Min. 2 units Max. 24 units	Allowed when included in a cottage project; reviewed as part of cottage project	No development size limitation
	Maximum cluster: 12 units		
Review Process	None <sup>16</sup>		None <sup>16</sup>
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>10</sup>	<p>Provided a development is within one-half mile of transit service with 15-minute headways during commute hours: 1 space per unit</p> <p>Provided a development is more than one-half mile from transit service with 15-minute headways during commute hours:</p> <p>Units which are 1,000 square feet or less = 1 space per unit</p> <p>Units which are over 1,000 square feet = 1.5 spaces per unit</p> <p>See KZC 105.20 for visitor parking</p> <p>One attached ADU = no additional on-site space required</p>		
Minimum Required Yards (from exterior property lines of subject property)	Front: 20' <sup>13, 14, 15</sup> Side: 5' Rear: 10'	Must be included in a cottage project	Front: 20' Side: 5' Rear: 10'
Lot Coverage (all impervious surfaces) <sup>11</sup>	Equal to the base zoning allowance for single-family residences	Must be included in a cottage project	Equal to the base zoning allowance for single-family residences
Height			
Dwelling Units	Equal to the base zoning allowance for single-family residences		
Accessory Structures	One 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.		
Common Open Space	<p>300 square feet per unit for cottage developments containing 5 or more units and not required for duplexes or triplexes.</p> <p>Can be reduced to 200 square feet per unit if a permanent recreational/communal feature, such as cooking facilities, play equipment or permanent outdoor furniture, is provided.</p> <p>Private open space is also encouraged (see KZC 113.35).</p>		
Community Buildings	Community buildings are encouraged. See KZC 113.30 for further regulations.		
Attached Covered Porches <sup>12</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.	NA	Attached covered porches are encouraged as a design feature.
Development Options	<p>Subdivision</p> <p>Condominium</p> <p>Rental or Ownership</p>		
Accessory Dwelling Units (ADUs)	Allow attached ADUs as part of a cottage or two-/three-unit home development.		

<sup>1</sup> 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.

<sup>2</sup> Maximum size for a cottage is 1,700 square feet. A cottage may include an attached garage, not to exceed an additional 250 square feet, and is not included in the maximum square footage limitation.

<sup>3</sup> Maximum size for a two- or three-unit home:

a. Regulated by the floor area ratio (F.A.R.) of the underlying zone. In the disapproval jurisdiction of the Houghton Community Council, where F.A.R. is not applicable, maximum unit size is limited to applicable development regulations found in the underlying zone.

<sup>4</sup> Existing detached dwelling units may remain on the subject property and will be counted as units.

<sup>5</sup> 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.

<sup>6</sup> See KZC 90.170 for density calculation on a site which contains a wetland, stream, minor lake, or their buffers.

<sup>7</sup> 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): 12,500/7,200 = 1.7 x 2 = 3.4 units, rounded down to 3 units.*

<sup>8</sup> F.A.R. regulations:

a. F.A.R. 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, F.A.R. 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 F.A.R. on the developed portion of the site remains compatible with surrounding development and generally consistent with the F.A.R. limitation of this chapter.

c. F.A.R. 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 F.A.R. calculation for the development.

<sup>9</sup> Cluster size for cottage developments is intended to encourage a sense of community among residents. A development site may contain more than one cluster, with a clear separation between clusters.

<sup>10</sup> See KZC 105.20 for requirements related to guest parking.

<sup>11</sup> Lot coverage is calculated using the entire development site. Lot coverage for individual lots may vary.

<sup>12</sup> Requirements for porches do not apply to carriage or two-/three-unit homes.

<sup>13</sup> On corner lots in RSX and RSA zones, only one front yard must be a minimum of 20 feet. All other front yards shall be regulated as a side yard (minimum five-foot yard). The applicant may select which front yard shall meet the 20-foot requirement.

<sup>14</sup> On lots with two front yards that are essentially parallel to one another in RSX and RSA zones, only one front yard must be a minimum of 20 feet. The other will be regulated as a rear yard (minimum 10 feet). The front yard shall be the yard adjacent to the front facade of the dwelling unit.

<sup>15</sup> For properties within the jurisdiction of the Shoreline Management Act that have a shoreline setback requirement as established in Chapter 83 KZC and the setback requirement is met, the minimum required front yard is either: 10 feet or the average of the existing front yards on the properties abutting each side of the subject property. For the reduction in front yard, the shoreline setback is considered conforming if a reduction in the required shoreline setback is approved through KZC 83.380.

<sup>16</sup> Before applying for a permit or approval under this chapter, the applicant shall attend a pre-submittal meeting with the Planning Official consistent with the provisions of KZC 145.12.

*The subsection KZC 113.25 footnote 3 (floor area ratio, F.A.R.) is not effective within the disapproval jurisdiction of the Houghton Community Council.*

**KZC Chapter 115**

**115.42 Floor Area Ratio (F.A.R.) Calculation for Detached Dwelling Units in Low Density Residential Zones and Attached Dwelling Units in PLA 3C**

The intent of these F.A.R. regulations is to limit the perceived bulk and mass of residential structures as they relate to the right-of-way and adjacent properties and to ensure houses are proportional to lot size. The design incentives in subsection (4) of this section are provided to encourage more interesting design and location of building massing toward the center of each lot, away from neighboring properties.

1. Gross floor area for purposes of calculating F.A.R. and maximum floor area for detached dwelling units in low density residential zones and attached dwelling units in PLA 3C shall include the entire area within the exterior walls for each level of the structure. It shall also include the area of all carports, measured as the area of the carport roof. It shall not include the following:

a. Attic area with less than five (5) feet of ceiling height, as measured between the finished floor and the supporting members for the roof.

b. Floor area with a ceiling height less than six (6) feet above finished grade. The ceiling height will be measured to the top of the structural members for the floor above. The finished grade will be measured along the outside perimeter of the building (see Plate 23). For window wells, finished grade will be measured at the outside perimeter of a window well only when it is designed and constructed to the minimum dimensions required by the current building code adopted by the City of Kirkland.

c. On lots less than 8,500 square feet, the first 500 square feet of an accessory dwelling unit or garage contained in an accessory structure, when such accessory structure is located more than 20 feet from and behind the main structure, or 10 feet from and behind the main structure if the accessory structure contains an accessory dwelling unit (see subsection (3) of this section for additional information on the required distance between structures); provided, that the entire area of an accessory structure, for which a building permit was issued prior to March 6, 2007, shall not be included in the gross floor area used to calculate F.A.R. For purposes of this section, "behind" means located behind an imaginary plane drawn at the back of the main structure at the farthest point from, and parallel to, the street or access easement serving the residence.

d. On lots greater than or equal to 8,500 square feet, the first 800 square feet of an accessory dwelling unit or garage contained in an accessory structure, when such accessory structure is located more than 20 feet from and behind the main structure, or 10 feet from and behind the main structure if the accessory structure contains an accessory dwelling unit (see subsection (3) of this section for additional information on the required distance between structures); provided, that the entire area of an accessory structure, for which a building permit was issued prior to March 6, 2007, shall not be included in the gross floor area used to calculate F.A.R.

e. Uncovered decks.

~~f. , and e~~ Covered decks, porches, and walkways that are open on at least three (3) sides or have a minimum 50 percent of the perimeter of the deck, porch, or walkway open. Deck, porch, or walkway perimeters with the following characteristics are considered open:

- 1) Have no walls of any height; and
- 2) Have no guard rails taller than the minimum height required by the Building Code.

~~fg.~~ One (1) exemption of 100 square feet if the dwelling unit has an internal staircase and/or an area with a ceiling height greater than 16 feet.

2. Floor area with a ceiling height greater than 16 feet shall be calculated at twice the actual floor area toward allowable F.A.R. The ceiling height for these areas will be measured to the top of the structural members for the floor above or, if there is no floor above, to the bottom of the structural members for the roof.



3. Separate structures will be regulated as one (1) structure if any elements of the structures, except for the elements listed in subsection (3)(b) of this section, are closer than 20 feet to each other, or closer than 10 feet if the structures contain an accessory dwelling unit.

a. Two (2) structures connected by a breezeway or walkway will be regulated as one (1) structure if any element of the breezeway or walkway is higher than 10 feet above finished grade.

b. Elements of structures that may be closer than 20 feet to each other, or 10 feet if the structures contain an accessory dwelling unit, are:

- 1) Elements of a structure no higher than 18 inches above finished grade;
- 2) Chimneys, bay windows, greenhouse windows, eaves, cornices, awnings and canopies extending no more than 18 inches from the wall of a structure;
- 3) Stairs extending no more than five (5) feet from the wall of a structure;
- 4) For structures not containing an accessory dwelling unit, porches extending no more than five (5) feet from the wall of a structure if:
  - i) The porch is no higher than one (1) story and the finished floor of the porch is no more than four (4) feet above finished grade;
  - ii) Three (3) sides of the porch are open other than railings and solid walls no higher than 42 inches;
  - iii) No deck, balcony, or living area is placed on the roof of the porch;
  - iv) The length of the porch does not exceed 50 percent of the wall of the structure to which it is attached;
  - v) Porch eaves may extend an additional 18 inches from the edge of the porch.

#### 4. Design-Based F.A.R. Bonus

a. An additional five (5) percent F.A.R. above the maximum F.A.R. for the zone will be allowed if at least two (2) of the design elements below are used in the design and construction of a detached dwelling unit:

- 1) With the exception of accessory features, all roof forms consist of ridgelines peaked near the center of the structure, with a minimum pitch of four (4) feet vertical to 12 feet horizontal.
- 2) All structures are set back from side property lines by at least seven and one-half (7 1/2) feet.
- 3) The gross floor area of any floor above ground floor shall be reduced by a minimum of 15 percent of the floor area of the ground floor.

b. The above design-based F.A.R. bonus cannot be combined with any other F.A.R. incentive in this code or the Kirkland Municipal Code.

*This section is not effective within the disapproval jurisdiction of the Houghton Community Council, except for those lots in PLA 3C that are less than 7,200 square feet or lots that have less than the minimum lot size created through the small lot provisions of KMC 22.28.042, subdivisions.*

#### **KZC Chapter 115**

##### **115.80 Legal Building Site**

1. General – It is a violation of this code to erect any structure on or to use or occupy any lot or parcel unless that lot or parcel is a legal building site. A lot or parcel is a legal building site if it meets all of the following criteria:

- a. It was created or segregated pursuant to all applicable laws, ordinances and regulations.

- b. Except as specified in subsection (2) of this section, it meets the allowable minimum lot size established by this code.
  - c. It is either adjacent to, or has a legally created means of access to, a street providing access to the lot or parcel.
2. Exception, Detached Dwelling Units – An applicant may build one (1) detached dwelling unit on a lot or parcel regardless of the size of the lot or parcel if:
- a. There is or ever has been a residence on the subject property. At any time, the applicant may remodel, rebuild, or enlarge that one (1) residence; provided, that all other Zoning Code requirements are met; or
  - b. The lot was created after the enactment of the lawful zoning code by the City of Kirkland (July 20, 1942) or King County (August 12, 1958) and the lot size was approved pursuant to all applicable laws, ordinances and regulations in effect at the time it was created; or
  - c. The lot was created before the enactment of the lawful zoning code by King County (August 12, 1958); it was annexed to the City of Kirkland in 2011; the lot size is at least 60 percent of minimum lot size applicable under current Kirkland zoning; and development shall comply with the restrictions of KMC 22.28.042(d); or
  - d. The lot lines defining the lot or parcel were recorded in the King County Assessors Office prior to May 17, 1972, and the lot or parcel has not simultaneously been owned by the owner of a contiguous lot or parcel which fronts on the same right-of-way subsequent to May 17, 1972.

### **KZC Chapter 115**

#### **115.90 Calculating Lot Coverage**

1. General – The area of all structures and any other hardscape on the subject property will be calculated as a percentage of total lot area. If the subject property contains more than one (1) use, the maximum lot coverage requirements for the predominant use will apply to the entire development. Lot area not calculated under lot coverage must be devoted to open space as defined in KZC 5.10.610.

The intent of these lot coverage regulations is to limit areas of hardscape, place an emphasis on landscaping, and to increase vegetated spaces throughout the City.

2. Exemptions – The following are exempt from the lot coverage calculation:

- a. An access easement or tract that is not included in the calculation of lot size will not be used in calculating lot coverage for any lot it serves or crosses.
- b. Areas of landscaping below eaves, balconies, and other cantilevered portions of buildings.
- c. Planted areas at least two (2) feet wide and 40 square feet in area located over subterranean structures, with a minimum soil depth of 18 inches.
- d. Rockeries and retaining walls, unless located adjacent to or within 12 inches of another impervious surface such as a patio, building or parking area.
- e. Public sidewalk if located within a public easement on private property.
- f. Hardscape surface under HVAC and similar types of mechanical equipment serving attached or for detached dwelling units uses only. These exempt surfaces may not exceed 10 square feet for each dwelling unit.

3. Partially Exempt Materials – The following materials shall receive a 50 percent exemption for the area they cover. However, this exemption shall not exceed 10 percent of the total lot size.

- a. Pavers no larger than 10 inches by 10 inches per individual paver.
- b. Grassed modular grid pavement.



- c. Open grid decking over non-hardscaped area.
- d. Artificial turf.

*Note that impervious surfaces may be further, or more stringently, regulated by the stormwater design manual adopted in KMC 15.52.060.*

**KZC Chapter 35**

35.20

*See Exhibit B-1 to this Attachment*

**Various KZC Use Zone Charts**

**BCX, LIT, PLA 6G, NRH 4, RH 1A, RH 2A, RH 3, RH 5A, RH 5B, TL 7B, TL 9A, TL 10B, and all CBD zones except 5A**

*See Exhibits B-1 through B-19 to this Attachment*

**EXHIBITS**

Exhibit A: Use Zone Chart for TL 1A

Exhibit B: Permitted Uses Tables/Use Zone Charts

B-1: BC 1, BC 2, BCX

B-2: LIT, PLA 6G

B-3: NRH 4

B-4: RH 1A

B-5: RH 1B

B-6: RH 2A

B-7: RH 3

B-8: RH 5A, 5B

B-9: TL 7B

B-10: TL 9A

B-11: TL 10B

B-12: CBD 1A, 1B

B-13: CBD 2

B-14: CBD 3

B-15: CBD 4

B-16: CBD 5

B-17: CBD 6

B-18: CBD 7

B-19: CBD 8

Pages 11-145 of the ordinance are not included (Zones outside of HCC jurisdiction. The complete ordinance may be found on the City's website.

ORDINANCE O-4780

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO SUBDIVISIONS AND AMENDING SECTION 22.28.042 (LOTS – SMALL LOT SINGLE-FAMILY) OF THE KIRKLAND MUNICIPAL CODE; FILE NO. CAM21-00773.

1 WHEREAS, the City Council has received a recommendation from  
2 the Kirkland Planning Commission to amend Kirkland Municipal Code  
3 (KMC), Title 22, Subdivisions, as set forth in the memorandum dated  
4 January 20, 2022 and recommendation of the Planning Commission  
5 dated January 13, 2022 and bearing Kirkland Planning and Building  
6 Department File No.CAM21-00773; and  
7

8 WHEREAS, prior to making the recommendation to amend Title  
9 22, Subdivisions, the Kirkland Planning Commission, following notice as  
10 required by KMC 22.04.050, held a public hearing on January 13, 2022  
11 on the amendment proposals and considered the comments received at  
12 the hearing; and  
13

14 WHEREAS, pursuant to the State Environmental Policy Act  
15 (SEPA), there has accompanied the legislative proposal and  
16 recommendation through the entire consideration process, a SEPA  
17 Addendum to Existing Environmental Documents issued by the  
18 responsible official pursuant to WAC 197-11-625; and  
19

20 WHEREAS, in an open public meeting the City Council considered  
21 the environmental documents received from the responsible official.  
22

23 NOW, THEREFORE, the City Council of the City of Kirkland do  
24 ordain as follows:  
25

26 Section 1. Kirkland Municipal Code Section 22.28.042 is  
27 amended to read as follows:  
28

29 **22.28.042 Lots—Small lot single-family.**

30 Within the RS and RSX 6.3, 7.2 and 8.5 zones, for those subdivisions  
31 not subject to the lot size flexibility provisions of Sections 22.28.030 and  
32 22.28.040, low impact development provisions of Section 22.28.041,  
33 and historic preservation provisions of Section 22.28.048, the minimum  
34 lot area shall be deemed to be met if at least one-half of the lots created  
35 contain no less than the minimum lot size required in the zoning district  
36 in which the property is located. The remaining lots may contain less  
37 than the minimum required lot size; provided, that such lots meet the  
38 following standards:

39 (a) Within the RS 6.3, RSX and RS 7.2 zones, the lots shall be at least  
40 five thousand square feet.

41 (b) Within the RSX and RS 8.5 zones, the lots shall be at least six  
42 thousand square feet.

43 (c) Repealed by Ord. 4438.

44 (d) The floor area ratio (FAR) shall not exceed thirty percent of lot  
45 size; provided, that FAR may be increased up to thirty-five percent of  
46 the lot size if the following criteria are met:

47 (1) ~~The primary roof form of all structures on the site is peaked, With~~  
48 the exception of accessory features, all roof forms consist of ridgelines  
49 peaked near the center of the structure, with a minimum pitch of four  
50 feet vertical to twelve feet horizontal; and

51 (2) All structures are set back from side property lines by at least  
52 seven and one-half feet.


53 (e) The FAR restriction shall be recorded on the face of the plat.

54  
55 Section 2. If any provision of this ordinance or its application to  
56 any person or circumstance is held invalid, the remainder of the  
57 ordinance or the application of the provision to other persons or  
58 circumstances is not affected.


59  
60 Section 3. This ordinance shall be in force and effect five days  
61 from and after its passage by the Kirkland City Council and publication,  
62 as required by law.

63  
64 Passed by majority vote of the Kirkland City Council in open  
65 meeting this 1 day of February, 2022.

66  
67 Signed in authentication thereof this 1 day of February, 2022.

  
Penny Sweet, Mayor

Attest:

  
Kathi Anderson, City Clerk

Approved as to Form:

  
Kevin Raymond, City Attorney

Publication Date: 2/7/22



RESOLUTION 2022-2

A RESOLUTION OF THE HOUGHTON COMMUNITY COUNCIL APPROVING ORDINANCES NO. O-4780 and O-4781 ADOPTED BY THE KIRKLAND CITY COUNCIL ON FEBRUARY 1, 2022, ADOPTING THE 2022 MISCELLANEOUS ZONING AND MUNICIPAL CODE AMENDMENTS (CASE NO. CAM21-00773)

WHEREAS, the Houghton Community Council has received from the Kirkland City Council Ordinances No. O-4780 and O-4781, adopting the amendments to the Municipal Code and Zoning Code.

WHEREAS, the subject matter of this ordinance, pursuant to Ordinance 2001, that is subject to the disapproval jurisdiction of the Houghton Community Council shall become effective within the Houghton Community Municipal Corporation only upon approval by the Houghton Community Council or the failure of said Community Council to disapprove this ordinance within 60 days of the date of the passage of this ordinance; and

WHEREAS, the pertinent subject matter of this ordinance was reviewed and discussed by the Houghton Community Council at their meeting of December 27, 2021 where they elected to not hold a joint public hearing with the Planning; and

WHEREAS, the pertinent subject matter of this ordinance will serve the interests and promote the health, safety, and welfare of the Houghton Community Municipal Corporation;

NOW, THEREFORE, be it resolved that Ordinances O-4780 and O-4781 is hereby approved and shall be effective within the Houghton Community Municipal Corporation.

PASSED by majority vote of the Houghton Community Council in regular, open meeting this 28th day of February, 2022.

SIGNED IN AUTHENTICATION thereof this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Rick Whitney, Chair  
Houghton Community Council

\_\_\_\_\_  
City Clerk