



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

**To:** Planning Commission and Houghton Community Council

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

**Date:** January 16, 2020

**Subject:** Planning Commission and Houghton Community Council Joint Public Hearing Related to Amendments to 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**

Conduct a public hearing to receive comments on the draft amendments to the Zoning Code and Municipal Code. Following the public hearing, staff recommends that the Houghton Community Council (HCC) deliberate and discuss its recommendation to the Planning Commission (PC). Staff recommends that the PC schedule its deliberation for its meeting on February 13. At that time, the PC would consider the recommendation of the HCC and make a recommendation to the City Council. The City Council is anticipated to consider and take action on the recommendation of the PC in March 2020.

### **Background**

The City is considering amendments to regulations governing cottage and two-/three-unit homes and miscellaneous zoning regulations for medium- and high-density zones requiring density minimums. The amendments include changes to Chapter 113 and changes to regulations governing medium- and high-density zones where a density maximum is prescribed. Attachment 1 contains a summary of the proposed amendments.

#### What is Missing Middle Housing?

Missing Middle Housing or MMH, refers to a housing typology which serves as a bridge between the standard residential offerings of detached single-family homes and attached and stacked residences. As communities across the United States are experimenting with ways to increase housing affordability that reflect the differing needs of its residents, some are permitting cottage and two- or three-unit homes to be constructed in zones traditionally only permitting detached single-family homes. Communities as diverse as Olympia, WA and Minneapolis, Minnesota have recently sought to encourage MMH alongside single-family residences, with the goal of increasing housing supply and to meet demand for this type of housing.

#### History in Kirkland

Encouraging development and construction of housing which is varied in size, scale and affordability has been an important component of Kirkland's overall housing strategy for several years. In 2002, the

City drafted interim “pilot” regulations allowing the construction of cottage, carriage and two- or three-unit homes, within prescribed low-density zones. These interim regulations were crafted with the acknowledgement that they would not likely yield housing affordable to wage earners on the lower scale of the income level but could encourage more compact housing that would be relatively more affordable than conventional single-family units. These regulations resulted in the construction of the Danielson Grove project, located in the Rose Hill neighborhood. Danielson Grove, described as a blend of “privacy and community,” consists of 16 one-, two-, and three-bedroom compact homes. Each home is on a single lot, carefully planned around garden courtyards and a “Commons” building. The City codified the original interim regulations in 2004, resulting in the construction of other more recent developments, such as the Juanita Farmhouse Cottages, an 8-unit cottage development with a common building, and one carriage unit.

While allowing a variety of housing types, KZC 113, in its current iteration, limits location, and restricts design elements and massing more stringently than for single-family homes. As a result, development of MMH under KZC 113 has been fairly limited since initial adoption of the regulations. Other factors that may have influenced the production of MMH in Kirkland include high land values; a strong market for larger, more expensive homes; a lack of developer experience in developing MMH; and cultural preferences for conventional single-family houses.

#### Public Comments and Outreach Efforts

As part of the amendment process, staff has made several presentations to key internal and external stakeholders. Additionally, staff has conducted direct outreach to architects, builders and residents. The following list is a brief summary of meetings and outreach conducted by City staff. Public comments submitted for the public hearing are included in Attachment 2.

- Update of Rose Hill/Bridle Trails Neighborhood Plans, 2019
- Update of Market/Norkirk/Highlands Neighborhood Plans, 2019
- Kirkland Alliance of Neighborhoods October 2019
- Variety of groups including Finn Hill, Norkirk, Highlands and Everest
- Master Builders/Residential Builders Council
- Direct outreach to architects and builders
- Several study sessions with Planning Commission and Houghton Community Council
- Planning and Economic Development Committee

The code amendment effort was also discussed in [an article on January 8, 2020 in the Kirkland Reporter, "Unlocking Kirkland's housing diversity"](#), by Planning Commissioner Rodney Rutherford.

Notices of the public hearing were published prior to the public hearing pursuant to the requirements of Chapter 160 of the Zoning Code. The notice included emails to interested parties (those who have submitted comments or otherwise requested notification), the Chamber of Commerce, the Kirkland Library, all neighborhood associations, KAN, the HCC and PC, Cascade Water Alliance, Seattle City Light and the Department of Transportation.

#### Study Sessions

The [materials prepared for the June 13, 2019 Planning Commission study session](#) provide background information about the [Housing Strategy Plan](#) approved by the City Council in May 2018, and the subsequent tasks included in the Housing Strategy Work Program to implement recommendations of the plan for compact housing types. The first step in the implementation included focused outreach to

missing middle housing developers and a review of past projects to ascertain how regulations could be adjusted to provide more opportunities for MMH City-wide. Key suggested changes include processing MMH projects in the same manner as single-family residences, reducing parking requirements and regulating size and massing of buildings in the same manner as single-family residences.

The scope of the current code amendment task includes a variety of proposed changes in addition to those cited above (see Attachment 1). In 2019, the Planning Commission held three study sessions on the proposed amendments. Materials for the April 11, 2019 study session can be found [here](#). Materials prepared for the May 9, 2019 and August 8, 2019 study session can be found [here](#) and [here](#), respectively. Please refer to the August 8, 2019 Planning Commission staff report for a summary of “bolder” zoning options that were presented to the Planning Commission and HCC as a result of Planning Commission direction. Materials provided to the HCC for its three study sessions on the topic can be found at the following links: [May 30, 2019](#), [July 22, 2019](#) and [August 26, 2019](#). As a result of feedback received during the various study sessions, staff refined several of the proposed zoning amendment concepts, including:

- Revising parking standards (e.g., expanding the allowance for reduced parking to areas within ½-mile of high-frequency transit);
- Increasing the square footage allowance for cottage units;
- Reviewing duplex, triplex, and cottage applications in a manner consistent with applications for single-family residences;
- Creating a more robust standard for design elements to promote duplex, triplex, and cottage compatibility with neighboring single-family residences; and
- Establishing a minimum density of 80% (rather than 100%) of allowed densities in medium- and high-density residential zones.

### **Criteria for Amending the Zoning Code**

The proposed amendments to the text of the Zoning Code must satisfy the criteria contained in Chapter 135 of the Zoning Code. The criteria and a brief analysis of how the proposed changes meet them are discussed below.

Chapter 135 of the Zoning Code contains four criteria for amending the text of the Zoning Code:

1. The proposed amendment is consistent with the applicable provisions of the Comprehensive Plan;
2. The proposed amendment bears a substantial relation to public health, safety, or welfare;
3. The proposed amendment is in the best interests of the residents of Kirkland; and
4. When applicable, the proposed amendment is consistent with the Shoreline Management Act and the City’s adopted shoreline master program.

The proposed amendments to the Zoning Code are consistent with the criteria listed above. Amendments to expand opportunities for the development of MMH support housing choice suitable to differing needs, lifestyles and stages of life. The proposed amendments increase the supply of housing, variety in stock, and, with more compact products, a more affordable option for interested owners and renters. The proposed amendments implement the following Housing Element policies:

*Policy H.1.1: Incorporate neighborhood character and design principles into standards for new development.*

*Policy H-2.3: Create flexible site and development standards, and maintain efficient development and review systems, that balance the goals of reduced housing development costs with other community goals.*

*Policy H-2.4: Allow a broad range of housing and site planning approaches in single-family areas to increase housing supply and choice, to reduce cost, and to ensure design quality and neighborhood compatibility.*

The proposed amendments to the text of the Zoning Code support the public health, safety and welfare of the community, and are in the best interests of the residents of Kirkland in that they implement policies of the Housing Element contained in the Comprehensive Plan.

### **MMH Zoning Concepts**

The following tables represent a consolidated list of recommended amendments, based upon staff's research, analysis, and various interactions with public and private stakeholders over the last year.

**Table 1: Amendments to KZC 113**

<b>Topic</b>	<b>Cottage</b>	<b>Carriage</b>	<b>Two/Three-Unit Home</b>	<b>Proposed Amendment</b>
<b><i>Applicable Use Zones</i></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
<b><i>Max Unit Size</i></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	1,700 square feet for Cottages  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, except in Houghton, where development regulations would govern unit size
<b><i>Density</i></b>	2 times the maximum number of detached dwelling units allowed in the underlying zone			Retain existing provisions (with no rounding)
<b><i>Max Floor Area Ratio (F.A.R.)</i></b>	0.35			Allow the same FAR as would apply to a single-family house built on property

<b>Topic</b>	<b>Cottage</b>	<b>Carriage</b>	<b>Two/Three-Unit Home</b>	<b>Proposed Amendment</b>
<b><i>Development Size</i></b>	Min. 4 units  Max. 24 units  Max cluster: 12 units	Allowed as part of 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 minimum to 2 units
<b><i>Review Process</i></b>	Process I  Planning Director Decision	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)	Process Cottage and/or Two-/Three-unit homes through the same review process as a single-family residence (i.e., review of building permit)
<b><i>Location</i></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 feet  10 – 19 Units: 1,000 feet  20 – 24 Units: 1,500 feet			Eliminate location requirements (i.e., restrictions on proximity to another similar housing type)
<b><i>Minimum Lot Size</i></b>	Beyond density restrictions, there is no required minimum lot size for lots created			Retain existing provisions

Topic	Cottage	Carriage	Two/Three-Unit Home	Proposed Amendment
	through the subdivision process. (The number of allowed units on the subject property is determined by the density provisions in the Zoning Code.)			
<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 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  One attached ADU = no additional on-site space required
<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'
<b>Lot coverage (all impervious surfaces)</b>	50%	Must be included in a cottage project	50%	Retain existing provisions
<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
<b>Accessory Structures</b>	One (1) story, not to exceed 18' above ABE			Retain existing provisions

<b>Topic</b>	<b>Cottage</b>	<b>Carriage</b>	<b>Two/Three-Unit Home</b>	<b>Proposed Amendment</b>
<b><i>Tree Retention</i></b>	The tree retention plan standards contained in KZC 95.30 apply to development approved under this chapter			Retain existing provisions
<b><i>Common Open Space</i></b>	400 square feet per unit.  Private open space is also encouraged (see KZC 113.35)			300 square 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 equipment or permanent outdoor furniture, is provided
<b><i>Community Buildings</i></b>	Community buildings are encouraged. See KZC 113.30 for further regulations			Retain existing provisions
<b><i>Attached Covered Porches</i></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
<b><i>Development Options</i></b>	Subdivision, Condominium, Rental or Ownership			Retain existing provisions
<b><i>Accessory Dwelling Units (ADUs)</i></b>	Not permitted as part of a cottage, carriage or two/three-unit home development			Allow attached ADUs

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

<b>Topic</b>	<b>Proposed Amendment</b>
<b><i>Prohibition in Houghton of stand-alone two/three-unit homes</i></b>	Remove prohibition of stand-alone two/three-unit homes within Houghton
<b><i>Limitations on single-family zones</i></b>	Allow in all single-family zones; retain paddock requirements as applicable

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

<b>Topic</b>	<b>Existing</b>	<b>Proposed Amendment</b>
<b><i>Building Orientation</i></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><i>Shared Detached Garages</i></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)
<b><i>Low Impact Development</i></b>	Must employ Low Impact Development (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
<b><i>Variation in Unit Sizes, Building and Site Design</i></b>	Cottage projects should establish building and site design that promotes variety and visual interest, compatible with the character of the surrounding neighborhood	Retain current guidelines



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

**Two- and three-unit home should be consistent in height, bulk, scale and style with surrounding single-family residential uses**

Topic	Existing	Proposed Amendment
<b><i>Entries and materials</i></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	<p>To maintain and reflect the traditional character of single-family dwelling units, projects shall include the following design elements:</p> <p>    Façade modulation;          Entry features that are dominant elements facing the street; and          A variety of high-quality materials reflected in the surrounding neighborhood</p> <p>In addition to the three (3) required design elements, applicants shall choose two (2) other design options from the following list:</p> <p>    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:              -Windows so that garage appears to be habitable space              -Vegetation              -Recessed from the remainder of the façade          Roof forms compatible with surrounding single-family residences</p>

Topic	Existing	Proposed Amendment
<b><i>Low Impact Development</i></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
<b><i>Shared Detached Garages and Surface Parking Design</i></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 separate from the street, perimeter parking lines and common areas through site planning, landscaping or natural screening</p>	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, where 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 amendment shown in Table 5 establishes 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**

<b>Topic</b>	<b>Existing</b>	<b>Proposed Amendment</b>
<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

**Notice to Department of Commerce**

Under Revised Code of Washington (RCW) 36.70A.106, the City is required to submit a Notice of Intent to Adopt any amendments to development regulations to the Washington Department of Commerce (DOC) at least sixty days prior to final adoption. The DOC reviews the draft regulations to confirm that they are consistent with the Growth Management Act (GMA), and with multi-regional and regional planning policies. The City submitted the Notice of Intent to Adopt the code amendments to the DOC on July 15, 2019. The DOC responded to the submittal with a letter of support for the code amendments (see Attachment 5). Adoption is planned for February or March 2020.

**Next Steps**

Following the public hearing, the HCC will deliberate and forward a recommendation to the Planning Commission. At a subsequent meeting, the Planning Commission will consider the recommendation of the HCC, deliberate and forward a recommendation to the City Council. The Planning Commission recommendation for amendments to the Zoning Code and the Municipal Code are anticipated to be considered by the City Council in spring of 2020.

**Attachments:**

1. Proposed amendments KZC 113
2. Public Comments and Staff Response
3. Map of High Frequency Transit Routes



# 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~~[Development Chart 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. xxxx, 2020](#); 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~~[take precedence](#). These standards are intended to address ~~the changing composition of households, and~~ the need for smaller, more [diverse compact](#), and often, more affordable housing choices [in neighborhoods characterized by single-family homes](#). Providing for a variety of housing types [in single-family zones](#) also encourages innovation and ~~diversity~~ [variety](#) in housing design and site development, while ensuring compatibility with surrounding single-family residential [development uses](#).

([Ord. xxxx, 2020](#); 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~~ [1,700](#) 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. xxxx, 2020](#); Ord. 4152 § 1, 2008; Ord. 4120 § 1, 2007)

### 113.20 Applicable Use Zones

The housing types described in this chapter [are allowed in single-family zones as defined in KZC 05.10.490 – Low Density Zones](#) ~~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. xxxx, 2020](#); Ord. 4196 § 1, 2009; Ord. 4152 § 1, 2008; Ord. 4120 § 1, 2007)

### 113.25 ~~Parameters~~ 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 <del>Home</del> <u>Home</u>
Max Unit Size <sup>1</sup>	<del>1,500</del> <a href="#">1,700</a> square feet <del>2</del> <sup>3</sup>  <a href="#">4 not to include attached ADU</a>	800 square feet <a href="#">located above a garage structure in a cottage housing development</a>	<del>Maximum unit size is determined by the floor area ratio (FAR) in the underlying zone 3 1,000-square feet average unit size</del> <del>Structure total</del> <sup>4</sup> : <del>Two Unit: 2,000 s.f. square feet</del> <del>Three Unit: 3,000 s.f.</del>

	Cottage	Carriage	Two-/Three-Unit <del>Home1Home</del>
Density	<del>Two (2)</del> times the maximum number of detached dwelling units allowed in the underlying zone <u>4, 5, 6, 7, 8</u>		
Max Floor Area Ratio (F.A.R.) <u>8 9</u>	<del>.35</del> <u>Allow the same FAR as would apply to a single-family residence constructed in a low density zone</u>		
Development Size	Min. <del>4</del> <u>2</u> units Max. 24 units Maximum cluster <u>9</u> <del>10</del> : 12 units	Allowed when included in a cottage project; <u>reviewed as part of cottage project</u>	<u>No development size limitation</u> <del>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.</del>
Review Process	<del>Process I</del> <u>None</u>		<u>None</u>  <del>Single two-unit home or single three-unit home: Process I 11</del>  <del>Development containing more than one two-unit or one three-unit home (other than a cottage project): Process IIA12</del>
<u>Location</u>	<del>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:</del> <del>1 to 9 Units: 500'</del> <del>10—19 Units: 1,000'</del> <del>20—24 Units: 1,500'</del>		
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 <u>10 13</u>	<u>Provided a development is within ½ mile of transit service with 15-minute headways during commute hours: 1 space per unit</u>  <u>Provided a development is more than ½ mile from transit service with 15-minute headways during commute hours:</u>  <u>Units 1,000 square feet or less = 1 space per unit</u>  <u>Units over 1,000 square feet = 1.5 spaces per unit</u>		

	Cottage	Carriage	Two-/Three-Unit <del>Home</del> <u>Home</u>
	<a href="#">See KZC 105.20 for visitor parking</a> <a href="#">One Attached ADU = no additional on-site space required</a> <a href="#">Units under 700 square feet: 1 space per unit</a> <a href="#">Units between 700—1,000 square feet: 1.5 spaces per unit</a> <a href="#">Units over 1,000 square feet: 2 spaces per unit.</a> <a href="#">Must be provided on the subject property.</a>		
Minimum Required Yards (from exterior property lines of subject property)	Front: 20' <del>Side: 5'</del> <del>Rear: 10'</del> <del>Other: 10'</del>	Must be included in a cottage project.	Front: 20' <del>Side: 5'</del> <del>Rear: 10'</del> <del>Other: 10'</del>
Lot coverage (all impervious surfaces) <del>114</del>	50%	Must be included in a cottage project.	50%
Height	<a href="#">25' (RS Zones)</a>		
Dwelling Units	<a href="#">30' (RSA and RSX zones)</a>		
Accessory Structures	<a href="#">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.</a> 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.		
Common Open Space	<a href="#">300 square feet per unit for cottage developments of 5 or more units and not required for duplexes or triplex</a> <del>400 square feet per unit.</del>  <a href="#">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</a>  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 <del>1245</del>	Each unit must have a covered porch with	<del>NA</del>	<del>Attached covered porches are encouraged as a design feature</del>



	Cottage	Carriage	Two-/Three-Unit <del>Home1Home</del>
	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)	<del>Not permitted as part of a cottage, carriage or two/three-unit home development.</del> Allow attached ADUs 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.~~

~~12~~ 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.

~~23~~ Maximum size for a cottage is ~~1,500~~ 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.

~~34~~ Maximum size for a two- or three-unit home: is

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

~~45~~ Existing detached dwelling units may remain on the subject property and will be counted as units.

~~56~~ 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.

~~67~~ See KZC 90.170 for density calculation on a site which contains a wetland, stream, minor lake, or their buffers.

~~78~~ 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 x 2 = 3 units

~~89~~ 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.

~~940~~ 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.~~

~~1043~~ See KZC 105.20 for requirements related to guest parking.

~~1144~~ Lot coverage is calculated using the entire development site. Lot coverage for individual lots may vary.

~~1245~~ Requirements for porches do not apply to carriage or two/three-unit homes.

([Ord. xxxx, 2020](#); 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. xxxx, 2019](#)~~20~~, 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, creating variety and visual interest that is compatible with the character of the surrounding neighborhood. ~~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. Variation in unit size, 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) 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.

##### cb. 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.

Common open space shall meet the following standards:

1) For cottage developments of 5 or more units, provide a total of 300 square feet per unit; provided that the total square footage of common open space for cottage developments of 5 or more units, may be reduced to 200 square feet if a permanent recreational/communal feature is provided.

2) 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.

32) 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.

43) Required common open space may be divided into no more than two (2) separate areas per cluster of dwelling units.

54) Common open space shall be located in a centrally located area and be easily accessible to all dwellings within the development.

65) Fences may not be located within required open space areas.

76) 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.

87) 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.

98) 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.

de. 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 20-10 feet.
- 6) The design of carports must include roof lines similar and compatible to that of the dwelling units within the development.

ed. Low Impact Development

Projects constructed under KZC 113 shall include Low Impact Development techniques when feasible, pursuant to the adopted City of Kirkland Surface Water Manual. ~~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.~~

~~f.~~ 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. To maintain and reflect the traditional character of single-family dwelling units, projects shall include the following design elements:

(1) Façade modulation

(2) Entry features that are dominant elements facing the street; and

(3) Utilization of a variety of high-quality materials reflected in the surrounding neighborhood

b. In addition to the three (3) required design elements, applicants shall choose two (2) other design options from the following list:

- (1) Architectural articulation in walls and roofs;
- (2) Covered entry porch (not permitted to extend into the required front yard with in Houghton);
- (3) Second story step back or modulation; and
- (4) Minimize the appearance of garages on the front façade by
- (5) Providing garages in the rear yard;
- (6) Recessing the garage from the remainder of the façade;
- (7) Employing roof forms compatible with surrounding single-family residences

#### (1) 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 constructed under this chapter shall provide Low Impact Development techniques if feasible pursuant to the adopted City of Kirkland Surface Water Manual. ~~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, by at least a distance of 10 feet.

(Ord. xxxx, 2020, 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. xxxx, 2020](#); 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. xxxx, 2019; 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. xxxx, 2020; Ord. 4152 § 1, 2008; Ord. 4120 § 1, 2007)~~

January 2, 2020

Attachment 2

**Kirkland Planning Commission**  
123 Fifth Avenue  
Kirkland, WA 98033



Attn: Carter Bagg – Chair

RE: Missing Middle Housing/Auxiliary Dwelling Units

Dear Sir:

I have been a resident of Kirkland since 1978. On November 20, 2019, I attended the Kirkland Highlands Neighborhood Meeting and listed to a presentation by Dorian Collins and Adam Weinstein of the City of Kirkland regarding proposed zoning changes to allow "Missing Middle" Housing and Auxiliary Dwelling Units (ADU's) in single family neighborhoods.

While I understand the need for more affordable housing in the greater Seattle area, I do not feel that allowing greater density in single family neighborhoods is the proper approach, and will result in a decrease in the quality of life.

Having greater density especially in the Kirkland Highlands Neighborhood will result in increased traffic on the two narrow streets which provide the majority of the access to the neighborhood – 112<sup>th</sup> and 116<sup>th</sup> Avenue NE.

No matter how the zoning is written, additional vehicles will be using on-street parking which will create hazards for pedestrians and bicycle riders.

Also, allowing greater density will result in existing trees and vegetation being removed to allow for construction of new structures.

It is my understanding that after Seattle adopted a similar ordinance, instead of home owners creating a "Mother-in-Law" apartment for a relative, developers bought up existing single family residences, constructed the ADU, and then sold the property at a significant profit, leaving the residences in the area with the reduced quality of living.

During the presentation during the November 20<sup>th</sup> meeting, it was stated that the change in the zoning would allow the ADU to be sold to a non-family member as some sort of condominium arrangement with the single family tax parcel. It was also discussed how many "family" members would technically be allowed to live on a single residential tax parcel.

I strongly oppose this proposed change in the zoning, and would encourage the Planning Commission to focus on requiring affordable housing to be a higher percentage in any new residential developments in neighborhoods or areas that are already zoned for multi-family.

Sincerely,

Murray L. McKinney Sr.  
9401 - 112th Ave. N.E.  
Kirkland, WA 98033

Cell: (206) 390-5342  
Office: (425) 828-6453  
[MMcKinneySr@McKinAssoc.com](mailto:MMcKinneySr@McKinAssoc.com)

Cc: Karen Story – Kirkland Highlands Neighborhood Association

**From:** S. Davis [<mailto:spicker76@yahoo.com>]

**Sent:** Thursday, January 9, 2020 7:01 PM

**To:** Dorian Collins <[DCollins@kirklandwa.gov](mailto:DCollins@kirklandwa.gov)>; Sean LeRoy <[SLeRoy@kirklandwa.gov](mailto:SLeRoy@kirklandwa.gov)>

**Subject:** Public comment for PERMITS: CAM19-00282 and CAM19-00152

Hi Dorian and Sean, Could you please forward my public comment to the appropriate groups? Thank you.

xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx

Dear Planning Commission and associated city staff,

I am writing public comment regarding CAM19-00282 and CAM19-00152. I am glad to see the possibility of more housing options in our city. I feel that the documents I have read there has been little to no discussion on the impact of increasing residential density and the need to pay single family home impact fees.

I support the current law for owner occupancy of one of the dwelling units on a single-family property. Among the reasons cited for the preference were preventing development speculation and the likelihood that a property owner living on site would be more involved in the neighborhood and more likely to maintain the homes.

I believe duplex/triplexes should not be allowed

in the middle of single family neighborhoods. Modest affordable single family homes will be torn down by developers to build these unaffordable homes. We need to maintain the character of single family neighborhoods. Example of this the tri-plex (considered condos) built in South Rose Hill by LW Methodist Church recently sold for approximately \$645 per livable sq

ft. <https://blue.kingcounty.com/Assessor/eRealProperty/Detail.aspx?ParcelNbr=8584500030>

These condos sold for much more than the price per sq foot than a new single family home located nearby. Developers are pushing for this type of home because they can make more money per sq feet while optimizing their profit margin because they will avoid many fees. These duplex/triplexes should not be allowed in the middle of single-family neighborhoods unless they pay single family home impact fees, provide enough on-site parking, same lot coverage and set back requirements as the single family homes. I think this housing type should only be allowed between single family homes and multi-family zoned housing (not in the middle of single family neighborhoods), and they should pay single family home impact fees.

Cottage homes should not be allowed to increase in size. The whole point for cottage houses is to have a smaller footprint and make them more affordable. If cottage homes can increase in size they should have to pay the single family home impact fees and be required to have the same setbacks, parking, etc. The size of a 1,700 square foot home is large than many of the single-family homes (built before 2000) in our city. A 1,700 sq ft cottage can easily be three or four bedrooms and more than likely only families with children who will use the local public schools, parks and drive on our streets will live in these large cottage homes that are really single family homes. Single family impact fees should be paid.

I have owned a home in NorKirk neighborhood that had a legal ADU built in 2006 (new building with ADU above a Garage) and it was accessed via an alley. The current codes for ADUs should not be changed. I cannot image reduced set backs from the alley and property lines, and the

need for more than 800 sq ft of living space. What about neighbors who will now be impacted because there can now be encroachment of the set-backs?

If the owner would like to add more than one ADU to their property they need to pay impact fees for the second ADU. As you are aware our city needs funds for roads, parks, schools etc. We need to make sure the increased population is supported by these new residents and not the expense of current tax payers. If a home owner wants to set up a “rental business” and add more than one ADU they should have to pay impact fees and live on site in one of the units. The population will increase in our neighborhoods and somebody needs to pay for the extra services required. That somebody should be the developer or property owner that is benefiting.

Maximum size of a detached ADU should stay at 800 sq ft. The lot coverage and set backs should be the same as the single family homes on both sides of the property. The maximum size will easily fit a 2-bedroom home. The inhabitants of these ADUs will increase the need demand for public services and multi-family impact fees should be paid. If a bigger unit is built it should be required to pay single family impact fees. An ADU is just an accessory dwelling unit not another single-family home!

I do NOT support the following:

- Increase maximum unit size for cottage homes to 1,700 square feet;
- reductions in setbacks for ADUs from alleys and/or rear and side property lines
- expansion of the size limit for a detached ADU.
- reduction in side setbacks from 10 feet to 5 feet
- reduction in open space requirements.
- allow separate ownership of detached ADU as a condominium

In closing if these new forms of housing are going to increase the population in our existing neighborhoods (on an existing parcel with an existing single family home) single family impact fees need to be paid for there will be an increase in residential density which will increase the demand for public services. Impact fees need to be established and should be close in value of fees paid for new single-family homes. I also do not support the possible legislation that an ADU would be exempt from property taxes for a few years.

Thank you for your time and energy on making more housing options in our city.

Susan Davis

[spicker76@yahoo.com](mailto:spicker76@yahoo.com)

12923 Ne 101 Place 98033

A huge thank you to all of you! This is very encouraging, and I really hope we can see solutions for MMH that will create the housing to allow people who work in Kirkland to be able to live in Kirkland and vice versa.

I will take more time to read through all of this and I may have some questions, but again, this is so appreciated and I thank you!

Best to all and happy new year!

Bea

[Bea.Nahon@nahoncpa.com](mailto:Bea.Nahon@nahoncpa.com)

PO Box 3209, Kirkland WA 98083-3209  
(425) 828-4747



Please consider the environment before printing this e-mail or attachments.

**From:** Adam Weinstein [<mailto:AWeinstein@kirklandwa.gov>]

**Sent:** Tuesday, December 31, 2019 12:04 PM

**To:** Bea Nahon <[Bea.Nahon@nahoncpa.com](mailto:Bea.Nahon@nahoncpa.com)>

**Cc:** Sean LeRoy <[SLeRoy@kirklandwa.gov](mailto:SLeRoy@kirklandwa.gov)>; Dorian Collins <[DCollins@kirklandwa.gov](mailto:DCollins@kirklandwa.gov)>; Kathy Robertson <[KRobertson@kirklandwa.gov](mailto:KRobertson@kirklandwa.gov)>

**Subject:** RE: MMH question

Hi Bea,

These are all great points, and we very much appreciate that you're questioning many of the established orthodoxies about housing supply/demand, and the effect of policy/regulatory changes on housing affordability. Also, thanks for being patient as we pulled together this email.

Research papers have been written on these subjects, and there's some disagreement among experts, but we thought it would be helpful to share some of the data we've gathered. Dorian, Sean, and Kathy Robertson (our Neighborhood Traffic Control Coordinator) all contributed to this response.

1. Regarding your questions about whether additional missing middle housing would be more affordable, we pulled Redfin real estate data for Kirkland over the last 3 months and looked at sold single-family homes vs. sold townhouses (basically a stand-in for missing middle housing). Happy to provide the long spreadsheets, but in summary we found that missing middle product was substantially more affordable than conventional single-family homes on the market. Single-family houses sold for an average of \$995,000 and were an average of 2,450 square feet; townhouses sold for an average of \$573,000 and were an average of 1,305 square feet. Obviously, many factors affect real estate values, and house size is a major variable. All other things (location, house age, type, etc.) being equal, most researchers agree that smaller houses command a lower price, and that is the principle underlying our missing middle housing regulatory proposal. If a property owner can build one 4,000 square foot single-family house on



a property or two 2,000-square-foot duplexes on that same property, each duplex unit will likely command a lower price than the single-family unit.

In March of 2019, we also compared the sales price of a recently-built triplex unit on 132<sup>nd</sup> Ave NE in South Rose Hill (\$688,000) against the sales prices of conventional single-family homes in South Rose Hill, and came to a similar conclusion. Looking at Zillow data for South Rose Hill, there were 10 single-family houses for sale (not including foreclosures up for auction). The average price of these homes was \$1,058,365 and the median was just under \$1,000,000, meaning that this \$688,000 triplex unit was more affordable to entry-level homebuyers than almost anything else on the market in this neighborhood. In addition, I would mention that the sales price of the single-family home that was torn down to make way for the duplex was significantly higher than the price of the duplex unit -- so this is not the case of higher-price new development displacing a lower-price existing house. Obviously, small homes can be built with great design and high-quality finishes such that they end up being as expensive as larger homes, but generally smaller houses are more affordable. We haven't pulled similar data for other cities, but we are certain that in most communities the data would yield similar conclusions.

2. You also asked about whether the purchase of more expensive housing frees up lower-cost units, and there's some disagreement among experts on this topic. Nevertheless, we think there's decent evidence that building market-rate housing frees up housing that is more affordable to lower-income households, which is at its most basic a function of supply and demand. As hard as it is to believe, there are households out there who are underpaying for housing and desire larger, more expensive units. When these more expensive units are built, some households who are underpaying for housing end up moving into the more expensive housing, freeing up the lower-cost units. Another important phenomenon is known as "filtering," which occurs when newly-built homes age and become more affordable over time. This paper from the Upjohn Institute (which looked at household migration patterns in 802 multi-family developments across 12 central cities) builds a good argument to support this position: <https://www.dropbox.com/s/zuzxvupdbqcvhql/Mast%20Luxury%20Housing.pdf?dl=0>. Again, there are obviously individual exceptions to this rule, many of which you pointed out (such as when folks move from other parts of the U.S. to Kirkland and absorb high-price housing units, and thus do not free up lower-price units locally), but the macro trend in the Upjohn paper seems compelling and also makes logical sense from a market supply/demand perspective.
3. Lastly, you asked for empirical data to support the assertion that streets with more cars parked on them (effectively narrowing vehicle drive lanes) are safer. Kathy Robertson, our Neighborhood Traffic Control Coordinator, supplied the following charts (I've attached them along with her comments). One compares vehicle speeds on 9<sup>th</sup> Ave east of 6<sup>th</sup> Street with and without Deru in operation (and all its associated customer vehicles parked on the street), and shows that higher parking utilization resulted in lower average vehicle speeds (generally associated with safer conditions). The second table shows 108<sup>th</sup> Ave NE, with relatively few parked cars and generally flatlining and high (relatively less safe) vehicle speeds over time. By the way, both streets have 25 MPH speed limits.

Hope this information is helpful, and we're happy to discuss these questions with you in more detail if that would be helpful. Thanks for your interest in our missing middle housing project and happy New Year.

Adam

**From Kathy Robertson:**

Here are two examples where we have high parking utilization versus “wide-open” streets, where the legal speed limit is 25 MPH for both streets.

9<sup>th</sup> AVE: Data trends show the impact of increased parking (and traffic volume) as Deru gained popularity.

Location	Site Address		85th percentile speed (mph)	Vehicles per day	Date	Study Duration
9th Ave	622	E of 6th St	27.4	258	Jun-03	6/23-30/03
9th Ave	622	E of 6th St	25.7	229	Feb-08	2/22-29/08
9th Ave	622	E of 6th St	21.8	532	Sep-15	8/28-9/4/15

108<sup>th</sup> Ave NE, between NE 132<sup>nd</sup> ST and NE 140<sup>th</sup> ST is a wide street with few cars parked along it or, enough room that what few cars are parking does not impact traffic speeds.

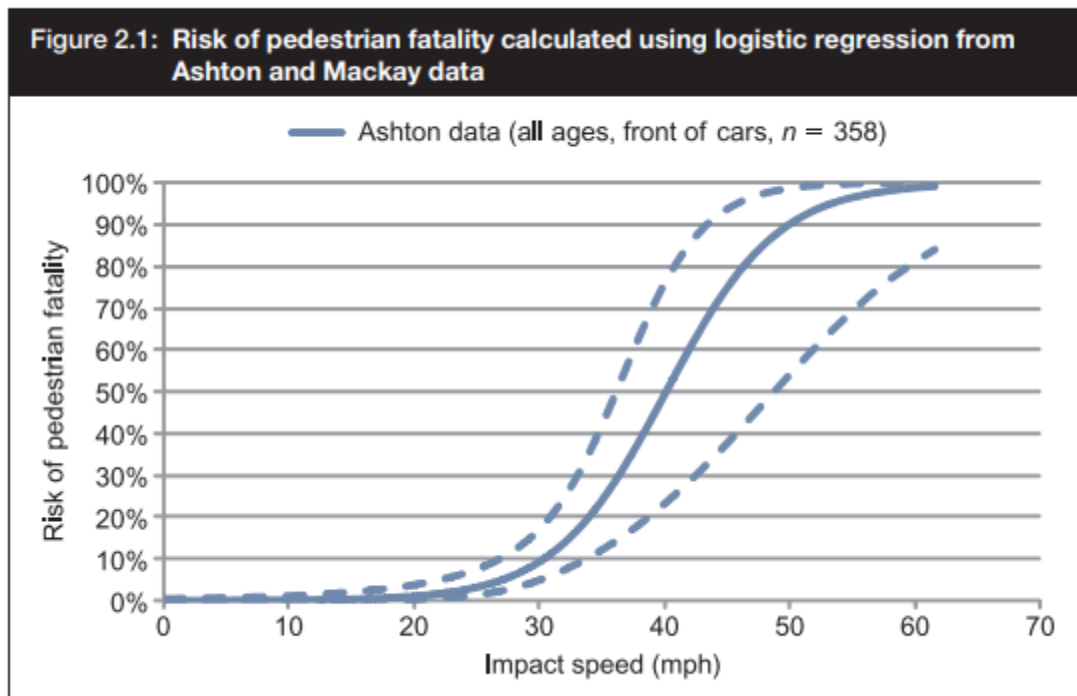
108th Ave NE	13236	N of NE 132nd St	33.2	5832	Dec-15	12/4-11/15
108th Ave NE	13236	N of NE 132nd St	32.1	4499	Jul-18	7/23-30/18
108th Ave NE	13615	N of NE 132nd St	32.1	5665	Dec-15	12/4-11/15
108th Ave NE	13615	N of NE 132nd St	34.2	4790	Jul-18	7/23-30/18
108th Ave NE	13811	N of NE 132nd St	29.1	4793	Dec-15	12/4-11/15
108th Ave NE	13811	N of NE 132nd St	32.1	4193	Jul-18	7/23-30/18
108th Ave NE	14048	N of NE 140th St	28.1	3282	Nov-14	11/14-21/14
108th Ave NE	14048	N of NE 140th St	28.8	3355	Dec-15	12/4-11/15
108th Ave NE	14048	N of NE 140th St	30.8	2956	Jul-18	7/23-30/18

A basic fact on speed vs ped/bike safety is the risk of serious injuries or fatalities increases with increasing speed. This is from national studies. Narrowing the roads reduces the speeds, which means lower impact speeds should a crash occur.

For example, from:

[https://nacto.org/docs/usdg/relationship\\_between\\_speed\\_risk\\_fatal\\_injury\\_pedestrians\\_and\\_car\\_accidents\\_richards.pdf](https://nacto.org/docs/usdg/relationship_between_speed_risk_fatal_injury_pedestrians_and_car_accidents_richards.pdf)





**Adam Weinstein, AICP**  
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[aweinstein@kirklandwa.gov](mailto:aweinstein@kirklandwa.gov)

**From:** Bea Nahon <[Bea.Nahon@nahoncpa.com](mailto:Bea.Nahon@nahoncpa.com)>  
**Sent:** Thursday, December 26, 2019 4:23 PM  
**To:** Sean LeRoy <[SLeRoy@kirklandwa.gov](mailto:SLeRoy@kirklandwa.gov)>  
**Cc:** Adam Weinstein <[AWeinstein@kirklandwa.gov](mailto:AWeinstein@kirklandwa.gov)>  
**Subject:** RE: MMH question

Adam and Sean,

I apologize for adding one more question for you. I've seen some interesting postings on Facebook over the past few days, opining that when an expensive home is purchased, it frees up a less expensive home and therefore an opportunity for someone in the middle market to move into the home that was freed up.

I was particularly struck by a posting by City Councilmember in Be Neighborly Kirkland, who commented in response to a concern about the attainability of a 1162 sq ft 2BR 2BA condo at \$1,159,990 in the

Totem Lake area – the Councilmember’s comment was that the market determines the pricing “but every time someone steps into one of these, they make available a lower cost unit for someone else”.

Every time? I’m sure the Councilmember didn’t really mean every time, but that, along with some other comments in this and other threads, makes it clear that this is what several people are thinking.

I found this theory to be interesting but I’m not sure that it’s correct. In order for it to be true, several things would have to occur:

- That the person(s) buying the expensive home is moving up price-wise, so that the home they are leaving is of lesser cost.
- If an expensive home in Kirkland is being purchased, in order for that transaction to free up an attainably-priced home in Kirkland for a middle market buyer, the new buyer of the expensive home has to be making a move from one Kirkland home to another in Kirkland.
- That the person(s) selling the Kirkland home are doing so at a price that is then attainable for someone in the middle market to buy – or if they are moving from a rental, that the property owner will now price the unit at an attainable level for the middle market renter.

Personally, what I’m seeing in the \$1M+ multi-family market in Kirkland, includes many people who are downsizing and/or are moving here from Bellevue, Redmond and Seattle, or for that matter, from out of state. That’s not freeing up a lower cost unit for anyone in Kirkland.

Another posting on the same thread, by a planning commissioner, stated that “as more expensive housing is built, it reduces competition for existing homes, helping keep those other homes more affordable”. I think there is some rationale for this, it seems correct as I think about basic supply and demand theory. But I’m not sure.

Is there any data on this? Does the purchase of more expensive housing in Kirkland free up other homes in Kirkland that are then attainable by the middle market – and if so, just how common is that? And does the creation of expensive housing somehow stabilize the pricing of other homes so that they are more attainable by the middle market? By the way, I’m not asking you to go researching this, if you don’t have data on this, just let me know – but if you do, I’m very interested.

If I’d seen it just by one poster, I’d brush it off. But seeing common threads like this from more than one poster and especially the one from a City Councilmember, makes me wonder. And if it’s true, I think it’s an important part of this missing-middle question. Or if it’s not true, we should dispel it, or at least discount it, as we consider solutions for the missing middle housing shortage.

And I suppose even the phrase of “expensive home” is somewhat debatable because it seems like every home in Kirkland is expensive, so to be fair, perhaps the expensive home is one that is out of range for that missing-middle piece – and for that matter, that’s why I’m asking us to identify what that means and are we going to find solutions that solve the problem.

Thank you so much! I’d really love to know your thoughts about this. I’m really struggling with the idea that by having more really expensive housing somehow helps us to create housing for the missing middle, that just seems incongruous. And if the above isn’t clear, or you have questions, please let me know.

Best to you,

Bea

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Please consider the environment before printing this e-mail or attachments.

**From:** Sean LeRoy [<mailto:SLeRoy@kirklandwa.gov>]

**Sent:** Monday, December 23, 2019 8:41 AM

**To:** Bea Nahon <[Bea.Nahon@nahoncpa.com](mailto:Bea.Nahon@nahoncpa.com)>

**Subject:** RE: MMH question

And you as well.

Merry Christmas,

Sean

**From:** Bea Nahon <[Bea.Nahon@nahoncpa.com](mailto:Bea.Nahon@nahoncpa.com)>

**Sent:** Sunday, December 8, 2019 2:55 PM

**To:** Adam Weinstein <[AWeinstein@kirklandwa.gov](mailto:AWeinstein@kirklandwa.gov)>

**Subject:** Questions for you re the Missing Middle Housing proposal

Hi Adam – and I hope you are having a wonderful holiday season!

You're already very much aware that I am absolutely supportive of finding solutions that will allow for more housing opportunities now and in the future for the City of Kirkland. You also know that I am delighted that the City is taking on this challenge looking at carefully at our own geography and structures – as opposed to State mandated upzoning which I'm not a fan of whatsoever. And you're also aware that I have some concerns. That all said, I don't want to make assumptions that aren't consistent with the most current information, ergo this email to you.

First of all, you're aware of the concern that has been raised as to whether or not the additional supply of housing which could be created would actually be affordable for the middle market. As we look at current developments in Kirkland and in our neighboring cities, we are seeing increased density and smaller housing units but not necessarily at price points which are within reach of the target market. And so my first set of questions relates to the economics. What economic data have we obtained? Have we identified the price point range (in today's dollars) that we believe could be created with these changes? What is there in the economic data that encourages us to believe that these changes will have the desired outcomes? Have we found other cities where comparable changes have been enacted and if so, what were the economic results? If we haven't obtained economic data, why not?

Second, with respect to on-street parking, a subject that came up at KAN's last meeting was that these changes have the potential to increase the demand for on-street parking. A few years ago, when KAN

was looking the issue of on-street parking, some staff members and at least one Council person stated that when streets have more cars parked on them, it increases safety. The theory that was relayed to us was that if streets became more constricted (e.g. a two-way street which effectively becomes a one-lane road because of the curb lanes on both sides being filled with cars) that people would drive slower and would have to pull aside to let oncoming traffic pass by, and therefore they were safer streets. At that time, I asked the City to provide us with empirical data to back that up – what did we have in the way of comparative data with respect to collisions, injuries or fatalities? No one at the City was able to produce any hard data on this point – they honestly tried to find it, but it didn't exist. And so my question to you is, now that a few years have transpired since the last time we asked about this – does the City have any empirical data to back up the theory that a parking-congested street is a safer street, i.e. fewer collisions, injuries or fatalities?

You're probably seeing this on a Monday AM and so please know that you can take your time on this inquiry, you definitely don't need to tackle this right away. If you are able to reply sometime in the next couple of weeks, that would be fantastic.

Much appreciated! Thank you!

Bea

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**From:** Suzanne Ingrao <[suzanne.ingrao@yahoo.com](mailto:suzanne.ingrao@yahoo.com)>  
**Sent:** Monday, January 13, 2020 1:10 PM  
**To:** Planning Commissioners <[planningcommissioners@kirklandwa.gov](mailto:planningcommissioners@kirklandwa.gov)>  
**Subject:** ADUs

I am a Market neighborhood resident and business owner. I have lived in the Market neighborhood for the last 10 years. I am concerned with the city's plan to encourage "cottage homes" in our neighborhood. This is essentially allowing people and investors to add multifamily units to a single family neighborhood, by adding multiple homes on a single lot. This has been done in Seattle to the detriment of single family neighborhoods, adding congestion, parking issues and many transient residents. I understand the city desires to add density, but single family neighborhood are not where this should be encouraged. The few hundred cottage homes in our neighborhood are not going to solve the problem of housing in Kirkland and threaten to destroy what we all love about this neighborhood. If we want to create more housing density, we should be doing so in the areas already zoned for multifamily dwellings and increased height. Also, if we want to allow seniors to stay in their homes, we should lower their property tax burden, rather than force them to become landlords.

I am unable to attend the meeting on Jan 23rd, but I hope that you will consider the feedback of current Market neighborhood residents, many of whom are against liberalizing the building of ADUs and subdividing lots further.

Thank you,

Suzanne Ingrao





