



Middle Housing Code Amendments

*MBAKS King County Builders Council
Breakfast*

March 13, 2025



Agenda for Discussion

- Introduction to WA State House Bill (HB) 1110
- Code Amendment Approach
- Public, PC, and Council Feedback
- Updating the Zoning Code: Response to Feedback
- Affordable Housing Requirements and Options
- Upcoming Meetings
- Questions

Introduction to Washington State House Bill (HB) 1110

HB 1110

Overview



Minimum Residential Density

Cities with populations exceeding 75,000 must:

- Allow 4 units per lot in all residential zones.
- Allow 6 units per lot if:
 - Lot is within a quarter-mile of a major transit stop; or,
 - If two units are affordable.

Minimum Middle Housing Types

- HB 1110 requires cities to adopt at least 6 of 9 the of middle housing types. (Multiplex (2-6 units), Townhomes, Staked Flats, Cottages, and Courtyard Apartments)
- ADU are not included but cities may choose to count ADUs toward maximum allowed density.

Maximum Parking Requirements

- Within ½ mile of a major transit stop: None
- Outside ½ mile of a major transit stop: 1 space per unit; or 2 per units over 1,000 sf on lots larger than 6,000 sf
- Visitor parking: None
- ADU: None

Timing

Kirkland must adopt the requirements of HB 1110 by June 30, 2025, otherwise the State model code goes into effect.

Code Amendment Approach



Phased Decision Making

During the Comprehensive Plan update:

- The community emphasized their strong desire for involvement.
- The community indicated a strong desire to see/consider planning options.
- Future zoning changes necessitate robust community engagement.

Phase 1 - Minimum Compliance (Now)

Due to limited time to implement new state housing requirements, the City will first aim to meet the minimum requirements in the initial code amendments. This involves less public engagement.

Phase 2 – Optimization (Future)

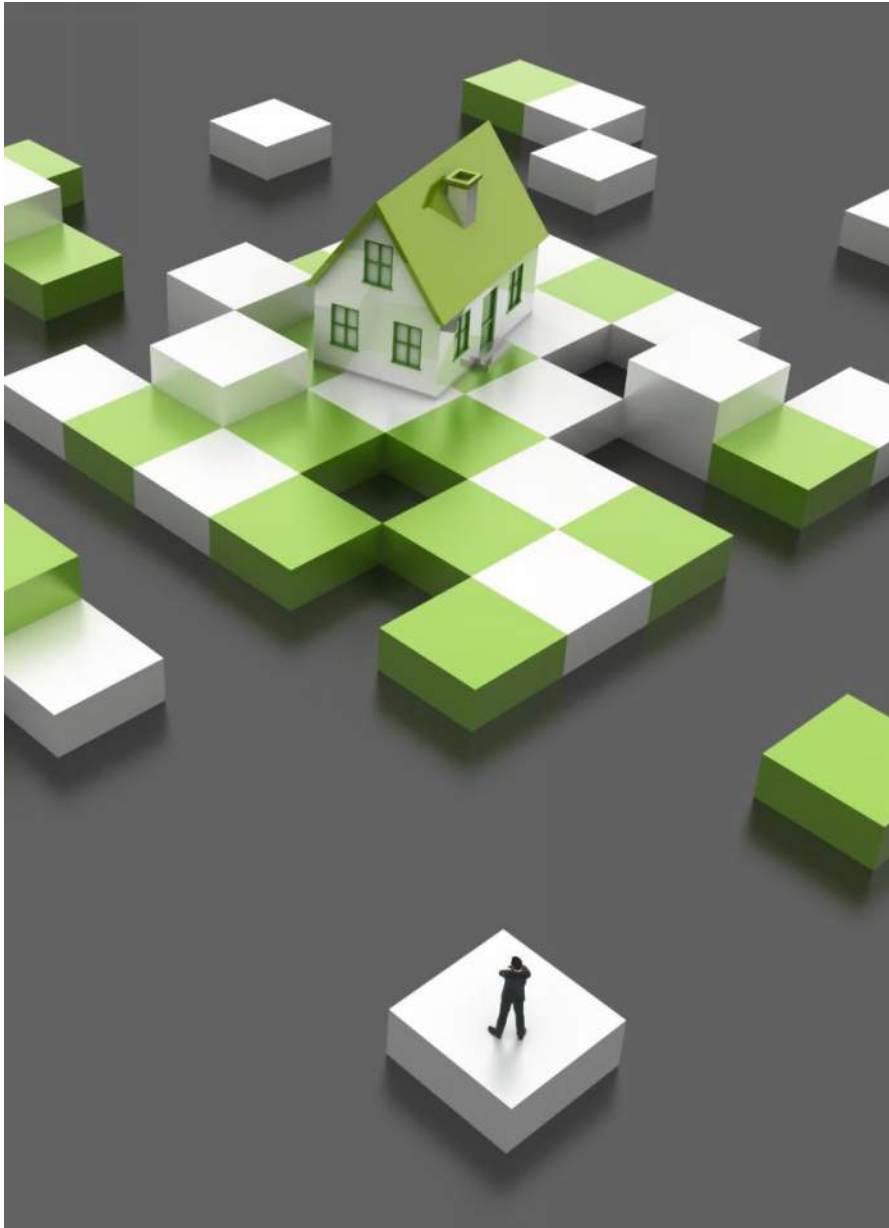
A future phase of code amendments will optimize residential zoning to increase housing supply and diversity. This will involve more public engagement.

Public, Planning Commission, & Council Feedback

What we heard from the public?

1. Support for phased approach to code updates.
2. The City is advocating for more density than the State requires.
3. Support for defining housing types in zoning code, but the City should not allow all 9 everywhere.
4. The City's affordable housing options go beyond what the State requires.
5. New affordable housing requirements would make middle housing development infeasible.





PC & Council Feedback

- ADU Management Options:** Council and PC would like staff to explore different approaches to regulating the density of Accessory Dwelling Units (ADUs), such as counting them towards maximum density.
- Allowed Housing Type:** Council and PC would like staff to analyze whether all housing types are necessary/useful everywhere.
- Affordable Housing Options:** Council feels this is rushed with State deadline. PC would like staff to explore affordable housing options 3 and 4, with a focus on:
 - Smaller projects (starting at 1 unit)
 - Incentives (regulations that make it easier to develop middle housing)
 - Clear inclusionary requirements
 - Exempting smaller housing units from requirements
 - PC/Council: Ensuring that requirements do not overly constrain new projects
- Vesting or Delayed Implementation:** PC wants staff to consider options for vesting or delaying affordable housing code implementation to accommodate existing unvested projects. Council expressed preference to deferring new requirements until phase 2.

Updating the Zoning Code:

Response to feedback

Density:

(density may prohibit certain housing types)

Existing	Option 1	Option 2
2x zoned density	4 to 6 units per lot; or	4 to 6 units per lot
ADUs not included	2x zoned density	2x zoned density
	ADUs not included	ADUs included

Option 1 – Presented to PC and Council.

Option 2 – Based on preliminary PC and Council feedback.

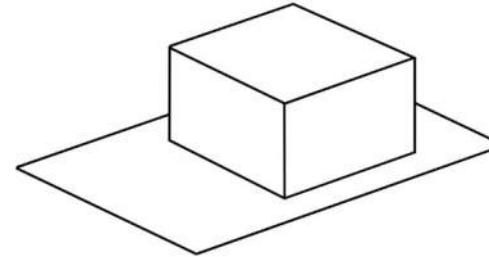
Density

(existing, required, and proposed)

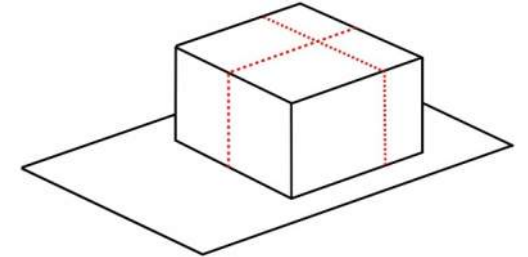
Example: 8,000 sf lot in low density zone (50% FAR and Lot Coverage)

	Density	.5 FAR	.5 Lot Coverage
Base Zoning	1 dwelling unit	One 4,000 sf unit	On 4,000 sf of lot coverage
Existing 113 (two units + ADUs)	2 dwelling units + 2 ADUs	Two 1,200 sf units + two 800 sf ADUs	On 4,000 sf of lot coverage
State/Opt 2 (four units)	4 dwelling units	Four 1,000 sf units	On 4,000 sf of lot coverage
State/Opt 2 (six units)	6 dwelling units	Six 666 sf units	On 4,000 sf of lot coverage
Option 1 (six units + ADUs)	6 dwelling units + 6 ADUs	Six 333 sf units + six 333 sf ADUs	On 4,000 sf of lot coverage

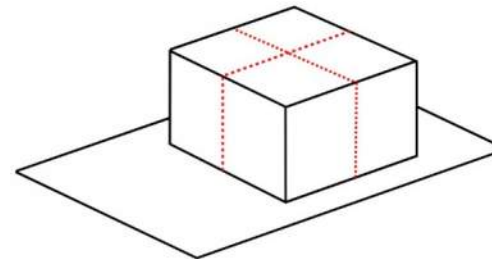
1 dwelling unit



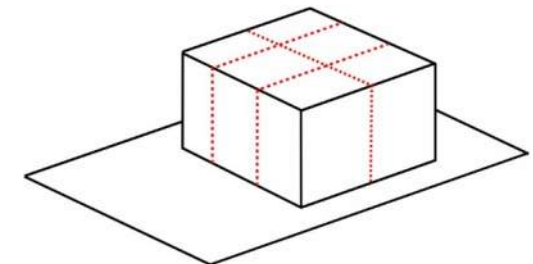
2 dwelling units + 2 ADUs



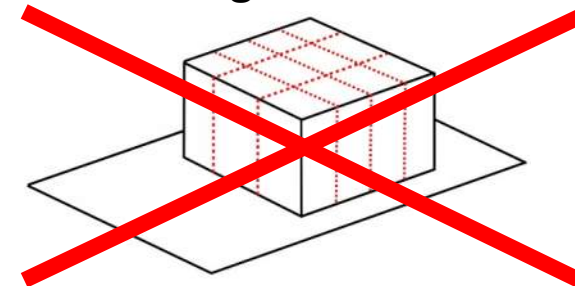
4 dwelling units



6 dwelling units



6 dwelling units + 6 ADUs



Building Types:

1. Duplexes
2. Triplexes
3. Fourplexes
4. Fiveplexes
5. Sixplexes
6. Townhouses
7. Stacked Flats
8. Cottages
9. Courtyard Apartments

(At least 6 of 9 are required by State)

Existing	Option 1	Option 2
Duplexes, Triplexes, Cottages	Citywide: Duplexes – Sixplexes, Townhouses, Stacked flats, Courtyard Apartments, Cottages	Low-density: Duplexes – Fourplexes, Townhouses, Stacked flats, Cottages Multifamily: Duplexes – Sixplexes, Townhouses, Stacked flats, Cottages No courtyard apartments.

Option 1 – Presented to PC and Council.

Option 2 – Based on preliminary PC and Council feedback.

Proposed Housing Types – Low Density

Note: Not all typologies as shown may be compliant with maximum zoned densities and massing restrictions: i.e. maximums on floor area ratio, lot coverage, and building height.



Source: The Urbanist

Proposed Housing Types – Multifamily

Note: Not all typologies as shown may be compliant with maximum zoned densities and massing restrictions: i.e. maximums on floor area ratio, lot coverage, and building height.



Duplex



Triplex



Fourplex



Fiveplex



Sixplex



Courtyard Apartments



Cottage Housing



Townhouses



Stacked Flats

Source: The Urbanist

ADUs:

Existing	Option 1	Option 2
Allowed as attached	No Change	Allowed attached or detached

Existing	Proposed
Per underlying zone (25’ or 30’)	Per underlying zone (25’ or 30’)

Max Building Height:

Option 2 – Based on ADUs counting towards minimum density, staff suggests allowing both detached or attached ADUs in middle housing projects.

Setbacks:

Max Lot Coverage:

Existing	Proposed
Front: 20’* Side: 5’ Rear: 10’ *2 fronts: underlying zone regs.	Front: 20’* Side: 5’ Rear: 10’ *2 fronts: Choose one front; the other is a side

Existing	Proposed
Per underlying zone *(equal to underlying zone, e.g. 50% in most low-density zones)	No Change



Floor Area Ratio:

Existing	Proposed
Per underlining zone (e.g. 50% in most low-density zones and no FAR in multifamily zones)	No Change

Parking:

City parking minimums may not exceed State requirements.

Developers may provide more parking than minimum required.

Existing code is less restrictive than State requirement.

Based on preliminary PC and Council feedback, staff will provide additional analysis to PC and Council to inform any additional option.

Existing Minimum	Option / State Req. Minimum
Within ½ mile of frequent transit: 1 space	Within ½ mile of a major transit stop: None
Outside ½ mile of frequent transit: 1 space per unit 1,000 sf or less	Outside ½ mile of a major transit stop: 1 space per unit; or 2 spaces per unit over 1,000 sf on lots larger than 6,000 sf
1.5 spaces per unit more than 1,000 sf	
Visitor parking: 10% of provided spaces. None if on-street parking is available within 600 ft of property.	Visitor parking: None
ADU: Generally, no parking required unless no street parking is available	ADU: None

Affordable Housing:

Requirements and Options



State Affordable Housing Requirements

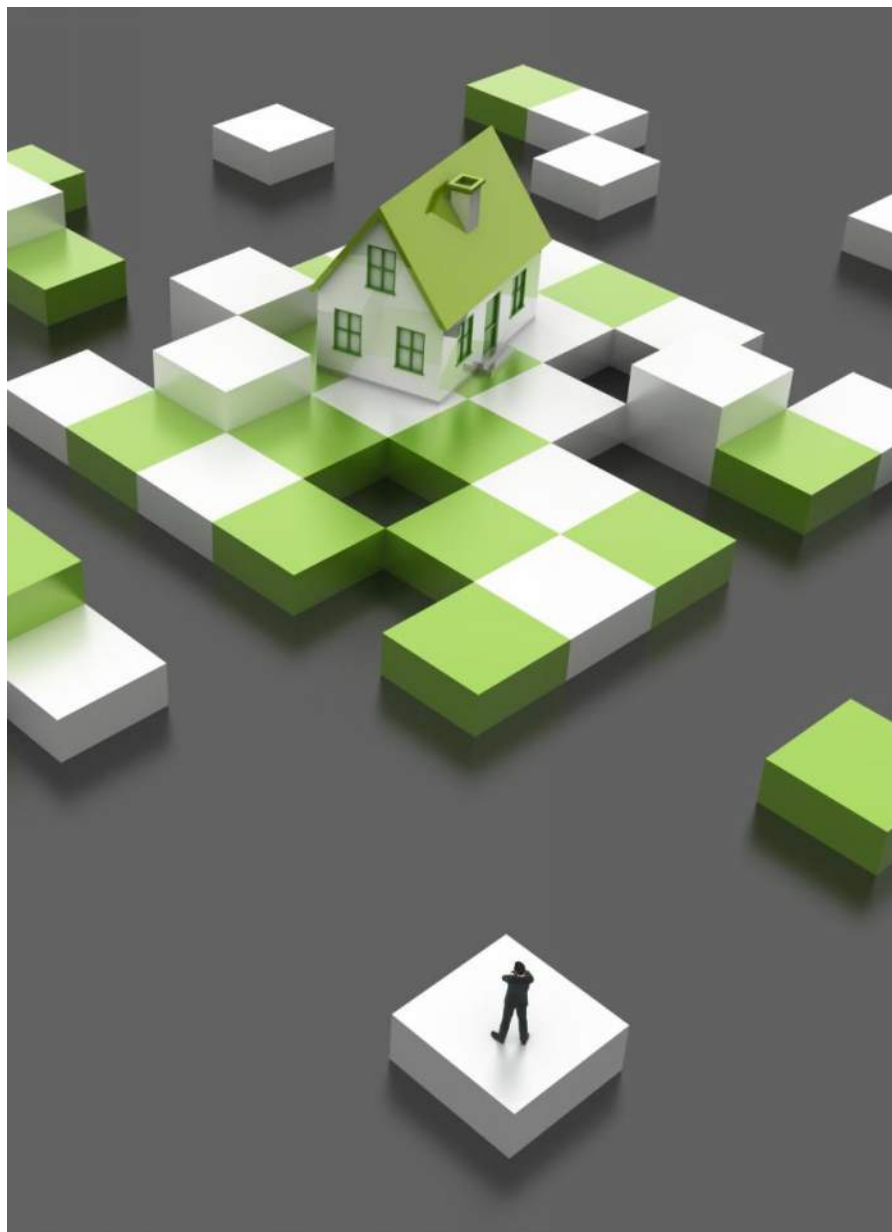
Minimum Density and Affordable Housing

The State code does not require affordable housing beyond the minimum density requirements (six units per lot).

Affordable Housing Standards

For housing beyond $\frac{1}{4}$ mile of a major transit stop, the fifth and six units must be affordable at:

- 60% area median income (AMI) (renter-occupied), or
- 80% AMI (owner-occupied).



PC Feedback: Affordable Housing

Minimum Unit Application: 1 unit or more

Affordable Requirement: 10 percent affordable at 50 percent AMI (rental) or 100 percent AMI (owner-occupied)

Size Exemption: Housing units of up to 1,700-2,000 square feet would be exempt. Exempting most middle housing.

Renovations and Rebuilds: Exempt from inclusionary requirements.

Delayed Effective Date: Adoption in Phase 1 with delayed effective date. Allow existing, in-progress projects to avoid new inclusionary requirements.

Affordable Housing Requirement and Proposed Options

	Option 1: State Req.	Option 2: (1+ unit with delayed effective date)	Option 3: Defer all action to Phase 2
Minimum Unit Application	5+ (2 affordable up to 6 units)	1+	Defer inclusionary requirements to Phase 2 for integration with an optimized middle housing code.
Affordable Requirement	60% AMI (renter- occupied) 80% AMI (owner- occupied)	10% Affordable at: <ul style="list-style-type: none"> 50% AMI (renter- occupied) 100% AMI (owner- occupied) 	
Option: Size Exemption (Units ≤ 1,700 – 2,000 sq. ft)	N/A	Yes	
Option: Exempt retained units.	N/A	Yes	
Option: Does not apply added sq. ft. on existing units.	N/A	Yes	

Upcoming Meetings

Upcoming Meetings

Kirkland Alliance of Neighborhoods, March 12, 2025

City staff will provide a briefing to the public on proposed code amendments.

MBAKS King County Builders Council Breakfast, March 13, 2025

City staff will provide a briefing to local builders on proposed code amendments.

City Council, March 18, 2025

City staff will provide 2nd briefing of draft code, affordable housing options to City Council.

MBAKS Middle Housing Forum, March 25, 2025

City staff will provide a briefing to local builders on approach to proposed code amendments and how to track them.

Transportation Commission, March 26, 2025

City staff will provide a second briefing on the code amendments to Transportation Commission.

Planning Commission, March 27, 2025

City staff will present second round of draft code to Planning Commission.



Questions

Scott Guter, AICP, LEED AP

Senior Planner

Senior Planner | City of Kirkland

Planning and Building Department

425-587-3247

sguter@kirklandwa.gov | <http://www.kirklandwa.gov>

MBAKS Housing Toolkit and Kirkland Code and Permitting updates:

Actions completed, part of phase 1 of middle housing code updates or other current project work, and for consideration in a future phase code or permitting updates.

★ Part of either phase 1 work and/or a separate planning work item.

MBAKS Toolkit mbaks-housing-toolkit.pdf	Completed	Phase 1	Future Phase
SEPA-related and planning tools			
Raise SEPA exemption threshold	●	●★	
Raise short plat threshold			
Subarea planning / programmatic EIS	●		
SEPA exemptions for infill development			●
Affordable Housing			
Affordable housing levies			●
Multifamily tax exemption	●	●★	

★ Part of either phase 1 work and/or a separate planning work item.

MBAKS Toolkit	Completed	Phase 1	Future Phase
Housing Types and innovation			
Accessory dwelling units	●		
Fee simple townhomes	●	●★	
Separate ownership of ADUs	●		
Microhousing	●		●
Optimizing residential densities			
Minimum gross density		●	
Cluster zoning	●		
Lot size averaging	●		
Cottage housing	●		



MBAKS Toolkit	Completed	Phase 1	Future Phase
Optimizing residential densities (cont.)			
Duplexes, triplexes, and fourplexes	●		
Form-based code	●		●
Duplex on corner lots	●		
Housing capacity near transit and jobs			
Transit/employer-oriented development	●		●
Roads and access flexibility	●		●
Low-rise zoning/higher density near frequent transit	●		●
Considerations for comprehensive planning	●		
Parking requirements near transit	●		●

★ Part of either phase 1 work and/or a separate planning work item.

MBAKS Toolkit	Completed	Phase 1	Future Phase
Housing capacity near transit and jobs (cont.)			
Review of underutilized land			●
Win-wins for housing and the environment			
Built Green incentives	●		●
Progressive tree ordinance	●		●
Contingency-based parking	●		●
Enhance predictability			
Local vesting of regulations and fees	●		
Moratoria	●		
Transparency in permit timeline data		●★	

★ Part of either phase 1 work and/or a separate planning work item.

MBAKS Toolkit	Completed	Phase 1	Future Phase
Permit efficiencies and process improvements			
Model home permits			●
Online permitting and tracking	●		
Design review		●★	
Utility availability certificate			●
Lessons learned from pandemic	●		
Administrative approval of final plats	●	●★	
Completeness review	●	●★	
Video inspections			●
Capacity for review	●	●★	

★ Part of either phase 1 work and/or a separate planning work item.

MBAKS Toolkit	Completed	Phase 1	Future Phase
Permit efficiencies and process improvements (cont.)			
Permit review timelines		●★	
Concurrent review	●		
Flexibility in site planning and design			
Building setbacks			●
Street widths			●
On-street parking			●
Fees			
Funding mechanisms	●		
Properly set and deferred collection of fees	●	●★	