



City of Kirkland
Planning and Building
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MEMORANDUM

To: Planning Commission

From: Scott Guter, AICP, LEED AP, Senior Planner
Allison Zike, AICP, Deputy Planning and Building Director
Adam Weinstein, AICP, Planning and Building Director

Date: November 5, 2024

Subject: **WA State Housing Codes Compliance Briefing #1, File No. CAM24-00561**

Recommendation

Receive a briefing and hold a study session to discuss staff's recommended approach to amend City codes to comply with new State-mandated requirements on middle housing, accessory dwelling units, parking, design review, and co-living development within low-, medium-, and high-density residential zones.

Focus Areas for Planning Commission

The Planning Commission (PC) should focus on the below questions for discussion while reviewing the memorandum and attachments:

1. Do Commissioners have any questions or feedback on staff's recommended code amendment approach to achieve State-mandated residential code compliance?
2. Are there any additional studies that should be conducted as part of this phase of code amendments?
3. Do Commissioners have any questions or feedback on staff's public engagement plan?
4. Is there any additional information that the PC would find helpful for staff to include in a future briefing on this phase of code amendments?

Background

The City of Kirkland is starting the process of updating the City's development standards to comply with State-mandated requirements on middle housing, accessory dwelling units, parking, design review, and co-living development within low-, medium-, and high-density residential zones. Kirkland is required to adopt new development standards to comply with many of these requirements by June 30, 2025¹.

Staff is recommending that the work to achieve compliance with State-mandated requirements discussed herein be developed and considered as an initial phase of the

¹ Requirements of RCW 36.70A.535 (co-living) are not required until December 31, 2025. Requirements of RCW 36.70A.622(2) (parking) have been in effect since June 6, 2024.

task to optimize Middle Housing, as adopted by City Council (Council) in the 2024-2026 Planning Work Program². It should be noted that these amendments are only applicable to State-mandated requirements within the city's residential zones and do not supersede the other amendment efforts, i.e. amending the City's Design Review Guidelines and Process Updates.

Preliminary Analysis

Staff has conducted a gap analysis of the State-mandated requirements to existing City development standards (see Attachment 1). The analysis indicates that many of the requirements of the following chapters of the zoning code must be amended to comply with State requirements. It is anticipated that, at a minimum, the following zoning code chapters will be amended to ensure compliance with State requirements.

Sections of the Zoning Code Requiring Amendments for Minimum Compliance
Chapter 5 – Definitions
Chapter 15 – Low Density Residential Zones (RS, RSX, RSA, WDII, PLA 3C, PLA 6E, PLA 16)
Chapter 20 – Medium Density Residential Zones (RM 5.0; RMA 5.0; RM 3.6; RMA 3.6; WD I; WD III; PLA 2; PLA 3B; PLA 6F, H, K; PLA 7C; PLA 9; PLA 15B; PLA 17)
Chapter 25 – High Density Residential Zones (RM 2.4; RMA 2.4; RM 1.8; RMA 1.8; HENC 2; PLA 5A, D, E; PLA 6A, D, I, J; PLA 7A, B)
Chapter 95 – Tree Management and Required Landscaping
Chapter 105 – Parking Areas, Vehicle and Pedestrian Access, and Related Improvements
Chapter 110 – Required Public Improvements
Chapter 112 – Affordable Housing Incentives – Multifamily
Chapter 113 – Cottage, Carriage and Two/three-unit Homes
Chapter 115 – Miscellaneous Use Development and Performance Standards
Chapter 120 - Variances
Chapter 162 - Nonconformance
Chapter 180 - Plates

² https://www.kirklandwa.gov/files/sharedassets/public/v/1/planning-amp-building/work-programs/adopted_2024-2026-planningworkprogramfeb20-2024.pdf

Recommended Amendment Approach

The City has put together an interdepartmental team of Development Services staff (i.e., staff involved in the review of development permits and the administration of associated building and zoning codes) to study and draft code amendments. Due to the extent of required changes, and the time in which the City is required to adopt the amendments, staff is recommending a relatively minor amendment approach that would be scoped to achieve minimum compliance with State-required mandates. This approach in the initial phase would include:

- Add to and amend definitions to account for at a minimum 6 of 9 required housing types for middle housing;
- Add State-mandated density allowances in use zone chapters (including co-living housing);
- Adjust cottage, carriage and two/three-unit homes chapter to account for State requirements;
- Consider adjustments to State-mandated affordable housing requirements;
- Add and adjust dimensional standards to account for new housing types or meet minimum State requirements; and
- Amend City parking, access and miscellaneous development standards to account for new allowed housing types and meet minimum State requirements.

This approach would not seek to optimize development allowances during this phase of code amendments but would rather have the objective of complying with new State mandates. It would align with Phase 1 of the Draft Housing-Focused Policy Implementation Plan first presented to the Planning Commission at their August 8, 2024 meeting (see Attachment 2). An advantage of this approach is that it would allow the City ample time to engage with the public and conduct additional analysis prior to any major changes to development standards envisioned in the optimization phase of code amendments in Attachment 2.

Public Engagement

While there is limited time to conduct public engagement with this phase of code amendments, community outreach will build on 2044 Comprehensive Plan engagement efforts and involve community members, including but not limited to, neighborhood associations and the development/real estate/appraiser community. As this is part of a multi-phased housing-focused policy implementation effort, long-term relationships should be fostered, and engagement tools should be designed with this in mind.

At minimum, staff will use the following engagement tools during this phase of amendments:

- **Project webpage** – A project webpage incorporated into a housing webpage. The housing webpage will be a long-term repository of the City's efforts towards achieving housing-related goals, and for this reason will be easy to find and referenced.
- **Email List** – A housing email list will be available and added to the general housing webpage for multi-phase project communication.
- **Handouts** – Project-related handouts will be developed to communicate relevant and timely information accessible to a wide variety of audiences.

- **Focus Groups** – Conduct focus group meetings with local development, real estate, and appraiser community to gain professional insight and feedback on potential code amendments.
- **Open House** – An open house would provide the community an opportunity to engage with project material, staff, and elected or appointed members of the City. The tentatively scheduled open house would occur between two Planning Commission Study sessions and well in advance of a public hearing. It will be scheduled on a day where Commissioners or Councilmembers will have an opportunity to attend.

Other engagement tools may also be employed, such as social media and attending events such as farmer's markets, fairs, or other public events.

Draft Project Timeline

The following is a draft timeline for this project. Note, this is a tentative timeline and is subject to change.

Meetings/Open House	Mtg. Date/Timeframe
Planning Commission Briefing	November 14, 2024
City Council Briefing	January 7, 2025
Planning Commission Study Session – 1	February 13, 2025
Transportation Commission Study Session ³	February 26, 2025
Public Open House	March 4 (council date) or on March 24 (PC date)
Planning Commission Study Session – 2	March 27, 2025
Planning Commission Public Hearing	April 24, 2025
City Council Meeting (adoption)	May 20, 2025

Next Steps

With PC feedback on the questions posed above, staff will begin the study and amendment process. The PC will receive a second briefing with draft code amendments in February 2025.

Attachments

1. State Requirements & City Development Standards Gap Analysis

³ Alternative to a separate meeting with the Transportation Commission staff could consider a joint study session with the Planning Commission on February 13, 2025.

2. Draft Housing-Focused Policy Implementation Plan