



City of Kenmore - 18120 68th Avenue NE - Kenmore, WA 98028
Phone: 425-398-8900 - E-mail: cityhall@kenmorewa.gov

City Council Regular Meeting

ON-SITE

MONDAY, MAY 20, 2024 - 7:00 PM

In addition, we try to provide access to the meeting virtually:

ZOOM LINK: <https://kenmorewa-gov.zoom.us/j/81231792908>

ZOOM PASSWORD: 052024

Or One tap Mobile: US: +12532050468,,81231792908#

Or Telephone Dial US: +1 253 205 0468

Webinar ID: 812 3179 2908

ZOOM PASSWORD: 052024

SIGN UP FOR VIRTUAL PUBLIC COMMENT HERE: www.kenmorewa.gov/virtualpubliccomment

If you have technical difficulties accessing the meeting virtually, please contact the Deputy City Clerk at mkang@kenmorewa.gov.

Technical Difficulties - If the virtual component of the meeting disconnects, and we cannot resolve technical difficulties to reconnect the virtual component, the in-person meeting will continue at City Hall if there is a quorum of the body to conduct business.

Land Acknowledgement to Honor First Peoples

We acknowledge that the City of Kenmore is situated upon the ancestral lands of the Snohomish, Snoqualmie, Sauk-Suiattle, Duwamish, Stillaguamish, Tulalip, Suquamish, Muckleshoot, and other tribes who are part of the Coast Salish Peoples. We recognize and express our deepest respect for their enduring stewardship and profound relationship with this land, which they have cherished and protected since time immemorial. We honor the First Peoples, acknowledge their vibrant cultures, and commit ourselves to learning from their wisdom in our journey to promote justice, equity, and mutual understanding. We pledge to stand alongside these communities in acknowledging past injustices and working towards a future that respects and celebrates the diverse heritage of this land.

I. CALL REGULAR MEETING TO ORDER - 7:00 PM

II. ROLL CALL

III. LAND ACKNOWLEDGEMENT

IV. FLAG SALUTE

V. AGENDA APPROVAL

VI. PROCLAMATIONS

PROCLAIMED

A. Peace Officers Memorial Day - May 15, 2024, to be accepted by
Kenmore Police Chief Brandon Moen

[Peace Officers Memorial Day - May 15, 2024](#)

B. Kids to Parks Day - May 18, 2024

[Kids to Parks Day - May 18 2024](#)

C. Pride Month - June 2024

[Pride Month - June 2024](#)

- D. National Gun Violence Awareness Day - June 7, 2024
[National Gun Violence Awareness Day - June 7, 2024](#)

VII. WHERE'S THE FUN?

VIII. PUBLIC COMMENTS

Welcome to the Council's meeting. Please address your comments to the Mayor and Council. You'll have three minutes to speak. If there are more than 20 speakers, time will be reduced to two minutes per speaker. The Clerk will call your name when it's your turn. The Presiding Officer may choose to alternate between in-person and online comments. Please state your name and city of residence and keep within the allotted time. To make every person feel welcome and safe here; please refrain from booing, clapping, heckling, yelling, or other interruptions. The meeting is recorded for transparency. Thank you for being here, and for sharing your input respectfully.

VIRTUAL PUBLIC COMMENT PRE-REGISTRATION PROCESS: To provide public comments virtually, please fill out the [Virtual Public Comment Request Form](#) in advance of the meeting. The form opens Tuesdays at 12:00 Noon and closes Mondays at 12:00 Noon. You will be confirmed by the City Clerk. If you are having difficulty, please reach out to the City Clerk at awarhol@kenmorewa.gov.

IX. CONSENT AGENDA

APPROVED BY UNANIMOUS CONSENT

- A. Approve the City Council Regular Meeting Minutes from Monday, April 16, 2024.
[City Council Regular Meeting Minutes from April 15, 2024](#)
- B. Approve the City Council Regular Meeting Minutes from Monday, April 22, 2024.
[City Council Regular Meeting Minutes from April 22, 2024 \(Added 5/17\)](#)
- C. Approve the City Council Special Meeting Minutes from Monday, May 6, 2024.
[City Council Special Meeting Minutes from May 6, 2024 \(Added 5/16\)](#)
- D. Adopt Ordinance No. 24-0610, repealing the 2021 International Wildland-Urban Interface Code.
[Agenda Bill - Proposed Ordinance No. 24-0610](#)
[Attachment 1 - Proposed Ordinance No. 24-0610](#)
[Attachment 2 - Exhibit A to Proposed Ordinance No. 24-0610](#)
[Attachment 3 - Ordinance No. 24-0602](#)

- E. Authorize the City Manager to execute Contract No. 24-C3028 with Always Active Services, LLC for an amount up to \$813,915.85, which includes 10% construction contingency, for the 68th/Simonds restriping and NE 170th Sidewalk Improvements project.
[Agenda Bill - Contract No. 24-C3028](#)
- F. Authorize the City Manager to execute Interlocal Agreement 24-C3062 with Washington State Department of Transportation to share costs and coordinate a joint grant application for funds to replace fish passage barrier culverts on Tributary 0056 using the City's current on-call water engineering consultant and authorize the City Manager to increase existing on-call Agreement 19-C2012 by \$200,000.
[Agenda Bill - Interlocal Agreement 24-C3062](#)

X. PRESENTATIONS

- A. Introduce New Staff
- Senior Permit Coordinator Andy Torres
 - Accountant Julie Yinger
 - Project Manager Chuck Worek
- B. Recognizing outgoing Parks Project Manager Maureen Colaizzi
- C. Kenmore Business Directory Demo, presented by Deputy City Manager Stephanie Lucash, Communications and Tourism Manager Lauren Chomiak, and Management Analyst Janet Quinn

XI. BUSINESS AGENDA

- A. Comprehensive Plan Economic Development Element, presented by Community Development Director Debbie Bent and Principal Planner Todd Hall, *follow up discussion and review*

DISCUSSED

[Agenda Bill - Economic Development Element](#)

[Exhibit A - Revised Draft of Economic Development Element](#)

- B. Northshore School District Comprehensive Plan Amendment and Rezone, presented by Community Development Director Debbie Bent and Principal Todd Hall, *for discussion and review only*

DISCUSSED

[Agenda Bill - NSD Comprehensive Plan Amendment and Rezone](#)

[Attachment 1 - Staff Report](#)

[Presentation - NSD Comprehensive Plan Amendment and Rezone](#)

- C. Potential 2024 Ballot Measures to Address Operational Funding Needs: Metropolitan Park District (MPD) Ballot Measure for Parks Maintenance or a Public Safety Levy-Lid Lift Ballot Measure for Police Costs,

presented by Deputy City Manager Stephanie Lucash, Finance & Administration Director Melinda Merrell, Community Development Director Debbie Bent, and Public Works Operations Director Jennifer Gordon, *for discussion and direction*

NO CONSENSUS. MOTION TO SET CONVERSATION ASIDE PASSED.

[Agenda Bill - Ballot Measure Options \(Added 5/17\)](#)

[Attachment 1 - 2019-2030 Public Works Parks & Facilities Maintenance Expenses Graph \(Added 5/17\)](#)

[Attachment 2 - 2019-2030 Public Safety Contract Costs Graph \(Added 5/17\)](#)

[Presentation - Funding Strategies \(Added 5/20\)](#)

XII. STAFF REPORTS

XIII. COUNCILMEMBER REPORTS & COMMENTS

XIV. ADJOURNMENT

UPCOMING MEETINGS

- A. Monday, May 27, 2024 (Tuesday, May 28, 2024) City Council Regular Meeting - **CANCELED**
Monday, June 10, 2024 at 7:00 PM City Council Regular Meeting
Monday, June 17, 2024 at 7:00 PM City Council Regular Meeting
Monday, June 24, 2024 at 7:00 PM City Council Regular Meeting

NOTICE OF POTENTIAL QUORUMS

[Click here for information about Potential Quorums of the City Council.](#) Now found on the City website under City Council Meetings.

City of Kenmore, Washington Proclamation

WHEREAS, the safety and security of our communities are of paramount importance, and we owe a debt of gratitude to those who dedicate their lives to protecting the public; and

WHEREAS, peace officers play a vital role in maintaining peace, order, and justice in our society, often risking their own lives to safeguard the lives of others; and

WHEREAS, Peace Officers Memorial Day is a day to honor and remember brave individuals who have made the ultimate sacrifice in the line of duty, paying tribute to their courage, dedication, and selflessness; and

WHEREAS, for officers who have been injured or have fallen in the line of duty, their families and their legacies are forever changed by the loss; and

WHEREAS, it is essential to recognize the sacrifices of peace officers and their families, and to express our profound appreciation of their service and sacrifice; and

WHEREAS, the City of Kenmore is proud of the exceptional presence, service, and contributions of the Kenmore police officers service their residents.

NOW THEREFORE, I, Nigel Herbig, Mayor of the City of Kenmore, on behalf of the City Council, do hereby proclaim **May 15, 2024** to be **Peace Officers Memorial Day** throughout the City of Kenmore. We urge all residents to join with the City Council in this observance where we commemorate law enforcement, past and present, who by their faithful and loyal devotion to their duties and responsibilities, have rendered a dedicated service to our beautiful and safe Kenmore.

IN WITNESS WHEREOF, signed this 20th day of May 2024.

Signed: _____ Attested: _____
Nigel Herbig, Mayor Anastasiya Warhol, City Clerk

City of Kenmore, Washington Proclamation

WHEREAS, Kids to Parks Day is a national day of outdoor play celebrated annually on the third Saturday of May to empower kids and encourage families to get outdoors and visit local parks, public lands, and waters; and

WHEREAS, Kids to Parks Day is intended to foster future outdoor enthusiasts and help develop the next generation of park stewards by engaging kids in memorable outdoor experiences; and

WHEREAS, Kids to Parks Day will broaden children's appreciation for nature and the outdoors; and

WHEREAS, kids need outdoor experiences to promote their physical health, mental well-being, creativity, and connection to the natural world; and

WHEREAS, the City of Kenmore features spectacular local and state parks for families to enjoy, including Rhododendron Park, Log Boom Park, and Łaŕwadis (Tl' awh-ah-dees) Park; and

WHEREAS, Kids to Parks Day will recognize the importance of recreating responsibly while enjoying the benefits of the outdoors.

NOW THEREFORE, I, Nigel Herbig, Mayor of the City of Kenmore, on behalf of the City Council, do hereby proclaim **Saturday, May 18, 2024** to be **Kids to Parks Day** throughout the City of Kenmore. We encourage all Kenmore residents, especially kids, to stay connected with the great outdoors.

IN WITNESS WHEREOF, signed this 20th day of May 2024.

Signed: _____ Attested: _____
Nigel Herbig, Mayor Anastasiya Warhol, City Clerk

City of Kenmore, Washington Proclamation

WHEREAS, the Kenmore City Council acknowledges and celebrates the City's diverse population, understanding that the unique tapestry woven by our varied cultures, traditions, beliefs, and experiences is one of our most significant strengths; and

WHEREAS, we assert and uphold the principle that every individual, regardless of their identity or background, deserves to live in an atmosphere of dignity, respect, and justice. We categorically condemn and will not tolerate any form of discrimination, violence, or hate, holding these acts as affronts to the values we cherish as a community; and

WHEREAS, we acknowledge and appreciate the significant strides made by the LGBTQIA+ community in advocating for their rights and freedoms. The legalization of marriage equality, the affirmation of identity, and the freedom to love without restriction represent landmark victories not just for the LGBTQIA+ community, but for the broader cause of human rights; and

WHEREAS, we recognize with deep concern that the LGBTQIA+ community continues to face challenges such as harassment, intimidation, discrimination, and violence. We stand in solidarity with them and vow to fight these injustices; and

WHEREAS, the City of Kenmore reaffirms its commitment to creating and maintaining an environment that is safe, inclusive, and welcoming for all individuals, regardless of their sexual orientation, gender identity, or any other characteristics. We pledge to continuously strive towards enhancing the inclusivity and acceptance within our City; and

WHEREAS, Pride Month is a celebration of the progress, achievements, and resilience of the LGBTQIA+ community. This is a time to highlight and appreciate the numerous contributions made by this community, and to unequivocally assert that LGBTQIA+ rights are human rights.

NOW THEREFORE, I, Nigel Herbig, Mayor of the City of Kenmore, on behalf of the City Council, do hereby proclaim **June 2024** as **Pride Month** throughout the City of Kenmore. We encourage all members of our community to continue to foster a culture of acceptance, love, and pride throughout Kenmore.

IN WITNESS WHEREOF, signed this 20th day of May 2024.

Signed: _____ Attested: _____
Nigel Herbig, Mayor Anastasiya Warhol, City Clerk

City of Kenmore, Washington Proclamation

WHEREAS, public safety is one of the City's core values and greatest responsibilities to the community; and

WHEREAS, the impact of gun violence is a pervasive issue that affects individuals, families, and communities across our nation, where no one is immune from the tragedy; and

WHEREAS, it is imperative that we work together as a community to promote responsible gun ownership, enact sensible gun laws, and implement comprehensive strategies to prevent gun violence; and

WHEREAS, National Gun Violence Awareness Day is a day to raise awareness about gun violence and honor the lives of gun violence victims; and

WHEREAS, gun violence prevention advocates and organizations nationwide wear the color orange to honor survivors and victims, and to amplify gun violence awareness; and

WHEREAS, the Kenmore City Council are committed to reducing gun violence, fostering a safe community for all.

NOW THEREFORE, I, Nigel Herbig, Mayor of the City of Kenmore, on behalf of the City Council, do hereby proclaim **June 7, 2024** to be **National Gun Violence Awareness Day** throughout the City of Kenmore. We encourage our community to show their commitment to ending gun violence and honoring victims and survivors by wearing orange on that day.

IN WITNESS WHEREOF, signed this 20th day of May 2024.

Signed: _____ Attested: _____
Nigel Herbig, Mayor Anastasiya Warhol, City Clerk

**City of Kenmore
City Council Meeting
Regular Meeting Minutes
Monday, April 15, 2024**

These minutes are created to capture Council action. This is not a verbatim transcript.
Meeting video and audio is available on the City YouTube channel.

PRESENT:

Councilmembers: Mayor Nigel Herbig
Deputy Mayor Melanie O’Cain
Councilmember Joe Marshall
Councilmember Debra Srebnik
Councilmember Valerie Sasson
Councilmember Jon Culver
Councilmember Nathan Loutsis

Staff: City Manager Rob Karlinsey
Deputy City Manager Stephanie Lucash
City Attorney Dawn Reitan
City Clerk Anastasiya Warhol
Deputy City Clerk Michelle Kang
Environmental Services Director Richard Sawyer
Communications Specialist Lauren Chomiak
Community Development Director Debbie Bent

Speaking Guests: Mariana Lassalle, Proclamation Recipient
Paul Westfall, Proclamation Recipient
Ryan Luckin, Ziply Fiber Vice President of Marketing

Public Comments Speaking Guests:
Mariana Lassalle, Kenmore Resident
Elizabeth Mooney, Kenmore Resident
Stacey Valenzuela, Kenmore Resident – virtual
Patrick O’Brien, Kenmore Resident – virtual
Janet Hays, Kenmore Resident – virtual

CALL REGULAR MEETING TO ORDER

Mayor Herbig called the regular meeting to order at 7:00 PM.

LAND ACKNOWLEDGEMENT

Mayor Herbig read the Land Acknowledgement Honoring First Peoples.

FLAG SALUTE

Mayor Herbig led the Council in the flag salute.

AGENDA APPROVAL

The agenda was approved as presented.

PROCLAMATIONS

- A. Mayor Herbig, on behalf of the City Council, proclaimed April 22, 2024, as Earth Day. The proclamation was accepted by Climate Action Plan Advisory Committee Member Mariana Lassalle. Ms. Lassalle noted Kenmore is rich in opportunities to get engaged. She encouraged each person to educate themselves to become good environmental stewards.

[Earth Day \(April 22, 2024\)](#)

- B. Mayor Herbig, on behalf of the City Council, proclaimed April 26, 2024, as Arbor Day. The proclamation was accepted by Sno-King Watershed Volunteer Paul Westfall.

[Arbor Day \(April 26, 2024\)](#)

WHERE'S THE FUN?

Communications Specialist Lauren Chomiak highlighted this past weekend's Kenmore Hydro Cup, presented by Plywood Supply, Inc. and 192 Brewing Company.

PUBLIC COMMENTS

The City Council took comments from the public.

Timestamped link here: https://youtube.com/live/_k9MiEQI3Kw.

CONSENT AGENDA

- A. Approve Total Check #s 54064 through 54130 totaling \$491,762.88 and Total Payroll/Taxes/Flexible Spending/Retirement & Health Savings Account Electronic Deposits Dated 3/22/2024 in the amount totaling \$378,345.60, ACH Payment #s 1565 through 1582 totaling \$59,824.16, and Wire Transfer totaling \$1,495,285.28.

[Voucher Certification and Approval 3/16/2024 through 3/29/2024](#)

MOTION: Deputy Mayor O'Cain moved to approve the consent agenda outlined above. Mayor Herbig seconded the motion.

VOTE: Consent Agenda was approved by **UNANIMOUS CONSENT**.

PRESENTATIONS

Ziply Fiber Vice President of Marketing Ryan Luckin presented the City Council with the Ziply Fiber award: America's Fastest Internet Certification. The Council took a photo with Mr. Luckin.

STAFF REPORTS

- A. Muck Creek Restoration Project, presented by Environmental Services Director Richard Sawyer

[Agenda Bill - Muck Creek Restoration Project](#)

Environmental Services Director Richard Sawyer explained that the City is engaged in a stream restoration project on a 1.34-acre site at 18727 73rd AVE NE to mitigate damage from the 68th AVE NE Pedestrian and Bicycle Improvement Project, which impacted Muck Creek. Instead of the initial plan to replace culverts in Blueberry Creek, the City, after consultations with the Washington State Department of Fish and Wildlife and Tribal biologists, decided to restore Muck Creek directly. This site, purchased for \$680,000—partly funded by a King County grant—previously had a flood-prone home, now demolished. The restoration, planned for 2024 or 2025, will reconfigure the creek to enhance habitat, add large woody material, and plant 290 trees. This project aligns with the City's environmental stewardship objectives under its Climate Action Plan.

- B. Love Where You Live Project Community Engagement Update, presented by Communications Specialist Lauren Chomiak

[Presentation](#)

Communications Specialist Lauren Chomiak outlined the progress of the "Love Where You Live" project in Kenmore, initiated in the summer of 2023 as a year-long community engagement effort to gather feedback on local values and priorities. Utilizing the "Dream, Play, Build" method, the project captured over 1,100 responses and ideas during its first phase through events and surveys, highlighting strong community interest in spaces and economic development, particularly concerning downtown and Lakepointe areas. The second phase included additional community workshops and surveys, totaling 550 new responses. Upcoming discussions at City Council meetings will focus on future steps and funding options for these areas, with final reports and strategic plans to be presented in mid-2024.

- C. Downtown and Lakepointe Update, presented by City Manager Rob Karlinsey and Community Development Director Debbie Bent

[Memo - Downtown and Lakepointe Update](#)

The City of Kenmore is updating its Comprehensive Plan focusing on Downtown and Lakepointe areas, with the Planning Commission expected to make recommendations by

September for City Council adoption by year-end. The Urban Land Institute provided ideas for downtown revitalization, which will be incorporated into the planning process with a final report due in June. Community engagement under the "Love Where You Live" project has been significant, gathering insights for downtown and Lakepointe development through workshops and surveys, the results of which will be discussed in upcoming City Council meetings. For Lakepointe, grant applications have been submitted for shoreline acquisition, and negotiations with the property owner are ongoing for additional land for active recreation. City Manager Karlinsey explained that the City would be conducting environmental due diligence and developing a funding strategy. The strategy may include a ballot measure for voter approval. These discussions will continue at the Council retreat, scheduled for April 26th and 27th.

COUNCILMEMBER REPORTS & COMMENTS

ADJOURNMENT

Mayor Herbig adjourned the meeting at approximately 8:05 p.m.

Nigel Herbig, Mayor

Anastasiya Warhol, City Clerk

**City of Kenmore
City Council Meeting
Regular Meeting Minutes
Monday, April 22, 2024**

These minutes are created to capture Council action. This is not a verbatim transcript.
Meeting video and audio is available on the City YouTube channel.

PRESENT:

Councilmembers: Mayor Nigel Herbig
Deputy Mayor Melanie O’Cain
Councilmember Joe Marshall
Councilmember Debra Srebnik
Councilmember Valerie Sasson
Councilmember Jon Culver
Councilmember Nathan Loutsis

Staff: City Manager Rob Karlinsey
Deputy City Manager Stephanie Lucash
City Attorney Dawn Reitan
City Clerk Anastasiya Warhol
Deputy City Clerk Michelle Kang
Assistant to the City Manager Garrett Oppenheim
Kenmore Police Chief Brandon Moen

Speaking Guests: Christian Kang, Proclamation Recipient
Jennifer Anderson LaRue, Proclamation Recipient
Rebecca Robertson, King County Chief Presiding Judge
Karama H. Hawkins, King County District Judge
Raul Martinez, King County District Judge
Sarah Robertson, Prosecutor
Jeff MacNichols, Public Defender
Brook Buettner, Regional Crisis Response Agency
Sarah Lopez, Crisis Connections

Public Comments Speaking Guests:
Patrick O’Brien, Kenmore Resident
Corina Pfeil, Kenmore Resident
Janet Hays, Kenmore Resident

CALL REGULAR MEETING TO ORDER

Mayor Herbig called the regular meeting to order at 7:00 PM.

LAND ACKNOWLEDGEMENT

Mayor Herbig read the Land Acknowledgement Honoring First Peoples.

FLAG SALUTE

Mayor Herbig led the Council in the flag salute.

AGENDA APPROVAL

The agenda was approved as presented.

PROCLAMATIONS

- A. The Kenmore City Council proclaimed May 2024 as Affordable Housing Month.
[Affordable Housing Month - May 2024](#)
- B. The Kenmore City Council proclaimed May 2024 as Asian American, Native Hawaiian, and Pacific Islander Heritage Month. This proclamation was accepted by Christian Kang from Cultivate, LLC.
[Asian American, Native Hawaiian, and Pacific Islander Heritage Month - May 2024](#)
- C. The Kenmore City Council proclaimed May 2024 as Pedestrian and Bicycle Safety Month. This proclamation was accepted by Kenmore resident Jennifer Anderson LaRue.
[Pedestrian and Bicycle Safety Month - May 2024](#)

WHERE'S THE FUN?

City Manager Rob Karlinsey shared a Kenmore Love Note from this past weekend: Thoughtful Citizens' Earth Day trash clean up.

Deputy City Manager Stephanie Lucash highlighted the new Kenmore business, Seatown Treats, which had its grand opening this past Saturday. Located at 6830 NE Bothell Way Suite A, Seatown Sweets offers cakes, cupcakes, and other desserts.

PUBLIC COMMENTS

The City Council took comments from the public.

Timestamped link here: <https://www.youtube.com/live/YXR6YR-uCQ0?si=NPd3GHJG0YICfUgk&t=933>

CONSENT AGENDA

- A. Cancel the City Council Regular Meeting of Monday, May 27, 2024 (Tuesday, May 28, 2024), in recognition of Memorial Day.

- B. Approve the City Council Special and Regular Meeting Minutes from April 8, 2024.
[City Council Special and Regular Meeting Minutes from April 8, 2024 \(Uploaded 4/18\)](#)
- C. Authorize the City manager to enter into a maintenance agreement with Sound Transit.
[Agenda Bill - Sound Transit Maintenance Agreement](#)
- D. Accept \$1,500,000 of Sound Transit System Access Program funding for the NE 181st Sidewalk Project and authorize the City manager to execute the appropriate agreements with Sound Transit.
[Agenda Bill - Sound Transit System Access Program Funding](#)

MOTION: Councilmember Srebnik moved to approve the consent agenda items A-D outlined above. Councilmember Loutsis seconded the motion.

VOTE: Consent Agenda was approved by UNANIMOUS CONSENT.

STUDY SESSION AGENDA

- A. King County District Court, presented by Chief Presiding Judge Rebecca Robertson, Judge Karama H. Hawkins, and Judge Raul Martinez
[Presentation - King County District Court \(Uploaded 4/16\)](#)
[King County District Court Annual Report 2023 \(Uploaded 4/22\)](#)

Deputy City Manager Stephanie Lucash opened the annual public safety study session and Assistant to the City Manager Garrett Oppenheim introduced all parties present. The presentation from the King County District Court covered how the court is set up, its mission, and how it operates. The judges explained the division of power among the branches of government at the federal, state, and county levels, pointing out the judiciary's independence. The presentation also talked about the court's geographical divisions, specifically focusing on Kenmore and Shoreline. The judges handle a range of cases, from criminal and civil infractions to small claims, protection orders, and name changes. The court's mission is to provide a fair and accessible way to resolve civil and criminal cases.

The presentation also went over how the court uses its time and resources, noting that most of the time was spent on criminal cases, which could take years to resolve. It detailed additional services like judge-supervised probation, interpreter services, and passport applications. The court aimed to stop criminal behavior through punishment and rehabilitation, funded by the King County General Fund, city contracts, and specific levies. The caseload stats showed changes over five years, with COVID-19 having a big impact. The judges mentioned the jump in cases after the City implemented the Kenmore

Automated Photo Enforcement (KAPE) program. The presentation also highlighted the work of the Shoreline-Kenmore Community Court (open in January 2023), focusing on community service and rehab, and mentioned their community engagements. The judges were pleased to announce that Kenmore residents have already graduated from the community court program. The judges also emphasized the engaging, collaborative, and productive relationship they have with the City of Kenmore.

B. Prosecutorial Services Update, presented by Prosecutor Sarah Roberts

[Presentation - Prosecutorial Services Update](#)

Prosecutor Sarah Roberts gave an update on prosecutorial services in Kenmore. She explained that the prosecution team handles all misdemeanor and gross misdemeanor crimes within the City's jurisdiction, advising law enforcement and staying updated on legal changes. The process of prosecuting a crime involves reviewing police reports, gathering evidence, interviewing witnesses, and representing the city in court. The Prosecutor also focuses on restorative justice, addressing underlying issues like mental health and substance abuse. Virtual hearings have improved access to justice, while in-person hearings are still required for certain cases. For domestic violence cases, there are mandatory arrests and no contact orders, with support provided by a Domestic Violence Victim Advocate. The presentation reiterated alternative courts, like Mental Health Court and Veterans Court, and also mentioned the Kenmore Community Court which non-violent offenders with resources for rehabilitation.

C. Public Defender Services Update, presented by Public Defender Jeff MacNichols

[Presentation - Public Defender Services Update](#)

Public Defender Jeff MacNichols gave an update on public defender services in Kenmore. The law firm has been operating since 1992 and serves multiple areas in King County. The team, with significant public defense experience, was crucial in establishing various Community and Wellness Courts. Post-COVID, court operations have returned to normal with some virtual options. Case resolutions include trials, plea bargains, and several diversion programs like Mental Health Court and Veterans Court. They handle various cases, including driving offenses, domestic violence, property crimes, and assaults. Beyond legal representation, they connect clients to essential services like mental health treatment, housing, and medical care. Like the previous two presentations, Mr. MacNichols's presentation emphasized the positive impact of Community Court and thanked the Council for supporting forward-thinking initiatives and support for programs such as the electronic home monitoring program.

D. Regional Crisis Response (RCR) Agency, presented by RCR Executive Director Brooke Buettner

[Presentation - Regional Crisis Response Agency \(Uploaded 4/16\)](#)

The presentation by the Regional Crisis Response Agency, led by Executive Director Brook Buettner, focused on their work with mental health professional crisis responders. RCR is funded by five cities (Bothell, Kirkland, Shoreline, Lake Forest Park, and Kenmore) and currently employs 10 full-time crisis responders. They provide behavioral health first response services to address mental health crises in the community. Early program outcomes show significant positive impacts, including a 67% reduction in adult jail bookings, a 60% decrease in crisis service events, a 4% reduction in emergency department admissions, and a 14% increase in behavioral health enrollment. The agency's efforts aim to improve mental health support and reduce the burden on other emergency services. For the future, Brook mentioned that the agency is working with NORCOM to use the dispatching process to route people to RCR services as needed.

- E. Connections Health Solutions, presented by Connections Health Solutions Vice President of Implementation Sarah Lopez
[Presentation - Connections Health Solutions](#)

Sarah Lopez from Connections Health Solutions discussed the plan to open the crisis care facility located at 11419 NE 122nd Way in Kirkland in July 2024. The plan is to open the 24/7 center and focus on serving adults. The facility has two entrances: a front door for walk-ins and a back door for law enforcement, first responders, and co-responders. Their clinical programs focus on providing immediate and accessible mental health care. Key priorities include ensuring timely and effective treatment for those in crisis, supporting law enforcement, and integrating services with other first responders to improve community health outcomes.

- F. 2023 Kenmore Police Services Report, presented by Kenmore Police Chief Brandon Moen
[2023 Kenmore Police Services Report \(Uploaded 4/15\)](#)
[Presentation \(Uploaded 4/15\)](#)

The Kenmore Police Chief Brandon Moen presented the 2023 Police Services Report. The department consists of 1 police chief, 12 patrol officers (with 2 current vacancies), and 1 detective, providing 24/7 coverage. Kenmore has one of the lowest numbers of officers per 1,000 residents in King County and the state. In 2023, Kenmore was ranked the 7th safest city in Washington. The police handled 3,394 calls for service, 156 online reports, 6,618 on-views, and investigated various incidents including 39 death investigations, 117 trespass complaints, and 53 burglaries. They also engaged in many community projects and launched a body-worn camera program. Additionally, there was a significant increase in motor vehicle thefts and a decrease in crimes against persons and property. The department's efforts included a successful gun buyback program and a focus on community engagement and safety initiatives.

The Council thanked the public safety panelists for their exceptional service to our community and for supporting the safety, justice, and health of our residents.

STAFF REPORTS

City Manager Karlinsey reminded the Council of the upcoming retreat scheduled for April 26 and 27.

COUNCILMEMBER REPORTS & COMMENTS

ADJOURNMENT

Mayor Herbig adjourned the meeting at approximately 10:34 PM.

Nigel Herbig, Mayor

Anastasiya Warhol, City Clerk

**City of Kenmore
City Council Meeting
Special Meeting Minutes
Monday, May 6, 2024**

These minutes are created to capture Council action. This is not a verbatim transcript.
Meeting video and audio is available on the City YouTube channel.

PRESENT:

Councilmembers: Mayor Nigel Herbig
Deputy Mayor Melanie O’Cain
Councilmember Joe Marshall
Councilmember Debra Srebnik
Councilmember Valerie Sasson
Councilmember Jon Culver
Councilmember Nathan Loutsis

Staff: City Manager Rob Karlinsey
Deputy City Manager Stephanie Lucash
City Attorney Dawn Reitan
City Clerk Anastasiya Warhol
Deputy City Clerk Michelle Kang
Community Development Director Debbie Bent
Finance and Administration Director Melinda Merrell
Communications and Tourism Manager Lauren Chomiak
Events Specialist Nicole Suarez

Speaking Guests: Ian Stewart, EMC Research

Public Comments Speaking Guests:
Nathan MacDonald, Kenmore Resident
Stacey Valenzuela, Kenmore Resident
Patrick O’Brien, Kenmore Resident
Trish Lundeen, Kenmore Resident
Carl Michelman, Kenmore Resident
Nich VanBrecken, Kenmore Resident
Zach Koopmans, Kenmore Resident
Laura Hodge, Kenmore Resident
Jim Myers, Kenmore Resident
Justin Woods, Kenmore Resident

Lynda O'Brien, Kenmore Resident
Julianna Pooley, Kenmore Resident
John Hendrickson, Kenmore Resident
David Dorrian, Kenmore Resident
Kara Macias, Kenmore Resident
Brent Smith, Kenmore Resident
Theresa Dunning, Kenmore Resident
Laura Nordyke, Kenmore Resident
Elizabeth Mooney, Kenmore Resident
Geoff Chism, Kenmore Resident
Billie Brandon, Kenmore Resident (virtual)

CALL SPECIAL MEETING TO ORDER

Mayor Herbig called the special meeting to order at 7:15 PM

LAND ACKNOWLEDGEMENT

Mayor Herbig read the Land Acknowledgement Honoring First Peoples.

FLAG SALUTE

Mayor Herbig led the Council in the flag salute.

AGENDA APPROVAL

The agenda was approved as presented.

PROCLAMATION

Mayor Herbig, on behalf of the Kenmore City Council proclaimed the week of May 18-24, 2024, as Safe Paddling and Boating Week, throughout the City of Kenmore. Members of the United States Coast Guard Auxiliary accepted the proclamation.

[Safe Paddling and Boating Week - May 18-24, 2024](#)

WHERE'S THE FUN?

Events Specialist Nicole Suarez highlighted various events from Earth Day. Deputy City Manager Stephanie Lucash highlighted the 23rd annual McMaster's Heritage Awards Ceremony hosted by the Kenmore Heritage Society.

PUBLIC COMMENTS

The City Council took comments from the public.

Timestamped link here:

<https://www.youtube.com/live/MuhkrKcZpCQ?si=W0gl4DwssckK750a-&t=683>

CONSENT AGENDA

- A. Cancel the City Council Regular Meeting of Monday, May 13, 2024.
- B. Authorize the City Manager to execute Agreement No. 24-C3041 with the Washington State Department of Ecology to accept a grant in an amount of \$130,000 for implementing NPDES permit requirements.
[Agenda Bill - Agreement No. 24-C3041 with Department of Ecology](#)
- C. Authorize the City Manager to execute Contract No. 21-C2667 Amendment No. 4 with PACE Engineers to increase the yearly contract amount from \$100,000 to \$200,000.
[Agenda Bill - Amendment No. 4 to Contract No. 21-C2667](#)
[Attachment 1 - Amendment No. 4 to Contract No. 21-C2667](#)
- D. Authorize the City Manager to purchase two fleet trucks in an amount not to exceed \$125,000.
[Agenda Bill - Fleet Trucks](#)
- E. Approve Total Check #s 54228 through 54294 totaling \$303,171.46, Total Payroll/Taxes/Flexible Spending/Retirement & Health Savings Account Electronic Deposits Dated 4/19/2024 in the amount totaling \$374,356.21, and ACH Payment #s 1585 through 1605 totaling \$32,208.36.
[Voucher Certification and Approval 4/13/2024 - 4/26/2024](#)

MOTION: Councilmember Culver moved to approve the consent agenda outlined above. Councilmember Srebnik seconded the motion.

VOTE: Consent Agenda was approved by UNANIMOUS CONSENT.

PRESENTATIONS

- A. Recognize Sara Solum Hayashi, outgoing Arts of Kenmore President and Proclaim May 7, 2024 to be Sara Solum Hayashi Day in the City of Kenmore
[Sara Solum Hayashi Day - May 7, 2024](#)

Mayor Herbig, on behalf of the Kenmore City Council, proclaimed May 7, 2024, as Sara Solum Hayashi Day throughout the City of Kenmore for her dedication to the City through the Arts of Kenmore for many years. Sara Solum Hayashi was honored with a plaque. City Manager Rob Karlinsey also awarded Ms. Solum Hayashi with a Super Co-Creator medal for her many hours dedicated to beautifying the City through her work at the Arts of Kenmore.

- B. Introduce Judy Elbert, incoming Arts of Kenmore President

Incoming Arts of Kenmore President Judy Elbert introduced herself and the Board to the Kenmore City Council.

- C. Recognize City Clerk Anastasiya Warhol's Master Municipal Clerk Certification and Issue Professional Municipal Clerks Week Proclamation

[Professional Municipal Clerks Week - May 6-11, 2024](#)

Mayor Herbig, on behalf of the Kenmore City Council, proclaimed the week of May 5-11, 2024, as Professional Municipal Clerks Week. Mayor Herbig also recognized City Clerk Anastasiya Warhol for her recent Master Municipal Clerk Certification.

STUDY SESSION AGENDA

- A. Financial Sustainability Plan (FSP) Task Force Recommendations, presented by Finance and Administration Director Melinda Merrell and FSP Task Force Members, *for discussion and possible direction*

[Agenda Bill - FSP Recommendations 2024 \(uploaded 5/1\)](#)

[Attachment 1 - FSP Final Report 2024 \(updated 5/2\)](#)

[Attachment 2 - FSP Council Presentation May 6, 2024 \(updated 5/2\)](#)

[Attachment 3 - FSP Town Hall Feedback \(uploaded 5/1\)](#)

[Attachment 4 - Balancing Act Engagement Presentation May 6, 2024 \(uploaded 5/1\)](#)

[Attachment 5 - Balancing Act Comments 2024 \(uploaded 5/1\)](#)

The Financial Sustainability Plan (FSP) task force presentation for the City of Kenmore outlines key elements of the city's financial situation and provides recommendations to address a projected \$2.6 million annual deficit. The task force, composed of nine residents, synthesized input from multiple meetings with city staff, a town hall, and the Balancing Act tool.

Key findings highlight that expenses are growing faster than revenues due to capped property tax growth, high inflation, and unfunded mandates. The focus is on the general and street funds, with major expenditures on public safety and public works.

Recommendations include:

- Addressing Public Safety Costs: Proposals include a targeted levy lid lift, expanding the traffic camera program, and securing public safety sales tax.
- Ensuring Park Sustainability: Establishing a Metropolitan Park District and implementing picnic shelter rental fees.
- Improving City Efficiency and Cost Reductions: Strategic reallocation of staff, improving operational efficiency, and converting streetlights to LED.
- Strategically Expanding City Capabilities: Hiring a strategic and economic development manager and a human services case worker.

- Ensuring Fairness of Tax Burden: Setting up a utility tax rebate program and eliminating the admissions tax.

Councilmembers raised the following questions:

Are the Economic Development Director and the Navigator positions projected to be part-time or full-time? Mr. Pooley explained that he's not certain about that but noted that the navigator position would best be set up to utilize current partnerships.

What about the about the staff reduction? The FSP explained The City has a few employees using ARPA funds and they have temporary contracts due to expire. The recommendation is that the City would allow those positions to expire.

Was the Business and Occupation Tax impact per business looked at? The FSP explained that it did not have an appetite for the B&O Tax. City Manager Karlinsey noted that administrative costs to implement the tax should be explored as well. The Council also noted options such as a gambling tax, offering new municipal services as revenue options.

Some Councilmembers expressed support for the expansion of the KAPE program. They discussed the substantive structural budget issues created at the state level, which set the City on a trajectory of increasing deficits. Councilmembers look forward to evaluating the FSP recommendations as part of the budget process and commended the FSP for a thorough and professional job.

- B. Love Where You Live Phase II Feedback, presented by Communications and Tourism Manager Lauren Chomiak and EMC Consultant Ian Stewart, *for discussion*
- [Agenda Bill - The Love Where You Live Project Phase II Summary \(uploaded 5/2\)](#)
 - [Attachment 1 - Love Where You Live Phase II Summary Presentation \(uploaded 5/2\)](#)
 - [Attachment 2 - LWYL Phase II - Downtown Feedback Data \(uploaded 5/2\)](#)
 - [Attachment 3 - LWYL Phase II - Lakepointe Feedback Data \(uploaded 5/2\)](#)
 - [Attachment 4 - Love Where You Live Phase I Recap and Phase II Presentation - January 9, 2024 \(uploaded 5/2\)](#)
 - [Attachment 5 - EMC Survey #1 - Presentation for City Council 2.12.24 \(uploaded 5/2\)](#)
 - [Attachment 6 - EMC Survey #1 - Topline Results \(uploaded 5/2\)](#)
 - [Attachment 7 - EMC Survey #1 - Open Ended Verbatims \(uploaded 5/2\)](#)
 - [Attachment 8 - EMC Survey #2 - Presentation \(uploaded 5/2\)](#)
 - [Attachment 9 - EMC Survey #2 - Topline Results \(uploaded 5/2\)](#)
 - [Attachment 10 - EMC Survey #2 - Affordable Housing Verbatims \(uploaded 5/2\)](#)
 - [Attachment 11 - EMC Survey #2 - Lakepointe Amenity Verbatims \(uploaded 5/2\)](#)

Communications and Tourism Manager Lauren Chomiak presented on phase II of the LWYL community engagement project.

The second phase of The Love Where You Live Project in Kenmore took place in February and March 2024, focusing on economic development and community spaces, which were identified as top themes in the initial phase. This phase included four community workshops with about 200 attendees, an online survey with 130 responses, and a statistically valid survey by EMC Research with 303 responses. The community provided 850 new ideas and responses, emphasizing the desire for economic development, more restaurants and shops, outdoor recreation, open spaces, and improved connectivity for pedestrians, cyclists, and drivers. The community expressed excitement about future opportunities for Kenmore's downtown and the Lakepointe property and showed a strong interest in participating in ongoing discussions.

Ian Stewart of EMC Research talked through the second statistically valid survey results. The survey revealed enthusiasm for public parks and mixed-use urban development at Lakepointe, with a significant interest in nature paths, trails, and shoreline habitat restoration. Over half of the respondents supported forming a Metropolitan Parks District to fund recreation and park maintenance. The survey also highlighted concerns about housing affordability, particularly for middle- and working-class residents, with mixed opinions on affordable housing for lower-income residents and those experiencing homelessness. Comparisons between workshop feedback and the statistically valid survey showed alignment in the community's priorities, such as the preference for more dining and shopping options downtown and a focus on outdoor recreation and habitat restoration at Lakepointe.

- C. Ballot Measure Options, presented by City Manager Rob Karlinsey and Community Development Director Debbie Bent, *for discussion and possible direction*
[Agenda Bill - FSP Ballot Measures May 6, 2024](#)
[Presentation - Funding Strategies May 6, 2024](#)

Community Development Director Debbie Bent presented FSP Ballot measure recommendations. Councilmembers had varied opinions related to the recommended options. Some Councilmembers were leery of moving forward with any ballot in 2024. Some Councilmembers expressed an interest in pursuing a ballot in 2024, or at least continuing the discussion.

At 11:03 PM, the Council waived Council Rule 2.9 to extend the meeting by UNANIMOUS CONSENT.

Councilmembers expressed a need to have a compelling story or project to present to the community before pursuing a ballot measure. The Council agreed to revisit the subject during the May 20, 2024, Council meeting. Related to the general FSP

recommendations, City Manager Karlinsey explained that FSP recommendations can be approved in tandem with the budget.

STAFF REPORTS

COUNCILMEMBER REPORTS & COMMENTS

ADJOURN SPECIAL MEETING

Mayor Herbig adjourned the special meeting at approximately 11:13 PM.

Nigel Herbig, Mayor

Anastasiya Warhol, City Clerk



City Council Agenda Bill City of Kenmore, WA

Subject/Topic:

Ordinance No. 24-0610, repealing the 2021 International Wildland-Urban Interface Code.

Proposed Council Action/Motion:

Motion to adopt Ordinance No. 24-0610, repealing the 2021 International Wildland-Urban Interface Code.

For Council Meeting Agenda of: 05/20/2024

Department: Development Services

Prepared by: Bryan Hampson, Building Official

Initial & Date

Approved by Department Head:

SL 4/22/24

Approved by City Attorney:

DR 5/10/24

Approved by Finance Director:

N/A

Approved by City Manager:

SLL 5/10/24

Attachments/Exhibits:

1. Exhibit A, Ordinance No. 24-0610
2. Exhibit B, Amendments to KMC
3. Exhibit C, Ordinance No. 24-0602

Summary:

The proposed Ordinance No. 24-0610 will repeal the 2021 International Wildland-Urban Interface (WUI) Code, which was recently adopted as an element of the 2021 Washington State Building Codes. Engrossed Senate Bill (ESB) 6120 was recently signed by the governor, which prevents the Washington State Building Code Council from adopting the 2021 WUI Code until new mapping is completed by the Washington State Department of Natural Resources. The proposed ordinance repeals the 2021 WUI Code for consistency with ESB 6120.

Information/Background:

On February 26, 2024, Development Services staff presented Ordinance No. 24-0602 (Exhibit C) to the City Council for the adoption of the 2021 Washington State Building Codes with local amendments.

The 2021 Washington State Building Codes and State-wide amendments were scheduled to, and did, go into effect on March 15, 2024.

As of February 26, 2024, the 2021 Washington State Building Codes included the 2021 International Wildland-Urban Interface Code.

During the 2024 Legislative Session ESB 6120 was passed and signed by the governor. The effect of ESB 6120 prevented the Washington State Building Code Council from adopting the 2021 Wild-land

Urban Interface (WUI) Code until new mapping is completed by the Washington State Department of Natural Resources. Local jurisdictions could still adopt the model WUI Code, provided jurisdictions complete their own wildfire hazard and base-level wildfire risk map.

On March 15, 2024, the Washington State Building Code Council filed an emergency rule for the 2021 International WUI Code, removing all the language from WAC 51-55 until new mapping is developed.

Fiscal Consideration:

The City's 2023-2024 biennial budget does not include funding to create a hazard and base-level wildfire risk map in the City of Kenmore based on the State's criteria. The cost to research the State requirements and to create a hazard and base-level wildfire risk map in the City of Kenmore based on the State's criteria could be substantial.

City Council Priority or Budget Objective Being Addressed:

City Council Priority #2: Implement the adopted Climate Action Plan and promote environmental stewardship, including water, air, forest, and habitat restoration and preservation.

City Council Priority #7: Support public safety and social justice reform.

City Council Priority #9: Foster community engagement, participation, and fun.

**CITY OF KENMORE
WASHINGTON
ORDINANCE NO. 24-0610**

**AN ORDINANCE OF THE CITY OF KENMORE,
WASHINGTON, REPEALING THE 2021 INTERNATIONAL
WILDLAND-URBAN INTERFACE CODE; AMENDING
SECTIONS 15.05.015, 15.20.180, 15.30.020, 15.30.078,
AND 15.30.180 OF THE KENMORE MUNICIPAL CODE OF
THE KENMORE MUNICIPAL CODE AND ESTABLISHING
AN EFFECTIVE DATE.**

WHEREAS, the Washington State Legislature enacted the State Building Code Act (Chapter 19.27 RCW) adopting the International Building Code, International Fire Code, International Residential Code, International Mechanical Code, Uniform Plumbing Code, and directed the State Building Code Council to adopt a process for the review of proposed statewide amendments and proposed or enacted local amendments as amended and adopted by the State Building Code Council; and

WHEREAS, the State Building Code Council amended and adopted the 2021 editions of such codes, and all jurisdictions in the state are required to enforce the 2021 editions of such codes effective as of March 15, 2024; and

WHEREAS, during the 2024 Legislative Session ESB 6120 was passed and signed by the Governor. The effect of ESB 6120 prevented the Washington State Building Code Council from adopting the 2021 Wild-land Urban Interface Code until new mapping is completed by the Washington State Department of Natural Resources;

WHEREAS, On March 15, 2024, the Washington State Building Code Council filed an emergency rule for the 2021 International Wild-land Urban Interface Code, removing all the language from WAC 51-55 until new mapping can be developed;

WHEREAS, the City Council has determined that adoption of the 2021 codes with certain local amendments is in the public interest; therefore

THE CITY COUNCIL OF THE CITY OF KENMORE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Amendment. Sections 15.05.015, 15.20.180, 15.30.020, 15.30.078, and 15.30.180 of the Kenmore Municipal Code are hereby amended and replaced to read as set forth on **Exhibit A** to this Ordinance, attached hereto and incorporated herein by this reference.

Section 2. Severability. If any section, subsection, sentence, clause, phrase or

word of this Ordinance is for any reason held to be unconstitutional or invalid for any reason, such decision shall not affect the constitutionality or validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause, phrase or word thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or words be declared unconstitutional.

Section 3. Effective Date. This Ordinance shall take effect and be in force on May 27, 2024, which is more than five (5) days after the date of publication of this Ordinance.

PASSED by the City Council this 20th day of May 2024.

CITY OF KENMORE

Nigel Herbig, Mayor

ATTEST/AUTHENTICATED:

Anastasiya Warhol, City Clerk

Approved as to form:

Dawn Reitan, City Attorney

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL:
PUBLISHED:
EFFECTIVE DATE: May 27, 2024
ORDINANCE NO. 24-0610

15.05.015 Copies of codes on file.

A. Pursuant to State law (Chapters [19.27](#) and [19.27A](#) RCW), the Kenmore Building Code includes the Washington State Building Code, composed of the codes in subsections (A)(1) through (12) of this section, and the additional code in subsection (A)(13) of this section, all as modified in this title. The City shall at all times keep on file with the city clerk, for reference by the general public, a copy of the codes and resolutions, or parts thereof, as herein adopted by reference, together with the amendments and supplements thereto herein made a part of this title:

1. 2021 International Building Code, published by the International Code Council, Inc.;
2. 2021 International Residential Code, published by the International Code Council, Inc.;
3. 2021 International Existing Building Code, published by the International Code Council, Inc.;
4. 2021 International Mechanical Code, published by the International Code Council, Inc.;
5. 2021 International Fire Code, published by the International Code Council, Inc.;
6. 2021 Uniform Plumbing Code, published by the International Association of Plumbing and Mechanical Officials;
7. 2021 National Fuel Gas Code (NFPA 54), published by the National Fire Protection Association;
8. 2020 Liquefied Petroleum Gas Code (NFPA 58), published by the National Fire Protection Association;
9. 2021 International Fuel Gas Code, published by the International Code Council, Inc.;
10. 2021 Washington State Energy Code;
11. 2021 International Swimming Pool and Spa Code, published by the International Code Council, Inc.;
12. ~~2021 International Wildland-Urban Interface Code, published by the International Code Council, Inc.; Repealed.~~
13. 2020 National Electrical Code (NFPA 70-2020), published by the National Fire Protection Association or currently adopted NEC by Washington State Labor and Industries.
14. All amendments, supplements, modifications, exclusions, exemptions and additions to the codes identified in subsections (A)(1) through (12) of this section adopted by the Washington State Building Code Council and published in WAC Title 51, including, but not by way of limitation, Chapters 51-11C, 51-11R, 51-50, 51-51, 51-52, 51-54A, 51-55 and 51-56 WAC;

15. All amendments, supplements, modifications, exclusions, exemptions and additions to the code identified in subsection (A)(13) of this section adopted by the Washington State Department of Labor and Industries and published in Chapter 296-46B WAC.

B. The copies of codes on file may be placed by the city clerk in the custody of the office of the building official in order to make them more readily available to inspection and use by the general public.

Chapter 15.20 BUILDING CODES

Sections:

- 15.20.010 International Building Code adopted.**
- 15.20.015 IBC Section 312.1, U-Occupancy Use – General, amended.**
- 15.20.020 IBC Section 403.4.8, Standby Power, amended.**
- 15.20.025 IBC Section 403.4.8.1, Equipment Room, amended.**
- 15.20.030 IBC Section 403.4.8.1.1, Standby Power Room Penetrations, added.**
- 15.20.035 IBC Section 403.4.8.3, Standby Power Loads, amended.**
- 15.20.040 IBC Section 403.7, Smoke Control, added.**
- 15.20.045 IBC Section 405.8, Standby Power, and Emergency amended.**
- 15.20.050 IBC Section 712.1.3.1, Opening Size, amended.**
- 15.20.055 IBC Section 903.2, Sprinklers Where Required, amended.**
- 15.20.060 IBC Section 903.2.13, Additional Fire Sprinkler Requirements for New and Existing Buildings, added.**
- 15.20.065 IBC Section 903.3.1.1.1, Exempt locations, amended.**
- 15.20.070 Repealed.**
- 15.20.075 IBC Section 903.4.3, Floor Control Valves, amended.**
- 15.20.080 IBC Section 903.5.1, Fire Sprinkler and Standpipe Drains, added.**
- 15.20.085 IBC Section 907.2, Alarms Where Required – New Buildings and Structures, amended.**
- 15.20.090 IBC Section 911.1.2.1, Fire Command Center Penetrations, added.**
- 15.20.095 IBC Section 1608.1, Snow Load – General, amended.**
- 15.20.100 IBC Section 1612.3, Establishment of Flood Hazard Areas, amended.**
- 15.20.105 Repealed.**
- 15.20.110 IBC Section 3117, Waterfront Structures, added.**
- 15.20.115 IBC Appendix adoption.**
- 15.20.120 International Residential Code adopted.**
- 15.20.125 IRC Table R301.2, Climate and Geographic Design Criteria, amended.**
- 15.20.130 IRC Appendix AWV, Fire Sprinklers, amended.**
- 15.20.135 IRC Appendix AWZ, Building Deconstruction, amended.**
- 15.20.140 International Mechanical Code adopted.**
- 15.20.145 Uniform Plumbing Code adopted.**
- 15.20.150 National Fuel Gas Code (NFPA 54) adopted.**
- 15.20.155 Liquefied Petroleum Gas Code (NFPA 58) adopted.**
- 15.20.160 International Fuel Gas Code adopted.**
- 15.20.165 Washington State Energy Code adopted.**
- 15.20.170 International Existing Building Code adopted.**

15.20.175 International Existing Building Code adopted.

15.20.180 ~~International Wildland-Urban Interface Code adopted.~~ Repealed.

*** * ***

15.20.180 ~~International Wildland-Urban Interface Code adopted.~~

The 2021 edition of the International Wildland-Urban Interface Code (IWUIC), as adopted and amended by the State Building Code Council in WAC Chapter 51-55, as published by the International Code Council, excluding Chapter 1, Scope and Administration, is adopted by reference. The Construction Administrative Code, as set forth in Chapter 15.30 KMC, shall be used in place of IWUIC Chapter 1, Administration. Repealed.

Chapter 15.30 CONSTRUCTION ADMINISTRATIVE CODE

Sections:

Article I. General

- 15.30.010 Title.**
- 15.30.015 Purpose.**
- 15.30.020 Scope.**
- 15.30.025 Definitions.**
- 15.30.030 Appendices.**
- 15.30.035 Purpose.**
- 15.30.040 Referenced codes.**
- 15.30.045 International Building Code – Scope.**
- 15.30.050 International Residential Code – Scope.**
- 15.30.055 Mechanical code – Scope.**
- 15.30.060 Liquid propane gas.**
- 15.30.065 Natural gas code – Scope.**
- 15.30.070 Plumbing code – Scope.**
- 15.30.075 Energy code.**
- 15.30.077 Swimming pool and spa code – Scope.**
- 15.30.078 ~~International Wildland-Urban Interface Code – Scope.~~ Repealed.**

Article II. Applicability

- 15.30.080 General.**
- 15.30.085 Other laws.**
- 15.30.090 Application of references.**
- 15.30.095 Referenced codes and standards.**
- 15.30.100 Partial invalidity.**
- 15.30.105 Existing structures.**

15.30.110 Structures in areas of special flood hazard.

Article III. Department of Building Safety

15.30.115 Creation of enforcement agency.

15.30.120 Appointment.

15.30.125 Deputies.

Article IV. Duties and Powers of Building Official

15.30.130 General.

15.30.135 Applications and permits.

15.30.140 Notices and orders.

15.30.145 Inspections.

15.30.150 Identification.

15.30.155 Right of entry.

15.30.160 Department records.

15.30.165 Liability.

15.30.170 Approved materials and equipment.

15.30.175 Used materials and equipment.

15.30.180 Modifications.

15.30.185 Alternative materials, design and methods of construction and equipment.

15.30.190 Research reports.

15.30.195 Tests.

Article V. Permits

15.30.200 Permit required.

15.30.205 Work exempt from permit.

15.30.210 Emergency repairs.

15.30.215 Repairs.

15.30.220 Application for permit.

15.30.225 Complete application.

15.30.230 Action on application.

15.30.235 Time limitation of application.

15.30.237 Vesting of construction codes.

15.30.240 Validity of permit.

15.30.245 Permit expiration.

15.30.250 Suspension or revocation.

15.30.255 Placement of permit.

Article VI. Floor and Roof Design Loads

15.30.260 Live loads posted.

15.30.265 Issuance of certificate of occupancy.

15.30.270 Restrictions on loading.

Article VII. Construction Documents

- 15.30.275 General.
- 15.30.280 Construction documents.
- 15.30.290 Examination of documents.
- 15.30.295 Use of consultants.
- 15.30.300 Approval of construction documents.
- 15.30.305 Phased approval.
- 15.30.310 Design professional in responsible charge – General.
- 15.30.315 Deferred submittals.
- 15.30.320 Amended construction documents.
- 15.30.325 Retention of construction documents.

Article VIII. Temporary Structures and Uses

- 15.30.330 General.
- 15.30.335 Conformance.
- 15.30.340 Termination of approval.

Article IX. Fees

- 15.30.345 Payment of fees.
- 15.30.350 Schedule of permit fees.
- 15.30.355 Plan review fees.
- 15.30.360 Master and basic plan program.
- 15.30.365 Building permit valuations.
- 15.30.370 Work commencing before permit issuance.
- 15.30.375 Related fees.
- 15.30.380 Refunds.

Article X. Inspections

- 15.30.390 General.
- 15.30.395 Preliminary inspections.
- 15.30.400 Manufacturer's installation instructions.
- 15.30.405 Required inspections.
- 15.30.410 Footing and foundation inspection.
- 15.30.415 Concrete slab and under-floor inspection.
- 15.30.420 Lowest floor elevation.
- 15.30.425 Exterior wall sheathing inspection.
- 15.30.430 Roof sheathing inspection.
- 15.30.435 IMC/UPC/GAS/NEC rough in inspection.
- 15.30.440 Frame inspection.
- 15.30.445 Multi-unit residential building enclosure inspection.
- 15.30.450 Lath, gypsum board and gypsum panel product inspection.
- 15.30.455 Fire- and smoke-resistant penetrations.
- 15.30.460 Energy efficiency inspection.
- 15.30.465 Reinspection.
- 15.30.470 Other inspections.
- 15.30.475 Special inspections.

- 15.30.480 Final inspection.**
- 15.30.485 Inspection agencies.**
- 15.30.490 Inspection requests.**
- 15.30.495 Approval required.**

Article XI. Certificate of Occupancy

- 15.30.500 Use and occupancy.**
- 15.30.505 Certificate issued.**
- 15.30.510 Temporary or phased occupancy.**
- 15.30.515 Revocation.**

Article XII. Service Utilities

- 15.30.520 Connection of service utilities.**
- 15.30.525 Temporary connection.**
- 15.30.530 Authority to disconnect service utilities.**

Article XIII. Appeals

- 15.30.535 General.**
- 15.30.540 Limitations on authority.**
- 15.30.545 Repealed.**
- 15.30.550 Repealed.**
- 15.30.555 Repealed.**
- 15.30.560 Repealed.**

Article XIV. Violations

- 15.30.565 Unlawful acts.**
- 15.30.570 Notice of violation.**
- 15.30.575 Prosecution of violation.**
- 15.30.580 Violation – Penalties.**

Article XV. Stop Work Order

- 15.30.585 Authority.**
- 15.30.590 Issuance.**
- 15.30.595 Investigation fee.**
- 15.30.600 Unlawful continuance.**

Article XVI. Unsafe Structures and Equipment

- 15.30.605 General.**

*** * ***

- 15.30.020 Scope.**

The provisions of this code shall apply to the administration of the technical codes as adopted by the State of Washington and listed:

- A. 2021 International Building Code – Chapter 51-50 WAC;
- B. 2021 International Residential Code – Chapter 51-51 WAC;
- C. 2021 International Mechanical Code – Chapter 51-52 WAC;
- D. 2021 National Fuel Gas Code (NFPA 54) – Chapter 51-52 WAC;
- E. 2020 Liquefied Petroleum Gas Code (NFPA 58) – Chapter 51-52 WAC;
- F. 2021 International Fuel Gas Code – Chapter 51-52 WAC;
- G. 2021 Uniform Plumbing Code – Chapters 51-56 and 51-57 WAC;
- H. 2021 International Existing Building Code –WAC 51-50-480000;
- I. 2021 Washington State Energy Code, Chapters 51-11C and 51-11R WAC;
- J. 2021 International Swimming Pool and Spa Code, WAC 51-50-3109 and WAC 51-51-0329;
- K. ~~2021 International Wildland-Urban Interface Code – Chapter 51-51 WAC.~~Repealed.

15.30.078 International Wildland-Urban Interface Code – Scope. ~~The provisions of the International Wildland-Urban Interface Code shall apply to the construction, alteration, movement, repair, maintenance and use of any building, structure, or premises within the wildland-urban interface area in this jurisdiction. Buildings or conditions in existence at the time of the adoption of this code are allowed to have their use or occupancy continued, if such condition, use or occupancy was legal at the time of the adoption of this code, provided that such continued use does not constitute an egregious danger to life or property. Buildings or structures moved into or within the jurisdiction shall comply with the provisions of this code for new buildings or structures.~~ Repealed.

15.30.280 Construction documents.

Construction documents shall be in accordance with this section.

A. Information on Construction Documents. Construction documents shall be dimensioned and drawn upon suitable material. Electronic media documents are permitted when submitted through the City's permitting portal. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed in the proper orientation and layout as it is to be constructed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations, as determined by the building official. The plans must include the relevant items listed in this section and any other information or documents as deemed necessary by the building official.

B. Fire Protection System Shop Drawings. Shop drawings for the fire protection system(s) shall be submitted to indicate conformance with this code and the construction documents and shall be approved prior to the start of system installation. Shop drawings shall contain all information as required by the referenced installation standards in Chapter 9 of the IBC. Shop drawings shall be prepared by a certified individual as required by the state of Washington.

C. Means of Egress. The construction documents shall show in sufficient detail the location, construction, size and character of all portions of the means of egress in compliance with the provisions of this code. In other than occupancies in Groups R-2, R-3, one- and two-family dwellings as applicable in Section 101.2, and I-1, the construction documents shall designate the number of occupants to be accommodated on every floor, and in all rooms and spaces.

D. Exterior Wall Envelope. Construction documents for all buildings shall describe the exterior wall envelope in sufficient detail to determine compliance with this code. The construction documents shall provide details of the exterior wall envelope as required, including flashing, intersections with dissimilar materials, corners, end details, control joints, intersections at roof, eaves or parapets, means of drainage, water-resistive barrier and details around openings. The construction documents shall include manufacturer's installation instructions that provide supporting documentation that the proposed penetration and opening details described in the construction documents maintain the weather resistance of the exterior wall envelope. The supporting documentation shall fully describe the exterior wall system which was tested, where applicable, as well as the test procedure used.

Exception: Subject to the approval of the building official, R-3, one- and two-family dwellings, and U occupancies may be exempt from the detailing requirements of this section.

E. Site Plan. The construction documents submitted with the application for permit shall be accompanied by a site plan showing to scale the size and location of new construction and existing structures on the site, distances from lot lines, the established street grades and the proposed finished grades and, as applicable, flood hazard areas, floodways, and design flood elevations; where design flood elevations are not specified, they shall be established in accordance with Section 1612.3.1 of the IBC; and it shall be drawn in accordance with an accurate boundary line survey. In the case of demolition, the site plan shall show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot. The building official is authorized to waive or modify the requirement for a site plan when the application for permit is for alteration or repair or when otherwise warranted.

F. Plumbing. Plans must be submitted for review and approval whenever the scope of the work is too complex for inspection alone as determined by the building official.

G. Mechanical. Plans must be submitted for review and approval whenever the scope of work is too complex for inspection alone as determined by the building official.

H. Structural Information. The construction documents shall provide the information specified in Section 1612.3.1 IBC.

I. Energy Information. The construction documents shall provide the information specified in the *energy code*.

J. ~~Information for structures located in wildland-urban interface areas. In addition to the above requirements, site plans shall include topography, width and percent of grade of access roads, landscape and vegetation details, locations of structures or building envelopes, existing or proposed overhead utilities, occupancy classification of buildings, types of ignition-resistant construction of buildings, structures and their appendages, roof classification of buildings and site water supply systems. The code official is authorized to waive or modify the requirement for a site plan where the application for permit is for alteration or repair or where otherwise warranted.~~ Repealed.

* * *

**CITY OF KENMORE
WASHINGTON
ORDINANCE NO. 24-0602**

AN ORDINANCE OF THE CITY OF KENMORE, WASHINGTON, ADOPTING THE 2021 EDITIONS OF THE INTERNATIONAL BUILDING CODE, THE INTERNATIONAL RESIDENTIAL CODE, THE INTERNATIONAL EXISTING BUILDING CODE, THE INTERNATIONAL MECHANICAL CODE, THE INTERNATIONAL FIRE CODE, THE UNIFORM PLUMBING CODE, THE LIQUEFIED PETROLEUM GAS CODE, THE INTERNATIONAL FUEL GAS CODE, THE WASHINGTON STATE ENERGY CODE, THE INTERNATIONAL SWIMMING POOL AND SPA CODE, AND THE INTERNATIONAL WILDLAND-URBAN INTERFACE CODE; THE 2020 EDITIONS OF THE NATIONAL FUEL GAS CODE AND THE NATIONAL ELECTRICAL CODE; AMENDING SECTION 15.05.015 OF THE KENMORE MUNICIPAL CODE; AMENDING CHAPTERS 15.10, 15.20, AND 15.30 OF THE KENMORE MUNICIPAL CODE AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Washington State Legislature enacted the State Building Code Act (Chapter 19.27 RCW) adopting the International Building Code, International Fire Code, International Residential Code, International Mechanical Code, Uniform Plumbing Code, and International Wildland-Urban Interface Code and directed the State Building Code Council to adopt a process for the review of proposed statewide amendments and proposed or enacted local amendments as amended and adopted by the State Building Code Council; and

WHEREAS, the State Building Code Council amended and adopted the 2021 editions of such codes, and all jurisdictions in the state are required to enforce the 2021 editions of such codes effective as of March 15, 2024; and

WHEREAS, the City Council has determined that adoption of the 2021 codes with certain local amendments is in the public interest; and

WHEREAS, the construction codes adopted by the State also reference other construction codes and their adoption would benefit the City of Kenmore; and

WHEREAS, the City Council previously adopted and amended the construction codes to be consistent with the regional model code established by the jurisdictions participating within eCityGov.net and MyBuildingPermit.com; now, therefore

THE CITY COUNCIL OF THE CITY OF KENMORE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Amendment. Section 15.05.015 of the Kenmore Municipal Code is

hereby amended and replaced to read as set forth on **Exhibit A** to this Ordinance, attached hereto and incorporated herein by this reference.

Section 2. Amendment. Chapter 15.10, Fire Code, of the Kenmore Municipal Code is hereby amended and replaced to read as set forth on **Exhibit B** to this Ordinance, attached hereto and incorporated herein by this reference.

Section 3. Amendment. Chapter 15.20, Building Codes, of the Kenmore Municipal Code is hereby amended and replaced to read as set forth on **Exhibit C** to this Ordinance, attached hereto and incorporated herein by this reference.

Section 4. Amendment. Chapter 15.30, Construction Administrative Code, of the Kenmore Municipal Code is hereby amended and replaced to read as set forth on **Exhibit D** to this Ordinance, attached hereto and incorporated herein by this reference.

Section 5. Severability. If any section, subsection, sentence, clause, phrase or word of this Ordinance is for any reason held to be unconstitutional or invalid for any reason, such decision shall not affect the constitutionality or validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause, phrase or word thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or words be declared unconstitutional.

Section 6. Effective Date. This Ordinance shall take effect and be in force on March 15, 2024, which is more than five (5) days after the date of publication of this Ordinance.

PASSED by the City Council this 26th day of February 2024.

CITY OF KENMORE


Nigel G. Herbig (Mar 1, 2024 12:35 PST)

Nigel Herbig, Mayor

ATTEST/AUTHENTICATED:


Anastasiya Warhol (Feb 28, 2024 10:33 PST)

Anastasiya Warhol, City Clerk

Approved as to form:


Dawn Reitan (Feb 27, 2024 16:20 PST)

Dawn Reitan, City Attorney

FILED WITH THE CITY CLERK: 02/14/2024
PASSED BY THE CITY COUNCIL: 02/26/2024
PUBLISHED: 03/01/2024
EFFECTIVE DATE: March 15, 2024
ORDINANCE NO. 24-0602

15.05.015 Copies of codes on file.

A. Pursuant to State law (Chapters [19.27](#) and [19.27A](#) RCW), the Kenmore ~~bB~~ Building ~~eC~~ Code includes the Washington State Building Code, composed of the codes in subsections (A)(1) through ~~(612)~~ of this section, and the additional codes in subsections ~~(A)(3) and (7) through (14)~~ (13) of this section, all as modified in this title. The City shall at all times keep on file with the city clerk, for reference by the general public, a copy of the codes and resolutions, or parts thereof, as herein adopted by reference, together with the amendments and supplements thereto herein made a part of this title:

1. ~~20182021~~ International Building Code, published by the International Code Council, Inc.;
2. ~~20182021~~ International Residential Code, published by the International Code Council, Inc.;
3. ~~20182021~~ International Existing Building Code, published by the International Code Council, Inc.;
4. ~~20182021~~ International Mechanical Code, published by the International Code Council, Inc.;
5. ~~20182021~~ International Fire Code, published by the International Code Council, Inc.;
6. ~~20182021~~ Uniform Plumbing Code, published by the International Association of Plumbing and Mechanical Officials;
7. ~~20182021~~ National Fuel Gas Code (NFPA 54), published by the National Fire Protection Association;
8. ~~20172020~~ Liquefied Petroleum Gas Code (NFPA 58), published by the National Fire Protection Association;
9. ~~2018 2021~~ International Fuel Gas Code, published by the International Code Council, Inc.;
10. ~~2018 2021~~ Washington State Energy Code;

11. ~~2018~~ 2021 International Swimming Pool and Spa Code, published by the International Code Council, Inc.;

~~12. Repealed by Ord. 23-0577; 2021 International Wildland-Urban Interface Code, published by the International Code Council, Inc.;~~

~~13. Repealed by Ord. 23-0577~~

~~14~~13. 2020 National Electrical Code (NFPA 70-2020), published by the National Fire Protection Association or currently adopted NEC by Washington State Labor and Industries.

~~15~~14. All amendments, supplements, modifications, exclusions, exemptions and additions to the codes identified in subsections (A)(1) through ~~(712)~~ of this section adopted by the Washington State Building Code Council and published in WAC Title 51, including, but not by way of limitation, Chapters 51-11C, 51-11R, 51-50, 51-51, 51-52, 51-54A, 51-55 and 51-56 WAC;

~~16~~15. All amendments, supplements, modifications, exclusions, exemptions and additions to the code identified in subsection (A) ~~(1413)~~ of this section adopted by the Washington State Department of Labor and Industries and published in Chapter 296-46B WAC.

B. The copies of codes on file may be placed by the city clerk in the custody of the office of the building official in order to make them more readily available to inspection and use by the general public.

Chapter 15.10 FIRE CODE

Sections:

- 15.10.005 International Fire Code adopted.
- 15.10.010 IFC Section 101.1, Title, amended.
- 15.10.012 IFC Section 102.5, Application of Residential Code, amended.**
- 15.10.015 IFC Section 102.7, Referenced Codes and Standards, amended.
- 15.10.018 IFC Section 102.7.3, Alternative Standards, amended.**
- 15.10.020 IFC Section 104, General Authority and Responsibilities, amended.
- 15.10.025 IFC Section 105.1, General, amended.
- 15.10.030 IFC Section ~~105.6.30~~ **105.5.32**, Mobile Food Preparation Vehicles, amended.
- 15.10.032 IFC Section 105.5.53, Interim Use Emergency Shelter, added.**
- 15.10.035 IFC Section ~~105.7~~ **105.6**, Required Construction Permits, amended.
- ~~15.10.040 IFC Section 108.6, Overcrowding, amended. Repealed.~~
- 15.10.045 IFC Section ~~109~~ **111**, ~~Board Means~~ of Appeals, replaced.
- 15.10.050 IFC Section ~~110.3~~ **112.4**, Violation Penalties, amended.
- 15.10.052 IFC Section 307.1.1, Prohibited Open Burning, amended.**
- 15.10.055 IFC Section 308.3, Open Flame in Group A Occupancies, amended.
- 15.10.060 IFC Section 319, Mobile Food Preparation Vehicles, amended.
- 15.10.065 IFC Section 401.7.1, Evacuation Required, added.
- 15.10.070 IFC Section 503.1, Where Required, amended.
- 15.10.075 IFC Section 503.2, Specifications, amended.
- 15.10.080 IFC Section 503.3, Marking, amended.
- 15.10.085 IFC Section 503.4, Obstruction of Fire Apparatus Access Roads, amended.
- 15.10.090 IFC Section 506.1, Where Required, amended.
- 15.10.095 IFC Section 507.5.1, Where Required, amended.
- 15.10.100 IFC Section 510, Emergency Responder Radio Coverage, amended.
- 15.10.105 IFC Section 901.7, Systems Out of Service, amended.
- 15.10.110 IFC Section 903.2, Where Required, amended.
- 15.10.115 IFC Section 903.2.13, Additional Fire Sprinkler Requirements for New and Existing Buildings, added.
- 15.10.120 IFC 903.3.1.1.1, Exempt locations, amended.
- 15.10.125 IFC Section 903.3.1.2, NFPA 13R Sprinkler Systems, amended.
- 15.10.130 IFC Section 903.4.3, Floor Control Valves, amended.
- 15.10.135 IFC Section 903.5.1, Fire Sprinkler and Standpipe Drains, added.
- 15.10.140 IFC Section 907.2, Where Required – New Buildings and Structures, amended.
- 15.10.145 IFC Section 5003.9, General Safety Precautions, amended.
- 15.10.150 IFC Section 5003.9.11, Manufacturer's Limitations, added.
- 15.10.155 IFC Section ~~5307.5.2~~, Emergency Alarm System, amended. Repealed.**
- 15.10.160 IFC Section 5604.1, General, amended.
- 15.10.165 IFC Section 5704.2.9.6.1, Locations Where Above-Ground Tanks Are Prohibited, amended.

- 15.10.170 IFC Section 5707, On-Demand Mobile Fueling Operations, amended.
- 15.10.175 IFC Section 5806.2, Limitations, amended.
- 15.10.180 IFC Section 6104.2, Maximum Capacity within Established Limits, amended.
- 15.10.185 IFC Appendix B, Fire-Flow Requirements for Buildings, amended.

15.10.005 International Fire Code adopted.

The **2018-2021** Edition of the International Fire Code, together with Appendix B (Fire-Flow Requirements for Buildings), as published by the International Code Council, is adopted, together with the amendments set forth in Chapter 51-54A WAC.

15.10.010 IFC Section 101.1, Title, amended.

Section 101.1 of the International Fire Code is hereby amended by inserting the phrase "City of Kenmore."

15.10.012 IFC Section 102.5, Application of Residential Code, amended.

Section 102.5 of the International Fire Code is hereby amended to read as follows:

102.5 Application of Residential Code. Where structures are designed and constructed in accordance with the International Residential Code, the provisions of this code shall apply.

15.10.015 IFC Section 102.7, Referenced Codes and Standards, amended.

Section 102.7 of the International Fire Code is hereby amended by adding the following:

When allowed by the fire code official, editions of standards not herein referenced may be utilized provided the entire standard is utilized.

15.10.18 IFC Section 102.7.3, Alternative Standards, added.

Section 102.7 of the International Fire Code is hereby amended by adding a new Subsection 102.7.3 to read as follows:

102.7.3 Alternative Standards. The fire code official is authorized to approve an alternative standard where the fire code official determines that the alternate standard, applied in its entirety, complies with the intent of the provisions of this code, and that the alternate standard is, for the

purpose intended, at least the equivalent of those listed in Chapter 80 in effectiveness, quality, fire resistance, durability and safety.

15.10.020 IFC Section 104, General Authority and Responsibilities, amended.

Section 104 of the International Fire Code is hereby amended by adding the following:

Section 104.12 Indigent housing guidelines. The fire code official, in cooperation with the building official, is hereby authorized to develop a policy regarding the application and exemption of the construction codes for temporary homeless shelters in accordance with WAC 51-16-030.

15.10.025 IFC Section 105.1, General, amended.

Section 105.1 of the International Fire Code is hereby amended to read as follows:

Section 105.1 General. Permits shall be in accordance with Sections 105.1 through 105.7.30. 105.6.

15.10.030 IFC Section ~~105.6.30~~ 105.5.32 Mobile Food Preparation Vehicles, amended.

Section ~~105.6.30~~ 105.5.32 of the International Fire Code is hereby amended to read as follows:

~~105.6.30~~ 105.5.32 Mobile food preparation vehicles. A permit is required for mobile food preparation vehicles equipped with appliances that produce smoke or grease-laden vapors or that utilize flammable gases such as LP-gas or natural gas. ~~The fire code official is authorized to develop policies that clarify the permit requirements and participate in a regional permitting program. The fire code official may accept a permit from an approved agency in lieu of a Shoreline Fire Department operational permit.~~

15.10.032 IFC Section 105.5.53, Interim Use Emergency Shelter, added.

Section 105.5 of the International Fire Code is hereby amended with the addition of a new Subsection 105.5.53 to read as follows:

105.5.53 Interim Use Emergency Shelter. An operational permit is required to open an interim use emergency shelter and must comply with Department policy, Fire Marshal's Office (FMO) 318.

15.10.035 IFC Section ~~105.7~~ 105.6, Required Construction Permits, amended.

Section ~~105.7~~ 105.6 of the International Fire Code is hereby amended by adding the following:

~~105.7.27~~ 105.6.26 Emergency and standby power systems. A construction permit is required to install or modify an Emergency Power Supply System (EPSS) that supplies power to life safety systems, fire pumps, elevators or any system required by the International Fire Code or the International Building Code.

~~105.7.28~~ 105.6.27 High-piled combustible storage. A construction permit is required to install, alter or increase the hazard level of storage under the following criteria: Storage area including aisles exceeds 500 square feet floor area, and either Class I – IV commodities are stored more than 12 feet high, or high hazard materials are stored more than 6 feet high.

~~105.7.29~~ 105.6.28 Mechanical refrigeration. A construction permit is required to install, modify or expand any mechanical refrigeration system containing more than 220 pounds of a Group A1 refrigerant or more than 30 pounds of any other group refrigerant.

~~105.7.30~~ 105.6.29 Emergency alarm system. A construction permit is required to install an emergency alarm system in accordance with Section 5307. An emergency alarm is required for carbon dioxide systems with more than 100 pounds of carbon dioxide.

15.10.040 ~~IFC Section 108.6 Overcrowding, amended.~~ Repealed.

~~Section 108.6 of the International Fire Code is hereby amended to read as follows:~~

~~108.6 Overcrowding. Overcrowding or admittance of any person beyond the approved capacity of a building or a portion thereof shall not be allowed. The fire code official, upon finding any overcrowding conditions or obstructions in aisles, passageways or other means of egress, or upon finding any condition which constitutes a life safety hazard, shall be authorized to direct actions to be taken to reduce the overcrowding or to cause the event to be stopped until such condition or obstruction is corrected.~~

15.10.045 IFC Section ~~109.111~~, Board Means of Appeals, replaced.

Section ~~109.111~~ of the International Fire Code is hereby deleted and replaced with a new section 111 to read as follows the following:

Section ~~109.111~~ Hearing Examiner. Appeals of orders, decisions or determinations made by the fire code official shall be made to the hearing examiner in accordance with the requirements and process of Chapter 19.30 KMC. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder has been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better solution is proposed. The hearing examiner shall have not authority relative to interpretation of the administrative provisions of this code nor shall the hearing examiner be empowered to waive requirements of either this code or the technical codes which are the codes, appendices and referenced code standards adopted by the city.

15.10.050 IFC Section ~~110.3~~ ~~112.4~~, Violation Penalties, amended.

Section ~~110.3~~ ~~112.4~~ of the International Fire Code is hereby deleted and replaced with the following:

Notice of violation. Any person who violates the provisions of this code or fails to comply with any of the requirements thereof or lawful directive of the fire code official, shall be subject to penalties as prescribed by law.

15.10.052 IFC Section 307.1.1, Prohibited Open Burning, amended.

Section 307.1.1 of the International Fire Code is hereby amended to read as follows:

Open burning shall be prohibited for land clearing, yard waste disposal, garbage burning or when King County or the Puget Sound Clean Air Agency issues a burn ban.

15.10.055 IFC Section 308.3, Open Flame in Group A Occupancies, amended.

Section 308.3 of the International Fire Code is hereby amended by adding the following exception:

4. Where approved by the fire code official.

15.10.060 IFC Section 319, Mobile Food Preparation Vehicles, amended.

Section 319 of the International Fire Code is hereby amended by adding a new section 319.11 to read as follows the following:

319.11 Location. Mobile food facilities shall not be located within ten feet (10') of buildings, tents, canopies or membrane structures or within ten feet (10') of any other mobile food facility.

Exceptions:

1. When mobile food facilities are positioned on public streets, the distance from buildings may be reduced to five feet (5'). This exception is designated for events lasting a maximum of no more than three (3) consecutive calendar days in a row.
2. When located on private property, the distance from buildings may be reduced to five feet (5') from a fire wall constructed of non-combustible materials and having no openings such as windows or doors within 10 feet of the vehicle.

15.10.065 IFC Section 401.7.1, Evacuation Required, added.

Section 401.7.1 of the International Fire Code is added to Section 401.7 to read as follows:

401.7.1 Evacuation required. In the event of activation of a fire, emergency alarm, or at the direction the fire code official, occupants of the building or portion of the building in which the alarm is activated shall make a safe and orderly evacuation out of the building, or as provided in the building's fire safety and evacuation or high-rise emergency operations plan.

Exceptions:

1. Where the occupant's physical or other disability make the occupant unable to evacuate without assistance and no assistance is immediately available; or

2. Where the presence of smoke, fire, structural collapse or other hazard or obstruction of the occupant's means of egress make evacuation unsafe.

15.10.070 IFC Section 503.1, Where Required, amended.

Section 503.1 of the International Fire Code is hereby amended to read as follows:

503.1 Where required. Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.3.

503.1.1 Buildings and facilities. *Approved* fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within a jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet of all portions of the facility and all portions of the *exterior* walls of the first story of the building as measured by an *approved* route around the exterior of the building or facility.

Exception:

1. The fire code official is authorized to increase the dimensions of 150 feet where any of the following conditions occur:

1.1. The building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.

1.2. Fire apparatus access roads cannot be installed because of location on the property, topography, waterways, nonnegotiable grades or other similar conditions, and an approved alternative means of fire protection is provided.

1.3. There are not more than two Group R-3 or Group U occupancies.

503.1.2 Additional Access. The fire code official is authorized to require more than one fire apparatus access road based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climactic conditions or other factors that could limit access.

503.1.3 High-piled storage. Fire department vehicle access to buildings used for high piled combustible storage shall comply with the applicable provisions of Chapter 32.

15.10.075 IFC Section 503.2, Specifications, amended.

Section 503.2 of the International Fire Code is hereby amended **to read** as follows:

503.2 Specifications. Fire apparatus access roads shall be installed and arranged in accordance with Sections 503.2.1 through 503.2.8 and the adopted Road Standards.

503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet, exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches. Driveways serving not more than two single-family residences shall comply with the provisions of the Road Standard.

503.2.2 Authority. The fire code official shall have the authority to require or permit modifications to the required access widths where they are inadequate for fire or rescue operations or where necessary to meet the public safety objectives of the jurisdiction.

503.2.3 Surface. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities in accordance with the Road Standard.

503.2.4 Turning radius. The required turning radius of a fire apparatus access road shall be 20 feet interior and 40 feet exterior or as determined by the fire code official.

503.2.5 Dead ends. Dead-end fire apparatus access roads in excess of 150 feet- as measured from the centerline of the accessing street- shall be provided with an approved area for turning around fire apparatus. Private access tracts serving not

more than four single-family residences are permitted to construct a hammerhead turn around that meets the layout and size requirements of the fire code official.

503.2.6 Bridges, structures and elevated surfaces. Where a bridge, structure or an elevated surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with AASHTOHS-25. Bridges and elevated surfaces shall be designed for a live load sufficient to carry the live loads of fire apparatus. In addition, these structures shall be designed to support a 45,000 lb point-load over four square feet. Vehicle load limits shall be posted at both entrances to bridges where required by the fire code official. Where elevated surfaces are designed for emergency vehicle use are adjacent to surfaces which are not designed for such use, approved barriers, approved signs or both shall be installed and maintained where required by the fire code official.

503.2.7 Grade. Where the grade of a fire apparatus access road exceeds 15% at any point along the roadway mitigation of the restricted access must be provided as determined by the fire code official.

503.2.8 Angles of approach and departure. The angles of approach and departure for fire apparatus access roads shall be within the limits established by the fire code official and the City Engineer.

15.10.080 IFC Section 503.3, Marking, amended.

Section 503.3 of the International Fire Code is hereby amended **to read** as follows:

503.3 Marking. Where required by the fire code official, approved signs or other approved notices, as described in the Northshore Fire Department Access Standard, shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. Signs or notices shall be maintained a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

15.10.085 IFC Section 503.4, Obstruction of Fire Apparatus Access Roads, amended.

Section 503.4 of the International Fire Code is hereby amended as follows:

503.4 Obstruction of fire apparatus access roads. Fire apparatus access roads shall not be obstructed in any manner, including parking of vehicles. The minimum widths and clearances shall be maintained at all times.

Exception: Parking of vehicles along residential streets where all homes along the road are protected by approved fire sprinkler systems.

15.10.090 IFC Section 506.1, Where Required, amended.

Section 506.1 of the International Fire Code is hereby amended to read as follows by adding the following:

506.1 Where required. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. All occupancies equipped with an automatic sprinkler system, fire alarm system, or hazardous occupancies, or when required by the fire code official, shall have an emergency access key box mounted in an approved location. The key box shall be of an approved type listed in accordance with UL 1037, and shall contain keys to gain necessary access as required by the fire code official.

Exception: One- and two-family dwellings, and detached ADUs.

15.10.095 IFC Section 507.5.1, Where Required, amended.

Section 507.5.1 of the International Fire Code is hereby amended to read as follows:

507.5.1. Where required. Where a facility or building hereafter constructed or moved into or within the city is more than 150 feet from a hydrant on a fire apparatus access road, onsite fire hydrants and mains shall be provided where required by the fire code official. At least one hydrant shall be located within 400 feet of all portions of the exterior wall of the first story of the facility or building as measured by an approved route around the exterior of the

building. All fire hydrants required by this section, whether existing or new shall be equipped with a 4-inch Storz fitting on the steamer port. A 4-inch Storz fitting shall also be installed on any hydrant required for protection of existing structures where the valuation of the improvement or alteration exceeds 50% of the assessed valuation or where the square footage is increased by 25% or 1,000 square feet, whichever is less.

Exceptions:

1. For one- and two-family dwellings and Group U occupancies, the maximum distance to the structure shall be ~~300 feet and 450~~ 500 feet when protected by an approved fire sprinkler system.
2. Distances may be modified by the fire code official for facilities or buildings equipped with approved automatic sprinkler systems.

15.10.0100 IFC Section 510, Emergency Responder Radio Coverage, amended.

Section 510 of the International Fire Code is hereby amended to read as follows:

510.1 Emergency responder radio coverage in new buildings. Approved radio coverage for emergency responders shall be provided within buildings meeting any of the following conditions:

1. High rise buildings;
2. The total building area is 50,000 square feet or more;
3. The total basement area is 10,000 square feet or more; or
4. There are floors used for human occupancy more than 30 feet below the finished floor of the lowest level of exit discharge.
5. Buildings or structures where the Fire or Police Chief determines that in-building radio coverage is critical because of its unique design, location, use or occupancy.

The radio coverage system shall be installed in accordance with Sections 510.4 through 510.5.5 of this code and with the provisions of NFPA 1221 (2019). This section shall not require improvement of the existing public safety communication systems.

Point of Information

When determining if the minimum signal strength referenced 510.4.1.1 exists at a subject building, the signal strength shall be measured at any point on the exterior of the building up to the highest point on the roof.

Exceptions:

1. Buildings and areas of buildings that have minimum radio coverage signal strength levels of the King County Regional 800 MHz Radio System within the building in accordance with Section 510.4.1 without the use of a radio coverage system.
2. In facilities where emergency responder radio coverage is required and such systems, components or equipment required could have a negative impact on the normal operations of that facility, the *fire code official* shall have the authority to accept an automatically activated emergency responder radio coverage system.
3. One- and two-family dwellings and townhouses.
4. Subject to the approval of the fire code official, buildings other than high-rise buildings, colleges, universities and buildings primarily occupied by Group E or I occupancies that have completed a Mobile Emergency Responder Radio Coverage application and submitted payment as outlined in the application.

510.2 Emergency responder radio coverage in existing buildings. Existing buildings shall be provided with approved radio coverage for emergency responders as required in Chapter 11.

510.3 Permit required. A construction permit for the installation of or modification to emergency responder radio coverage systems and related equipment is

required as specified in Section 105.7.6. Maintenance performed in accordance with this code is not considered a modification and does not require a permit.

Point of Information

Prior coordination and approval from the Public Safety Radio System Operator is required before installation of an Emergency Responder Radio System. Until 2022, such approval is required from [EPSCA](#), [King County](#), [Seattle](#) or [ValleyCom](#) depending on the location of the installation. In 2022 PSERN will be the single operator of a county wide system.

In order to be forward compatible, designers and contractors should be aware of PSERN's requirements for Distributed Antenna Systems which can be found via <https://psern.org/requirements/>

510.4 Technical requirements. Systems, components and equipment required to provide the emergency responder radio coverage system shall comply with Sections 510.4.1 through 510.4.2.8.

510.4.1 Emergency responder communication enhancement system signal strength. The building shall be considered to have acceptable emergency responder communications enhancement system coverage when signal strength measurements in 95 percent of all areas on each floor of the building meet the signal strength requirements in Sections 510.4.1.1 through 510.4.1.3.

Exception: Critical areas, such as the fire command center(s), the fire pump room(s), interior exit stairways, exit passageways, elevator lobbies, standpipe cabinets, sprinkler sectional valve locations, and other areas required by the fire code official, shall be provided with 99 percent floor area radio coverage.

510.4.1.1 Minimum signal strength into the building. The minimum inbound signal strength shall be sufficient to provide usable voice communications throughout the coverage area as specified by the fire code official. The inbound signal level shall be a minimum of -95dBm in 95% of the coverage area and 99% in critical areas and sufficient to provide not less than a Delivered Audio Quality (DAQ) of 3.0 or an equivalent Signal-to-Interference-Plus-Noise Ratio (SINR) applicable to the technology for either analog or digital signals.

510.4.1.2 Minimum signal strength out of the building. The minimum outbound signal strength shall be sufficient to provide usable voice communications throughout the coverage area as specified by the fire code official. The outbound signal level shall be sufficient to provide not less than a DAQ of 3.0 or an equivalent SINR applicable to the technology for either analog or digital signals. A minimum signal strength of -95 dBm shall be received by the King County Regional 800 MHz Radio System when transmitted from within the building.

510.4.1.3 System performance. Signal strength shall be sufficient to meet the requirements of the applications being utilized by public safety for emergency operations through the coverage area as specified by the radio system manager in Section 510.4.2.2.

510.4.2 System design. The emergency responder radio coverage system shall be designed in accordance with Sections 510.4.2.1 through 510.4.2.8 and NFPA 1221 (2019).

510.4.2.1 Amplification systems and components. Buildings and structures that cannot support the required level of radio coverage shall be equipped with systems and components to enhance the public safety radio signals and achieve the required level of radio coverage specified in Sections 510.4.1 through 510.4.1.3. Public safety communications enhancement systems utilizing radio-frequency-emitting devices and cabling shall be allowed by the Public Safety Radio System Operator. Prior to installation, all RF-emitting devices shall have the certification of the radio licensing authority and be suitable for public safety use.

510.4.2.2 Technical criteria. The Public Safety Radio System Operator shall provide the various frequencies required, the location of radio sites, the effective radiated power of radio sites, the maximum propagation delay in microseconds, the applications being used and other supporting technical information necessary for system design upon request by the building owner or owner's representative.

510.4.2.3 Power supply sources. Emergency responder radio coverage systems shall be provided with dedicated standby batteries or provided with 2-hour

standby batteries and connected to the facility generator power system in accordance with Section 1203. The standby power supply shall be capable of operating the emergency responder radio coverage system at 100-percent system capacity for a duration of not less than 12 hours.

510.4.2.4 Signal booster requirements. If used, signal boosters shall meet the following requirements:

1. All signal booster components shall be contained in a National Electrical Manufacturer's Association (NEMA) 4, IP66-type waterproof cabinet or equivalent.

Exception: Listed battery systems that are contained in integrated battery cabinets.

2. Battery systems used for the emergency power source shall be contained in a NEMA 3R or higher-rated cabinet, IP65-type waterproof cabinet or equivalent.

3. Equipment shall have FCC or other radio licensing authority certification and be suitable for public safety use prior to installation.

4. Where a donor antenna exists, isolation shall be maintained between the donor antenna and all inside antennas to not less than 20dB greater than the system gain under all operating conditions.

5. Bi-Directional Amplifiers (BDAs) used in emergency responder radio coverage systems shall be fitted with anti-oscillation circuitry and per-channel AGC

6. The installation of amplification systems or systems that operate on or provide the means to cause interference on any emergency responder radio coverage networks shall be coordinated and approved by the Public Safety Radio System Operator.

7. Unless otherwise approved by the Public Safety Radio System Operator, only channelized signal boosters shall be permitted.

Exception: Broadband BDA's may be utilized when specifically authorized in writing by the Public Safety Radio System Operator.

Point of Information

BDA's must also comply with PSERN's (www.psern.org/requirements) detailed requirements, which include channelized, minimum of 28 channels, supporting analog, P25 Phase I (FDMA), and P25 Phase II (TDMA).

510.4.2.5 System monitoring. The emergency responder radio enhancement system shall include automatic supervisory and trouble signals that are monitored by a supervisory service and are annunciated by the fire alarm system in accordance with NFPA 72 The following conditions shall be separately annunciated by the fire alarm system, or, if the status of each of the following conditions is individually displayed on a dedicated panel on the radio enhancement system, a single automatic supervisory signal may be annunciated on the fire alarm system indicating deficiencies of the radio enhancement system:

1. Loss of normal AC power supply.
2. System battery charger(s) failure.
3. Malfunction of the donor antenna(s).
4. Failure of active RF-emitting device(s).
5. Low-battery capacity at 70-percent reduction of operating capacity.
6. Active system component malfunction.
7. Malfunction of the communications link between the fire alarm system and the emergency responder radio enhancement system.

510.4.2.6 Additional frequencies and change of frequencies. The emergency responder radio coverage system shall be capable of modification or expansion in the event frequency changes are required by the FCC or other radio licensing authority, or additional frequencies are made available by the FCC or other radio licensing authority.

510.4.2.7 Design documents. The fire code official shall have the authority to require “as-built” design documents and specifications for emergency responder communications coverage systems. The documents shall be in a format acceptable to the fire code official.

510.4.2.8 Radio communication antenna density. Systems shall be engineered to minimize the near-far effect. Radio enhancement system designs shall include sufficient antenna density to address reduced gain conditions.

Exceptions:

1. Class A narrow band signal booster devices with independent AGC/ALC circuits per channel.
2. Systems where all portable devices within the same band use active power control.

510.5 Installation requirements. The installation of the public safety radio coverage system shall be in accordance with NFPA 1221 and Sections 510.5.1 through 510.5.7.

510.5.1 Approval prior to installation. Amplification systems capable of operating on frequencies licensed to any public safety agency by the FCC or other radio licensing authority shall not be installed without prior coordination and approval of the Public Safety Radio System Operator.

510.5.2 Minimum qualifications of personnel. The minimum qualifications of the system designer and lead installation personnel shall include both of the following:

1. A valid FCC-issued general radio telephone operators license.
2. Certification of in-building system training issued by an approved organization or approved school, or a certificate issued by the manufacturer of the equipment being installed.

510.5.3 Acceptance test procedure. Where an emergency responder radio coverage system is required, and upon completion of installation, the building

owner shall have the radio system tested to verify that two-way coverage on each floor of the building is in accordance with Section 510.4.1.

The test procedure shall be conducted as follows:

1. Each floor of the building shall be divided into a grid of 20 approximately equal test areas, with a maximum test area size of 6,400 square feet. Where the floor area exceeds 128,000 square feet, the floor shall be divided into as many approximately equal test areas as needed, such that no test area exceeds the maximum square footage allowed for a test area.
 2. Coverage testing of signal strength shall be conducted using a calibrated spectrum analyzer for each of the test grids. A diagram of this testing shall be created for each floor where coverage is provided, indicating the testing grid used for the test in Section 510.5.3(1), and including signal strengths and frequencies for each test area. Indicate all critical areas.
 3. Functional talk-back testing shall be conducted using two calibrated portable radios of the latest brand and model used by the agency's radio communications system or other equipment approved by the fire code official. Testing shall use Digital Audible Quality (DAQ) metrics, where a passing result is a DAQ of 3 or higher. Communications between handsets shall be tested and recorded in the grid square diagram required by section 510.5.3(2): each grid square on each floor; between each critical area and a radio outside the building; between each critical area and the fire command center or fire alarm control panel; between each landing in each stairwell and the fire command center or fire alarm control panel.
 4. Failure of more than 5% of the test areas on any floor shall result in failure of the test.
- Exception: Critical areas shall be provided with 99 percent floor area coverage.
5. In the event that two of the test areas fail the test, in order to be more statistically accurate, the floor shall be permitted to be divided into 40 equal test areas. Failure of not more than two nonadjacent test areas shall not result in

failure of the test. If the system fails the 40-area test, the system shall be altered to meet the 95-percent coverage requirement.

6. A test location approximately in the center of each test area shall be selected for the test, with the radio enabled to verify two-way communications to and from the outside of the building through the public agency's radio communications system. Once the test location has been selected, that location shall represent the entire test area. Failure in the selected test location shall be considered to be a failure of that test area. Additional test locations shall not be permitted.

7. The gain values of all amplifiers shall be measured, and the test measurement results shall be kept on file with the building owner so that the measurements can be verified during annual tests. In the event that the measurement results become lost, the building owner shall be required to rerun the acceptance test to reestablish the gain values.

8. As part of the installation, a spectrum analyzer or other suitable test equipment shall be utilized to ensure spurious oscillations are not being generated by the subject signal booster. This test shall be conducted at the time of installation and at subsequent annual inspections.

9. Systems incorporating Class B signal booster devices or Class B broadband fiber remote devices shall be tested using two portable radios simultaneously conducting subjective voice quality checks. One portable radio shall be positioned not greater than 10 feet (3048 mm) from the indoor antenna. The second portable radio shall be positioned at a distance that represents the farthest distance from any indoor antenna. With both portable radios simultaneously keyed up on different frequencies within the same band, subjective audio testing shall be conducted and comply with DAQ levels as specified in Sections 510.4.1.1 and 510.4.1.2.

10. Documentation maintained on premises. At the conclusion of the testing, and prior to issuance of the building Certificate of Occupancy, the building owner or owner's representative shall place a copy of the following records in the DAS enclosure or the building engineer's office. The records shall be available to the fire code official and maintained by the building owner for the life of the system:

- a. A certification letter stating that the emergency responder radio coverage system has been installed and tested in accordance with this code, and that the system is complete and fully functional.
- b. The grid square diagram created as part of testing in Sections 510.5.3(2) and 510.5.3(3).
- c. Data sheets and/or manufacturer specifications for the emergency responder radio coverage system equipment; back up battery; and charging system (if utilized).
- d. A diagram showing device locations and wiring schematic.
- e. A copy of the electrical permit.

11. Acceptance test reporting to fire code official. At the conclusion of the testing, and prior to issuance of the building Certificate of Occupancy, the building owner or owner's representative shall submit to the fire code official a report of the acceptance test by way of the department's third-party vendor thecomplianceengine.com.

510.5.4 FCC compliance. The emergency responder radio coverage system installation and components shall comply with all applicable federal regulations including, but not limited to, FCC 47 CFR Part 90.219.

510.5.5 Mounting of the donor antenna (s). To maintain proper alignment with the system designed donor site, donor antennas shall be permanently affixed on the highest possible position on the building or where approved by the fire code official. A clearly visible sign shall be placed near the antenna stating, "movement or repositioning of this antenna is prohibited without approval from the fire code official." The antenna installation shall be in accordance with the applicable requirements in the International Building Code for weather protection of the building envelope.

510.5.6 Wiring. The backbone, antenna distribution, radiating, or any fiber-optic cables shall be rated as plenum cables. The backbone cables shall be connected to the antenna distribution, radiating, or copper cables using hybrid coupler devices of a value determined by the overall design. Backbone cables shall be

routed through an enclosure that matches the building's required fire-resistance rating for shafts or interior exit stairways. The connection between the backbone cable and the antenna cables shall be made within an enclosure that matches the building's fire-resistance rating for shafts or interior exit stairways, and passage of the antenna distribution cable in and out of the enclosure shall be protected as a penetration per the International Building Code.

510.5.7 Identification Signs. Emergency responder radio coverage systems shall be identified by an approved sign located on or near the Fire Alarm Control Panel or other approved location stating "This building is equipped with an Emergency Responder Radio Coverage System. Control Equipment located in room_____".

A sign stating "Emergency Responder Radio Coverage System Equipment" shall be placed on or adjacent to the door of the room containing the main system components.

510.6 Maintenance. The emergency responder radio coverage system shall be maintained operational at all times in accordance with Sections 510.6.1 through 510.6.4.

510.6.1 Testing and proof of compliance. The owner of the building or owner's authorized agent shall have the emergency responder radio coverage system inspected and tested annually or where structural changes occur including additions or remodels that could materially change the original field performance tests. Testing shall consist of the following items (1) through (7):

1. In-building coverage test as required by the *fire code official* as described in Section 510.5.3 "Acceptance test procedure" or 510.6.1.1 "Alternative in-building coverage test".

Exception: Group R Occupancy annual testing is not required within dwelling units.

2. Signal boosters shall be tested to verify that the gain/output level is the same as it was upon initial installation and acceptance or set to optimize the performance of the system.

3. Backup batteries and power supplies shall be tested under load of a period of 1 hours to verify that they will properly operate during an actual power outage. If within the 1-hour test period the battery exhibits symptoms of failure, the test shall be extended for additional 1-hour periods until the integrity of the battery can be determined.

4. If a fire alarm system is present in the building, a test shall be conducted to verify that the fire alarm system is properly supervising the emergency responder communication system as required in Section 510.4.2.5. The test is performed by simulating alarms to the fire alarm control panel. The certifications in Section 510.5.2 are sufficient for the personnel performing this testing.

5. Other active components shall be checked to verify operation within the manufacturer's specifications.

6. At the conclusion of the testing, a report, which shall verify compliance with Section 510.6.1, shall be submitted to the *fire code official* by way of the department's third-party vendor thecomplianceengine.com.

7. At the conclusion of testing, a record of the inspection and maintenance along with an updated grid diagram of each floor showing tested strengths in each grid square and each critical area shall be added to the documentation maintained on the premises in accordance with Section 510.5.3.

510.6.1.1 Alternative In-building coverage test. When the comprehensive test documentation required by Section 510.5.3 is available, or the most recent full five-year test results are available if the system is older than six years, the in-building coverage test required by the fire code official in Section 510.6.1(1), may be conducted as follows:

1. Functional talk-back testing shall be conducted using two calibrated portable radios of the latest brand and model used by the agency's radio communications system or other equipment approved by the fire code official. Testing shall use Digital Audible Quality (DAQ) metrics, where a passing result is a DAQ of 3 or higher. Communications between handsets in the following locations shall be tested: between the fire command center or fire alarm control panel and a

location outside the building; between the fire alarm control panel and each landing in each stairwell.

2. Coverage testing of signal strength shall be conducted using a calibrated spectrum analyzer for:

(a) Three grid areas per floor. The three grid areas to be tested on each floor are the three grid areas with poorest performance in the acceptance test or the most recent annual test, whichever is more recent; and

(b) Each of the critical areas identified in acceptance test documentation required by Section 510.5.3, or as modified by the fire code official, and

(c) One grid square per serving antenna.

3. The test area boundaries shall not deviate from the areas established at the time of the acceptance test, or as modified by the fire code official. The building shall be considered to have acceptable emergency responder radio coverage when the required signal strength requirements in 510.4.1.1 and 510.4.1.2 are located in 95 percent of all areas on each floor of the building and 99 percent in Critical Areas, and any non-functional serving antenna are repaired to function within normal ranges. If the documentation of the acceptance test or most recent previous annual test results are not available or acceptable to the fire code official, the radio coverage verification testing described in 510.5.3 shall be conducted.

Point of Information

The alternative in-building coverage test provides an alternative testing protocol for the in-building coverage test in subsection (1) of section 510.6.1. There is no change or alternative to annual testing requirements enumerated in subsections (2) – (7) of Section 510.6.1, which must be performed at the time of each annual test.

510.6.2 Additional frequencies. The building owner shall modify or expand the emergency responder radio coverage system at his or her expense in the event frequency changes are required by the FCC or other radio licensing authority, or

additional frequencies are made available by the FCC public safety radio system operator or FCC license holder. Prior approval of a public safety radio coverage system on previous frequencies does not exempt this section.

510.6.3 Nonpublic safety system. Where other nonpublic safety amplification systems installed in buildings reduce the performance or cause interference with the emergency responder communications coverage system, the nonpublic safety amplification system shall be corrected or removed.

510.6.4 Field testing. Agency personnel shall have the right to enter onto the property at any reasonable time to conduct field testing to verify the required level of radio coverage or to disable a system that due to malfunction or poor maintenance has the potential to impact the emergency responder radio system in the region.

15.10.105 IFC Section 901.7, Systems Out of Service, amended.

Section 901.7 of the International Fire Code is hereby amended to read as follows:

901.7 System out of service. Where a fire protection system is out of service, the fire department and the fire code official shall be notified immediately and, where required by the fire code official, the building shall either be evacuated or an approved fire watch shall be provided for all occupants left unprotected by the shutdown until the fire protection system has been returned to service. Where utilized, fire watches shall be provided with at least one means for notification of the fire department and their only duty shall be to perform constant patrols of the protected premises and keep watch for fires.

15.10.110 IFC Section 903.2, Where Required, amended.

Section 903.2 of the International Fire Code is hereby amended to read as follows:

903.2 Where required. Approved automatic sprinkler systems in new and existing buildings and structures shall be provided in the locations described in Section 903.2.1 through 903.13.

The exception has been deleted.

15.10.115 IFC Section 903.2.13, Additional Fire Sprinkler Requirements for New and Existing Buildings, added.

Section 903.2 of the International Fire Code is hereby amended by adding a new Section 903.2.13 as follows:

903.2.13 Additional fire sprinkler requirements for new and existing buildings.

NEW BUILDINGS

1. An automatic sprinkler system shall be installed in all occupancies requiring 2,000 gallons per minute or more fire flow, or where the gross square footage exceeds ~~5,000~~ **4,800** square feet. This applies to all buildings regardless of type or use.
2. All newly constructed buildings regardless of gross square footage shall be provided with an automatic sprinkler system if adequate fire flow, hydrant spacing, or approved fire department access is not provided as required in IFC Section 503, Appendix B, and or Title 15 of the Kenmore Municipal Code.
3. An automatic sprinkler system shall be installed in new residential occupancies.

Exception: Detached accessory dwelling units (ADU's).

EXISTING BUILDINGS

1. The provisions of this section shall apply to existing **IRC** buildings that are subject to alterations, repairs, modifications or similar improvements where the total cost of the work performed exceeds ~~50%~~ **75%** of the King County Assessors Office valuation of the structure. Where subsequent alterations, repairs, modifications or similar improvements occur within five years of the first permitted work, the original building valuation shall be used and the total costs of improvements shall be accumulative. **All**

other occupancies shall comply with the Washington State Existing Building Code.

2. The provisions of this section shall apply to existing buildings where the gross floor area of the building is increased. Additions to buildings that would result in a gross floor area greater than 5,000 square feet shall be retrofitted throughout with an approved automatic sprinkler system.

Exception: The floor area of an existing building may be increased by up to 25%, not to exceed 5,000 square foot floor area increase. This exception shall be allowed one time only and acknowledgement of its use shall be recorded to run with the property title prior to permit issuance.

15.10.120 IFC 903.3.1.1.1, Exempt locations, amended.

Item 6 from Section 903.3.1.1.1 of the International Fire Code is hereby amended to read as follows:

6. Machine rooms, machinery spaces, control rooms and control spaces associated with traction elevators. The elevator machinery shall not be of the hydraulic type.

15.10.125 IFC Section 903.3.1.2, NFPA 13R Sprinkler Systems, amended.

Section 903.3.1.2 of the International Fire Code is hereby amended to read as follows:

Automatic sprinkler systems in Group R occupancies up to and including four stories in height in buildings not exceeding 60 feet in height, as measured from the lowest point of fire department access, shall be permitted to be installed throughout in accordance with NFPA 13R.

The number of stories of Group R constructed in accordance with Sections 510.2 and 510.4 of the International Building Code shall be measured from the horizontal assembly creating separate buildings.

15.10.130 IFC Section 903.4.3, Floor Control Valves, amended.

Section 903.4.3 of the International Fire Code is hereby amended to read as follows:

903.4.3. Floor control valves. In multi-level buildings *approved*, supervised indicating control valves shall be provided at the point of connection to the riser on each floor.

Exception: When approved by the fire code official.

15.10.135 IFC Section 903.5.1, Fire Sprinkler and Standpipe Drains, added.

Section 903.5.1 of the International Fire Code is hereby amended by adding a new Section 903.5.1 as follows:

903.5.1 Fire sprinkler and standpipe drains. Fire sprinkler and standpipe main/express drains shall be positioned to drain to the sanitary sewer. Additionally, maintenance or testing discharges from fire pumps shall be treated in order to comply with the National Pollution Discharge Elimination System (NPDES) requirements.

15.10.140 IFC Section 907.2, Where Required – New Buildings and Structures, amended.

Section 907.2, excluding subsections 907.2.1 through 907.2.23, of the International Fire Code is hereby amended to read as follows:

907.2 Where required—new buildings and structures.

All occupancies exceeding 3,000 square feet gross floor area shall be required to provide an approved, monitored automatic fire detection system. Fire walls as noted in Section 706 of the International Building Code shall not be considered to be a separate building to enable deletion of the required fire detection system.

Exception: Group U or IRC regulated structures.

An approved fire alarm system installed in accordance with this code and NFPA 72 shall be provided in new buildings and

structures in accordance with Sections 907.2.1 through 907.2.23. and provide occupant notification in accordance with Section 907.6, unless other requirements are provided by another section of this code. Where automatic sprinkler protection installed in accordance with Section 903.3.1.1 or 903.3.1.2 is provided and connected to the building fire alarm system, automatic heat detection required by this section shall not be required.

A minimum of one fire alarm box shall be provided in an approved location to initiate a fire alarm signal for fire alarm systems employing automatic fire detectors or water-flow devices. Where other sections of this code allow elimination of fire alarm boxes due to sprinklers, a single fire alarm box shall be installed.

EXISTING BUILDINGS

The provisions of this section shall apply to existing buildings that are subject to alterations, repairs, modifications or similar improvements where the total cost of the work performed exceeds 75% of the King County Assessor's Office valuation of the structure. Where subsequent alterations, repairs, modifications or similar improvements occur within five years of the first permitted work, the original building valuation shall be used and the total costs of improvements shall be accumulative.

15.10.145 IFC Section 5003.9, General Safety Precautions, amended.

Section 5003.9 of the International Fire Code is amended to read as follows:

5003.9 General safety precautions. General precautions for the safe storage, handling or care of hazardous materials shall be in accordance with Sections 5003.9.1 through 5003.9.11.

15.10.150 IFC Section 5003.9.11, Manufacturer's Limitations, added.

Section 5003.9 of the International Fire Code is amended by adding a new section 5003.9.11 as follows:

5003.9.11 Manufacturer's Limitations. The storage and use of hazardous materials shall not exceed the manufacturer's limitations on shelf life and any other restrictions on use.

15.10.155 IFC Section 5307.5.2, Emergency Alarm System, amended. Repealed.

Section 5307.5.2 of the International Fire Code is hereby amended to read as follows:

~~5307.5.2 Emergency alarm systems. An emergency alarm system shall comply with all of the following:~~

~~1. Continuous gas detection shall be provided to monitor areas where carbon dioxide can accumulate.~~

~~2. The threshold for activation on an alarm shall not exceed 5,000 parts per million.~~

~~3. Activation of the emergency alarm system shall initiate a local alarm at the entrance to the room(s) and inside the room(s) where CO₂ systems are installed.~~

~~4. A warning sign shall be posted at the entrance to the room that reads: "Carbon Dioxide Alarm. Do Not Enter. Call 911."~~

15.10.160 IFC Section 5604.1, General, amended.

Section 5604.1 of the International Fire Code is hereby amended by adding the to read as following follows:

5604.1 General. The storage of blasting agents, detonators, explosives, explosive materials and special industrial explosive devices is prohibited within the city limits.

Exceptions:

1. Approved storage areas in law enforcement facilities and as otherwise provided in the Municipal Code.
2. When approved by the fire code official.

15.10.165 IFC Section 5704.2.9.6.1, Locations Where Above-Ground Tanks Are Prohibited, amended.

Section 5704.2.9.6.1 of the International Fire Code is amended to read as follows:

5704.2.9.6.1 Locations where above-ground tanks are prohibited. Throughout the city, the use of above ground storage tanks outside of buildings shall be limited to flammable or combustible liquids in outside above ground tanks of 2,000 gallons per tank with an aggregate capacity of 4,000 gallons per site, unless otherwise specifically approved by the fire code official. All above ground storage tanks containing flammable or combustible liquids with a capacity of 500 gallons or more shall be protected tanks designed in accordance with Section 5704.2.9.7 and UL2085, or other systems with prior approval of the fire code official. Above ground combustible liquid tanks, used for the storage of heating oil, for a single family residence shall not exceed 300 gallons. Above ground flammable liquid tanks shall not be permitted in a residential zone or within 100 feet of a residential zone within the city, except that such tanks may be located at fire stations or municipal facilities. Temporary uses may be permitted during periods of construction with the approval of the fire code official. Permits for above ground tanks shall be approved by the fire code official prior to installation or placement.

Exception: Existing installations exceeding 2,000 gallon tank or aggregate capacity of 4,000 gallons per site shall be allowed to continue until tank replacement is necessary or tank decommissioning.

15.10.170 IFC Section 5707, On-Demand Mobile Fueling Operations, amended.

Section 5707 of the International Fire Code is amended to read as follows:

5701.1 General. On-demand mobile fueling operations that dispense Class I, II and III liquids into the fuel tanks of motor vehicles shall comply with Sections 5707.1 through 5707.6. 6.

Exception: Fueling from an *approved* portable container in cases of an emergency or for personal use.

5707.1.1 Approval required. Mobile fueling operations shall not be conducted without first obtaining a *permit* and approval from the *fire code official*. Mobile fueling operations shall occur only at *approved* locations. The *fire code official* is authorized to approve individual locations or geographic areas where mobile fueling is allowed.

5707.2 Mobile fueling vehicle. An on-demand mobile fueling vehicle shall be that which is utilized in on-demand fueling operations for the dispensing of Class I, II or III liquids into the fuel tanks of motor vehicles.

5707.2.1 Mobile fueling vehicle classifications. An on-demand mobile fueling vehicle shall be characterized as one of the following:

1. Tier 1 Mobile Fueling Vehicle-A tank vehicle that complies with NFPA 385 and that has chassis-mounted tanks where the aggregate capacity does not exceed 1600 gallons (6057 L).
2. Tier 2 Mobile Fueling Vehicle-A vehicle with one or more chassis-mounted tanks or chassis-mounted containers, not to exceed 110 gallons (415 L) capacity and having an aggregate capacity that does not exceed 800 gallons (3028 L) or the weight capacity of the vehicle in accordance with DOTn.
3. Tier 3 Mobile Fueling Vehicle-A vehicle that carries a maximum aggregate capacity of 60 gallons (227 L) of motor fuel in metal safety cans *listed* in accordance with UL 30 or other *approved* metal containers, each not to exceed 5 gallons (19 L) in capacity.

5707.2.2 Mobile fueling vehicle requirements. Each mobile fueling vehicle shall comply with all local, state and federal requirements as well as the following:

1. Mobile fueling vehicles with a chassis-mounted tank in excess of 110 gallons (415 L) shall also comply with the requirements of Section 5706.6 and NFPA 385.
2. The mobile fueling vehicle and its equipment shall be maintained in good repair.

3. Safety cans and approved metal containers shall be secured to the mobile fueling vehicle except when in use.

4. Fueling a motor vehicle from tanks or containers mounted in a trailer connected to a mobile fueling vehicle shall be prohibited.

5707.3 Required documents. Documents developed to comply with Sections 5707.3.1 through 5707.3.3 shall be updated as necessary by the *owner* of the mobile fueling operation and shall be maintained in compliance with Section 108.3.

5707.3.1 Safety and emergency response plan. Mobile fueling operators shall have an *approved* written safety and emergency response plan that establishes policies and procedures for fire safety, spill prevention and control, personnel training and compliance with other applicable requirements of this code.

5707.3.2 Training records. Mobile fueling vehicles shall be operated only by designated personnel who are trained on proper fueling procedures and the safety and emergency response plan. Training records of operators shall be maintained.

5707.3.3 Site plan. Where required by the *fire code official*, a site plan shall be developed for each location or area at which mobile fueling occurs. The site plan shall be in sufficient detail to indicate the following:

1. All buildings, structures;
2. *Lot lines* or, property lines;
3. Electric car chargers;
4. Solar photovoltaic parking lot canopies;
5. Appurtenances on site and their use or function;
6. All uses adjacent to the *lot lines* of the site;
7. Fueling locations;
8. Locations of all storm drain openings and adjacent waterways or wetlands

9. Information regarding slope, natural drainage, curbing, impounding;

10. How a spill will be kept on the site property;

11. Scale of the site plan.

5707.4 Mobile fueling areas. The mobile fueling vehicle and point of connection of the vehicle being fueled shall not occur on public streets, *public ways* or inside *buildings*. Fueling on the roof level of parking structures or other *buildings* is prohibited.

5707.4.1 Separation. The point of connection of the vehicle being fueled shall not take place within 25 feet (7620 mm) of buildings, lot lines, property lines or combustible storage. Mobile fueling vehicles shall not park within 10 feet (3048 mm) of buildings, lot lines, property lines, or combustible storage.

Exceptions:

1. The *fire code official* shall be authorized to decrease the separation distance for dispensing from metal safety cans or other *approved* metal containers in accordance with Section 5707.2.

2. The point of fueling shall not take place within 10 feet (3048 mm) of buildings, lot lines, property lines, or combustible storage when the mobile fueling vehicle has an approved vapor recovery system or is servicing vehicles with on board refueling vapor recovery.

Where dispensing operations occur within 15 feet (4572 mm) of a storm drain, an *approved* storm drain cover or an *approved* equivalent method that will prevent any fuel from reaching the drain shall be used.

5707.4.2 Sources of ignition. Smoking, open flames and other sources of ignition shall be prohibited within 25 feet (7620 mm) of fuel dispensing activities. Signs prohibiting smoking or open flames within 25 feet (7620 mm) of the vehicle or the point of fueling shall be prominently posted on the mobile fueling vehicle. The engines of vehicles being fueled shall be shut off during fueling.

5707.4.3 Electrical equipment. Mobile fueling shall not occur within 20 feet of

electrical equipment located within 18 inches of the ground unless such electrical equipment is rated for Class 1, Division 2 hazardous locations in accordance with the National Electrical Code.

5707.5 Equipment. Mobile fueling equipment shall comply with Sections 5707.5.1 through 5707.5.5.

5707.5.1 Dispensing hoses and nozzles. Where equipped, the dispensing hose shall not exceed 50 feet (15 240 mm) in length. The dispensing nozzles and hoses shall be of an *approved* and *listed* type. Where metal-to-metal contact cannot be made between the nozzle and the fuel fill opening, then a means for bonding the mobile fueling vehicle to the motor vehicle shall be provided and employed during fueling operations.

5707.5.2 Break-away device. A listed break-away device shall be provided at the nozzle.

Exception: Mobile fueling vehicles equipped with an approved brake interlock tied to the nozzle holder that prohibits movement of the mobile fueling vehicle when the nozzle is removed from its holder or tied to the delivery of fuel that prevents activation of the pumping system.

5707.5.3 Shut off valve and fuel limit. Mobile fueling vehicles shall be equipped with a listed shutoff valve assembly and a fuel limit switch set to a maximum of 30 gallons (116 L)

5707.5.4 Fire extinguisher. An *approved* portable fire extinguisher complying with Section 906 with a minimum rating of 4A:80-B:C shall be provided on the mobile fueling vehicle with signage clearly indicating its location.

5707.5.5 Spill kit. Mobile fueling vehicles shall contain a minimum 5-gallon (19 L) spill kit of an *approved* type.

5707.6 Operations. Mobile fueling vehicles shall be constantly attended during fueling operations with brakes set and warning lights in operation. Mobile fueling vehicles shall not obstruct emergency vehicle access roads.

5707.6.1 Dispensing hose. Where equipped, mobile fueling vehicles shall be

positioned in a manner to preclude traffic from driving over the dispensing hose. The dispensing hose shall be properly placed on an *approved* reel or in an *approved* compartment prior to moving the mobile fueling vehicle.

5707.6.2 Drip control. Operators shall place a drip pan or an absorbent pillow under the nozzle and each fuel fill opening prior to and during dispensing operations to catch drips.

5707.6.3 Safety cones. Safety cones or other visual barriers shall be employed as warning devices to highlight the vehicle fueling area.

5707.6.4 Vehicle lights. The mobile fueling vehicle flasher lights shall be in operation while dispensing operations are in progress.

5707.6.5 Nighttime deliveries. Nighttime deliveries shall only be made in areas deemed adequately lighted by the *fire code official*.

5707.6.6. Spill reporting. Spills shall be reported in accordance with Section 5003.3.1

15.10.175 IFC Section 5806.2, Limitations, amended.

Section 5806.2 of the International Fire Code is amended to read as follows:

5806.2 Outdoor storage. The storage of flammable cryogenic fluids in stationary containers outside of buildings is prohibited within the city limits.

15.10.180 IFC Section 6104.2, Maximum Capacity within Established Limits, amended.

Section 6104.2 of the International Fire Code is amended to read as follows:

6104.2 Maximum capacity within established limits. Throughout the city, the aggregate capacity of any one installation of liquefied petroleum gas shall not exceed five hundred (500) gallons water capacity. This capacity limit may be increased up to, but not to exceed, two thousand (2,000) gallons water capacity if the installation is not within, or closer than 100 feet of a residential

zone and must be approved by the fire code official. A permit is required to install a liquefied petroleum gas tank.

Exception: Existing installations exceeding five hundred (500) gallons water capacity, but not exceeding two thousand (2,000) gallons water capacity, shall be allowed to continue.

15.10.185 IFC Appendix B, Fire-Flow Requirements for Buildings, amended.

Appendix B, Sections B104.1, B104.2, ~~and B105.1, and B105.2 the footnotes of Table B105.1~~, are amended to read as follows:

B104.1 General. The fire flow calculation area shall be the total floor area of all floor levels within the exterior walls, and under the horizontal projections of the roof of a building, including basements and attached garages, except as modified in Section B104.3.

B104.2 Area separation. Portions of buildings which are separated by four-hour fire walls without openings, constructed in accordance with the International Building Code, are allowed to be considered as separate fire-flow calculation areas.

B105.1 One and Two Family dwellings. The minimum fire flow requirements for one and two family dwellings having a fire-flow calculation area where the gross floor area, including attached garages, does not exceed 3,600 square feet (344.5 m²) shall be 1,500 gallons per minute (3785.4 L/min). Fire flow and flow duration for dwellings having a gross square footage in excess of 3,600 square feet (344.5 m²) shall be not less than that specified in Table B105.1 and the *ISO Guide for the Determination of Needed Fire Flow*.

Exception: The minimum fire flow required for one- and two-family dwellings protected by approved fire sprinkler systems that have a gross floor area under 3,600 square feet shall be ~~500-1000~~ gallons per minute. Fire sprinkler protected one- and two-family dwellings that have gross floor areas over 3,600 square feet shall have

available fire flow of at least 1/2 the value in Table B105.1(2), but shall not be below 1000 gallons per minute.

B105.2 Buildings other than one- and two-family dwellings. The minimum fire flow and flow duration for buildings other than one- and two-family dwellings shall be as determined by utilizing Table B105.1(2) and the *ISO Guide for the Determination of Needed Fire Flow*.

Exception: A reduction in required fire flow of up to 50 percent, as approved, is allowed when the building is provided with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2 of the International Fire Code. Where buildings are of Type I or II construction and are a light-hazard occupancy as defined by NFPA 13, the reduction may be up to 75 percent. The resulting fire flow shall not be less than 1,500 gallons per minute (5678 l/min) for the prescribed duration as specified in Table B105.1.

Chapter 15.20 BUILDING CODES

Sections:

- 15.20.010 International Building Code adopted.
- 15.20.015 IBC Section 312.1, U-Occupancy Use – General, amended.
- 15.20.020 IBC Section 403.4.8, Standby Power, amended.
- 15.20.025 IBC Section 403.4.8.1, Equipment Room, amended.
- 15.20.030 IBC Section 403.4.8.1.1, Standby Power Room Penetrations, added.
- 15.20.035 IBC Section 403.4.8.3, Standby Power Loads, amended.
- 15.20.040 IBC Section 403.7, Smoke Control, added.
- 15.20.045 IBC Section 405.8, Standby Power, **and Emergency** amended.
- 15.20.050 IBC Section 712.1.3.1, Opening Size, amended.
- 15.20.055 IBC Section 903.2, Sprinklers Where Required, amended.
- 15.20.060 IBC Section 903.2.13, Additional Fire Sprinkler Requirements for New and Existing Buildings, added.
- 15.20.065 IBC Section 903.3.1.1.1, Exempt locations, amended.
- 15.20.070 **IBC Section 903.3.1.2, NFPA 13R sprinkler systems, amended Repealed.**
- 15.20.075 IBC Section 903.4.3, Floor Control Valves, amended.
- 15.20.080 IBC Section 903.5.1, Fire Sprinkler and Standpipe Drains, added.
- 15.20.085 IBC Section 907.2, Alarms Where Required – New Buildings and Structures, amended.
- 15.20.090 IBC Section 911.1.2.1, Fire Command Center Penetrations, added.
- 15.20.095 IBC Section 1608.1, Snow Load – General, amended.
- 15.20.100 IBC Section 1612.3, Establishment of Flood Hazard Areas, amended.
- 15.20.105 **IBC Section 3002.4, Elevator Car to Accommodate Ambulance Stretcher, amended Repealed.**
- 15.20.110 IBC Section **3112.3.1.1.7**, Waterfront Structures, added.
- 15.20.115 IBC Appendix adoption.
- 15.20.120 International Residential Code adopted.
- 15.20.125 IRC Table **R301.2(1)R301.2**, Climate and Geographic Design Criteria, amended.
- 15.20.130 IRC Appendix **AWV**, Fire Sprinklers, amended.
- 15.20.135 **Repealed** IRC Appendix **AWZ, Building Deconstruction, amended.**
- 15.20.140 **Repealed** International Mechanical Code adopted.
- 15.20.145 **Repealed** Uniform Plumbing Code adopted.
- 15.20.150 **Repealed** National Fuel Gas Code (NFPA 54) adopted.
- 15.20.155 **Repealed** Liquefied Petroleum Gas Code (NFPA 58) adopted.
- 15.20.160 **International Mechanical Code adopted. International Fuel Gas Code adopted.**
- 15.20.165 **Uniform Plumbing Code adopted. Washington State Energy Code adopted.**
- 15.20.170 **National Fuel Gas Code (NFPA 54) adopted. International Existing Building Code adopted.**
- 15.20.175 **Liquefied Petroleum Gas Code (NFPA 58) adopted. International Existing Building Code adopted.**

~~15.20.180 International Fuel Gas Code adopted. International Wildland-Urban Interface Code adopted.~~

~~15.20.185 Washington State Energy Code adopted. Repealed.~~

~~15.20.200 Repealed.~~

~~15.20.205 Repealed.~~

~~15.20.210 Repealed.~~

~~15.20.215 Repealed.~~

~~15.20.220 Repealed.~~

~~15.20.225 International Existing Building Code adopted.~~

~~15.20.230 International Swimming Pool and Spa Code adopted.~~

15.20.010 International Building Code adopted.

The ~~2018~~ **2021** Edition of the International Building Code, excluding Chapter 1, “Scope and Administration,” as published by the International Code Council, is adopted, together with the amendments set forth in Chapter 51-50 WAC. The Construction Administrative Code, as set forth in Chapter 15.30 KMC, shall be used in place of IBC Chapter 1.

15.20.015 IBC Section 312.1, U-Occupancy Use – General, amended.

Section 312.1 of the International Building Code is hereby amended to read as follows by adding the following use to the list:

Waterfront structures

15.20.020 IBC Section 403.4.8, Standby Power, amended.

Section 403.4.8 of the International Building Code is hereby amended to read as follows:

Add the following sentence to the end of the paragraph:

Fuel-fired emergency generator sets and associated fuel storage, including optional generator sets, located more than 75 feet above the lowest level of Fire Department vehicle access requires the approval of the Fire Code Official.

15.20.025 IBC Section 403.4.8.1, Equipment Room, amended.

Section 403.4.8.1 of the International Building Code, is hereby amended to read as follows:

403.4.8.1 Equipment room. If the standby system is a generator set inside the building, the system shall be located in a separate room enclosed with 2-hour fire barriers constructed in accordance with Section 403.4.8.1.1 and Section 707 or horizontal assemblies constructed in accordance with Section 711, or both. System supervision with manual start and transfer features shall be provided at the fire command center.

15.20.030 IBC Section 403.4.8.1.1, Standby Power Room Penetrations, added.

Section 403.4.8.1.1 of the International Building Code is hereby added as follows:

403.4.8.1.1 Penetrations. Penetrations into and openings through a room containing a standby power system are prohibited except for required exit doors, equipment and ductwork necessary for heating, cooling or ventilation, sprinkler branch line piping, or electrical raceway serving the standby power system or being served by the standby power system and metallic piping with no joints or openings. Such penetrations shall be protected in accordance with Section 714.

15.20.035 IBC Section 403.4.8.3, Standby Power Loads, amended.

Section 403.4.8.3 of the International Building Code is amended by adding a fifth item which reads as follows:

5. Smoke control system.

15.20.040 IBC Section 403.7, Smoke Control, added.

Section 403.7 of the International Building Code is hereby added as follows:

403.7 Smoke control. A smoke control system meeting the requirements of Section 909 shall be provided in buildings that exceed ten stories, or contain a use requiring defend-in-place firefighting operations in which occupants of some area cannot readily evacuate that area. This includes portions of facilities housing functions essential to continuity of public safety operations, and Group I and LC Occupancies where in the judgment of the Building Official and Fire Code Official, occupants having limited capacity for self-preservation are located on floors more than 75

feet above the lowest level of Fire Department vehicle access. A smoke control system for a defend-in-place use may be a performance-based design to protect that use without providing smoke control throughout the entire building, but shall otherwise comply with Section 909.

Exception: Smoke control may be omitted when approved by the Building Official and Fire Code Official.

15.20.045 IBC Section 405.8, Standby and Emergency Power, amended.

Section 405.8 of the International Building Code is hereby amended by adding the following sentence:

Fuel-fired emergency generator sets and associated fuel storage, including optional generator sets, located more than 30 feet below the lowest level of exit discharge requires the approval of the Fire Code Official.

15.20.050 IBC Section 712.1.3.1, Opening Size, amended.

Section 712.1.3.1 of the International Building Code is hereby amended by revising the last sentence, to read:

This application is limited to openings that do not connect more than four stories in buildings not required to have smoke control systems. In buildings that are required to have smoke control systems, escalators are limited to openings that do not connect more than four stories and non-egress stairs are limited to openings that do not atmospherically connect more than two stories.

15.20.055 IBC Section 903.2, Sprinklers Where Required, amended.

Section 903.2 of the International Building Code is hereby amended to read as follows:

903.2 Where required. Approved automatic sprinkler systems in new and existing buildings and structures shall be provided in the locations described in Section 903.2.1 through 903.13.

The exception has been deleted.

15.20.060 IBC Section 903.2.13, Additional Fire Sprinkler Requirements for New and Existing Buildings, added.

Section 903.2 of the International Building Code is hereby amended by adding a new Section 903.2.13 as follows:

903.2.13 Additional fire sprinkler requirements for new and existing buildings.

NEW BUILDINGS

1. An automatic sprinkler system shall be installed in all occupancies requiring 2,000 gallons per minute or more fire flow, or where the gross square footage exceeds ~~5,000~~ **4,800** square feet. This applies to all buildings regardless of type or use. Fire walls shall not be considered to separate a building to enable deletion of the required sprinkler system.
2. All newly constructed buildings regardless of gross square footage shall be provided with an automatic sprinkler system if adequate fire flow, hydrant spacing, or approved fire department access is not provided as required in the International Fire Code Section 503, Appendix B, and/or Title 15 of the Kenmore Municipal Code.
3. An automatic sprinkler system shall be installed in newly constructed residential occupancies.

Exception: Detached accessory dwelling units (ADU's).

EXISTING BUILDINGS

1. The provisions of this section shall apply to existing **IRC** buildings that are subject to alterations, repairs, modifications or similar improvements where the total cost of the work performed exceeds ~~50%~~ **75%** of the King County Assessor's Office valuation. Where subsequent alterations, repairs, modifications or similar improvements occur within five years of the first permitted work, the original building valuation shall be used and the total costs of

the improvements shall be accumulative. All other occupancies shall comply with the Washington State Existing Building Code.

2. The provisions of this section shall apply to existing buildings where the gross floor area of the building is increased. Additions to buildings that would result in a gross floor area greater than 5,000 square feet shall be retrofitted throughout with an approved automatic sprinkler system.

Exception: The floor area of an existing building may be increased up to 25%, not to exceed 5,000 square foot floor area increase. This exception shall be allowed one time only and acknowledgement of its use shall be recorded on the property title prior to permit issuance.

15.20.065 IBC Section 903.3.1.1.1, Exempt locations, amended.

Item 6 from Section 903.3.1.1.1 of the International Building Code is hereby amended to read as follows:

6. Machine rooms, machinery spaces, control rooms and control spaces associated with traction elevators. The elevator machinery shall not be of the hydraulic type.

~~15.20.070 IBC Section 903.3.1.2, NFPA 13R sprinkler systems, amended. Repealed~~
~~Section 903.3.1.2 of the International Building Code is hereby amended to read as follows:~~

~~Automatic sprinkler systems in Group R occupancies up to and including four stories in height in buildings not exceeding 60 feet in height, as measured from the lowest point of fire department access, shall be permitted to be installed throughout in accordance with NFPA 13R.~~

~~The number of stories of Group R constructed in accordance with Sections 510.2 and 510.4 shall be measured from the horizontal assembly creating separate buildings.~~

15.20.075 IBC Section 903.4.3, Floor Control Valves, amended.

Section 903.4.3 of the International Building Code is hereby amended to read as follows:

903.4.3 Floor control valves. In multi-level buildings *approved*, supervised indicating control valves shall be provided at the point of connection to the riser on each floor.

Exception: When approved by the fire code official.

15.20.080 IBC Section 903.5.1, Fire Sprinkler and Standpipe Drains, added.

Section 903.5.1 of the International Building Code is amended by adding a new Section 903.5.1 as follows:

903.5.1 Fire sprinkler and standpipe drains. Fire sprinkler and standpipe main/express drains shall be positioned to drain to the sanitary sewer. Additionally, maintenance or testing discharges from fire pumps shall be treated in order to comply with the National Pollution Discharge Elimination System (NPDES) requirements.

15.20.085 IBC Section 907.2, Alarms Where Required – New Buildings and Structures, amended.

Section 907.2 of the International Building Code is hereby amended to read as follows:

907.2 Where required – new buildings and structures.

All occupancies exceeding 3,000 square feet gross floor area shall be required to provide an approved and monitored fire detection system. Fire walls shall not be considered to be a separate building to enable deletion of the required fire detection system.

Exception: Group U or IRC regulated structures.

An approved fire alarm system installed in accordance with Sections 907.2.1 through 907.2.23 and provide occupant notification in accordance with Section 907.6, unless other requirements are provided by another section of the IFC. Where automatic protection installed in accordance with Section 903.3.1.1 or 903.3.1.2 is provided and connected to the building fire alarm

system, automatic heat detection required by this section shall not be required.

A minimum of one fire alarm box shall be provided in an approved location to initiate a fire alarm signal for the fire alarm systems employing automatic fire detectors or water-flow devices. Where other sections of this code allow elimination of fire alarm boxes due to sprinklers, a single fire alarm box shall be installed.

EXISTING BUILDINGS

The provisions of this section shall apply to existing buildings that are subject to alterations, repairs, modifications or similar improvements where the total cost of the work performed exceeds 50% of the King County Assessor's Office valuation of the structure. Where subsequent alterations, repairs, modifications or similar improvements occur within five years of the first permitted work, the original building valuation shall be used and the total costs of improvements shall be accumulative.

15.20.090 IBC Section 911.1.2.1, Fire Command Center Penetrations, added.

Section 911.1.2.1 of the International Building Code is hereby added to read as follows:

911.1.2.1 Penetrations. Penetrations into and openings through a fire command center are prohibited except for required exit doors, equipment and ductwork necessary for heating, cooling or ventilation, sprinkler branch line piping, electrical raceway for the fire department communication and control, electrical raceway serving the fire command center for being controlled from the fire command center and metallic piping with no joints or openings. Such penetrations shall be protected in accordance with Section 714.

15.20.095 IBC Section 1608.1, Snow Load – General, amended.

Section 1608.1 of the International Building Code is hereby amended to read as follows:

1608.1 General. Design snow loads shall not be less than 25 psf, and the design roof loads shall not be less than that determined by Section 1607.

15.20.100 IBC Section 1612.3, Establishment of Flood Hazard Areas, amended.

Section 1612.3 of the International Building Code is hereby amended by revising the second sentence to read as follows:

The flood hazard map shall include, at a minimum, areas of special flood hazard as identified by the Federal Emergency Management Agency in an engineering report entitled "The Flood Insurance Study for King County, Washington and Incorporated Areas," DATED April 9, 2005, as amended or revised with the accompanying Flood Insurance Rate Map (FIRM) and related supporting data along with any revisions thereto.

~~15.20.105 IBC Section 3002.4, Elevator Car to Accommodate Ambulance Stretcher, amended. Repealed.~~

~~Section 3002.4 of the International Building Code is hereby amended to read as follows:~~

~~3002.4 Elevator car to accommodate ambulance stretcher. Where elevators are provided in buildings four or more stories above, or four or more stories below grade plane, or in any R or I occupancy building provided with an elevator regardless of the number of stories, at least one elevator shall be provided for fire department emergency access to all floors. The elevator car shall be of such a size and arrangement to accommodate a 24-inch by 84-inch (610 mm by 1930 mm) ambulance stretcher in the horizontal, open position and shall be identified by the international symbol for emergency medical services (star of life). The symbol shall not be less than 3 inches (76 mm) high and shall be placed inside on both sides of the hoistway door frame.~~

15.20.110 IBC Section ~~3112~~3117, Waterfront Structures, added.

Section ~~3112~~3117 of the International Building Code is hereby added as follows:

SECTION ~~3112~~3117

WATERFRONT STRUCTURES

Section **31127.1** General. In addition to other requirements of this code, all waterfront structures shall comply with the regulations of this section and the Kenmore Shoreline Management Code.

Section **31127.2** Approvals Required. Before any permit for a new waterfront structure or revisions to an existing waterfront structure is issued by the building official, the applicant shall obtain prior approval from all applicable state and federal agencies.

Section **31127.3** Definitions. For the purpose of this section, certain terms are defined as follows:

BULKHEAD. As defined in the Kenmore Shoreline Management Code.

COVERED WATERFRONT STRUCTURE. Any waterfront structure covered in whole or in part by a roof.

DOCK. As defined in the Kenmore Shoreline Management Code.

FLOAT. As defined in the Kenmore Shoreline Management Code.

PIER. As defined in the Kenmore Shoreline Management Code.

POLLUTION-GENERATING MATERIAL. Include those which are erodable or leachable materials, wastes, or chemicals. Metal roofs are considered to be pollution-generated unless they are treated to prevent leaching.

SUBSTRUCTURE. That portion of the construction of a dock, pier, wharf or other similar waterfront structure below and including the deck.

SUPERSTRUCTURE. That portion of the construction of a dock, pier, wharf or other similar waterfront structure above the deck.

WATERFRONT STRUCTURE. Structures including, but not limited to docks, piers, wharves, floats, mooring piles, anchor buoys,

bulkheads, submerged or overhead wires, pipes and cables, and any object passing beneath, through or over the water, waterward of the ordinary high water mark.

WHARF. A structure of timber, stone, concrete or other material having a platform built along and parallel to navigable waters so that vessels may be moored alongside for loading and unloading, or for storage or repair.

Section **31127.4** Construction Requirements. Waterfront structures shall comply with Sections **31127.4.1** through **31127.4.4**.

Section **31127.4.1** Substructure. The substructure may be constructed of any nonpollution-generating materials allowed by this code, and the Kenmore Shoreline Management Code. All decks shall sustain, within the limitations of this code, all dead loads plus a live load of not less than 100 pounds per square foot, assumed to act vertically. In addition to the live load requirement, all structures and every portion thereof shall be designed and constructed to resist a horizontal force of not less than 100 pounds per lineal foot acting at the deck line, in any direction.

Exception: For waterfront structures serving only a single-family dwelling, a live load of 40 psf may be used and a horizontal force need only be considered where applicable.

Automatic sprinklers shall be installed under the substructure in accordance with the requirements of Chapter 9 and the International Fire Code.

Section **31127.4.2** Superstructure. The superstructure shall be designed and constructed to sustain all dead loads, live loads, and wind loads required by this code, and may be constructed of any nonpollution-generating materials allowed by this code and the Kenmore Shorelines Management Code, except when the building area of a covered waterfront structure exceeds 1,000 square feet the entire superstructure and deck shall be constructed of noncombustible materials or as required for Type IV-H.T.

~~C~~construction per Section 602.4 or be equipped throughout the structure with an approved automatic sprinkler system.

Section ~~31127.4.3~~ Hardware. All hardware used structurally shall be of a corrosive-resistant metal such as aluminum, brass, copper, and stainless steel, or be completely protected by an approved corrosion-resistant metal, such as zinc.

Section ~~31127.4.4~~ Standpipes. When a distance of travel to fire apparatus access exceeds one hundred fifty (150) feet, a Class I manual, dry standpipe system shall be provided in accordance with NFPA 303. Systems shall be provided with outlets located such that no point of the structure exceeds one hundred fifty (150) feet from a standpipe outlet.

Exception: Waterfront structures serving not more than one single-family dwelling.

15.20.115 IBC Appendix adoption.

The City hereby adopts Appendix Chapter E, "Supplementary Accessibility Requirements," and Appendix Chapter H, "Signs," and Appendix P, "Construction and Demolition Material Management", pursuant to Chapters 19.27 and 70.92 RCW.

15.20.120 International Residential Code adopted.

The ~~2018~~ 2021 Edition of the International Residential Code, including Appendix AT, "Solar Ready Provisions", Appendix AWU, "Dwelling Unit Fire Sprinkler Systems," and Appendix AWV, "Fire Sprinklers," Appendix AWY, "Construction and Demolition Material Management" and Appendix AWZ, "Building Deconstruction" but excluding Chapter 1 of the IRC, "Scope and Administration," as published by the International Code Council, is adopted, together with the amendments set forth in Chapter 51-51 WAC. The Construction Administrative Code, as set forth in Chapter 15.30 KMC, shall be used in place of IRC Chapter 1.

15.20.125 IRC Table ~~R301.2(1)~~, R301.2 Climate and Geographic Design Criteria, amended.

Table ~~R301.2(1)~~, R301.2 of the International Residential Code is hereby amended to read as follows:

TABLE R301.2

CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

GROUND SNOW LOAD ^a (psf)	WIND DESIGN				SEISMIC DESIGN CATEGORY	SUBJECT TO DAMAGE FROM			ICE BARRIER UNDERLAYMENT REQUIRED	FLOOD HAZARD ^e	AIR FREEZING INDEX	MEAN ANNUAL TEMP
	Speed ^b (mph)	Topographic effects ^c	Special wind region	Windborne debris zone		Weathering ^d	Frost line depth	Termite				
25	110	No	No	No	D2	Moderate	12"	Slight to Moderate	No	Per KMC 18.55.070	148	51 °F
MANUAL J DESIGN CRITERIA												
Elevation		Altitude correction factor		Coincident wet bulb		Indoor winter design dry- bulb temperature		Indoor winter design dry- bulb temperature		Outdoor winter design dry- bulb temperature		Heating temperature difference
60 feet		0.99		66 °F		72 °F		72 °F		24 °F		45 °F
Latitude		Daily Range		Indoor summer design relative humidity		Summer design gains 50% RH		Indoor summer design dry-bulb temperature		Outdoor summer design dry-bulb temperature		Cooling temperature difference
47°		Medium		68%		5		75 °F		83 °F		7 °F

- a. This is the minimum roof snow load. When using this snow load it will be left to the engineer's judgment whether to consider drift or sliding snow. However, rain on snow surcharge of 5 psf must be considered for roof slopes less than 5 degrees.
- b. The basic wind speed is determined from the basic wind speed map in Figure R301.2(2). Wind exposure category shall be determined on a site-specific basis in accordance with Section R301.2.1.4.
- c. Topographic effects (Wind Speed-up Kzt factor) shall be determined on a site-specific basis in accordance with Section R301.2.1.5.
- d. Weathering may require a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code. The grade of masonry units shall be determined from ASTM C34, C55, C62, C73, C90, C129, C145, C216 or C652.
- e. The City of Kenmore participates in the National Flood Insurance Program (NFIP); Regular Program (No Special Flood Hazard Area). Further NFIP participation information: CID 530083, Initial FHBM Identified 06/28/74, Initial FIRM Identified 05/16/95, Current Effective Map Date (NSFHA), Reg-Emer Date 06/30/97, 53033C0654G effective 8/19/2020.

15.20.130 IRC Appendix AWV, Fire Sprinklers, amended.

Appendix AWV, Section AWV107.1 of the ~~2018~~ 2021 International Residential Code is hereby amended to read as follows:

AWV107.1 Fire Sprinklers. An approved fire sprinkler system shall be installed in new one-family and two-family dwellings and townhouses in accordance with Appendix AWU.

Exception: Accessory dwelling units.

15.20.135 ~~1997 Uniform Housing Code adopted~~ IRC Appendix AWZ, Building Deconstruction, amended.

Appendix AWZ, Section AWZ 101.2 of the 2021 International Residential Code is hereby amended to read as follows:

AWZ101.2 Scope.

This section applies to existing dwellings, townhouses, and accessory structures permitted to be demolished that are greater than 750 square feet (69.68 m²) and meet one of the following:

- 1.The structure has been identified as a historic building; or
- 2.The structure was built ~~90~~70, or more, years ago.

Exceptions:

- 1.The structure is determined to be unsafe by the engineer of record;
- 2.The structure shall be relocated;
- 3.The engineer of record determines that 50 percent, by weight, of the material in the structure that is not concrete, is not suitable for reuse.

15.20.140 UHC Section 203, Appeals — Amended.**15.20.145 UHC Section 1201.2, Processing of Appeals — Amended.****15.20.150 UHC Section 1201.3 deleted.****15.20.155 UHC Chapter 13 deleted.****15.20.~~160~~140 International Mechanical Code adopted.**

The ~~2018~~ **2021** Edition of the International Mechanical Code, excluding Chapter 1, “Scope and Administration,” as published by the International Code Council, is adopted, together with the amendments set forth in Chapter 51-52 WAC. The Construction Administrative Code, as set forth in Chapter 15.30 KMC, shall be used in place of IMC Chapter 1.

15.20.165145 Uniform Plumbing Code adopted.

The ~~2018~~ **2021** Edition of the Uniform Plumbing Code, excluding Chapter 1, “Administration,” as published by the International Association of Plumbing and Mechanical Officials, is adopted, together with Appendix A, “Recommended Rules for Sizing the Water Supply System,” Appendix B, “Explanatory Notes on Combination Waste and Vent Systems,” Appendix C, “Alternate Plumbing Systems,” excluding Sections C303.3, C304.0 through C601.9, Appendix I, “Installation Standards,” Appendix K, “Potable Rainwater Catchment Systems,” Appendix M — Peak Water Demand Calculator, and the amendments set forth in Chapters 51-52 and 51-57 WAC. The Construction Administrative Code, as set forth in Chapter 15.30 KMC, shall be used in place of UPC Chapter 1.

15.20.170150 National Fuel Gas Code (NFPA 54) adopted.

The ~~2018~~ **2021** National Fuel Gas Code, excluding Chapter 1, “Administration,” as published by NFPA, is adopted together with the amendments set forth in Chapter 51-52 WAC. The Construction Administrative Code, as set forth in Chapter 15.30 KMC, shall be used in place of NFPA 54 Chapter 1.

15.20.175155 Liquefied Petroleum Gas Code (NFPA 58) adopted.

The ~~2017~~ **2020** Liquefied Petroleum Gas Code, excluding Chapter 1, “Administration,” as published by NFPA, is adopted, together with the amendments set forth in Chapter 51-52 WAC. The Construction Administrative Code, as set forth in Chapter 15.30 KMC, shall be used in place of NFPA 58 Chapter 1.

15.20.180160 International Fuel Gas Code adopted.

The ~~2018~~ **2021** Edition of the International Fuel Gas Code, excluding Chapter 1, “Administration,” as published by the International Code Council, is adopted, together with the amendments set forth in Chapter 51-52 WAC. The Construction Administrative Code, as set forth in Chapter 15.30 KMC, shall be used in place of IFGC Chapter 1. Provided, that detached and two-family dwellings and multiple single-family dwellings

(townhouses) not more than three stories high with separate means of egress and their accessory structures shall comply with the International Residential Code.

15.20.185165 Washington State Energy Code adopted.

The 2018 2021 Washington State Energy Code, excluding Chapter 1, as adopted by the State Building Code Council in Chapters 51-11C and 51-11R WAC, is adopted. The Construction Administrative Code, as set forth in Chapter 15.30 KMC, shall be used in place of Chapter 1.

~~15.20.200 Uniform Code for the Abatement of Dangerous Buildings adopted.~~

~~15.20.205 UCADB Section 205, Appeals, amended.~~

~~15.20.210 UCADB Section 501.2, Processing of Appeals, amended.~~

~~15.20.215 UCADB Section 501.3 deleted.~~

~~15.20.220 UCADB Chapter 6 deleted.~~

15.20.225170 International Existing Building Code adopted.

The 2018 2021 Edition of the International Existing Building Code, excluding Chapter 1, "Scope and Administration," as published by the International Code Council, is adopted, together with Appendix A, "Guidelines for the Seismic Retrofit of Existing Buildings," and the amendments set forth in Chapter 51-50 WAC. The Construction Administrative Code, as set forth in Chapter 15.30 KMC, shall be used in place of IEBC Chapter 1.

15.20.230175 International Swimming Pool and Spa Code adopted.

The 2018 2021 Edition of the International Swimming Pool and Spa Code, excluding Chapter 1, as published by the International Code Council, is adopted, together with the amendments set forth in Chapter 51-50 WAC. The Construction Administrative Code, as set forth in Chapter 15.30 KMC, shall be used in place of ISPSC Chapter 1.

15.20.280 International Wildland-Urban Interface Code adopted.

The 2021 edition of the International Wildland-Urban Interface Code (IWUIC), as adopted and amended by the State Building Code Council in WAC Chapter 51-55, as published by the International Code Council, excluding Chapter 1, Scope and Administration, is adopted by reference. The Construction Administrative Code, as set forth in Chapter 15.30 KMC, shall be used in place of IWUIC Chapter 1, Administration.

Chapter 15.30 CONSTRUCTION ADMINISTRATIVE CODE

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Article I. General

15.30.010 Title.

The regulations contained in this chapter shall be known as the construction administrative code of the City, and are hereinafter referred to as “this code.”

15.30.015 Purpose.

The purpose of this chapter is to provide for the administration, organization and enforcement of the technical codes adopted by the City.

15.30.020 Scope.

The provisions of this code shall apply to the administration of the technical codes as adopted by the State of Washington and listed:

- A. 2018 2021 International Building Code – Chapter 51-50 WAC;
- B. 2018 2021 International Residential Code – Chapter 51-51 WAC;
- C. 2018 2021 International Mechanical Code – Chapter 51-52 WAC;
- D. 2018 2021 National Fuel Gas Code (NFPA 54) – Chapter 51-52 WAC;
- E. 2017 2020 Liquefied Petroleum Gas Code (NFPA 58) – Chapter 51-52 WAC;
- F. 2018 2021 International Fuel Gas Code – Chapter 51-52 WAC;
- G. 2018 2021 Uniform Plumbing Code – Chapters 51-56 and 51-57 WAC;
- H. 2018 2021 International Existing Building Code – ~~Chapter 51-50~~ WAC 51-50-480000;
- I. 2018 2021 Washington State Energy Code, Chapters 51-11C and 51-11R WAC;
- J. 2018 2021 International Swimming Pool and Spa Code, WAC 51-50-3109 and WAC 51-51-0329;
- K. 2021 International Wildland-Urban Interface Code - Chapter 51-51 WAC.

15.30.025 Definitions.

For the purpose of this chapter, certain terms, phrases, words and their derivatives shall have the meanings set forth in this section. Where terms are not defined, they shall have their ordinary accepted meanings within the context with which they are used. Webster's Third International Dictionary of the English Language, Unabridged, latest edition, shall be considered as providing ordinary accepted meanings. Words used in the singular include the plural and the plural the singular. Words used in the masculine gender include the feminine and the feminine the masculine.

A. "Action" means a specific response complying fully with a specific request by the City.

B. “Building service equipment” means and refers to the plumbing, mechanical and electrical equipment including piping, wiring, fixtures, and other accessories which provide sanitation, lighting, heating, ventilation, cooling, refrigeration, firefighting, and transportation facilities essential to the occupancy of the building or structure for its designated use.

C. “Complete response” means an adequate response to all requests from City staff in sufficient detail to allow the application to be processed.

D. “Energy code” means the Washington State Energy Code promulgated by the Washington State Building Code Council as adopted by the City.

E. “IBC” means the latest edition of the International Building Code promulgated by the International Code Council as adopted by this City.

F. “IEBC” means the latest edition of the International Existing Building Code promulgated by the International Code Council as adopted by this City.

G. “IMC” means the latest edition of the International Mechanical Code promulgated by the International Code Council as adopted by this City.

H. “IRC” means the latest edition of the International Residential Code for One- and Two-Family Dwellings promulgated by the International Code Council as adopted by this City.

I. “ISPSC” means the latest edition of the International Swimming Pool and Spa Code promulgated by the International Code Council as adopted by this City.

J. “KPMC” means Kenmore Property Maintenance Code.

K. “Minor field change” means a change to an approved plan that does not change the building use, area, height, or location on a lot and does not affect the means of egress, accessibility, or structural design and does not add plumbing or mechanical fixtures or appliances.

L. “NEC” means the ~~latest~~ **latest** edition of the National Electrical Code promulgated by the National Fire Protection Association as adopted by this City.

M. "Occupancy" means the purpose for which a building, or part thereof, is used or intended to be used.

N. "Shall," as used in this chapter, is mandatory.

O. "Temporary growing structure" means a structure that has the sides and roof covered with polyethylene, polyvinyl, or similar flexible synthetic material and is used to provide plants with either frost protection or increased heat retention.

P. "Temporary worker housing" means a place, area, or piece of land where sleeping places or housing sites are provided by an employer for his or her employees or by another person, including a temporary worker housing operator who is providing such accommodations for employees, for temporary, seasonal occupancy, and includes "labor camps" under RCW 70.54.110.

Q. "UPC" means the latest edition of the Uniform Plumbing Code promulgated by the International Association of Plumbing and Mechanical Officials as adopted by this City.

R. "Valuation" or "value," as applied to a building or building service equipment, means and shall be the estimated cost to replace the building and its building service equipment in kind, based on current replacement costs. It shall also include the contractor's overhead and profit.

15.30.030 Appendices.

Provisions in the appendices shall not apply unless specifically adopted.

15.30.035 Intent Purpose.

~~The purpose of this code is to establish the minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from fire and other hazards attributed to the built environment and to provide safety to fire fighters and emergency responders during emergency operations.~~ The purpose of this code is to establish the minimum requirements to provide a reasonable level of safety, health and general welfare through structural strength, means of egress, stability, sanitation, light and ventilation, energy conservation, and for providing a reasonable level of life safety and property protection from the hazards of fire, explosion or dangerous conditions, and to provide a reasonable level of safety to fire fighters and emergency responders during emergency operations.

15.30.040 Referenced codes.

The codes listed in KMC 15.30.020 and referenced elsewhere in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference.

15.30.045 International Building Code – Scope.

The provisions of the International Building Code shall apply to the construction, alteration, relocation, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal, and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

Exception: Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories above grade plane in height with separate means of egress, and their accessory structures not more than three stories above grade plane in height, shall comply with the International Building Code or the International Residential Code.

15.30.050 International Residential Code – Scope.

The provisions of the International Residential Code for One- and Two-Family Dwellings shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal, and demolition of detached one- and two-family dwellings, adult family homes, and townhouses and ~~multiple single-family dwellings (townhouses)~~ not more than three stories above grade plane in height with separate means of egress and their accessory structures not more than three stories above grade plane in height.

Exceptions:

A. Live/work units located in townhomes and complying with the requirements of Section 419-508.5 of the International Building Code shall be permitted to be constructed in accordance with the International Residential Code for One – and Two-Family Dwellings. ~~Fire suppression~~ An automatic sprinkler system required by Section 419.5 508.5.7 of the International Building Code when constructed under the International Residential Code for One- and Two-Family Dwellings shall conform to Appendix AWU.

B. Owner-occupied lodging houses with one or two guestrooms shall be permitted to be constructed in accordance with the International Residential Code for One- and Two-Family Dwellings.

C. Owner-Occupied lodging homes with three to five guestrooms shall be permitted to be constructed in accordance with the International Residential Code for One- and Two-Family Dwellings when equipped with a fire sprinkler system in accordance with Appendix AWU.

D. A care facility with five or fewer persons receiving custodial care within a dwelling unit shall be permitted to be constructed in accordance with the International Residential Code for One- and Two-Family Dwellings where equipped with an automatic fire sprinkler system in accordance with Appendix AWU.

E. A care facility with five or fewer persons receiving medical care within a dwelling unit shall be permitted to be constructed in accordance with the International Residential Code for One- and Two-Family Dwellings where equipped with an automatic fire sprinkler system in accordance with Appendix AWU.

F. A care facility with five or fewer persons receiving care that are within a single-family dwelling shall be permitted to be constructed in accordance with the International Residential Code for One- and Two-Family Dwellings where equipped with an automatic fire sprinkler system in accordance with Appendix AWU.

15.30.055 Mechanical code – Scope.

The provisions of the International Mechanical Code shall apply to the design, installation, maintenance, alteration, and inspection of mechanical systems that are permanently installed and utilized to provide control of environmental conditions and related processes with in buildings. The International Mechanical Code shall also regulate those mechanical systems, system components, equipment and appliances specifically addressed herein. The installation of fuel gas distribution piping and equipment, fuel gas-fired appliances and fuel gas-fired appliance venting systems shall be regulated by the International Fuel Gas Code. References to Group R shall include Group I-1, Condition 2 assisted living facilities licensed by Washington State under Chapter 388-78A WAC and Group I-1, Condition 2 residential treatment facilities licensed by Washington State under Chapter 246-337 WAC.

Exceptions:

A. Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories high with separate means of egress and their accessory structures shall comply with the International Residential Code.

B. The standards for liquefied petroleum gas installations shall be NFPA 58 (Liquefied Petroleum Gas Code) and NFPA 54 (National Fuel Gas Code).

15.30.060 Liquid propane gas.

The provisions of the National Fuel Gas Code and Liquefied Petroleum Gas Code (NFPA 54 and 58) shall apply to the installation of all materials and equipment utilizing liquid propane gas.

15.30.065 Natural gas code – Scope.

The provisions of the International Fuel Gas Code shall apply to the installation of fuel gas piping systems, fuel gas utilization equipment, gaseous hydrogen systems and regulated accessories.

Exceptions:

A. Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories high with separate means of egress and their accessory structures shall comply with the International Residential Code.

B. The standards for liquefied petroleum gas installations shall be NFPA 58 (Liquefied Petroleum Gas Code) and NFPA 54 (National Fuel Gas Code).

15.30.070 Plumbing code – Scope.

The provisions of the Uniform Plumbing Code shall apply to the installation, alteration, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, where connected to a water or sewage system and all aspects of a medical gas system. Fuel gas-fired appliances and fuel gas-fired appliance venting systems shall be regulated by the International Fuel Gas Code and liquefied petroleum gas installations shall be regulated by NFPA 58 and NFPA 54.

15.30.075 Energy code.

The provisions of the energy code shall apply to all matters governing the design and construction of buildings for energy efficiency.

15.30.077 Swimming pool and spa code – Scope.

The provisions of the International Swimming Pool and Spa Code shall apply to the construction, alteration, movement, renovation, replacement, repair and maintenance of aquatic recreation facilities, pools and spas. The pools and spas covered by this code are either permanent or temporary, and shall be only those that are designed and manufactured to be connected to a circulation system and that are intended for swimming, bathing or wading. Swimming pools, spas and other aquatic recreation facilities shall comply with the ISPSC, where the facility is one of the following, except that public swimming pool barriers are regulated by WAC 246-260-031(4):

1. For the sole use of residents and invited guests at a single-family dwelling;
2. For the sole use of residents and invited guests of a duplex owned by the residents;
or
3. Operated exclusively for physical therapy or rehabilitation and under the supervision of a licensed medical practitioner.

All other "water recreation facilities" as defined in RCW 70.90.110 are regulated under WAC Chapters 246-260 and 246-262.

~~In addition, all other "water recreation facilities" as defined in RCW 70.90.110 are regulated under Chapters 246-260 and 246-262 WAC.~~

~~Exception: Flotation tank systems intended for sensory deprivation therapy shall not be considered to be included in the scope of this code.~~

15.30.078 International Wildland-Urban Interface Code — Scope. The provisions of the International Wildland-Urban Interface Code shall apply to the construction, alteration, movement, repair, maintenance and use of any building, structure, or premises within the wildland-urban interface area in this jurisdiction. Buildings or conditions in existence at the time of the adoption of this code are allowed to have their use or occupancy continued, if such condition, use or occupancy was legal at the time of the adoption of this code, provided that such continued use does not constitute an egregious danger to life or property. Buildings or structures moved into or within the jurisdiction shall comply with the provisions of this code for new buildings or structures.

Article II. Applicability

15.30.080 General.

A. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern except that the hierarchy of the codes named in Chapter 19.27 RCW shall govern.

B. New Installations. This chapter applies to new installs.

C. Existing Installations. Lawfully installed existing installations that do not comply with the provisions of this chapter shall be permitted to be continued without change, except as is specifically covered in this chapter, Chapter 15.40, the International Fire Code or as is deemed necessary by the building official for the general safety and welfare of the occupants and public. Where changes are required for correction of hazards, a reasonable amount of time shall be given for compliance, depending on the degree of the hazard.

D. Maintenance. Buildings and structures, including their electrical, plumbing, and mechanical systems, equipment, materials and appurtenances, both existing and new, and parts thereof, shall comply with Chapter 15.40 and be maintained in proper operating condition in accordance with the original design and in a safe, hazard-free condition. Devices or safeguards that are required by this chapter shall be maintained in compliance with the code edition under which installed. The owner or the owner's designated agent shall be responsible for the maintenance of the system and equipment. To determine compliance with this provision, the building official shall have the authority to require that the systems and equipment be reinspected.

E. Additions, Alterations, Modifications or Repairs for other than IRC buildings. Additions, alterations, modifications or repairs to a building or structure or to the electrical, plumbing, or mechanical system(s) of any building, structure or premises shall conform to the requirements of this chapter without requiring those portions of the existing building or system not being altered or modified to comply with all the requirements of this chapter. Installations, additions, alterations, modifications, or repairs shall not cause an existing building to become unsafe or to adversely affect the performance of the building as determined by the building official or designated representative. Electrical wiring added to an existing service, feeder, or branch circuit

shall not result in an installation that violates the provisions of the code in force at the time the additions were made.

F. Additions, alterations, change of use, repairs, or relocations to IRC buildings or structures. Additions, alterations, repairs, or relocations shall be permitted to conform to the requirements of the provisions of IRC Chapter 45 or shall conform to the requirements for a new structure without requiring the existing structure to comply with the requirements of this code, unless otherwise stated. Additions, alterations, repairs, and relocations shall not cause an existing structure to become less compliant with the provisions of this code than the existing building or structure was prior to the addition, alteration, repair, or relocation. Where additions, alterations, or changes of use to an existing structure result in a use or occupancy, height, or means of egress outside the scope of this code, the building shall comply with the International Existing Building Code.

Exception:

1. Additions with less than 500 square feet of conditioned floor area to IRC regulated structures are exempt from the requirements for whole house ventilation systems, Section M1508 M1505.4.
2. Additions or alterations to existing buildings which do not required the construction of foundations, crawlspace, slabs or basements shall not be required to meet the requirements for radon protection in Section R327.1 R332.1 and Appendix AF.

FG. Moved Buildings. Building or structures moved into or within a jurisdiction shall comply with the provisions of this code for new buildings or structures.

Exception: R-3 buildings or structures are not required to comply if:

1. The original occupancy classification is not changed; and
2. The original building is not substantially remodeled or rehabilitated. For the purposes of this section a building shall be considered to be substantially remodeled when the costs of remodeling exceed 60% of the value of the building exclusive of the costs relating to preparation, construction, demolition or renovation of the foundations.

For the purpose of this section, a building shall be considered to be substantially remodeled when the costs of remodeling exceed 60 percent of the value of the building exclusive of the costs relating to preparation, construction, demolition, or renovation of foundations.

15.30.085 Other laws.

The provisions of this code shall not be deemed to nullify any provisions of local, State or federal law.

15.30.090 Application of references.

References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.

15.30.095 Referenced codes and standards.

The codes and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply.

15.30.100 Partial invalidity.

In the event that any part or provision of this code is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts or provisions.

15.30.105 Existing structures.

The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, other codes referenced in this code, the Kenmore Property Maintenance Code, the International Fire Code, or as is deemed necessary by the building official or fire marshal for the general safety and welfare of the occupants and the public. Modifications to existing structures shall be permitted to be performed in accordance with the International Existing Building Code.

15.30.110 Structures in areas of special flood hazard.

Buildings located in areas of special flood hazard shall be regulated by the International Building Code, International Residential Code or the Kenmore Municipal Code.

Article III. Department of Building Safety

15.30.115 Creation of enforcement agency.

The building department is hereby created and the official in charge thereof shall be known as the building official.

15.30.120 Appointment.

The building official shall be appointed by the chief appointing authority of the City.

15.30.125 Deputies.

In accordance with the prescribed procedures of this City and with the concurrence of the appointing authority, the building official shall have the authority to appoint a deputy building official, the related technical officers, inspectors, plan examiners and other employees. Such employees shall have powers as delegated by the building official.

Article IV. Duties and Powers of Building Official**15.30.130 General.**

The building official is hereby authorized and directed to enforce the provisions of this code. The building official shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code.

15.30.135 Applications and permits.

The building official shall receive applications, review construction documents and issue permits for the erection, alteration, demolition and moving of buildings, structures and building service equipment, inspect the premises for which such permits have been issued and enforce compliance with the provisions of this code.

15.30.140 Notices and orders.

The building official shall issue all necessary notices or orders to ensure compliance with this code.

15.30.145 Inspections.

The building official shall make all of the required inspections, or the building official shall have the authority to accept reports of inspection by approved agencies or individuals. Reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The

building official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise at the applicant's expense.

15.30.150 Identification.

The building official shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

15.30.155 Right of entry.

Where it is necessary to make an inspection to enforce the provisions of this code, or where the building official has reasonable cause to believe that there exists in a structure or upon a premises a condition which is contrary to or in violation of this code which makes the structure or premises unsafe, dangerous or hazardous, the building official is authorized to enter the structure or premises at reasonable times to inspect or to perform the duties imposed by this code; provided, that if such structure or premises be occupied that credentials be presented to the occupant and entry requested. If such structure or premises is unoccupied, the building official shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the building official shall have recourse to the remedies provided by law to secure entry.

15.30.160 Department records.

The building official shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspections, and notices and orders issued. Such records shall be retained in the official records for the period required for retention of public records.

15.30.165 Liability.

The building official, member of the board of appeals hearing examiner or employee charged with the enforcement of this chapter and the technical codes, while acting for the City in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by legal representative of the City until the final termination of the proceedings. The building official or any subordinate shall not be

liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this code.

15.30.170 Approved materials and equipment.

Materials, equipment and devices approved by the building official shall be constructed and installed in accordance with such approval.

15.30.175 Used materials and equipment.

The use of used materials and building service equipment which meet the requirements of this code for new materials is permitted. Used equipment and devices shall not be reused unless prior approval is obtained from the building official.

15.30.180 Modifications.

Wherever there are practical difficulties involved in carrying out the provisions of this code, the building official shall have the authority to grant modifications for individual cases, upon application of the owner or owner's representative, provided the building official shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, accessibility, life and fire safety, or structural requirements. The details of action granting modifications shall be recorded and entered in the files of the department. The building official is authorized to charge an additional fee to evaluate any proposed modification under the provisions of this section.

15.30.185 Alternative materials, design and methods of construction and equipment.

The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code; provided, that any such alternative has been approved by the building official. The building official shall have the authority to approve an alternative material, design or method of construction upon application of the owner or the owner's authorized agent. The building official shall first find that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, not less than the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability, energy conservation and efficiency, and safety. Compliance with the specific performance-

based provisions of the construction codes shall be an alternative to the specific requirements of the construction codes.

The building official is authorized to charge an additional fee to evaluate any proposed alternate material, design and/or method of construction and equipment under the provisions of this section.

Where the alternate material, design or method of construction is not approved, the building official shall respond in writing, stating the reasons why the alternative was not approved.

15.30.190 Research reports.

Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from approved sources.

15.30.195 Tests.

Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the building official shall have the authority to require tests as evidence of compliance to be made at no expense to the City. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the building official shall approve the testing procedures. Tests shall be performed by an approved agency. Reports of such tests shall be retained by the building official for the period required for retention of public records.

Article V. Permits

15.30.200 Permit required.

Any owner or owner's authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

15.30.205 Work exempt from permit.

The provisions of this code shall not apply to work located primarily in a public way, public utility towers and poles and hydraulic flood control structures. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this City. Permits shall not be required for the following, provided it is not located within critical areas, shorelines, associated buffers, or native growth protection areas (e.g., tracts):

A. Building.

1. One-story detached accessory structures accessory to residential buildings constructed under the provisions of the IRC used as tool and storage sheds, tree-supported play structures, playhouse and similar uses, provided the floor area does not exceed 200 square feet, and the structure is located in accordance with all land use regulations including but not limited to Chapter 18.30.230.Q;
2. Fences not over eight feet high;
3. Oil derricks;
4. Retaining walls which are not over four feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or III-A liquids;
5. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2:1;
6. Sidewalks, driveways, decks and steps not more than 30 inches above adjacent grade and not over any basement or story below and are not part of an accessible route;
7. Painting, papering, tiling, carpeting, cabinets, countertops and similar finish work; provided, that existing, required accessible features are not altered;
8. Temporary motion picture, television and theater stage sets and scenery;
9. Prefabricated swimming pools accessory to a one- and two-family dwelling or Group R3 occupancy, which are less than 24 inches deep, do not exceed 5,000 gallons and are installed entirely above ground;

10. Shade cloth structures constructed for nursery or agricultural purposes and not including service systems;
11. Swings, slides and other similar playground equipment;
12. Window awnings supported by an exterior wall of one- and two-family dwellings or Group R-3 and Group U occupancies which do not project more than 54 inches from the exterior wall and do not require additional support;
13. Nonfixed and movable cases, counters and partitions not over five feet nine inches in height;
14. Satellite earth station antennas six and one-half feet or less in diameter or diagonal dimensions in zones other than residential zones;
15. Satellite earth station antennas three and one-quarter feet or less in diameter in residential zones;
16. Video programming service antennas three and one-quarter feet or less in diameter or diagonal dimension, regardless of zone;
17. Replacement of nonstructural siding on IRC structures except for veneer, stucco, or exterior finish and insulation systems (EFIS);
18. In-kind window replacement for IRC structures where no alteration of framing members is required and when the window U-values meet the prescriptive requirements within the energy code;
19. Job shacks that are placed at a permitted job site during construction may be allowed on a temporary basis and shall be removed upon final approval of construction. A job shack is a portable structure for which the primary purpose is to house equipment and supplies, and which may serve as a temporary office during construction for the purposes of the construction activity;
20. In-kind reroofing on IRC structures, provided roof sheathing is not removed, replaced or added; and
21. Photovoltaic solar panels installed on **IRC** structures, provided they comply with all land use regulations and:

- a. Each photovoltaic array is no larger than 150 feet by 150 feet in either axis;
- b. Total dead load of panels, supports, mountings, raceways and all other appurtenances weigh no more than four pounds per square foot;
- c. Panels are mounted no higher than 18 inches above the surface of the roof;
- d. The equipment layout meets the IFC access and pathways requirements.

B. Mechanical.

- 1. Portable heating, cooking, or clothes drying appliances.
- 2. Portable ventilation appliances and equipment.
- 3. Portable cooling unit.
- 4. Steam, hot or chilled water piping within any heating or cooling equipment or appliances regulated by the construction codes.
- 5. Replacement of any part which does not alter its approval or make it unsafe.
- 6. Portable evaporative cooler.
- 7. Self-contained refrigeration system containing 10 pounds or less of refrigerant and actuated by motors of one horsepower or less.
- 8. Portable fuel cell appliances that are not connected to a fixed piping system and are not interconnected.

C. Plumbing.

- 1. The stopping and/or repairing of leaks in drains, water, soil, waste or vent pipe; provided, however, that should any concealed trap, drain pipe, water, soil, waste or vent pipe become defective and it becomes necessary to remove and replace the same with new material, the same shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.
- 2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures and the removal and reinstallation of water closets, provided such repairs do not involve or require replacement or rearrangement of valves, pipes or fixtures.

3. Reinstallation or replacement of prefabricated fixtures that do not involve or require the replacement or rearrangement of valves or pipes.

15.30.210 Emergency repairs.

Where equipment replacements and equipment repairs must be performed in an emergency situation, the permit application shall be submitted within the next working business day to the building official.

15.30.215 Repairs.

Application or notice to the building official is not required for ordinary repairs to structures. Such repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load-bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety.

15.30.220 Application for permit.

To obtain a permit, the applicant shall first file a complete application as defined by the City therefor in writing on a form furnished by the department for that purpose. Such application shall:

- A. Identify and describe the work to be covered by the permit for which application is made.
- B. Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.
- C. Indicate the use and occupancy for which the proposed work is intended.
- D. Be accompanied by construction documents and other information as required in KMC 15.30.260 through 15.30.325.
- E. State the valuation of the proposed work.
- F. Be signed by the applicant, or the applicant's authorized agent.

G. Give such other data and information as required by the department.

15.30.225 Complete application.

A. No application for building permit relating to any construction, including landfill or pier and piling to support same upon privately owned shorelands submerged by the water of Lake Washington, shall be accepted for filing with the building department, unless there are attached to such application certified copies of the approval of such project by such State and federal agencies as may have jurisdiction or regulatory authority over such proposed project.

B. The requirements for a fully complete building permit application include compliance with KMC 15.30.220 and RCW 19.27.097 (which relate to water supply); provided, that for any construction project costing more than \$5,000 the following shall also be required:

1. The legal description, or the tax parcel number assigned pursuant to RCW 84.40.160, and the street address if available, and may include any other identification of the construction site by the prime contractor;
2. The property owner's name, address, and phone number;
3. The prime contractor's business name, address, phone number, and current State contractor registration number; and
4. Either:
 - a. The name, address and phone number of the office of the lender administering the interim construction financing, if any, or
 - b. The name and address of the firm that has issued a payment bond, if any, on behalf of the prime contractor for the protection of the owner, if the bond is for an amount not less than 50 percent of the total amount of the construction project; provided, that if any of this information is not available at the time the application is submitted, the applicant shall so state and the lack of said information shall not cause the application to be deemed incomplete for the purposes of this section. However, the applicant shall provide the remaining information as soon as the applicant can reasonably obtain such information.

The requirements for a fully complete building permit application include a consent statement of the property owner to confirm dedication of rights-of-way which abut the subject property, if any are shown as such on City, county or plat maps, and to verify the designation of public road easements as rights-of-way.

15.30.230 Action on application.

The building official shall examine or cause to be examined applications for permits and amendments thereto within a reasonable time after filing. If the application is incomplete or the construction documents or other submittal information does not conform to the requirements of pertinent laws, the building official may reject such application in writing, stating the reasons therefor. If the building official is satisfied that the proposed work conforms to the requirements of this code and laws and ordinances applicable thereto, the building official shall issue a permit therefore as soon as practicable.

15.30.235 Time limitation of application.

A. Applications for which no permit is issued within 18 months following the date of application shall expire by limitation and plans and other data submitted for review may thereafter be returned to the applicant or destroyed in accordance with State law by the building official.

B. Applications may be canceled for inactivity, if an applicant fails to respond to the department's written request for revisions, corrections, actions or additional information within 90 days of the date of request. The building official may extend the response period beyond 90 days if within the original 90-day time period the applicant provides and subsequently adheres to an approved schedule with specific target dates for submitting the full revisions, corrections or other information needed by the department.

C. The building official may extend the life of an application if any of the following conditions exist:

1. Compliance with the State Environmental Policy Act is in progress; or
2. Any other City review is in progress; provided the applicant has submitted a *complete response* to City requests or the building official determines that unique or unusual circumstances exist that warrant additional time for such response, and the building official determines that the review is proceeding in a timely manner toward final City decision;

3. Litigation against the City or applicant is in progress, the outcome of which may affect the validity or the provisions of any permit issued pursuant to such application; or
4. At the sole discretion of the building official when there have not been newly adopted codes, fees, ordinances or laws which affect the application.

15.30.237 Vesting of Construction Codes.

The construction codes and construction administrative code that are in effect when the building permit application is deemed complete by the building official shall apply. The city has the authority to establish policies and procedures for establishing the requirements of a complete application. For mechanical, plumbing or fire permit applications submitted after the ordinance codified in this title has taken effect, but related to the scope of work identified in a building permit application that was complete prior to the effective date of the ordinance codified in this chapter, all applicable construction codes adopted and in force at the time of filing of the complete building permit application will apply. An expired permit may lose its code vesting under Section 15.30.240 of this code.

15.30.240 Validity of permit.

The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinance or laws of the City. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the City shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the building official from requiring the correction of errors in the construction documents and other data. The building official is also authorized to prevent occupancy or use of a structure where in violation of this code or of any other ordinances of this City.

15.30.245 Permit expiration.

~~A. Every permit issued shall expire two years from the date of issuance. The building official may approve a request for an extended expiration date where a construction schedule is provided by the applicant and approved prior to permit issuance.~~

~~B. Every permit which has been expired for less than one year may be renewed for a period of one year from the expiration date for an additional fee as long as no changes have been made to the originally approved plans and new building codes have not been~~

~~adopted. For permits that have been expired for longer than one year, a new permit must be obtained and full new fees paid. No permit shall be renewed more than once, except at the sole discretion of the building official when there have not been newly adopted codes, fees, ordinances or laws which affect the permit.~~

~~C. Mechanical and plumbing permits shall expire at the same time as the associated building permit, except that if no associated building permit is issued, the mechanical and/or plumbing permit shall expire 12 months from the date of issuance.~~

A. Every building permit and its associated ancillary permits issued for an IRC permitted structure or for a tenant space within an existing building shall expire in two years from the date of issuance. Within two years of the issuance of the permit for an IRC structure, the outside must be complete including roofing, siding, windows, exterior doors and applicable site and right-of-way improvements. Unless otherwise approved by the building official, the two years to complete the IRC structure exterior work may not be extended.

B. Every building permit and its associated ancillary permits issued for a commercial, educational, institutional, multifamily, public, industrial or similar structure shall expire in three years from the date of issuance.

C. Sign permits and electrical, mechanical, and plumbing permits not associated with a building permit shall expire one year from the date of issuance.

D. The building official may grant a thirty-day extension of time for permits when only the final inspection is remaining and all other work has been approved.

E. It is a violation of this chapter to allow a permit to expire without first obtaining an approved final inspection.

Exception 1: A new building permit issued to complete the work of an IRC structure, issued under a previous permit shall expire in:

1. Six months if the framing inspection was not approved on the previous building permit. The project will lose its original code vesting and will be vested to the codes that are in force at the time the new building permit application is deemed complete. The fees for the new building permit will be based on the valuation of the work remaining to complete the project and current fee resolution; or

2. Six months if the framing inspection was approved under the previous building permit and the exterior of the structure is not completed including; roofing, siding, windows, exterior doors and applicable site and right-of-way improvements. The project will retain its original code vesting. The fees for the new building permit will be based on the valuation of the work remaining to complete the project and current fee resolution; or

3. Two years if the outside of the structure is complete including roofing, siding, windows, exterior doors and applicable site and right-of-way improvements. The fees for the new building permit will be based on the valuation of the work remaining to complete the project and current fee resolution.

Exception 2: For permits resulting from work without a permit or other code enforcement action(s), the expiration date will be determined by the building official.

F. During or after a declared emergency covered under Chapter 38.52 RCW, the building official may authorize a six-month extension to an unexpired permit if the building official finds that the state of emergency resulted in a stoppage of work or substantial construction delays.

G. The provisions of Section 15.30.245 of the KMC apply retroactively to all permits regulated by this Code.

15.30.250 Suspension or revocation.

The building official is authorized to suspend or revoke a permit issued under the provisions of this code wherever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulation or any of the provisions of this code.

15.30.255 Placement of permit.

The building permit or copy shall be kept on the site of the work until the completion of the project.

Article VI. Floor and Roof Design Loads

15.30.260 Live loads posted.

Where the live loads for which each floor or portion thereof of a commercial or industrial building is or has been designed to exceed 50 psf, such design live loads shall be conspicuously posted by the owner or the owner's authorized agent in that part of each

story in which they apply, using durable signs. It shall be unlawful to remove or deface such notices.

Exception: Floors or portions located on a concrete slab on grade.

15.30.265 Issuance of certificate of occupancy.

A certificate of occupancy required by KMC 15.30.500 shall not be issued until the floor loads signs, required by KMC 15.30.260, have been installed.

15.30.270 Restrictions on loading.

It shall be unlawful to place, or cause or permit to be placed, on any floor or roof of a building, structure or portion thereof, a load greater than is permitted by the IBC.

Article VII. Submittal Construction Documents

15.30.275 General.

Submittal documents consisting of construction documents, statement of special inspection, structural observation programs, engineering reports and calculations, diagrams, and other data shall be submitted with each application for a permit. The construction documents shall be prepared by a registered design professional where required by the State of Washington. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.

Exception: The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with this code.

15.30.280 Construction documents.

Construction documents shall be in accordance with this section.

A. Information on Construction Documents. Construction documents shall be dimensioned and drawn upon suitable material. Electronic media documents are permitted when submitted through the city's permitting portal. ~~to be submitted when approved by the building official.~~ Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed in the proper orientation and layout as it is to be constructed and show in detail that it will conform to the

provisions of this code and relevant laws, ordinances, rules and regulations, as determined by the building official. The plans must include the relevant items listed in this section and any other information or documents as deemed necessary by the building official.

B. Fire Protection System Shop Drawings. Shop drawings for the fire protection system(s) shall be submitted to indicate conformance with this code and the construction documents and shall be approved prior to the start of system installation. Shop drawings shall contain all information as required by the referenced installation standards in Chapter 9 of the IBC. Shop drawings shall be prepared by a certified individual as required by the State of Washington.

C. Means of Egress. The construction documents shall show in sufficient detail the location, construction, size and character of all portions of the means of egress in compliance with the provisions of this code. In other than occupancies in Groups R-2, R-3, one- and two-family dwellings as applicable in Section 101.2, and I-1, the construction documents shall designate the number of occupants to be accommodated on every floor, and in all rooms and spaces.

D. Exterior Wall Envelope. Construction documents for all buildings shall describe the exterior wall envelope in sufficient detail to determine compliance with this code. The construction documents shall provide details of the exterior wall envelope as required, including flashing, intersections with dissimilar materials, corners, end details, control joints, intersections at roof, eaves or parapets, means of drainage, water-resistive barrier membrane and details around openings. The construction documents shall include manufacturer's installation instructions that provide supporting documentation that the proposed penetration and opening details described in the construction documents maintain the weather resistance of the exterior wall envelope. The supporting documentation shall fully describe the exterior wall system which was tested, where applicable, as well as the test procedure used.

Exception: Subject to the approval of the building official, R-3, one- and two-family dwellings, and U occupancies may be exempt from the detailing requirements of this section.

E. Site Plan. The construction documents submitted with the application for permit shall be accompanied by a site plan showing to scale the size and location of new

construction and existing structures on the site, distances from lot lines, the established street grades and the proposed finished grades and, as applicable, flood hazard areas, floodways, and design flood elevations; where design flood elevations are not specified, they shall be established in accordance with Section 1612.3.1 of the IBC; and it shall be drawn in accordance with an accurate boundary line survey. In the case of demolition, the site plan shall show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot. The building official is authorized to waive or modify the requirement for a site plan when the application for permit is for alteration or repair or when otherwise warranted.

F. Plumbing. Plans must be submitted for review and approval whenever the scope of the work is too complex for inspection alone as determined by the building official.

G. Mechanical. Plans must be submitted for review and approval whenever the scope of work is too complex for inspection alone as determined by the building official.

H. Structural Information. The construction documents shall provide the information specified in Section 1612.3.1 IBC.

I. Energy Information. The construction documents shall provide the information specified in the **energy code**.

J. Information for structures located in wildland-urban interface areas. In addition to the above requirements, site plans shall include topography, width and percent of grade of access roads, landscape and vegetation details, locations of structures or building envelopes, existing or proposed overhead utilities, occupancy classification of buildings, types of ignition-resistant construction of buildings, structures and their appendages, roof classification of buildings and site water supply systems. The code official is authorized to waive or modify the requirement for a site plan where the application for permit is for alteration or repair or where otherwise warranted.

15.30.290 Examination of documents.

The building official shall examine or cause to be examined the accompanying submittal documents and shall ascertain by such examinations whether the construction indicated and described is in accordance with the requirements of this code and other pertinent laws or ordinances.

15.30.295 Use of consultants.

Whenever review of a building permit application requires retention by the City for professional consulting services, the applicant shall reimburse the City the cost of such professional consulting services. This fee shall be in addition to the normal plan review and building permit fees. The City may require the applicant to deposit an amount with the City estimated in the discretion of the building official to be sufficient to cover anticipated costs of retaining professional consultant services and to ensure reimbursement for such costs.

15.30.300 Approval of construction documents.

When the building official issues a permit, the construction documents shall be approved, in writing or by stamp, as "Reviewed for Code Compliance." One set of construction documents so reviewed shall be retained by the building official. The other set shall be returned to the applicant, shall be kept at the site of work and shall be open to inspection by the building official or a duly authorized representative.

15.30.305 Phased approval.

The building official is authorized to issue a permit for the construction of foundations or any other part of a building or structure before the construction documents for the whole building or structure have been submitted; provided, that adequate information and detailed statements have been filed complying with pertinent requirements of this code. The holder of such permit for the foundation or other parts of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a permit for the entire structure will be granted.

15.30.310 Design professional in responsible charge – General.

When it is required that documents be prepared by a qualified registered design professional, the building official shall be authorized to require the owner or the owner's authorized agent to engage and designate on the building permit application a registered design professional who shall act as the registered design professional in responsible charge. If the circumstances require, the owner or the owner's authorized agent shall designate a substitute registered design professional in responsible charge who shall perform the duties required of the original registered design professional in responsible charge. The building official shall be notified in writing by the owner or the owner's authorized agent if the registered design professional in responsible charge is changed or is unable to continue to perform the duties. The registered design professional in responsible charge shall be responsible for reviewing and coordinating submittal documents prepared by others, including phased and deferred submittal

items, for compatibility with the design of the building. Where structural observation is required by Section 1710 of the IBC, the statement of special inspections shall name the individual or firms who are to perform structural observation and describe the stages of construction at which structural observation is to occur (see also other duties specified in Chapter 17 of the IBC).

15.30.315 Deferred submittals.

For the purposes of this section, “deferred submittals” are defined as those portions of the design that are not submitted at the time of the application and that are to be submitted to the building official within a specified period. Deferral of any submittal items shall have the prior approval of the building official. The registered design professional in responsible charge shall list the deferred submittals on the construction documents for review by the building official. Documents for deferred submittal items shall be submitted to the registered design professional in responsible charge, who shall review them and forward them to the building official with a notation indicating that the deferred submittal documents have been reviewed and been found to be in general conformance to the design of the building. The deferred submittal items shall not be installed until the deferred submittal documents have been approved by the building official. The building official is authorized to charge an additional plan review fee to evaluate deferred submittals under the provisions of this section.

15.30.320 Amended construction documents.

Work shall be installed in accordance with the approved construction documents, and any changes made during construction that are not in compliance with the approved construction documents shall be resubmitted for approval as an amended set of construction documents. The building official may authorize minor field changes subject to the approval of the field inspector.

15.30.325 Retention of construction documents.

One set of approved construction documents shall be retained by the building official for a period of not less than 180 days from date of completion of the permitted work, expired permit, or as required by State or local laws.

Article VIII. Temporary Structures and Uses

15.30.330 General.

The building official is authorized to issue a permit for temporary structures and temporary uses. Such permits shall be limited as to time of service, but shall not be permitted for more than 180 days. The building official is authorized to grant extensions for demonstrated cause.

Exceptions:

A. The building official may authorize unheated tents and yurts under 500 square feet accommodating an R-1 recreational use as a temporary structure and allow them to be used indefinitely. Such sited structures must comply with the Kenmore zoning code provisions for setbacks and lot coverage.

B. The provisions of this code do not apply to temporary growing structures used solely for the commercial production of horticultural plants including ornamental plants, flowers, vegetables, and fruits. A temporary growing structure is not considered a building for purposes of this code.

C. The provisions of this code do not apply to the construction, alteration, or repair of temporary worker housing except as provided by rules adopted under Chapter 70.114A RCW or Chapter 37, Laws of 1998 (SB 6168).

15.30.335 Conformance.

Temporary structures and uses shall conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation and sanitary requirements of this code as necessary to ensure the public health, safety and general welfare.

15.30.340 Termination of approval.

The building official is authorized to terminate such permit for a temporary structure or use and to order the temporary structure or use to be discontinued when the use is in violation of other local ordinances or when the use becomes a public nuisance as defined in the City code.

Article IX. Fees

15.30.345 Payment of fees.

A permit shall not be valid until the fees prescribed by law have been paid, nor shall an amendment to a permit be released until the additional fee, if any, has been paid.

15.30.350 Schedule of permit fees.

On buildings, structures, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority. The building official is authorized to establish fees for any permit activity not specifically set forth herein.

15.30.355 Plan review fees.

When submittal documents are required by KMC 15.30.275, a plan review fee shall be paid at the time of submitting the submittal documents for plan review. The building official may have the option to charge a deposit in lieu of the full plan review fee if the full amount is not known at the time. Any plan review deposit shall be applied toward the total plan review fee owed. The actual permit fees and related plan review fee shall be determined upon completion of the plan review and the balance owing shall be paid at the time of permit issuance. The plan review fee shall be a separate fee from the permit fees specified in this section and are in addition to the permit fees. When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items as defined in KMC 15.30.315, an additional plan review fee may be charged.

15.30.360 Master and basic plan program.

A. The City has established a “master” and “basic” plan program, the purpose of which is to allow for an expedited review process for plans that are intended to remain unchanged but used multiple times. Options are allowed to be submitted with the initial registering of the basic plan to accommodate a variation of building styles using the basic plan. When plans are submitted under the City’s master and basic plan program, a plan review fee shall be paid at the time of application for the first or “master” plan. Subsequent plans are called the “basic” plan.

B. Valuations used to compute the permit fees shall include all options submitted with a registered plan. When a registered plan consists of a number of plan options that can produce any number of similar but different buildings, the building official may charge plan review fees based on each different building configuration. Plan review fees shall be paid for at the time of application for a building permit. The building official may have the option to charge a partial deposit in lieu of the full plan review fee. All portions of fees paid as a deposit amount shall be applied to the total plan review fees owed. The applicant shall be required to pay the balance of amount owed for the plan review. The plan review fees specified in this section are separate fees from the permit fees and are in addition to the permit fees.

C. Plan Orientation. Master plan applications do not need to show a reverse or flip as an option. Mirrored plans are allowed at basic plan submittal. Basic plan orientation shall match the site plan.

D. Preapproved Master Plan. The building official may have the option to accept a basic plan where the master plan has been approved by a MyBuildingPermit.com participating jurisdiction.

E. Revisions. Once a plan and associated options are reviewed, approved and registered, changes or revisions to that plan are not permitted without requiring the plan to be resubmitted as a new registered plan and pay full new fees.

F. Field Revision. Once a permit is issued for a registered plan, no revisions will be permitted except for minor field changes as defined in KMC 15.30.025. Changes other than minor field changes will be considered major changes and require the permit holder to resubmit those changes as a new submittal and pay a fee.

G. Time Limitation. An application for a basic plan associated to a master plan approved and registered under a previous code edition shall not be accepted when there has been a code cycle change as required by the State. When this occurs the master plan shall be submitted as a new registered plan, and pay full new fees.

15.30.365 Building permit valuations.

The applicant for a permit shall provide an estimated permit value at time of application. The determination of value or valuation under any of the provisions of this code shall be made by the applicant or building official, whichever is higher. The building official shall use the latest edition of the ICC "Building Safety Journal" publication shall be used to determine building valuations for the various building types and occupancies noted in that table except that the valuation for wooden decks, platforms, stairs, carports, and porches shall be \$18.00 \$40.00 per square foot. Regional modifiers shall not be applicable. When a specific building type or occupancy is not noted in the valuation table, the building official is authorized to use any of the classification types noted in the table that most closely resembles the proposed type of building, or determine a valuation type independently.

15.30.370 Work commencing before permit issuance.

Any person who commences any work on a building, structure, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a special

investigation fee in an amount equal to twice the permit fee, or otherwise established by the building official. The special investigation fee shall be in addition to the required permit fees.

15.30.375 Related fees.

The payment of the fee for the construction, alteration, removal or demolition for work done in connection to or concurrently with the work authorized by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

15.30.380 Refunds.

The building official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code. The building official may authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is done. The building official shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of the fee payment application.

Article X. Inspections

15.30.390 General.

Construction or work for which a permit is required shall be subject to inspection by the building official and such construction or work shall remain accessible and exposed for inspection purposes until approved. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the City. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the City shall not be valid. It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the building official nor the City shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

15.30.395 Preliminary inspections.

Before issuing a permit, the building official is authorized to examine or cause to be examined buildings, structures and sites for which an application has been filed.

15.30.400 Manufacturer's installation instructions.

Manufacturer's installation instructions, as required by this code, shall be available on the job site at the time of inspection.

15.30.405 Required inspections.

The building official, upon notification, shall make the inspections set forth in KMC 15.30.410 through 15.30.480.

15.30.410 Footing and foundation inspection.

Footing and foundation inspections shall be made after poles or piers are set or trenches or basement areas are excavated and all required hold-down anchor bolts, hold-down straps, any forms erected, and any required reinforcing steel is in place and supported. The foundation inspection shall include excavations for thickened slabs intended for the support of bearing walls, partitions, structural supports, or equipment and special requirements for wood foundations. Materials for the foundation shall be on the job, except where concrete is ready mixed in accordance with ASTM C 94, the concrete need not be on the job.

15.30.415 Concrete slab and under-floor inspection.

Concrete slab and under-floor inspections shall be made after in-slab or under-floor reinforcing steel and building service equipment, conduit, slab insulation, piping accessories and other ancillary equipment items are in place, but before any concrete is placed or floor sheathing installed, including the subfloor.

15.30.420 Lowest floor elevation.

In flood hazard areas, upon placement of the lowest floor, including the basement, and prior to further vertical construction, the elevation certification required in IBC Section 1612 or IRC Section R322 shall be submitted to the building official. FEMA flood elevation certificates shall contain an original stamp and signature of the surveyor, licensed by the State of Washington, and shall document the elevation of the lowest floor, including basement, and other information required by the flood elevation certificate.

15.30.425 Exterior wall sheathing inspection.

Exterior wall sheathing shall be inspected after all wall framing is complete, strapping and nailing is properly installed but prior to being covered.

15.30.430 Roof sheathing inspection.

The roof sheathing shall be inspected after all roof framing is complete. No roof coverings shall be installed until inspections are made and approved.

15.30.435 IMC/UPC/GAS/NEC rough in inspection.

Rough in mechanical, gas piping, plumbing and electrical shall be inspected when the rough in work is complete and, if required, under test. No connections to primary utilities shall be made until the rough in work is inspected and approved.

15.30.440 Frame inspection.

Framing inspections shall be made after the roof deck, wall sheathing, all framing, fire blocking and bracing are in place and pipes, chimneys and vents to be concealed are complete and the rough electrical, plumbing, fire suppression piping, heating wires, pipes and ducts are approved and the building is substantially dried in.

15.30.445 Multi-unit residential building enclosure inspection.

Chapter 64.55 RCW, Engrossed House Bill (EHB) 1848, requires affected multi-unit residential buildings to provide a building enclosure inspection performed by a third-party, independent, and qualified inspector during the course of initial construction and during rehabilitative construction. The City does not verify the qualifications of the inspector or determine whether the building enclosure inspection is adequate or appropriate. However, the City is prohibited from issuing a certificate of occupancy for the building until the inspector prepares a report and submits to the building department a signed letter certifying that the building enclosure has been constructed in substantial compliance with the building enclosure design documents. Reference Chapter 64.55 RCW for additional requirements.

15.30.450 Lath, gypsum board and gypsum panel product inspection.

Lath, gypsum board, and gypsum panel product inspections shall be made after lathing, gypsum board and gypsum panel product, interior and exterior, is in place, but before any plastering is applied or gypsum board and gypsum panel product joints and fasteners are taped and finished.

Exception: Gypsum board and gypsum panel products that are not part of a fire-resistance rated assembly or a shear assembly.

15.30.455 Fire- and smoke-resistant penetrations.

Protection of joints and penetrations in fire-resistance-rated assemblies, smoke barriers and smoke partitions shall not be concealed from view until inspected and approved.

15.30.460 Energy efficiency inspection.**A. Envelope.**

1. Wall Insulation Inspection. To be made after all wall insulation and air vapor retarder sheet or film materials are in place, but before any wall covering is placed.
2. Glazing Inspection. To be made after glazing materials are installed in the building.
3. Exterior Roofing Insulation. To be made after the installation of the roof insulation, but before concealment.
4. Footing/Foundation/Slab/Floor Insulation. To be made after the installation of the footing/foundation/slab/floor insulation, but before concealment.

B. Mechanical.

1. Mechanical Equipment Efficiency and Economizer. To be made after all equipment and controls required by this code are installed and prior to the concealment of such equipment or controls.
2. Mechanical Pipe and Duct Insulation. To be made after all pipe, fire suppression piping and duct insulation is in place, but before concealment.

C. Lighting and Motors.

1. Lighting Equipment and Controls. To be made after the installation of all lighting equipment and controls required by this code, but before concealment of the lighting equipment.
2. Motor Inspections. To be made after installation of all equipment covered by this code, but before concealment.

15.30.465 Reinspection.

The building official may require a structure or portions of work to be reinspected. A reinspection fee may be assessed for each inspection or reinspection when such portion of work for which the inspection was requested is not complete; or when previous corrections called for are not made; or when there are reoccurring missed

items that have previously been identified to the same builder on multiple lots; or when the approved plans and permit are not on site in a conspicuous or pre-approved location; or when the building is not accessible. In instances where reinspection fees have been assessed, no additional inspection of the work shall be provided by the City until the required fees are paid.

15.30.470 Other inspections.

In addition to the inspections specified above, the building official is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws that are enforced by the department of building safety.

15.30.475 Special inspections.

In addition to the inspections noted above, the building official is authorized to require special inspections for any type of work related to the technical codes by an approved agency at no cost to the City.

15.30.480 Final inspection.

The final inspection shall be made after all work required by the building permit is completed. For change of uses or building permits requiring a certificate of occupancy the building shall not be occupied until final inspection is approved. Buildings occupied prior to certificate of occupancy are subject to KMC Chapter 1.20, Code Enforcement, including daily monetary penalties.

15.30.485 Inspection agencies.

The building official is authorized to accept reports of approved inspection agencies, provided such agencies satisfy the requirements as to qualifications and reliability.

15.30.490 Inspection requests.

It shall be the duty of the holder of the building permit or their duly authorized agent to notify the building official when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspections of such work that are required by this code.

15.30.495 Approval required.

Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the building official. The building official, upon notification, shall make the requested inspections and shall either indicate the portion of

the construction that is satisfactory as completed or notify the permit holder or his or her agent wherein the same fails to comply with this code. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the building official.

Article XI. Certificate of Occupancy

15.30.500 Use and occupancy.

No building or structure shall be used or occupied, and no change in the existing use or occupancy classification of a building or structure or portion thereof shall be made, until the building official has issued a certificate of occupancy therefor as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the City.

Exceptions:

A. Work exempt from permits per KMC 15.30.205.

B. For single-family dwellings and their accessory structures, the City-issued building permit inspection record may serve as the certificate of occupancy when the final inspection has been approved by the building department.

15.30.505 Certificate issued.

After the building official inspects the building or structure and finds no violations of the provisions of this code or other laws that are enforced by the building department, the building official shall issue a certificate of occupancy that contains the following:

A. The building permit number.

B. The address of the structure.

C. The name and address of the owner or the owner's authorized agent.

D. Project name.

E. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.

F. The name of the building official.

- G. The edition of the code under which the permit was issued.
- H. The use and occupancy.
- I. The type of construction.
- J. The design occupant load.
- K. If an automatic sprinkler system is provided, and whether the sprinkler system is required.
- L. Any special stipulations and conditions of the building permit.

15.30.510 Temporary or phased occupancy.

The building official is authorized to issue a temporary or phased certificate of occupancy before the completion of the entire work covered by the permit; provided, that such portion or portions shall be occupied safely. The building official is authorized to require, in addition to the completion of life safety building components, any or all accessibility components. The building official shall set a time period during which the temporary or phased certificate of occupancy is valid. The building official is authorized to require that a performance bond be posted with the City in an amount equal to 150 percent of the incomplete work as determined by the design professional. The bond shall be refundable upon inspection, final approval and a request in writing for the refund. It shall be the duty of the applicant to request the refund.

15.30.515 Revocation.

The building official is authorized to, in writing, suspend or revoke a certificate of occupancy or completion issued under the provisions of this code wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.

Article XII. Service Utilities

15.30.520 Connection of service utilities.

No person shall make connections from a utility, source of energy, fuel or power to any building or system that is regulated by this code for which a permit is required, until released by the building official.

15.30.525 Temporary connection.

The building official shall have the authority to authorize the temporary connection of the building or system to the utility source of energy, fuel or power.

15.30.530 Authority to disconnect service utilities.

The building official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the codes referenced in case of emergency where necessary to eliminate an immediate hazard to life or property, or when such utility connection has been made without the required approval. The building official shall notify the serving utility, and wherever possible the owner and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner or occupant of the building, structure or service system shall be notified in writing, as soon as practical thereafter.

Article XIII. Appeals**15.30.535 General.**

Appeals of orders, decisions or determinations made by the building official shall be made to the hearing examiner in accordance with the requirements and process of Chapter 19.30 KMC.

15.30.540 Limitations on authority.

An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The hearing examiner shall have no authority relative to interpretation of the administrative provisions of this code nor shall the board be empowered to waive requirements of either this code or the technical codes which are the codes, appendices and referenced code standards adopted by the City.

15.30.545 Qualifications.

Repealed by Ord. 12-0333.

15.30.550 Reconsideration.

Repealed by Ord. 12-0333.

15.30.555 Corrections.

Repealed by Ord. 12-0333.

15.30.560 Court review.

Repealed by Ord. 12-0333.

Article XIV. Violations

15.30.565 Unlawful acts.

It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code.

15.30.570 Notice of violation.

The building official is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this code, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

15.30.575 Prosecution of violation.

If the notice of violation is not complied with in the time prescribed by such notice, the building official is authorized to request the legal counsel of the City to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

15.30.580 Violation – Penalties.

Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties as prescribed by law.

Article XV. Stop Work Order

15.30.585 Authority.

Whenever the building official finds any work being performed in either a dangerous or unsafe manner or in a manner either contrary to the provisions of this code or other pertinent laws or ordinances that are violated during the course of work authorized by the building permit, the building official is authorized to issue a stop work order.

15.30.590 Issuance.

The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work will be permitted to resume.

15.30.595 Investigation fee.

The building official is authorized to assess a special investigation fee for the issuance of a stop work order when work has started without the issuance of a permit. The special investigation fee shall be determined by KMC 15.30.370.

15.30.600 Unlawful continuance.

Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.

Article XVI. Unsafe Structures and Equipment

15.30.605 General.

Structures or existing equipment that are or hereafter become unsafe, unsanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the building official deems necessary and as provided for in the 1997 Edition of the Uniform Code for the Abatement of Dangerous Buildings or the 1997 Edition of the Uniform Housing Code. A vacant structure that is not secured against entry shall be deemed unsafe.

Ordinance No. 24-0602 Adopting the 2021 Editions of the International Building Code, etc

Final Audit Report

2024-03-01

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City Council Business Agenda Item City of Kenmore, WA

Subject/Topic:

68th/Simonds Restriping and NE 170th Sidewalk Improvements Project construction award (24-C3028)

For Council Meeting Agenda of: May 20, 2024

Department: Public Works Engineering

Prepared by: Thomas Joachimides

Initial & Date

Approved by Department Head:

JV 5/6/2024

Approved by City Attorney:

N/A

Approved by Finance Director:

N/A

Approved by City Manager:

SLL 5/8/2024

Proposed Council Action/Motion:

Authorize the City Manager to execute a contract with Always Active Services LLC for an amount up to \$813,915.85 which includes 10% construction contingency for the 68th/Simonds Restriping and NE 170th Sidewalk Improvements project.

Exhibits/Attachments:

N/A

Summary:

Staff is seeking City Council Authorization to execute a contract with Active Services LLC for an amount up to \$813,915.85 to construct the 68th/Simonds Restriping and NE 170th Sidewalk Improvements project.

Information/Background:

The 68th/Simonds Restriping and NE 170th Sidewalk Improvements project includes the following elements:

- New channelization and signage on 68th Ave NE between NE 175th St and NE 181st Street.
- New channelization and signage on NE 170th Street / Simonds Road between Juanita Drive NE and 92nd Avenue NE. Refresh channelization from NE 163rd Street to 92nd Avenue NE
- Signal modifications at the intersection of NE 170th Street and Juanita Drive NE.
- New bike box at the intersection of Juanita Drive NE and NE 153rd Place.
- New sidewalk on NE 170th Street from Rhododendron Park to 72nd Ave NE (North side only).

The estimated contract duration is 60 working days. The work is anticipated to start June 2024 and is expected to be completed in August of 2024.

IX. E. Authorize the City Manager to execute Contract No. 24-C3028 with ...

Bid results:

The project was formally advertised on 03/28/2024, 04/01/2024, & 04/03/2024 and bids were opened on 04/24/2024. Three (3) bids were received, and Always Active Services was determined to be the lowest responsible bidder at an amount of \$739,923.50. The engineer's estimate for this project was \$607,913.00. Below is a summary of the bids received.

Bidder	Bid amount received
Always Active Services LLC	\$739,923.50
Granite Construction Company	\$967,880.00
Road Construction Northwest, Inc.	\$1,014,312.00

City staff has verified that Always Active Services LLC meets the responsibility criteria defined by law and the city contract documents.

Fiscal Consideration:

The total budget for this project is \$862,888.00. Total project budget spent to date is \$31,833.28 with a balance of \$831,054.72 remaining to complete the project. There is sufficient budget to cover the cost of construction and support services during construction.

City Council Priority or Budget Objective Being Addressed:

Council priority 3: Enhance multimodal transportation implementation, including pedestrian and bicycle safety.



City Council Agenda Bill City of Kenmore, WA

Subject/Topic:

ILA with Washington State Department of Transportation to jointly apply for grant funds to replace fish passage barrier culverts on Tributary 0056.

Proposed Council Action/Motion:

Authorize City Manager to execute Interlocal Agreement 24-C3062 with Washington State Department of Transportation to share costs and coordinate a joint grant application for funds to replace fish passage barrier culverts on Tributary 0056 using the City's current on-call surface water engineering consultant and authorize City Manager to increase existing on-call Agreement 19-C2012 by \$200,000.

For Council Meeting Agenda of: 05/20/2024

Department: Environmental Services

Prepared by: Richard Sawyer, ES Director

Initial & Date

Approved by Department Head:

RS

Approved by City Attorney:

As to Form

Approved by Finance Director:

MM

Approved by City Manager:

SLL 5/10/24

Attachments/Exhibits:

None

Summary:

The City and Washington State Department of Transportation (WSDOT) are applying for grant funds through the Federal Highway Administration (FHA) Culvert Aquatic Organism Program (AOP) to remove fish passage barrier culverts. WSDOT would replace the culvert from the north side of SR522 to the south at the Burke-Gilman Trail and the City would replace the culvert under NE 175TH ST and south onto the adjacent property. These combined projects would provide fish passage access from Lake Washington to the north side of SR 522. The grant application requires a significant amount of work and both parties have agreed to utilize the City's on-call engineering consultant to conduct the work needed for the application.

Information/Background:

In November 2023 City Council approved new Surface Water Management (SWM) fees and an updated SWM Capital Improvement Program, which included funds and projects to remove fish passage barriers. The updated SWM fees provide partial funding for the anticipated work, including the culverts identified for this grant, however it required that staff rigorously pursue grant opportunities, as they become available, to provide the full funding needed to complete projects.

WSDOT staff have met with City staff as they prepare their project to replace the culvert under SR522 and discussions started regarding the upcoming FHA AOP grant program as a possible opportunity for both parties. An issue, recently brought to light in the news, is that WSDOT culvert replacement projects are often isolated within the watershed and don't connect fish with the receiving waterbody, which is often outside their right-of-way. Staff identified that by coordinating the City's downstream project with WSDOT, it would not only provide fish passage from Lake Washington through WSDOT's project but would also be more competitive for grant funds as a coordinated effort.

To prepare a competitive application, the City and WSDOT will need to develop and provide FHA 30% design level plans, landowner agreements, and preliminary environmental review. The Notice of Funding Opportunity (NOFO) is expected to be released in May and staff anticipate having approximately three months to complete the application based on previous grant NOFOs.

The City and WSDOT have agreed to utilize the City's current on-call SWM Engineering consultant, Osborn Consulting, to manage, coordinate and prepare the grant application. Staff estimate that the work will not exceed \$200,000 total and this cost will be split 50% between both parties. The City will provide full payment to Osborn Consulting and WSDOT will reimburse the City. The budget for the on-call contract (Agreement 19-C2012) will be increased \$200,000 to accommodate this task.

Fiscal Consideration:

Total costs to develop and prepare the grant application will not exceed an amount of \$200,000, which will be split 50% between the City and WSDOT. The City will provide full payment to the Consultant and WSDOT will reimburse the City their portion. The project is funded through the Surface Water Management Fund. To accommodate the additional work on the City's existing Surface Water On-Call Engineering Agreement, the budget for Agreement 19-C2012 budget will be increased by \$200,000.

City Council Priority or Budget Objective Being Addressed:

#2 Implement the adopted Climate Action Plan and promote environmental stewardship, including water, air, forest, and habitat restoration and preservation.



City Council Agenda Bill City of Kenmore, WA

Subject/Topic: Economic Development Element, <i>discussion and review</i>	For Council Meeting Agenda of: 05/20/24 Department: Community Development Prepared by: Debbie Bent, Community Development Director and Todd Hall, Principal Planner <table style="width: 100%;"> <tr> <td></td><td style="text-align: right;"><u>Initial & Date</u></td></tr> <tr> <td>Approved by Department Head:</td><td style="text-align: right;">DB</td></tr> <tr> <td>Approved by City Attorney:</td><td style="text-align: right;">NA</td></tr> <tr> <td>Approved by Finance Director:</td><td style="text-align: right;">NA</td></tr> <tr> <td>Approved by City Manager:</td><td style="text-align: right;">SLL, 5/9/24</td></tr> </table>		<u>Initial & Date</u>	Approved by Department Head:	DB	Approved by City Attorney:	NA	Approved by Finance Director:	NA	Approved by City Manager:	SLL, 5/9/24
	<u>Initial & Date</u>										
Approved by Department Head:	DB										
Approved by City Attorney:	NA										
Approved by Finance Director:	NA										
Approved by City Manager:	SLL, 5/9/24										
Proposed Council Action/Motion: No action requested; for information and discussion	Exhibits: Exhibit A: Revised Draft - Economic Development Element										

Summary:

At the 5/20/24 Council meeting the City Council will provide feedback on a revised draft Economic Development Element. The table below summarizes council comment/directions provided at the 3/18/24 City Council meeting along with a staff response.

Information/Background:

Planning Commission presented their recommendation for approval at the March 18 joint meeting. City Council provided comments to staff. The following table summarizes Council direction provided to staff and resulting actions.

ECONOMIC DEVELOPMENT ELEMENT	
Council Comments/Direction	Staff Response
Councilmember Culver: Can the City document which businesses provide living wage jobs? Can the City document the number of businesses by NAICS code?	Currently the City does not track these items but is something that could be identified as a work product for a future economic development study or report. On page 25, staff provided two new policies related to living wage jobs and training resources.
Councilmember Srebnik: In the Introduction section there is mention of the 2018 Economic Development Strategy and the City's economic development three-pronged approach. Where are the six goals from the 2018 ED Strategy represented?	Staff emailed Councilmember Srebnik to clarify where in the document there six ED Strategy goals are represented. These are highlighted in blue in the current draft document. It was mentioned that Planning Commission's goal for the Economic Development Element, which was articulated at the March 18 joint meeting, was to provide a strong foundation for economic development, while

	understanding that the policies and implementation measures are an ongoing work in progress.
Councilmember Srebnik: Why is there one business that is included on page ED-13? (Kenmore Air)	Staff stated at the March 18 meeting that this is referring to “Kenmore’s” air harbor and not the specific business, “Kenmore Air.” Reference to other specific businesses in the document have been removed.
Councilmember Loutsis: On page 4F-3 under Countywide Planning Policies, there is mention about job training, and Policy ED-7.2 mentioned job training for green jobs. Should there be a broader discussion and actionable strategy around job training?	Climate Action Element has some mention about encouraging and attracting green jobs. A collaboration between climate action and economic development efforts may allow for future strategies which lead to greater growth in the green jobs sector.
Councilmember Herbig: On page 4F-20, under Strengths, recognize the Burke Gilman Trail. Also include BRT under Opportunities.	Noted.
Councilmember Sasson: Black Coffee Northwest has a training model for community engagement. Bastyr University is also essentially job training. How can the City partner with local businesses?	Staff suggested connecting with Kenmore Business Alliance.
Councilmember Culver: Lakepointe section is where we could talk more about the background and previous lessons learned. Also, business incubator lessons learned.	Staff noted that Lakepointe is an ongoing discussion and is only mentioned generally in the ED Element. The business incubator was a past effort and is not likely going to be pursued in the near future.
Councilmember O’Cain: Having skills to perform the work is very important. Need to expand the breadth of economic development.	Noted.
Councilmember Marshall: Environmental emphasis is very important for economic development.	Noted.

Next Steps

Staff are anticipating City Council adopt the element in the fall, no later than December 31, 2024, when the remainder of the Comprehensive Plan amendments will be ready for adoption.

Fiscal Consideration:

The Community Development Department received \$125,000 in grant funds for the Comprehensive Plan update (half in 2022/2023 and half in 2023/2024). The Department has also received grant funding to support the development of other Elements, including Middle Housing.

City Council Priority or Budget Objective Being Addressed:

The following 2024 City Council Priorities are being addressed by the Economic Development element update, including Priority 8: “Promote sustainable economic development.”

Text = deleted text

Text = new text

Newly added per 3/18/24 Comments

Where the six ED Strategy goals are represented

ECONOMIC DEVELOPMENT SUB-ELEMENT

INTRODUCTION^{x`}

Purpose

The purpose of the Economic Development Element is to articulate how the City of Kenmore will support local businesses, stimulate job growth, enhance broaden the City's tax base¹, and improve the economic well-being of Kenmore residents. The purpose of this Element is to provide economic development policies for the City of Kenmore, as the community's economic base changes over time in response to market forces and in response to the vision of the Kenmore community.

Growth Management Act

Economic development is one of 14 statewide planning goals under the Growth Management Act (GMA). The includes a specific goals regarding economic development are to:

- Encourage economic development throughout the state that is consistent with adopted comprehensive plans
- Promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons
- Promote the retention and expansion of existing businesses and recruitment of new businesses
- Recognize regional differences impacting economic development opportunities, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities.

The Economic Development Sub-Element is to establish local goals, policies, objectives, and provisions for inclusive and sustainable economic growth and vitality and a high quality of life and is to include a summary of the local economy, including strengths and challenges/weaknesses.

VISION 2050

¹ "Broaden the City's tax base" refers to expanding the scope of economic activities, properties, or individuals subject to taxation within the city. The goal is to increase the diversity and inclusivity of the tax base, ensuring a larger portion of the population or economic transactions contributes to government revenue. It is also seen as a way to enhance fiscal sustainability and reduce the reliance on a narrow segment of taxpayers.

The primary goal of Puget Sound Regional Council (PSRC) VISION 2050 related to the economy reads, "The region has a prospering and sustainable regional economy by supporting businesses and job creation, investing in all people and their health, sustaining environmental quality, and creating great central places, diverse communities, and high quality of life."

PSRC's Regional Growth Strategy defines roles for different types of areas in accommodating the Puget Sound region's population and employment growth. According to the Regional Growth Strategy, it is assumed that 65 percent of the region's population growth and 75 percent of the region's job growth will locate within regional growth centers and near high-capacity transit.

VISION 2050 has seven economic policy objectives, each of which are targeted toward customizing local economic policies and strategies that further regional and local economic development goals. These policy objectives are:

- Identify and enhance industry clusters, including those recognized in the Regional Economic Strategy that provide goods and services for export
- Focus retention and recruitment efforts and activities to foster a positive business climate and diversify employment opportunities by specifically targeting:
 - Businesses that provide living wage jobs;
 - Locally, women-, and minority-owned businesses and start-up companies;
 - Established and emerging industries, technologies, and services that promote environmental sustainability, especially those addressing climate change and resilience.
- Promote strategies and policies that expand access to opportunity and remove barriers for economically disconnected communities.
- Address and prevent potential physical, economic, and cultural displacement of existing businesses that may result from redevelopment and market pressure.
- Develop a range of employment opportunities to create a closer balance between jobs and housing, reducing commute times, traffic congestion, air emissions and other vehicle related emissions, and improving physical and mental health and community strength.
- Promote environmental and socially responsible business practices, especially those addressing climate change, resilience, and improved health outcomes.
- Support, recognize, and empower the contributions of the region's culturally and ethnically diverse communities, institutions, and Native Tribes.

Kenmore is identified as a High Capacity Transit (HCT) community in PSRC's VISION 2050 plan. HCT's are cities and urban incorporated areas with planned high-capacity transit investments that will allow these jurisdictions to accommodate a larger share of future growth, including both housing and employment. In addition, several areas within King County are identified as Regional Growth Centers (RGC). As of 2024, Downtown Kenmore is a Candidate Countywide RGC, with consideration for full designation through the 2025-26 biennium.

Countywide Planning Policies

The King County Countywide Planning Policies include many related to economic development. Policy concepts that support strong and vibrant local communities are summarized below:

- ~~Jurisdictions shall make~~ **Make** local investments to maintain and expand infrastructure and public services, promote education, and protect the environment in a way that contributes to the economic sustainability of the County.
- ~~Jurisdictions shall Coordinate~~ local economic policies and strategies with ~~Vision 2040~~ **VISION 2050** and the Regional Economic Strategy.
- ~~Jurisdictions shall Support~~ economic growth that accommodates employment growth targets.
- **Support industry clusters and their related subclusters that are integral components of the Regional Economic Strategy and King County's economy.**
- **Evaluate the performance of economic development policies and strategies in business development and middle wage job creation.**

Topics that should be addressed include:

- **Business Development:** Strengthen, expand, and diversify the economy **through creation, retention, expansion, and recruitment of businesses.**
- **Diversity, Equity, Inclusion, and Accessibility:** **Creating and supporting a community and economy that are inclusive and welcoming to all.**
- **Support of the regional food economy:** **Support improving access to affordable and culturally relevant food options within the local community.**
- **Environmental Protection:** **Promote the natural environment as an economic value and work to improving access and restoring the natural environment, as well as encouraging private, public, and nonprofit organizations to incorporate environmental stewardship and social responsibility.**
- **Human resources – Create an economy that provides opportunities for all, particularly for economically disadvantaged residents and neighborhoods. Improve** cultural diversity, job training and education.
- **Direct governmental actions – Inventory, plan for, and monitor** land supply and development capacity, **and maintain and improve** infrastructure **and simplify** permitting **processes.**
- **Private/public partnerships – Foster partnerships to implement economic development policies, programs, and projects.**

~~These concepts have been considered during the formulation of the Kenmore Comprehensive Plan.~~

CITY OF KENMORE ECONOMIC DEVELOPMENT STRATEGY AND APPROACH

Economic Development Strategy (2018)

In 2018, the City hired a consulting firm, Community Attributes, to update the original Economic Development Strategy (2009). Through an extensive analysis, the development of a market profile update, an updated commercial buildable lands assessment, and a robust public engagement process with local business and stakeholders across the Kenmore community, several goals, strategies, and actions were developed aimed at diversifying, growing, and sustaining Kenmore's economy.

The six goals include:

- Promote & Differentiate Kenmore's Image
- Grow New & Existing Businesses & Target Sectors
- Enable High-Quality Retail, Office, & Mixed-Use Development
- Leverage Placemaking² & Livability for Economic Development
- Expand Connectivity, Access to the Waterfront & Multi-Modal Transportation
- Highlight Kenmore's Welcoming Business Climate

Economic Development Approach

Using the 2018 Economic Development Strategy as a guide, the City developed a three-pronged an Economic Development Approach that is guiding Kenmore's economic development work. These three prongs include:

Be a Well-Run City

We believe that the best thing we can do to promote economic development in Kenmore is to ensure we are a well-run city. This means that our city employees are approachable and accessible so that our community has positive experiences in dealing with the city. It also means that we provide well-maintained roads and parks, a walkable downtown core that is both safe and clean, well-planned zoning and housing options, easy-to-navigate permitting and registration processes, and care for our ecosystems, all of which create an environment where it is easier for businesses to thrive.

Seize Strategic Opportunities

We believe in taking matters into our own hands in order to make things happen. We embraced this part of our strategy in the last biennium by purchasing the Bench and Holt properties and utilizing the Shell property for an affordable housing development. We need to continue to be a city that moves boldly to ensure we are well positioned and prepared for the future by seizing opportunities that make an impact.

Focus on Key Partnerships

We believe it is critically important to engage with and support our city's key institutions. This includes our largest employers, businesses, and service providers, such as Bastyr University, Kenmore Air, Kenmore Camera, The Lodge at St. Edward, Kenmore Lanes, the Northshore Utility District, 192 Brewing, Arts of Kenmore, Cairn Brewing, Snapdoodle Toys, Plywood Supply, the Bothell Kenmore Chamber of Commerce, and the Kenmore Business Alliance, the city's bridge to our numerous and treasured small businesses. We are deeply invested in the long-term success of our businesses and institutions, and we want to maintain strong partnerships with them.

² Placemaking is defined as the process of creating quality places that people want to live, work, play and learn in.

EXISTING CONDITIONS

The following is a summary of Kenmore's existing economic conditions based on information obtained from the various regional, state, and federal data sources. Where available, the most recent data from these sources was used.

Introduction

The Existing Conditions information below is based on the "Kenmore Downtown Plan Market Study," 2005, prepared by Property in association with, Mizrahi And Associates / CB Richard Ellis and the Berk studies completed in 2009 and 2013. While the studies focused on Downtown and the Regional Business, Urban Corridor and Waterfront Commercial areas, they created a context for the analysis using citywide information. The information in the studies built on prior studies and information noted in Chapter 3, Demographics and Economics, and Chapter 4-B Downtown Sub-Element.

Population and Socio-Economic Characteristics

The City of Kenmore has an estimated population of 24,448 (September 2023), an increase of 3,078, or approximately 14 percent since the last Comprehensive Plan update in 2014. Table ED-1 below shows the population profile.

Table ED-1, Population Profile, 2023

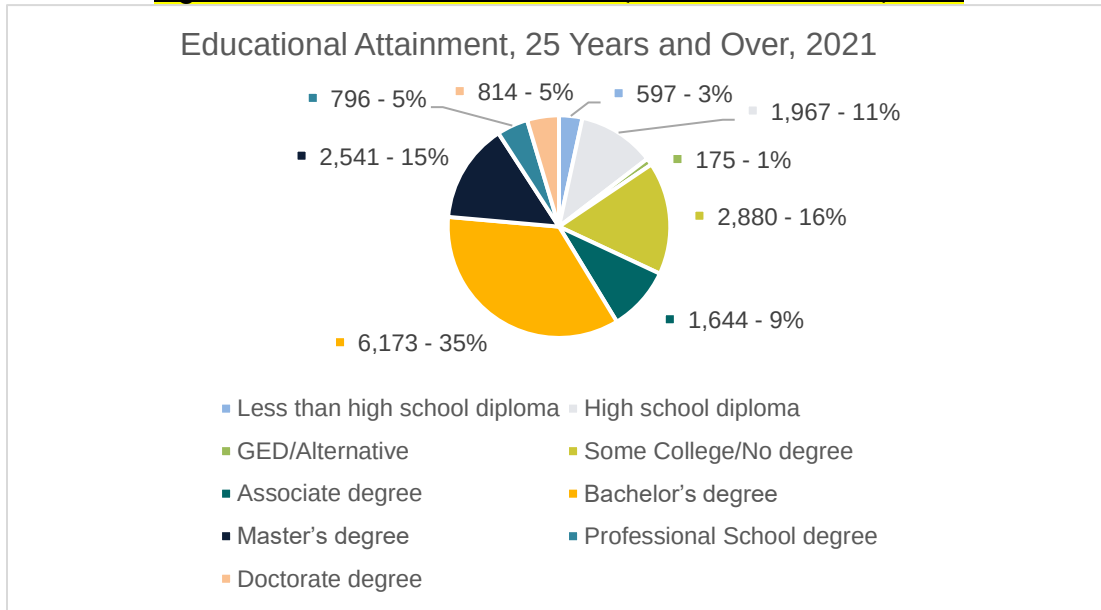
Population	24,448
Households	9,505
Median Age	41.3
Median Male Age	40.6
Median Female Age	42.1

Source: Data Axle, Inc., Esri Community Analyst, 2023.

Educational Attainment & Income

Approximately 67 percent of residents over the age of 25 have earned an associate degree or higher educational attainment. For comparison, about 64 percent of the population over 25 in King County have earned an associate degree. Figure ED-2 shows estimated educational attainment for Kenmore residents aged 25 or older.

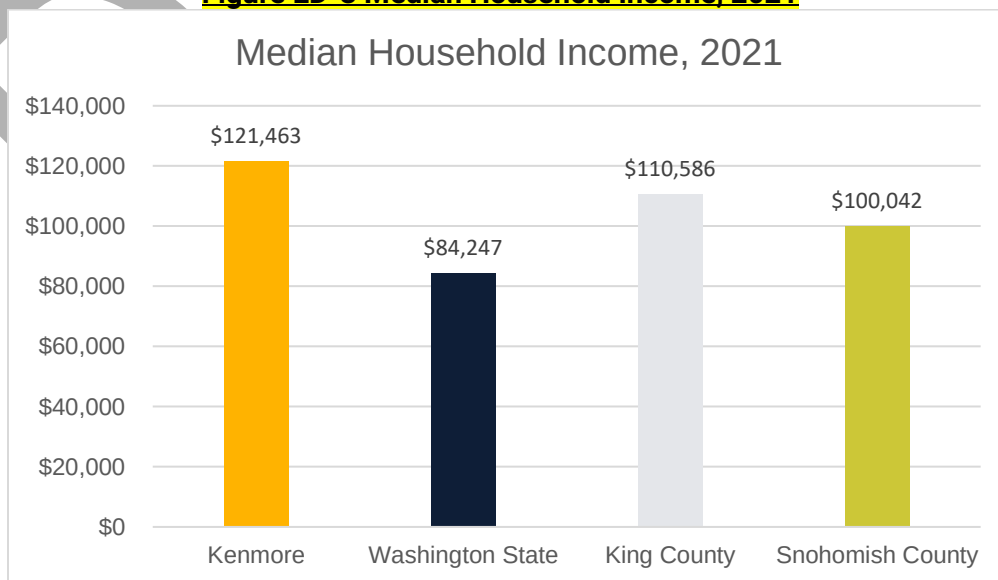
Figure ED-2 Educational Attainment, 25 Years and Over, 2021



Source: US Census American Community Survey, 5-year, 2017-2021

The Kenmore area has a median household income level estimated to be \$121,463 in 2021, compared to approximately \$110,586 for King County and \$100,042 in Snohomish County. \$82,334 in 2013, compared to approximately \$110,586 for King County and \$100,042 in Snohomish County. \$71,811 for the County. Figure ED-3 shows estimated median household incomes in Kenmore, King and Snohomish counties, and Washington state.

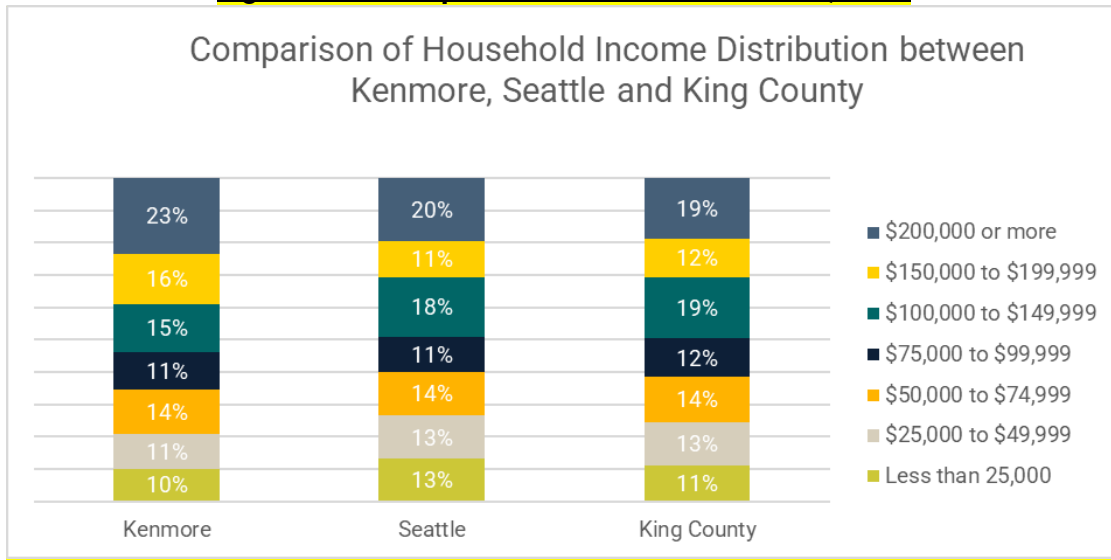
Figure ED-3 Median Household Income, 2021



Source: US Census American Community Survey, 2021

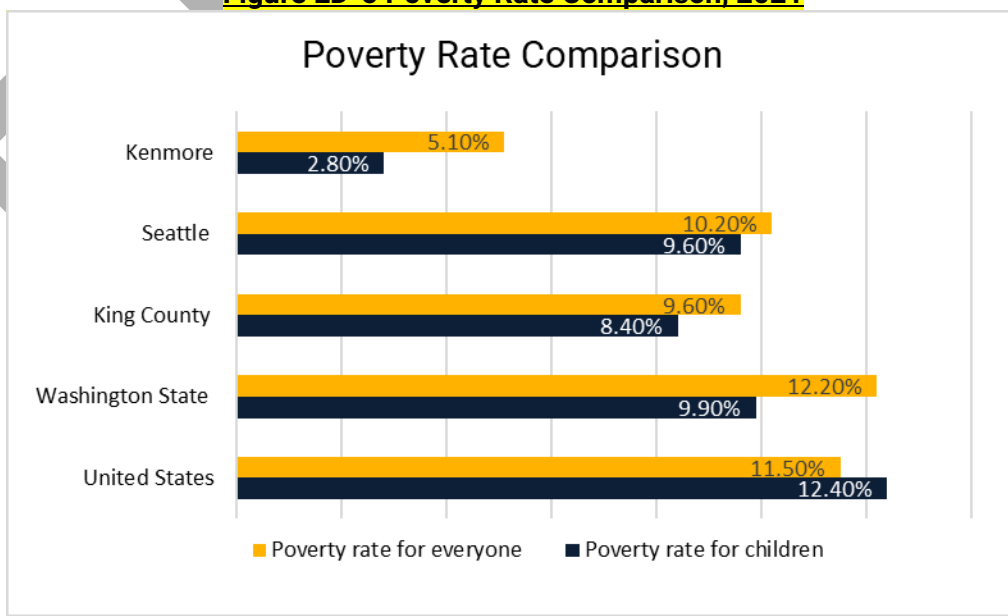
Approximately 6.1 percent of the population for whom poverty status is determined in Kenmore (1,425 out of 23,472 people) live below the poverty level, which is lower than the national average of 12.8 percent. The Census Bureau uses a set of money income thresholds that vary by family size and composition to determine who classifies as impoverished. If a family's income is less than the family's threshold, then the family and every individual in it is considered to be living in poverty. Figure ED-4 shows the comparison of household income for Kenmore with Seattle and all of King County while ED-5 illustrates the poverty rate for children and adults in these areas.

Figure ED-4 Comparison of Household Income, 2021



Source: Source: PSRC, 2021

Figure ED-5 Poverty Rate Comparison, 2021



Source: PSRC, 2021

Housing Economic Profile

There are an estimated 9,623 total housing units in Kenmore. Of these, approximately 6,445 (67 percent) are owner-occupied, 2,765 (29 percent) are renter-occupied, and 357 (4 percent) are vacant. The median value of owner-occupied units is \$948,000, with median gross rent of \$1,704. The average household size in Kenmore, as reported in the 2020 Census, is 2.53. Table ED-6 shows the housing profile for Kenmore.

Table ED-6 Housing Profile³

Total Housing Units	9,623
Average Household Size	2.53
Owner-occupied units	6,445
Renter-occupied units	2,765
Vacant units	357
Median Value (Owner-occupied)	\$948,000
Median gross rent (per month)	\$1,704

Source: U.S. Census, American Community Survey, 5-year, 2017-2021

Housing Affordability

Housing affordability in a community is a large factor in a community's success. When households spend more than 30% of their income on housing, they are cost burdened and struggle to afford other necessities. Households are severely cost burdened when they pay more than 50% of their income on housing. Cost burden is only one measure for understanding affordability in Kenmore.

The City of Kenmore has an estimated population of 21,370 (as of April 1, 2014), an increase of 2,692, or approximately 14 percent, since 2000. The City of Kenmore is projected to grow by an additional 7,103 persons by 2035, to a total of 28,473 persons. This translates to a population increase of more than 33% over the 21 years between 2014 and 2035.

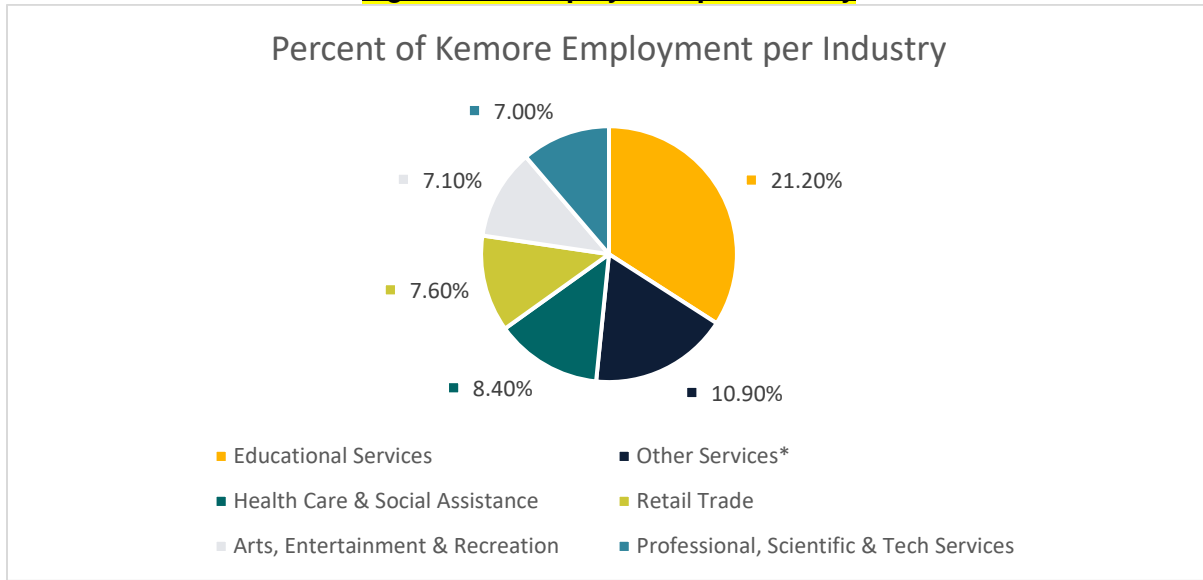
Employment

As of September 2023, there are approximately 4,583 employees within Kenmore. 21.2 percent of the working population in Kenmore is employed in Educational Services, making it the largest employment sector in the city. The next five largest employment sectors are Other Services* (10.9 percent), Health Care & Social Assistance (8.4 percent), Retail Trade (7.6 percent), Arts, Entertainment & Recreation (7.1 percent), and Professional, Scientific & Tech Services (7.0 percent).

According to WA State Department of Revenue, there are 1,198 businesses operating in Kenmore (September 2023). Of these businesses, 66% are home-based. Table ED-7 illustrates the percentages of employment per industry.

³ Housing profile numbers as estimates based on U.S. Census data. There is a margin of error factor. Therefore, total housing units may not be exact.

Figure ED-7 Employment per Industry



Source: WA Department of Revenue

(*Other Services (except Public Administration) NAICS 81 – Activities providing services not elsewhere specified, including repairs, religious activities, grantmaking, advocacy, laundry, personal care, death care, and other personal services.

Table ED-8 shows covered employment data for Kenmore. Table ED-9 shows the top 5 employers in Kenmore.

Table ED-8, Covered Employment by Industry, Kenmore

by NAICS Codes	Employees	
	Number	Percent
Agriculture, Forestry, Fishing & Hunting	0	0.0%
Mining	0	0.0%
Utilities	0	0.0%
Construction	303	6.6%
Manufacturing	136	3.0%
Wholesale Trade	152	3.3%
Retail Trade	348	7.6%
Motor Vehicle & Parts Dealers	62	1.4%
Furniture & Home Furnishings Stores	7	0.2%
Electronics & Appliance Stores	10	0.2%
Building Material & Garden Equipment & Supplies Dealers	32	0.7%
Food & Beverage Stores	30	0.7%
Health & Personal Care Stores	85	1.9%
Gasoline Stations & Fuel Dealers	16	0.3%
Clothing, Clothing Accessories, Shoe and Jewelry Stores	3	0.1%
Sporting Goods, Hobby, Book, & Music Stores	75	1.6%
General Merchandise Stores	28	0.6%
Transportation & Warehousing	239	5.2%
Information	90	2.0%
Finance & Insurance	94	2.1%
Central Bank/Credit Intermediation & Related Activities	67	1.5%
Securities & Commodity Contracts	8	0.2%
Funds, Trusts & Other Financial Vehicles	19	0.4%
Real Estate, Rental & Leasing	91	2.0%
Professional, Scientific & Tech Services	319	7.0%
Legal Services	53	1.2%
Management of Companies & Enterprises	3	0.1%
Administrative, Support & Waste Management Services	152	3.3%
Educational Services	970	21.2%
Health Care & Social Assistance	383	8.4%
Arts, Entertainment & Recreation	325	7.1%
Accommodation & Food Services	304	6.6%
Accommodation	18	0.4%
Food Services & Drinking Places	286	6.2%
Other Services (except Public Administration)	498	10.9%
Automotive Repair & Maintenance	63	1.4%
Public Administration	135	2.9%
Unclassified Establishments	41	0.9%
Total	4,583	100.0%

Source: Data Axle, Inc., Esri Community Analyst, 2023.

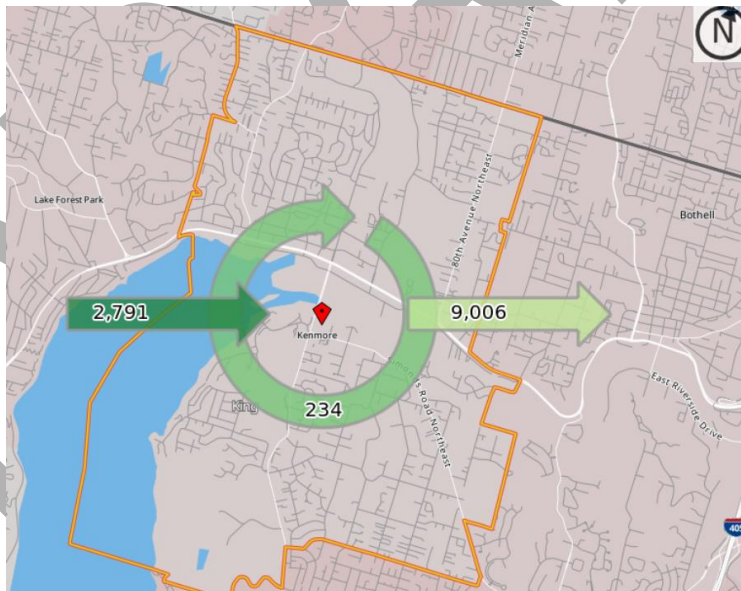
TABLE ED-9, Largest Employers in Kenmore

Bastyr University
The Lodge at St. Edward Park
Safeway, Inc.
Kenmore Air Express/Kenmore Air Harbor ⁴
Inglewood Golf Club

Source: WA State Dept. of Revenue, City of Kenmore 2023

There were approximately 3,606 jobs in Kenmore in 2013, fewer than before the Great Recession of 2009. Approximately 650 Kenmore businesses are registered with the City, and an additional 1,300 to 1,500 businesses may be operating in the city without formal registration. Regardless, only about 3 percent of working Kenmore residents are employed inside the City. Figure ED-10 shows the inflow/outflow of Kenmore residents and non-residents, as well as the few residents who live and work in Kenmore. There are over 3.5 times as many residents leaving the working outside the city for employment versus those coming into the City. This indicates the limited availability of jobs in the city and also residents work in job sectors that Kenmore does not offer (i.e., education and services instead of high-tech, financial). Kenmore still serves largely as a bedroom community for surrounding employment centers.

Figure ED-10



Source: U.S. Census On the Map, 2021

⁴ Kenmore Air Express is the commercial air service business operating out of Kenmore. Kenmore Air Harbor is the maintenance and aircraft operations of the seaplane base in Kenmore. Together, these two businesses operate side-by-side at the Kenmore base.

Employment by Industry Sector

Kenmore residents are employed in a variety of industries. Over 25 percent of the population is employed in professional, scientific, and management, and administrative services, and waste management services, making it the largest employment sector. In 2021, the median annual earnings for this sector were \$93,247. The next largest employment sectors are educational services (21 percent), other services (including repairs, religious activities, grantmaking, advocacy, laundry, personal care, death care, and other personal services (10.9 percent), and health care and social assistance (8.4 percent). manufacturing and retail trade (each tied at 9.7 percent), and finance and insurance, and real estate and rental and leasing (8.4 percent). In 2021, the median earnings for these sectors range between \$63,210 and \$112,102 annually. Table ED-11 shows estimated full-time, year-round employees by industry sector in Kenmore.

Table ED-11 Employment by Industry Sector, 2021

Industry Sector	Count	Share	Median Earnings*
Full-time, year-round civilian employed population 16 years and over	9,486	100%	\$68,917
Agriculture, forestry, fishing, hunting, and mining:	0	0	
Construction	565	5.9%	\$66,397
Manufacturing	926	9.7%	\$112,102
Wholesale Trade	353	3.7%	\$78,529
Retail Trade	928	9.7%	\$47,180
Transportation and warehousing, and utilities:	220	2.3%	\$62,313
Transportation and warehousing	146	1.5%	\$48,646
Utilities	74	.07%	\$123,750
Information	325	3.4%	\$133,889
Finance and insurance, and real estate and rental and leasing:	805	8.4%	\$71,750
Finance and insurance	496	5.2%	\$99,261
Real estate and rental and leasing	309	3.2%	\$60,747
Professional, scientific, and management, and administrative and waste management services	2,396	25.2%	\$93,247
Professional, scientific, and technical services	1,923	20.2%	\$101,979
Management of companies and enterprises	105	1.1%	\$109,306
Administrative and support and waste management services	368	3.8%	\$45,625
Educational services, and health care and social assistance:	1,997	21.0%	\$63,210
Educational services	792	8.3%	\$70,278
Health care and social assistance	1,205	12.7%	\$58,423
Arts, entertainment, and recreation, and accommodation and food services	497	5.2%	\$43,013
Arts, entertainment, and recreation	182	1.9%	\$59,375
Accommodation and food services	315	3.3%	\$31,989
Other services, except public administration	215	2.2%	\$25,875
Public administration	259	2.7%	\$75,192

Sources:

US Census American Community Survey, 2021

<https://data.census.gov/table?q=industry&g=160XX00US5335170&tid=ACST5Y2021.S2404>

<https://data.census.gov/table?q=earnings+by+industry&g=160XX00US5335170>

Employment Capacity

The affordability of commercial space and housing within the region contributes to whether the local economy has the potential to slow or grow in upcoming years. As increasing housing costs

play a major role in housing affordability, so does the cost of commercial and industrial real estate. As real estate costs rise, this may negatively impact the potential of business creation and the retention of existing business. Higher rents may price out existing businesses, make expansions of existing businesses cost-prohibitive, or displace existing businesses as commercial areas redevelop.

Monitoring commercial space availability and development capacity may ensure that zoning and other development regulations create a balanced and sustainable economic development approach. Table ED-12 below summarizes the 2021 King County buildable lands analysis of commercial and industrial lands in Kenmore, as well as the capacity to accommodate jobs in those categories in the city. The table includes a summary of land supply and employment capacity by vacant and underutilized parcels. Also included is a summary of capacity within lands categorized as Pipeline (lands within project planned or underway) as of 2021.

Estimating commercial/industrial land supply and job capacity determines if the city has enough land inventory (availability) in these land use categories, as well as the capacity to accommodate employment (jobs) in these categories.

Table ED-12 Commercial / Industrial Land Supply and Job Capacity

Land Supply	Gross Area (acres)	Critical Areas (acres)	ROW (acres)	Public Purpose (acres)	Initial Land Supply	Market Factor	Buildable Lands (acres)
Vacant/Redev.							
Commercial	0	0	0	0	0	0%	0
Mixed Use	131.4	17.4	8.0	16.0	90.1	0% - 10%	87.5
Industrial	0	0	0	0	0	0%	0
Non-Res Land Total	131.4	17.4	8.0	16.0	90.1		87.5
Job Capacity by Land Use	Net Buildable Area (mil.sq.ft.)	Assumed Density Range (FAR)	Existing Floor Area (million sq. ft.)	Floor Area Capacity (mil.sq.ft.)	Sq.ft. per job	Job Capacity	
Commercial							
Vacant	0	0	0	0	0	0	0
Redevelopable	0	0	0	0	0	0	0
Commercial Total	0	0	0	0	0	0	0
Mixed-Use							
Vacant	0.48	0.16 / 1.50	0	0.19	300 / 400	623	
Redevelopable	3.33	0.16 / 1.50	0.26	0.97	300 / 400	3,239	
Mixed-Use Total	3.81	0.16 / 1.50	0.26	1.16	300 / 400	3,862	
Industrial							
Vacant	0	0	0	0	0	0	0
Redevelopable	0	0	0	0	0	0	0
Industrial Total	0	0	0	0	0	0	0
City Total							
Commercial	0	0	0.69	0	0	0	0
Mixed Use	3.81	0.16 / 1.50	0.91	1.16	300 / 400	3,862	
Industrial	0	0	0.26	0	0	0	0
Job Capacity in Pipeline							19
City Total	3.81	1.50	1.86	1.16	0 / 400	3,881	

Source: King County Urban Growth Capacity Report, June 2021

The Kenmore area has a median household income level estimated to be \$82,334 in 2013, compared to approximately \$71,811 for the County as a whole. Educational levels in Kenmore are high, with approximately 79% of residents either having attended college, or attained an associate's degree, a bachelor's degree or a graduate or professional degree. This compares with King County, where 75% of residents have this level of education.

Refer to **Section 3, Demographics and Economics**, for more detailed information about Kenmore's existing demographics and economy. To summarize, however, the following describes the number of current jobs and the community's largest employers:

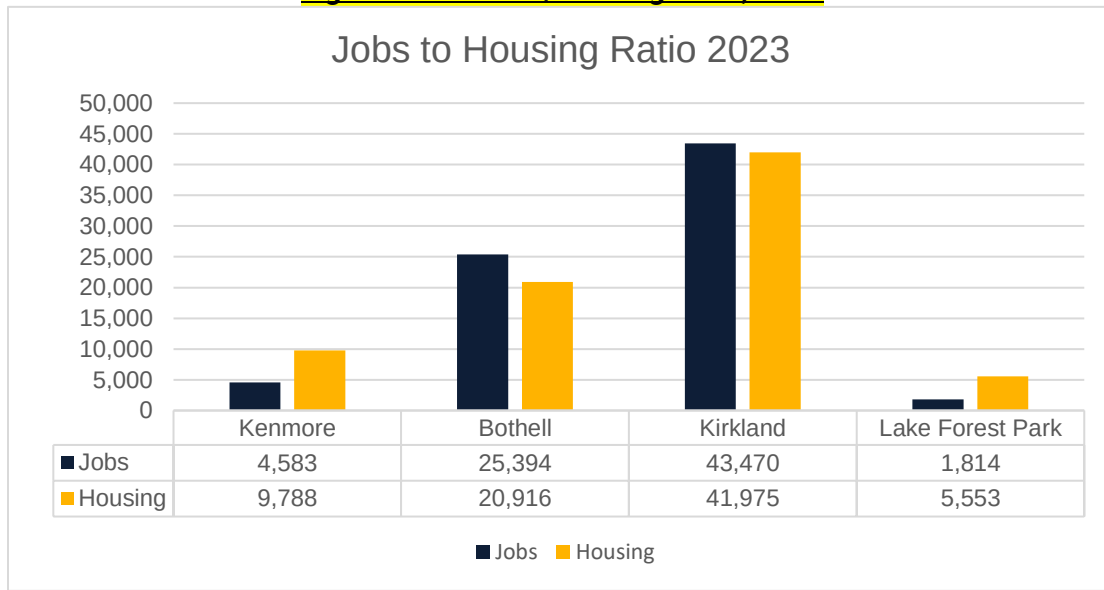
- Based upon all employees "covered" under the State's unemployment insurance act, approximately 3,606 jobs were located in the City in 2013.
- Most of these jobs are service oriented. The manufacturing sector has the fewest jobs and decreased the most between 2001 and 2011.
- As of 2015, Kenmore's largest private employers include Bastyr University, Kenmore Air Harbor and Safeway. In 2000, results were similar in that Bastyr University and Kenmore Air Harbor were the larger private employers.

Jobs/Housing Ratio

A jobs/housing ratio is a measure of the amount of employment compared to the amount of housing in a specific geographic area. By monitoring this metric, this allows the City to plan for and improve geographic distribution of housing and employment opportunities in the community. Generally, a low jobs/housing ratio indicates that a community is housing-rich and may be classified as a "bedroom community," while a high jobs/housing ratio indicates that the community is an employment center. The target is balance of jobs and housing, while also considering that the housing available in the community is affordable to workers at different income levels.

Kenmore, with approximately 4,583 jobs and 9,623 housing units, has a 1:2 jobs to housing ratio, which is a little less than half the number of jobs per housing units available, just over twice the number of housing units per jobs available. Figure ED-13 shows the jobs/housing ratio for Kenmore, as well as other nearby jurisdictions and King County for comparison. For comparison, Bothell has slightly more jobs than housing, Kirkland has an almost equal balance of jobs and housing, and Lake Forest Park has significantly more housing than jobs by a 3:1 margin.

Figure ED-13 Jobs/Housing Ratio, 2023



Source: Data Axle Inc, ESRI Community Analyst, 2023

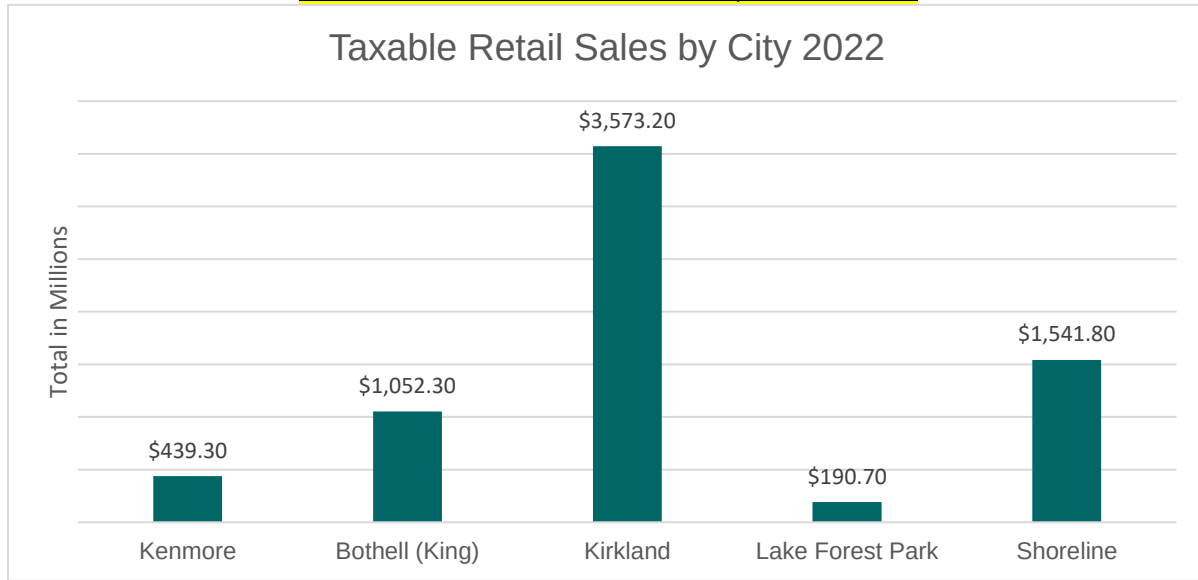
Employment Growth Target

The King County Countywide Planning Policies (CPPS) establish growth targets for all jurisdictions within King County. The CPPs were most recently amended in 2023, updating the growth targets for cities and towns throughout the County. The updated growth targets extend the planning horizon through 2044. Kenmore's current employment is 4,583 with a growth target of 3,200 net new jobs by 2044.

Taxable Retail Sales

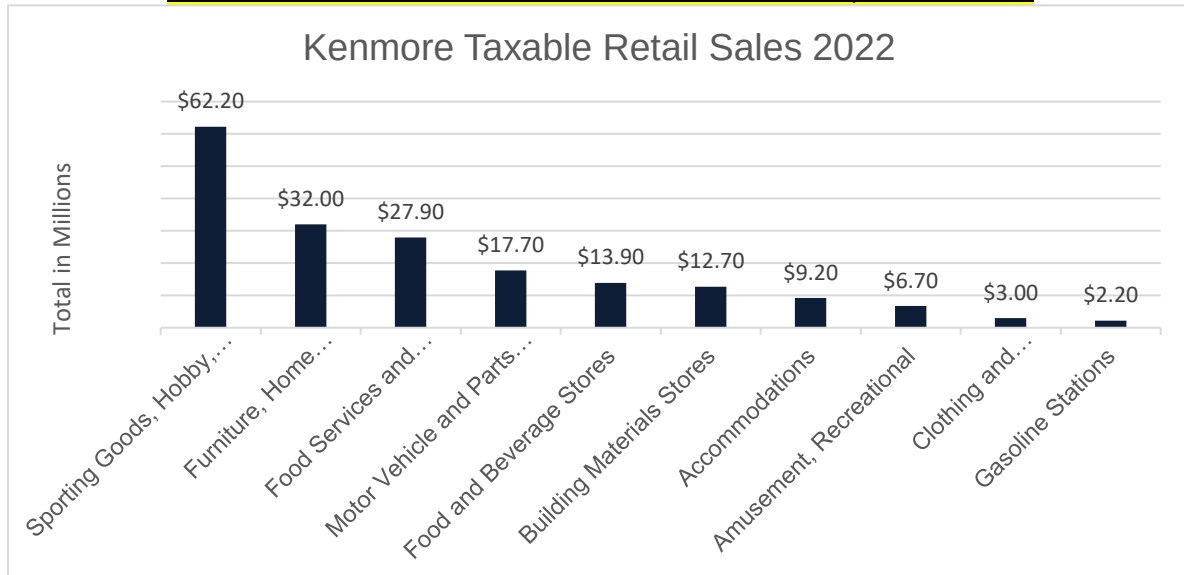
The reported taxable retail sales in Kenmore as reported in 2022 was \$439.9 million, which was a 10% change from the prior year (\$399,401,715). Table ED-14 shows the taxable retail sales of Kenmore compared to other nearby cities. Table ED-15 shows the taxable retail sales within Kenmore by category. Per WA State Revenue, this includes sales by other methods including online, phone, and retailers by mail.

Table ED-14 Taxable Retail Sales, 2022 Annual



Source: WA Department of Revenue

Table ED-15 Select Taxable Retail Sales in Kenmore, 2022 Annual



Source: WA Department of Revenue

FUTURE TRENDS

Kenmore, particularly in the four quadrants of Downtown, is expected to capture additional economic growth. As a designated “High Capacity Transit (HCT) Larger City” community⁵ with good access to the regional transportation network, Kenmore is targeted for both residential and employment growth as part of the Regional Growth Strategy. As a Larger City HCT, Kenmore is viewed as an important subregional job, service, cultural, and housing center. The Downtown area will capture a share of City-wide development based on several key characteristics:

- Central location, convenient to job centers and job growth in northeast King County.
- Location on major highways/arterials. Travelers can get to or from Kenmore without traveling on a toll road.
- Location on Lake Washington and the Sammamish River.
- Variety of existing commercial development types and the potential for redevelopment.
- Presence of Bastyr University, a leader in natural health sciences.

More details about the Downtown area are discussed in the Downtown Element.

Retail Demand

Taxable retail sales have remained steady grown steadily in Kenmore. since 20102000, with a dip in 2009 due to the Great Recession. Restaurants, groceries, and until recently, autos and parts, mademake up the largest share of retail spending. With the departure of James G. Murphy Co. in 2022, this auto sales and parts sales category dramatically decreased. The fastest growth since 2000 has been in general merchandise and sports/books/music. Kenmore retail largely serves a local market area. Even within this area, the city retail captures only a small share of resident expenditures. While it is not unusual for a small community to experience leakage in categories such as general merchandise and apparel, Kenmore businesses only recently captured resident expenditures for groceries.

The retail inventory in the city consists of a mix of shopping centers, shopping districts (a concentration of individual buildings), highway-oriented development and some stand-alone facilities. The largest concentrations are Kenmore Square and surrounding development, Safeway and surrounding development, and Kenmore Village and surrounding development. With the exception of the Safeway and Kenmore Square concentrations, many of the existing retail facilities are dated in terms of configuration, appearance, and performance. Recent new investment in the Downtown core (Kenmore Camera, Speedy Reedy, Cooley Smiles) has focused on rehabilitation rather than redevelopment.

⁵ ‘High Capacity Transit’ means transit service that functions to carry high volumes of passengers quickly and efficiently, preferably on exclusive or semi-exclusive rights-of-way, such as bus rapid transit, light rail, commuter rail, and passenger only ferries. In the case of Kenmore, SR-522 (Bothell Way) is defined as a high capacity transit corridor. ‘High Capacity Transit community,’ as defined under PSRC’s VISION 2050, is a regional geography that refers to cities and unincorporated areas that are connected to the regional high-capacity transit system.

The City of Kenmore has the potential to provide retail goods and services for an area beyond its own boundaries. The projected market area for Kenmore lies within an approximate 3-mile radius around the Downtown City Center, and the boundaries are further described in the Downtown Sub-Element.

Particularly in the four downtown quadrants there are opportunities for both rehabilitation of existing retail and new retail development opportunities that serve both local and regional needs. Providing opportunities to access small, local neighborhood retail is also a consideration for serving local needs.

While there is some limited potential for retail expansion in Kenmore, the long-term projection is declining retail sales at traditional brick and mortar retailers and a continuing trend in online retail. According to McKinsey & Company, a global management consulting company, the share of traditional retail is set to decline from 85 percent at present to 65-70 percent in the next 4 to 5 years.

A project of the scale proposed at Lakepointe could create demand for specialty retail in a destination setting.

Office Demand

The Kenmore office market is quite small in comparison to the region. As of 2013, there was a total of 182,000 square feet of office space, with an average size of 4,054 square feet per space. Kenmore's ability to capture regional and national serving office users depends on its competitive position. Office concentrations in Bothell, Lynnwood, and Kirkland are all located on major interstate highways. While Kenmore does not offer the same level of highway access and visibility, Kenmore does have an opportunity to capitalize on its waterfront setting, as is the case at Carillon Point in Kirkland. The space in that project commands some of the highest rents in the region. However, that opportunity is specific to such as Lakepointe, or a development of comparable scale.

Since about 60 % percent of Kenmore businesses with a Kenmore Business Registration are home-based businesses (as of 2023), there may be an upcoming need and demand for smaller-scale office development as these businesses mature. Buildings that accommodate live-work or coworking spaces may be more suitable for Kenmore's business environment rather than the traditional Class A or B office space that is commanded in large job centers. However, because of the lack of available coworking space in Kenmore, businesses are forced to look outside the city. The Berk and Associates Report (2009) noted that the source of demand for office space is most likely to come from local entrepreneurs or local residents moving their business closer to home.

Telecommuting is a trend that has rapidly increased since the COVID-19 pandemic. This has created high retail and office vacancy rates in many prime locations outside of Kenmore. The current trend and long-term projections are conversions of excess office space to residential. While Kenmore may not be largely affected by this trend, it will still have an overall impact on office space availability and rents.

Clean Light Manufacturing Demand

Clean light manufacturing generally includes advanced manufacturing (including information technology) and urban and/or artisanal manufacturing (including breweries and specialty food manufacturers, for example). Both types of light manufacturing, particularly small growing businesses and start-ups, do not need large spaces and are looking for inexpensive rent. Kenmore has a few properties that fit this description and is a lower cost location than other options, regionally. As an emerging and broadly defined business type, however, there is little market data or trends to assess the potential in Kenmore, there may be the potential for future growth of green businesses in Kenmore.

In addition to clean light manufacturing, supporting local businesses and fostering business opportunities to advance climate mitigation and resilience are important long-term objectives of the City. The Climate Action Element has goals and policies related to supporting a resilient and green local economy.

Projected Employees

Assuming development in accordance with the adopted Kenmore Land Use Plan, the City would achieve greater employment. Refer to **Table LU-B**. Most of the employment is due to the development of Lakepointe, and a concentrated Downtown core. City economic development efforts with Bastyr University and the Economic Development Council of Seattle/King County may enhance future employment in Kenmore as part of a natural health hub. Refer to **Sections 4A and 4B**, Land Use Element and Downtown Sub-Element for additional descriptions.

TABLE LU-B
EXISTING AND FUTURE COMMERCIAL DEVELOPMENT

	2014 Estimated	Net Increase 2014-2035	Total 2035
Employment	3,606	3,098	6,704

Table LU-B shows a net increase in employment of 3,098 by the year 2035. This meets the City's 2031 employment target in the Countywide Planning Policies.

ECONOMIC DEVELOPMENT STRATEGY

In 2009, the City adopted a strategic plan, “Capitalizing on Kenmore’s Potential: An Economic Development Strategy,” to identify strategies to enhance the City’s image and identity to increase economic vitality and business growth in the long run. Four goals were identified:

- Establish Kenmore’s image by promoting its high quality of life and many assets
- Support existing businesses and pursue opportunities to expand employment
- Create a multi-use, vibrant and walkable Downtown
- Advance the community’s connection to the waterfront.

STRENGTHS, CHALLENGES, OPPORTUNITES & THREATS (SCOT)

The city of Kenmore, with its ideal location at the top of Lake Washington along a heavily travelled corridor between Seattle and the Eastside, has a lot of opportunity for commercial growth. With these opportunities, there are certainly challenges as well. This section briefly describes the strengths, challenges, opportunities, and threats, otherwise known as a SCOT analysis. This section also summarizes responses from business and stakeholder interviews conducted during development of the 2018 Economic Development Strategy.

Strengths

Kenmore has several assets that can be leveraged to establish its identity and promote the community for increased investment and employment.

Location

Kenmore’s location on 522 roughly halfway between the Eastside and downtown Seattle, as well as its location on the north end of Lake Washington, are significant assets to attracting new residents and businesses alike.

Pleasant Residential Neighborhoods

Kenmore has many excellent neighborhoods, each with its own identity and character, which add to the uniqueness of the community and improved quality of life.

Excellent School District

The Northshore School District is one of the top public school districts in the region.

Burke Gilman Trail

The Burke Gilman Trail is a 19-mile multi-purpose trail that runs from Bothell to Shilshole Bay in Seattle. The trail is part of a 27-mile trail that includes the Sammamish River Trail running from Bothell to Marymoor Park in Redmond. The Kenmore portion of the Burke Gilman Trail is approximately 2.4 miles.

Kenmore’s Air Harbor

Founded in 1946, Kenmore’s Air Harbor continues to be a unique and vital asset to the city’s history and economic vitality. With an average 20 single-engine seaplane fleet, it is America’s

largest seaplane harbor with air service provided daily to downtown Seattle, the San Juan Islands, and Canada. Along with passenger services, the Air Harbor also provides seaplane restoration and maintenance services. The Air Harbor also provides space for approximately 25 private seaplanes. During the peak summer months of July and August, the Air Harbor employs approximately 250 people.

More information about Kenmore's Air Harbor is provided in the Land Use Element.

Bastyr University

Kenmore is home to Bastyr University, the premier university in naturopathic medicine in the United States, with campuses in Kenmore and San Diego, California. The 51-acre Kenmore campus is located adjacent to St. Edwards State Park and It is known for its focus on natural health arts and sciences, particularly in the areas of naturopathic medicine, acupuncture, herbal medicine, nutrition, and holistic health. Not only does Bastyr offer in-person, full-time programs, but also offers online degrees and continuing and community education programs. Bastyr has a total student body of approximately 742 students between both campuses and employs over 600 employees.

Strong Local Business Presence

Kenmore is home to many locally-owned businesses, both large and small. In fact, over 60-percent of Kenmore businesses are home-based.

WeaknessesChallenges

SR-522 Traffic

The pass-through traffic on SR-522 (Bothell Way) is a major east-west thoroughfare that is a significant barrier to pedestrians as well as limiting the potential for and type of development along the highway.

Competition with Neighboring Cities

The local economy is considered small relative to its population base. Several of Kenmore's neighboring cities have strong regional retail and employment centers, including Lynnwood, Bothell, and Kirkland.

Lack of Large-Scale Commercial/Office Space

Compared with neighboring cities, Kenmore has less current and available commercial and office space. This makes it more challenging for businesses to expand or locate in the city.

Opportunities

Excellent Transportation Connections

SR-522 (Bothell Way) is a major east-west arterial that provides excellent connection to Interstate 5 to the west and Interstate 405 to the east. The highway also acts as a major transit corridor for both local (King County Metro) and regional (Sound Transit) bus service. The addition of the S3 Stride Line, a new bus rapid transit line that will connect I-405 and Link Like Rail in Shoreline, will provide residents and employees additional transit options, while also expanding access and opportunities to economically disadvantaged residents. Also,

continuing to pursue the King County Water Taxi as a viable transportation alternative would bring added economic benefits to downtown Kenmore.

Expanding the Downtown Core

Downtown Kenmore has been slowly redeveloping and redefining itself as the new community shopping and gathering place. Along with city investments for a new town square and several new privately-initiated housing developments, there is a lot of opportunity for continued growth.

Promotion of Kenmore as a Unique Lakeside City

Kenmore is uniquely situated at the north end of Lake Washington. This location, and the benefits of lakeside access, provides not only a dramatic view but also several economic development opportunities.

Lakepointe Development

Lakepointe is a 'once in a lifetime' opportunity to create a lasting legacy for residents, business and visitors.

Threats

Climate Change

Climate change has the potential to have many negative effects on the economy, many of which may be out of the control of local government. Business establishment and success, as well as customer spending patterns, may be affected. Kenmore could, however, take steps to improve and market climate mitigation and adaptation strategies in the Climate Action Plan to attract businesses and shoppers.

Economic Uncertainty

Uncertainty in regional, national, and global economies plays a role in what happens to local economies. Inflation, supply chain and labor shortages, transportation costs, and stock market volatility are unknowns that may impact the region in the future. While many of these market forces are uncontrollable, the City can develop policies to prepare for any negative swings and prepare for and respond to changing economic conditions.

Housing Affordability

Regional and local housing plays a role in economic success and growth in the community. Housing affordability can impact housing rents and home costs, which may impact the availability and creation of workforce jobs. The City can monitor existing housing trends and home prices, as well as make changes to housing policies, if needed, to ensure an adequate supply of affordable housing in Kenmore.

Commercial Affordability

Commercial affordability also plays a large role in economic success and growth in Kenmore. Rising costs in commercial rents and property can negatively impact existing business, as well as discourage new business development. The City can monitor existing commercial metrics and adjust economic policies, to the extent possible, that helps promote a variety of businesses.

Transition to Online Marketplace

Even before the COVID-19 pandemic, the retail marketplace has slowly been changing from a traditional brick-and-mortar, big-box environment to e-commerce. While traditional “in-person” shopping is still the predominant method, the pandemic has inevitably accelerated this change as large-scale regional developments (i.e., shopping malls and retail centers) are either closing or redeveloping into mixed-use urban villages or “lifestyle centers.” While Kenmore does not have many large-scale shopping centers, the City may explore the potential of adaptive reuse for aging buildings or redevelopment of underperforming retail centers into new mixed-use or live-work spaces.

Tables ED-16 and ED-17 show key sector opportunities and challenges and what was heard from participants during the 2018 Economic Development Strategy participation sessions.

Table ED-16 Key Sector Opportunities & Challenges – 2018 Economic Development Strategy

Sector	Opportunities	Challenges
Retail	Current retail leakage to other retail centers; opportunity to capture spending from nearby communities	Suitable locations for future retail; format/type of retail and compatibility with City goals; changing retail environment (bricks and mortar challenges)
Medical/Health Care	Existing demand; relative small scale development type; existing presence in Kenmore; Bastyr University	Available property for development; Rising construction costs
Professional Services (office space)	Demand for locally serving office space; low vacancy rates; lack of supply of office space nearby; potential for coworking office development	Financing of speculative office space; available locations within the City
Restaurants/Breweries/Wineries	Rising costs in Seattle and other markets i.e. relative affordability of commercial space; strong local demographics and growth; underserved market	Available space (existing or for new construction); rising rents in Kenmore; nearby competition
Tourism and Recreation	Build upon success of the Lodge at Saint Edward; Burke Gilman linkages; Unique lakefront amenities; Kenmore Air	Linkage between downtown and lake access points; growth in nearby offerings; Highway 522 environment
Information & Communications Technology (ICT)/Tech Sector	Potential for satellite offices on certain properties in long term (Lakepointe for example); improving transportation linkages; Regional growth in sector; regional demand	Site suitability and availability; regional competition; long odds strategy

Source: 2018 Economic Development Strategy, CAI, Inc.

Table ED-17 What Was Heard – 2018 Economic Development Strategy

What Makes Kenmore an Attractive Place to do Business?

The Ability to Live & Work Here
Central Location Within Region
Affordable Commercial Rent

The Local Economy
Confidence in Future Growth
Untapped Markets
Quality Businesses Draw Customers from Outside Kenmore

Kenmore's Economic Assets
Local Leadership & Support for Businesses
Location
Spillover Regional Growth
Bastyr University Growth

What Challenges and Opportunities Affect the Kenmore Economy the Most?

Greatest Challenges
Transportation
Current Perceptions of the City
Quality & Quantity of Commercial Space
Competition with Neighboring Communities

Greatest Opportunities
Increasing Transportation Options
Expanding Downtown Retail Core
Developing Identity as Unique Destination
Improving Quality of Commercial Building Space

Looking Forward

Infrastructural Development
Development of the Lakepointe Property
Expected Growth - and a Higher Profile
Increasing Variety of Commercial Development
Places to Gather
Shared Work Spaces
Technology, Healthcare and Professional Services

Source: 2018 Economic Development Strategy, CAI, Inc.

SUPPORTING AN EQUITABLE LOCAL ECONOMY

A diverse and stable economy offers long-term economic opportunity and social equity to all Kenmore residents. Equitable and broadly spread prosperity through employment is a key factor in helping residents improve financial outcomes and stay out of poverty. Equity has been identified by the City as top priority and ensuring availability and access to jobs is one of the ways to improve quality of life, especially for historically underrepresented people. Creating the opportunity for access to living wage jobs and workforce development and education leads to greater economic growth and success.

GOALS, OBJECTIVES, AND POLICIES

Following are the economic development goals, objectives, and policies.

GOAL ED-1. ESTABLISH AN ECONOMIC BASE THAT PROVIDES FOR THE NEEDS OF RESIDENTS CITIZENS AND A RANGE OF EMPLOYMENT OPPORTUNITIES.

OBJECTIVE ED-1 Strengthen the diversity of employment opportunities the economy in a manner that creates job opportunities for all residentscitizens, protects environmental quality, and creates opportunities for people to live and work in Kenmore utilizes public/private partnerships.

Policy ED-1.1 Classify an adequate amount of land for commercial and business use.

Policy ED-1.2 Recognize the environment as a key economic value in the community that must be protected.

Policy ED-1.3 Through cooperative planning efforts with other agencies, support community-based actions to involve minorities, women and economically disadvantaged individuals in improving their economic future.

Policy ED-1.4 Promote local use of small business financing and management assistance programs. Help identify facilities which may be used to support small businesses.

Policy ED-1.5 Develop and maintain accurate and up-to-date capital facility plans for transportation, surface water, and parks.

Policy ED-1.6 Foster the development and use of private/public partnerships to implement economic development policies, programs, and projects.

Policy ED-1.7 Identify & target sectors that are appropriate for siting in Kenmore, providing for job diversity and living-wage occupations.

Policy ED-1.8 Ensure existing and future housing and land use policies support the balance of affordable housing and available jobs in Kenmore.

1 **Policy ED-1.9** Consider establishing a target of living wage jobs-to-housing ratio for
2 **Kenmore.**

3 **Policy ED-1.10** Actively seek living wage jobs that support Kenmore residents and
4 encourage educational opportunities through local and regional training
5 partners, such as WorkSource, community colleges, and technical trade
6 schools.

7 **OBJECTIVE ED-2** **Support new and existing business development by creating** **Create a**
8 **climate that fosters business creation and retention, positively**
9 **contributing to the City's quality of life.**

10 **Policy ED-2.1** Actively support the retention and expansion of the local and regional
11 economic base.

12 **Policy ED-2.2** **Work Partner** with economic development groups, such as the Economic
13 Development Council of Seattle/King County, State Department of
14 Commerce, **Small Business Development Center (SBDC)**, and various trade
15 organizations to coordinate recruitment and marketing of business
16 opportunities.

17 **Policy ED-2.3** **Work Partner** with the **Greater Bothell Kenmore** Chamber of Commerce and
18 Kenmore Business Alliance to connect businesses and obtain input on City
19 policies and activities.

20 **Policy ED-2.4** Use zoning, strategic infrastructure investment, and public facilities to
21 stimulate business revitalization, retention, and creation.

22 **Policy ED-2.5** **Allow for** **Permit home occupations businesses** within residential zones
23 consistent with the **residential character neighborhood context.**

24 **Policy ED-2.6** Encourage quality and affordable **adequate** child care and adult care
25 facilities to support a diverse work force.

26 **Policy ED-2.7** **Identify the unique needs of multi-cultural and women-owned businesses**
27 **and coordinate City policies with business associations and other**
28 **stakeholders in Kenmore.**

29 **Policy ED-2.8** **To support Kenmore's Economic Development Approach, continue to**
30 **facilitate permitting for new and expanding businesses and facilitate**
31 **property acquisitions where strategic where possible to achieve economic**
32 **development strategies.**

33 **Policy ED-2.9** **Ensure that all economic development activities and partnerships are**
34 **consistent with the three prongs of the City's Economic Development**
35 **Approach.**

36 **OBJECTIVE ED-3** **Encourage the retention and provision of commercial services that**
37 **support residents and local businesses.**

Policy ED-3.1 Support private reinvestment in local-serving shopping centers and local businesses through the potential use of tools such as business improvement districts, loan or grant matching, fee abatement, or other mechanisms to revitalize commercial centers.

Policy ED-3.2 Reinforce private reinvestment through regular maintenance and improvement of the City's streets, sidewalks, surface water facilities, and parks.

Policy ED-3.3 Encourage mixed-use areas where small-scale commercial development can occur.

Policy ED-3.4 Encourage the development of shared office/co-working spaces in Kenmore.

OBJECTIVE ED-4 Improve the visual appearance of new and existing commercial development in terms of design, signage, landscaping and maintenance.

Policy ED-4.1 Improve the visual appearance of Downtown, SR-522, and other commercial districts through public and private measures for beautification, façade improvements, and maintenance.

Policy ED-4.2 Improve the appearance of parking areas with landscaping and maintenance.

Policy ED-4.3 Implement sign standards that create a distinct image for the Downtown, SR-522, and other commercial nodes, and which orient to pedestrians as well as drivers.

OBJECTIVE ED-5 Identify and support Kenmore's Downtown as a focal point for commercial and inclusive and sustainable economic revitalization and growth.

Policy ED-5.1 Promote a diversity of uses within the Downtown which support the activity base by providing employment, civic, cultural, recreational, residential, and a variety of commercial activities.

Policy ED-5.2 Use zoning and infrastructure incentives to achieve redevelopment and infill in the Downtown.

Policy ED-5.3 Create zoning districts, regulations, incentives and strategic investment that, in conjunction with market forces, result in an inviting and vital central core that is self-supporting inclusive and sustainable.

OBJECTIVE ED-6 Support regional economic development strategies consistent with the Kenmore vision statement.

Policy ED-6.1 Cooperate in efforts to establish regional economic diversification and development goals, strategies, and actions. Participation should be encouraged by other jurisdictions, labor, education, environment, and business interests.

Policy ED-6.2 Continue to cooperate on a countywide and regional basis with other counties, cities, other governmental agencies and the private sector to inventory, plan for and monitor the land capacity for commercial, institutional, resource, critical area, open space and residential uses; estimated for six- and 20-year time periods.

Policy ED-6.3 Utilize tax and fee systems, where appropriate, that are equitable, are consistent with City goals, predictably and appropriately fund local services, and are able to maintain a competitive local and regional economic environment. Periodically review the City's tax and fee systems to ensure they remain consistent with the City's priorities.

OBJECTIVE ED-7 **Emphasize Climate Action Plan strategies during economic development decision making.**

Policy ED-7.1 Attract a job sector that encourages clean-energy and low-carbon producers, emphasizes the reduction of natural resources, and promotes local and statewide initiatives of a green economy.

Policy ED-7.2 Support green job training and continuing education opportunities for economic vulnerable job sectors.

Policy ED-7.3 Support industries and job sectors that reduce greenhouse gas emissions and transitioning to renewable energy sources.

OBJECTIVE ED-8 **Develop a culture of excellent customer service that supports all residents and businesses in Kenmore.**

Policy ED-8.1 Continue to provide excellent customer service, and identify improvements as necessary, for City permitting, licensing, code enforcement and other front-line functions.

Policy ED-8.2 Instill a problem-solving approach to project review, licensing and permitting.

OBJECTIVE ED-9 **Enhance communication between the City and local businesses.**

Policy ED-9.1 Communicate with business owners to illustrate the value proposition inherent in operating a business in Kenmore.

Policy ED-9.2 Encourage proactive outreach to Community Business Organizations, such as Kenmore Business Alliance, informing the local business community of Kenmore's regulatory simplicity, supportive business culture, and low-cost business environment.

OBJECTIVE ED-10 **Enhance community services as an integral part of residents and business owners' satisfaction with Kenmore and their sense of community.**

Policy ED-10.1 Continue to operate a summer farmers market or support other activities in downtown that brings together people, business and enhances community pride.

Policy ED-10.2 Provide home-based businesses with easy access to community services and other opportunities that help advertise and promote their business to local residents and property owners.

Policy ED-10.3 Monitor residents and business owner satisfaction regarding city services and other quality of life metrics and track over time.

OBJECTIVE ED-11 Consistent with the City's Diversity, Equity, Inclusion and Accessibility (DEIA) Plan, support businesses and projects that align with equity goals.

Policy ED-11.1 Increase efforts to build partnerships that support to retain local businesses and organizations, with an emphasis on supporting historically marginalized groups in the business community.

Policy ED-11.2 Support a diversity of business types by engaging with business organizations and agencies that assist minority and women-owned businesses, such as the Washington State Office of Minority and Women's Business Enterprises (OMWBE), Washington State Department of Commerce, and Association of Women and Minority Businesses (AWMB).

OBJECTIVE ED-12 Leverage Placemaking and Livability and Position Kenmore as a destination for North King County.

Policy ED-12.1 Promote Kenmore as a regional tourism destination with regional businesses and attractions, such as Kenmore Air and The Lodge at St. Edwards Park.

OBJECTIVE ED-13 Continue to recognize the value of Kenmore's Air Harbor as a provider of air transportation and as a significant employer in the city.

Policy ED-13.1 Support the continued operation of Kenmore's Air Harbor through effective planning, reduction from risk of incompatible development, and collaboration with the City and surrounding property owners.

IMPLEMENTATION STRATEGIES

The Economic Development Sub-Element policies would will require continued or increased commitments of City resources to prepare new regulations, review/amend existing regulations, create educational or incentive programs, foster partnerships, or coordinate with adjacent jurisdictions.

New or expanded programs, rules, or regulations would be needed to address:

- Incentives to stimulate business revitalization, retention, and creation.

- Identification and tracking key economic and demographic metrics to help the city evaluate the effectiveness of local economic strategies and achievement of equitable outcomes.
- Development and tracking of citywide and departmental performance measures related to economic development.
- Monitor and analyze commercial space availability and development trends to capacity to ensure that zoning and development regulations are appropriate for Kenmore. do not create scarcity of commercial spaces in the city's commercial zones.
- Continue to assess business development needs to ensure economic growth, particularly local business development.

A review of existing programs, rules and regulations would be needed to ensure they meet the policies, including:

- Review of home occupation, home business standards.
- Periodic review of development standards that relate to commercial or business development.
- Review of design, landscape, and signage standards.

Continuing coordination efforts would be needed with adjacent jurisdictions or agencies, including:

- Cooperative efforts with other agencies, such as Washington State Office of Minority and Women's Business Enterprises (OMWBE), Washington State Department of Commerce, and Association of Women and Minority Businesses (AWMB), to support economic development activities for the disadvantaged for small, local, women- and minority-owned businesses in Kenmore.
- Coordination and partnership with economic development and business groups, such as the Economic Development Council of Seattle/King County, the State Department of Commerce, various trade organizations, the Greater Bothell Kenmore Chamber of Commerce and the Kenmore Business Alliance to promote Kenmore as a commercial and recreational destination.
- Policy ED-12.2—Continuing to promote and expand the "Shop More, Play More, Find Kenmore" branding business-supporting slogans and branding materials that effectively support and value the business community in Kenmore. This may also include development of a small and local business directory, a "how to do business in Kenmore" guide, and a handbook on licensing and permitting.
- Policy ED-12.3 Coordinate with the Bothell Kenmore Chamber of Commerce, Kenmore Business Alliance, and other organizations to promote Kenmore as a recreational destination for the boating community and to continue to provide for and improve access to Lake Washington and Sammamish River.

- ~~Policy ED-12.4 Continue to expand and develop branded marketing materials, including small and local business resource directory, a “how to do business in Kenmore” guide, and a handbook on licensing and permitting.~~

- Cooperation on a regional basis towards economic diversification and land capacity monitoring.

A periodic review of the five-year action plan in the Economic Development Strategy also is recommended to keep the strategy plan current. The City continues to pursue the following efforts to further the goals of the Economic Development Strategy:

- Supporting a community marketing campaign to promote Kenmore’s and support business development.
- Leveraging and partnering with the area’s educational institutions, such as Bastyr University.
- Supporting the development of a natural health-related cluster.
- Creating a landmark gateway to Kenmore and improving wayfinding signage and streetscape and business area appearance.
- Providing leadership and facilitation in opening up the waterfront as a key amenity.
- ~~Funding space and promoting a local business incubator, C~~ Creating opportunities for new start-up businesses.
- Providing free educational seminars for local businesses.
- Supporting the City’s business registration program.
- Supporting activities of the Kenmore Business Alliance and Bothell Kenmore Chamber of Commerce.
- Supporting the development of office space or other opportunities for employment.
- Seeking grants or other funding opportunities that support business retention, creation, and growth.

REFERENCES

- Berk & Associates (June 2009). Capitalizing on Kenmore's Potential: An Economic Development Strategy. Prepared for City of Kenmore, Seattle, WA.
- Berk (September 2013). City of Kenmore Regional Business Zone Market Analysis. Prepared for City of Kenmore, Seattle, WA.
- Bastyr University (December 2023). Fast Facts. Bastyr University website. Kenmore, WA.
- King County Office of Management and Budget (2008). The 2008 Annual Growth Report. Seattle, WA.
- Property Counselors (October 2005). Kenmore Downtown Plan Market Study. Prepared for City of Kenmore, Seattle, WA.
- City of Kenmore (December 2023). City Business Licensing data. Kenmore, WA
- Community Attributes, Inc. (July 2018). Economic Development Strategy for the City of Kenmore, Washington.
- King County Office of the Executive (June 2021). 2021 King County Urban Growth Capacity Report. Seattle, WA.
- King County Office of the Executive (April 2022). 2021 King County Countywide Planning Policies. Seattle, WA.
- Puget Sound Regional Council (February 2022). VISION 2050 Planning Resources – Economic Development Element Guide, Seattle, WA.
- Puget Sound Regional Council (December 2021) Regional Economic Strategy. Seattle, WA.
- Puget Sound Regional Council (October 2020) VISION 2050. Seattle, WA.
- Washington State Department of Revenue, State Business Licensing (December 2023). Olympia, WA.



Staff Report to City Council

May 20, 2024

Comprehensive Plan Amendment and Rezone – Northshore School district

File # RZN-0006 (PRJ24-0006)

I. APPLICATION INFORMATION:

File Name: Comprehensive Plan Amendment and Rezone – Northshore School District

File Numbers: RZN-0006/PRJ24-0006

Applicant: Northshore School District No. 417

Site Location: 15526 Simonds Road NE, Kenmore, WA 98028

Staff Contact: Todd Hall, Principal Planner

Current Comprehensive Plan Land Use/Zoning: Low Density Residential/
R4 Residential

Proposed Comprehensive Plan Land Use/Zoning: Public/Private Facilities /
PSP - Public/Semi Public

II. PROJECT SUMMARY:

The District recently acquired a 0.74-acre property located at 15526 Simonds Road NE (parcel number 3578700035), immediately adjacent to Inglesmoor High School. The intent for the acquisition is to include it as part of the future phased replacement project that will be reviewed by the City.

The applicant requests to redesignate the property on the City's Comprehensive Plan Land

Use Map from Low Density Residential to Public/Private Facilities, as well as rezone the property on the City's Zoning Map from R4 Residential to PSP - Public/Semi-Public. This would make the property consistent with the current designations of the Inglemoor High School property.

III. **REVIEW PROCESS:**

The application is for a site-specific Comprehensive Plan Map Amendment and a Rezone. This process is identified as a Type 5 Land Use Decision, which requires a hearing and recommendation by Planning Commission and final approval by City Council. The project has been identified on the 2024 Annual Work Plan/Docket of the Planning Commission. Decisions by the City Council are appealable to the Growth Management Hearings Board pursuant to Chapter 36.70A RCW. The Planning Commission held a public hearing on April 2, 2024 and recommended approval of the Comprehensive Plan Map Amendment and Rezone and for City Council to review at a future meeting.

IV. **PROPERTY DESCRIPTION/FUTURE USE**

The property is located just to the south/southwest of the current Inglemoor High School Campus. As of December 2023, there was an existing single-family house located on the property, which is anticipated to be demolished to make way for future phased replacement project. While not a subject of review of this specific application, the property has been identified as a location for additional parking, temporary surge (classroom) space during building construction, or possibly an alternate site access from Simonds Road.

V. **NOTICING**

A Notice of Application was posted at the City of Kenmore official posting site and on site, as well as published in the City's newspaper of record, Seattle Times, on March 4, 2024. Owners of property within 1,000 feet of the property were mailed notices on the date noted above. A Notice of Public Hearing was also issued and posted using all similar methods noted above on March 19, 2024.

VI. **ENVIRONMENTAL REVIEW**

A rezone is categorically exempt from SEPA (WAC 197-11-800(6), only if the proposed rezone does not require an amendment to the comprehensive plan. Since this proposal does require a comprehensive plan map amendment, the applicant has submitted a non-project SEPA Environmental Checklist. Upon review, the City's SEPA Official issued a Determination of Nonsignificance on May 10, 2024.

VII. **STAFF ANALYSIS**

Compliance with Chapter 19.20 KMC – Amendment of Comprehensive Plan or Development Regulations

The proposal must meet the following threshold review and amendment decision criteria as noted in KMC 19.20.080 and 19.20.090, respectively.

KMC 19.20.080 Threshold review criteria.

- A. The City has the resources, including staff and budget, necessary to review the proposal; and

Staff response: The is dedicated staff to review and process the District's proposal.

- B. It has been more than two years since the proposed amendment has been considered unless a compelling reason for changed circumstances can be made; and

Staff response: There has not been a similar request for this property within the last two years. It was recently purchased by the District, and prior to that it was a privately-owned single-family residence.

- C. The proposal would correct an inconsistency within or make a clarification to a provision of the comprehensive plan; or

Staff response: Not applicable

- D. All of the following:

1. The proposal demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policy of the comprehensive plan; and

Staff response: As noted previously in this report, the District purchased the property to allow for additional development area for the future Inglemoor High School replacement project. This parcel could serve as additional parking, temporary surge (classroom) space during construction, or possibly an alternate site access from Simonds Road.

2. The public interest would be best served by considering the proposal in the current year, rather than delaying consideration to a later subarea plan review or plan amendment process.

Staff response: Permits for Inglemoor High School are anticipated to be submitted to the City in early 2024. In order for the District to utilize this additional parcel for school use, the subject property needs to be under the same land use and zoning classifications as the existing high school property.

KMC 19.20.090 Amendment decision criteria

All proposed amendments, whether or not considered through the annual amendment process, must meet the decision criteria of subsections A and B of this section. If the proposal is an amendment to development regulations, then it must meet the decision criteria of subsections A and C of this section.

- A. Review Criteria Applicable to All Proposed Amendments. All proposed amendments must meet the following criteria:

1. The proposed amendment is consistent with the Growth Management Act and the countywide planning policies; and

Staff response: School siting and associated replacements or improvements complies with the Growth Management Act. The King County countywide planning policies also support school development and redevelopment to meet the needs of the growing and changing communities they serve.

2. The proposed amendment eliminates an inconsistency or does not create an inconsistency within the comprehensive plan; and

Staff response: The proposal does not create an inconsistency with the comprehensive plan as the requested amendment to Public/Private Facilities

land use designation is consistent with the existing designation on the Inglemoor High School property.

3. The proposed amendment meets at least one of the following criteria:
 - a. The proposed amendment is beneficial to the City as a whole and will not adversely affect public health, safety, and welfare; or

Staff response: The subject property will be included in the Inglemoor High School replacement project to allow for additional parking, temporary classroom space, or improved vehicular access. The school serves the Kenmore community, as it has for over 50 years.

- b. The proposed amendment addresses changed circumstances within the city as a whole; or
N/A

- c. The proposed amendment accommodates a new policy direction from the city council.
N/A

B. Additional Review Criteria Applicable to Site-Specific Amendments. All specific comprehensive plan land use amendments must meet the following additional decision criteria:

1. The proposed amendment is consistent with the policies, objectives, and goals of the comprehensive plan (including any applicable subarea plans), the countywide planning policies and the State Growth Management Act; and

Staff response: The proposal is consistent with several Land Use Element, Community Design Sub-Element, Natural Environment Sub-Element, and the Parks, Recreation and Open Space Element. These are all noted in the applicant's narrative and justification (see Exhibit 4). Additionally, the project is consistent with the Northshore School District Capital Facilities Plan, as this would support the Inglemoor High School replacement project. Lastly, school siting and capital improvements are in compliance with the Growth Management Act. The King County countywide planning policies also support school development/redevelopment.

2. The subject property is suitable for development in conformance with the standards under the classification being proposed; and

Staff response: The property was identified by the District prior to purchase for being suitable to include as part of the replacement of Inglemoor High School.

3. The proposed amendment is compatible with adjacent and nearby existing and permitted land uses; and

Staff response: Inglemoor High School has been located in the neighborhood for over 50 years and the subject property will help support the replacement project.

4. The proposed amendment is compatible with the surrounding development pattern; and

Staff response: The surrounding development patterns consist of the existing Inglemoor High School as well as residential development. Including the

property as part of the redevelopment of Inglemoor High School would help support this compatibility.

5. The proposed amendment meets the zoning map decision criteria of KMC 19.30.210 and 19.30.220.

Staff response: This is not directly applicable, as the final decision maker is the City Council. However, as noted previously, the property acquisition and map amendments support the redevelopment of Inglemoor High School.

VIII. CONCLUSIONS AND STAFF RECOMMENATION

A. Conclusion

Based on the application materials and staff analysis as noted above, Staff concludes that the following recommended conditions, the proposed reclassification of the Comprehensive Plan Land Use Map and rezone of the property on the City's Zoning Map is consistent with the provisions of the City of Kenmore Comprehensive Plan and Kenmore Municipal Code as such in the public interest as it implements the Growth Management Plan Act goals and policies of the State of Washington and related goals and policies of King County.

B. Recommendation

Based on the Planning Commission's recommendation of approval, Staff recommends the City Council review and, after deliberation, make a recommendation of approval at a future meeting for the **Comprehensive Plan Amendment and Rezone – Northshore School District (RZN24-006)**, for a property located at 15226 Simonds Road NE (Parcel # 3578700035), reclassifying from Low Density Residential to Public/Private Facilities on the Comprehensive Plan Land Use Map, and rezoning from R4 Residential to PSP - Public/Semi Public on the City's Zoning Map.

IX. APPEALS:

The final decision, to be made by the City Council at a later date, is appealable to the Growth Management Hearings Board pursuant to Chapter 36.70A RCW.

X. EXHIBITS:

1. Staff Report to the City Council
2. Narrative and Justification (including Comprehensive Plan and rezone maps)
3. Conceptual Site Plan
4. Vicinity Map



SHOCKEY
PLANNING GROUP, Inc.

Land Use
Environmental Analysis
Permitting
Public Policy

2716 Colby Avenue
Everett, WA 98201
p: 425.258.9308
f: 425.259.4448
www.shockeyplanning.com

Celebrating service excellence since 1980!

Comprehensive Plan Map Amendment and Rezone Written Statement For Northshore School District No. 417 Former Pham Property South and West of Inglemoor High School

On behalf of the Northshore School District (District) and in accordance with the City of Kenmore's Annual Amendment and Update of the Growth Management Comprehensive Plan, the following request for a Comprehensive Plan amendment and rezone is submitted:

Amendment to the City of Kenmore Comprehensive Land Use Map from Low Density Residential to Public/Private Facilities as well as a rezone from R4 Residential to Public/Semi-Public.

The District recently acquired an additional parcel located at 15226 Simonds Road NE. This parcel is adjacent to Inglemoor High School and will ultimately be included in a future phased modernization project. This application packet contains the required elements for ensuring that this parcel is re-designated and rezoned to comport with the intended educational use.

We have included a map illustrating this request. It affects approximately 0.74 acres (one parcel) within the Kenmore city limits. The District recently purchased the parcel. It contains a single-family home and a small shed.

The following information is provided in support of the District's request.

REQUESTED ACTION

The Requested Action is to:

1. Amend the Comprehensive Land Use Map from Low Density Residential to Public/Private Facilities.
2. Rezone the property from R4 Residential to Public/Semi Public.

Legend

Land Use

- LOW DENSITY RESIDENTIAL
- MEDIUM DENSITY RESIDENTIAL
- PUBLIC/PRIVATE FACILITIES
- PARCEL OF INTEREST
- REDESIGNATE TO PUBLIC /PRIVATE FACILITIES

INGLEMOOR
HIGH SCHOOL

3578700035

CITY OF
KENMORE

CITY OF
BOTHELL



0 250 500 1,000
Feet

Source GIS layers : City of Kenmore GIS (2023); King County GIS (2023)
This figure is not survey accurate & is meant for planning purposes only.

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Proposed Comprehensive Plan
Map Amendment

Legend

Zoning

- PSP - PUBLIC/SEMI-PUBLIC
- R-4 - RESIDENTIAL
- R-6 - RESIDENTIAL
- PARCEL OF INTEREST
- REZONE TO PUBLIC /SEMI PUBLIC

INGLEMOOR
HIGH SCHOOL

3578700035

CITY OF
KENMORE

CITY OF
BOTHELL



0 250 500 1,000
Feet

Source GIS layers : City of Kenmore GIS (2023); King County GIS (2023)
This figure is not survey accurate & is meant for planning purposes only.

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SHOCKLEY
PLANNING GROUP, Inc.

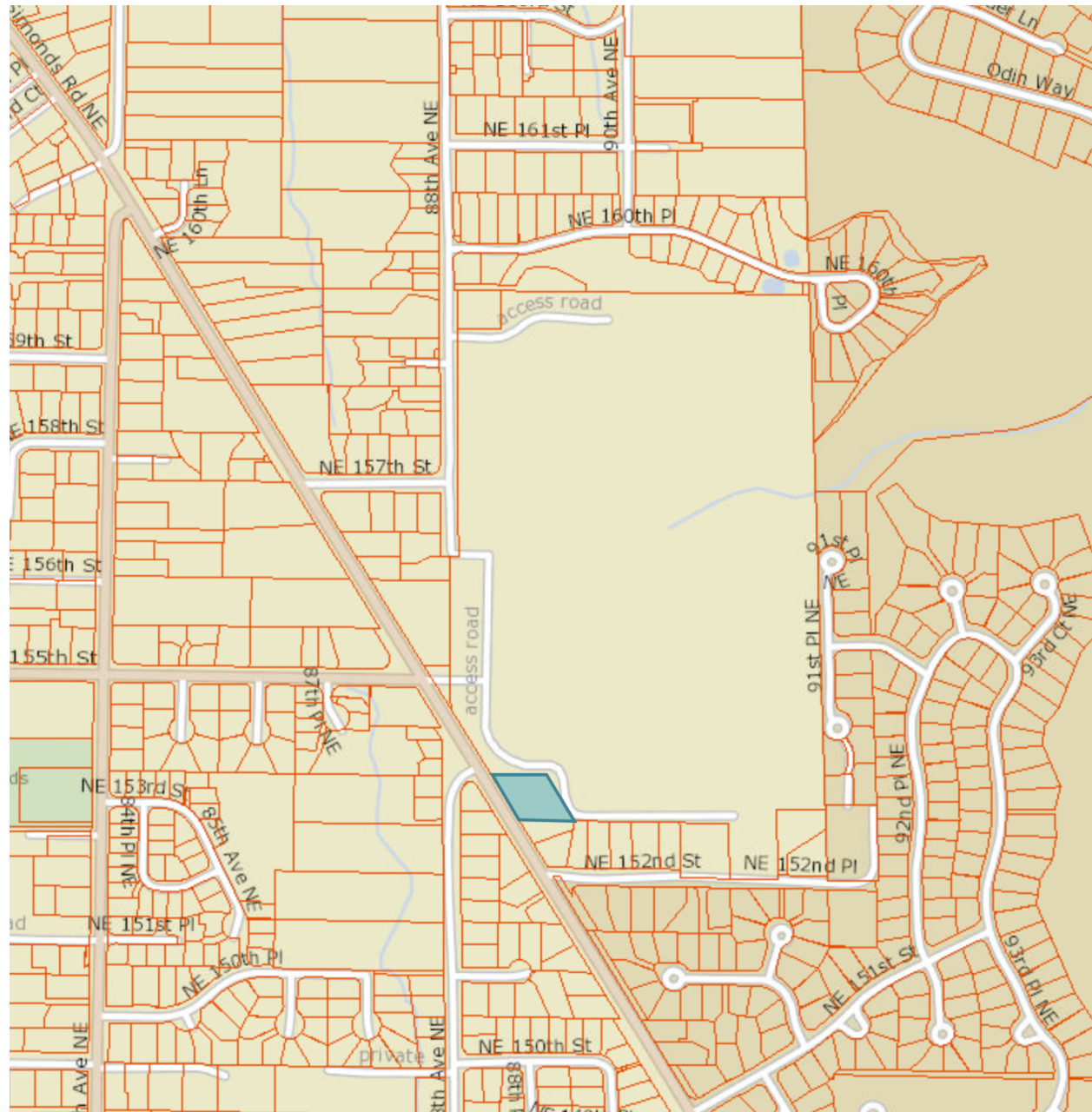
Proposed Rezone

PROPERTY DESCRIPTION

There is one parcel located adjacent to Inglemoor High School along Simonds Road NE, see **Figure 3**. The King County tax parcel number for the property is 3578700035. The parcel is located in the SE Quarter of Section 18, Township 26, Range 5 W.M.

The parcel totals approximately 0.74 acres and has an existing single family house on the parcel. Topography of the site falls gently from east to west.

Figure 3 - Parcel Map



Source: King County Department of Assessments

COMPREHENSIVE PLAN AND ZONING OVERVIEW

	Existing Zoning	Proposed Zoning	Existing Plan Designation	Proposed Plan Designation
Site	R4 Residential	Public/Semi-Public	Low Density Residential	Public/Private Facilities
North	Public/Semi-Public		Public/Private Facilities	
South	R4 Residential		Low Density Residential	
East	Public/Semi-Public		Public/Private Facilities	
West	R6 Residential		Medium Density Residential	

COMPREHENSIVE PLAN SUBMITTAL REQUIREMENTS

Written Materials

1. Submittal Checklist

The Submittal Checklist is included in the submittal package.

2. Application Form

The application form is included in the submittal package.

3. Narrative stating proposal

The District recently acquired an additional parcel located at 15226 Simonds Road NE. This parcel is adjacent to Inglemoor High School and will ultimately be included in a future phased modernization project. The parcel is 0.74 acres in size. It contains a single-family home and a small shed. The proposal is a request for an Amendment to the City of Kenmore Comprehensive Land Use Map from Low Density Residential to Public/Private Facilities as well as a rezone from R4 Residential to Public/Semi-Public.

4. Written Statement – Compliance with KMC 19.20.080 and 19.20.090

KMC 19.20.080

The City shall use the following criteria in selecting proposals for further consideration in the annual docketing process. Proposals shall meet subsection A and B of this section, and either subsection C or D of this section:

A. The City has the resources, including staff and budget, necessary to review the proposal: and

It is the District's understanding that there is dedicated staff to review and process the proposal. This staff person was likely included in the City's budgeting process.

B. It has been more than two years sine the proposed amendment has been considered unless a compelling reason for changed circumstances can be made; and

There has not been a similar request on this parcel within the last two years. It was recently purchased by the District and before that, it was a single-family residence.

C. The proposal would correct an inconsistency within or make a clarification to a provision of the comprehensive plan; or

D. All of the following:

1. The proposal demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policy of the comprehensive plan; and

Purchase of the parcel by the District was done to allow additional development area for Inglemoor High School. This parcel could serve as additional parking, temporary surge space during modernization or possibly an alternate site access. Design is still under development, so the exact use is not known at this time.

2. The public interest would be best served by considering the proposal in the current year, rather than delaying consideration to a later subarea plan review or plan amendment process.

Permits for Inglemoor High School are anticipated to be submitted in early 2024; therefore, in order for the District to use this additional parcel, it needs to be under the same land use and zoning classifications.

KMC 19.20.090

All proposed amendments, whether or not considered through the annual amendment process, must meet the decision criteria of subsections A and B of this section. If the proposal is an amendment to development regulations, then it must meet the decision criteria of subsections A and C of this section.

A. Review Criteria Applicable to All Proposed Amendments. All proposed amendments must meet the following criteria:

1. The proposed amendment is consistent with the Growth Management Act and the countywide planning policies; and

School siting and associated modernizations or improvements are in compliance with the Growth Management Act. The countywide planning policies also support school development and redevelopment to meet the needs of the growing and changing communities they serve.

2. The proposed amendment eliminates an inconsistency or does not create an inconsistency within the comprehensive plan; and

The proposal does not create an inconsistency with the comprehensive plan as the requested amendment to Public/Private Facility is consistent with the existing designation on the Inglemoor High School Property.

3. **The propose amendment meets at least one of the following criteria:**
 - a. **The proposed amendment is beneficial to the City as a whole and will not adversely affect public health, safety, and welfare; or**

Including the subject parcel in the overall upcoming phased redevelopment of Inglemoor High School would allow for additional area for parking, access or portable classroom placement. This allows for a more efficient site by providing additional area for the school to be developed. Additional parking, modifications to access and site circulation all help to get more cars and students on-site rather than spilling over into the adjacent neighborhoods. This increases the public health, safety and welfare of the public.

- b. **The proposed amendment addresses changed circumstances within the City as a whole; or**
 - c. **The proposed amendment accommodates a new policy direction from the city council.**

B.Additional Review Criteria Applicable to Site-Specific Amendments. All site-specific comprehensive plan land use map amendments must meet the following additional decision criteria:

1. **The proposed amendment is consistent with the policies, objectives and goals of the comprehensive plan (including any applicable subarea plans), the countywide planning policies and the State Growth Management Act; and**

The proposal is consistent with the following *City of Kenmore Comprehensive Plan* goals and policies adopted January 2021.

Land Use

Objective 1.3 Endeavor to provide a complete community, compatible in character and design, containing housing, shops, work places, schools, parks, civic facilities, and community services.

Inglemoor High School has been in the existing neighborhood for decades. Schools are typically placed in the neighborhoods that they serve wherever possible. Providing additional area for a complete design as part of the phase modernization by designating and zoning this parcel to be consistent with the existing campus provides a benefit to the school as well as the neighborhood.

Policy LU-1.3.3 Integrate non-residential uses such as governmental, utility, religious, social and other institutional uses, where appropriate, into residential neighborhoods to create quality communities which have a full range of public facilities and services. These should be sited, designed, and scaled to be compatible with existing residential character.

Inglemoor High School's upcoming proposed phased modernization would be designed to be scaled to be compatible with the surrounding residential uses in the vicinity.

Community Design Sub-Element

Objective 8.1 Protect natural and environmentally sensitive areas, open space, trees, vegetation, natural terrain and drainage.

There are no wetlands or streams located on the former Pham parcel; therefore, it is ideally suited for high school development.

Policy LU-8.2.3 Require development to retain substantial trees and include substantial landscape materials to achieve noticeable biomass.

There is a minimal amount of trees and landscaping on the former Pham parcel. Retention and landscaping requirements would be addressed with the future redevelopment of the Inglemoor High School site.

Natural Environment Sub-Element

Policy LU-13.4.3 Allow development that supports continued ecological and hydrologic functioning of water resources. Development should not have a significant adverse impact on water quality or water quantity.

Appropriate stormwater facilities, including water quality and flow control, are provided in accordance with the KCSWDM with the future redevelopment.

Parks, Recreation and Open Space Element

Objective P-7.2 Encourage multi-purpose and/or joint use of school, special district, government, non-profit and other similar agency facilities for civic, recreational, cultural and beautification activities.

School grounds are open for public use outside of school hours, providing opportunities for neighborhoods to utilize them for recreational purposes.

In addition, this project is consistent with the Northshore School District's Capital Facilities Plan.

School siting and associated modernizations or improvements are in compliance with the Growth Management Act. The countywide planning policies also support school development and redevelopment to meet the needs of the growing and changing communities they serve.

The site is not a part of any City of Kenmore Subarea.

2. The subject property is suitable for development in conformance with the standards under the classification being proposed; and

This parcel was identified by the District prior to purchase for being suitable to include in the future redevelopment of Inglemoor High School. It is located abutting the existing site in a location that provides for additional parking, circulation, portable classrooms or possibly site access. The master planning for the site is currently underway, so it is unknown at this time exactly what high school features would be located on this parcel.

3. The proposed amendment is compatible with adjacent and nearby existing and permitted land uses; and

Inglemoor High School has been located in the neighborhood for many years. Expansions of this same use in the future is compatible as schools are typically located in the communities that they serve.

4. The proposed amendment is compatible with the surrounding development pattern; and

The surrounding development patterns consist of the existing Inglemoor High School as well as residential development. Allowing this parcel to be developed in conjunction with the upcoming phased modernization project is compatible with the surrounding development pattern.

5. The proposed amendment meets the zoning map decision criteria of KMC 19.30.210 and 19.30.220.

See below under REZONE for the request for a concurrent re-zone of the site to be consistent with the comprehensive plan amendment request.

5. Additional Documents (Photographs, sections, letters of support, sketches, etc., that may support the application)

A draft preliminary site plan showing the possible phased modernization of the Inglemoor High School Campus along with how the former Pham property parcel would be utilized is included in the submittal package. Please note that this is preliminary and subject to change as the design evolves.

6. Pre-Screening/Threshold Review Fee

This will be provided once the project has been approved by City Council pursuant to KMC 19.20.060(D)

7. Legal Description

INGLEWOOD HEIGHTS 2ND PLAT UNREC POR WLY OF LN PLT & 189.42 FT ELY MEAS AT R/A FRM C/L OF SIMONDS CO RD – King County Department of Assessments

8. Vicinity Map

A Vicinity Map is included with the submittal package.

9. Address labels

Based on email correspondence with the City, these will be provided by the City Staff.

REZONE SUBMITTAL REQUIREMENTS

Written Materials

A. Application Form

The application form is included in the submittal package.

B. Project Narrative

The District recently acquired an additional parcel located at 15226 Simonds Road NE. This parcel is adjacent to Inglemoor High School and will ultimately be included in a future phased modernization project. The parcel is 0.74 acres in size. It contains a single-family home and a small shed. The proposal is a request for an Amendment to the City of Kenmore Comprehensive Land Use Map from Low Density Residential to Public/Private Facilities as well as a rezone from R4 Residential to Public/Semi-Public.

3. Mailing Address Labels

Based on email correspondence with the City, these will be provided by the City Staff.

C. Re-Zone Justification Statement – KMC 19.20.210 and .220

19.20.210

When the hearing examiner renders a decision or recommendation, he or she shall make and enter findings of fact and conclusions from the record which support the decision and the findings and conclusions shall set forth and demonstrate the manner in which the decision or recommendation is consistent with, carries out and helps implement applicable State laws and regulations and the regulations, policies, objectives and goals of the comprehensive plan, subarea or neighborhood plans, the zoning code (KMC Title 18), the subdivision code (KMC Title 17), and other official laws a, policies and objectives of the city, and that the recommendation or decision will not be unreasonably incompatible with other detrimental to affected properties and the general public.

This decision will ultimately be decided by the City Council as it is combined with a concurrent comprehensive plan amendment. However, the fact that this proposal, and the record shows that it is consistent with regulations, policies, objectives and goals of the comprehensive plan. Re-development of the site, along with the rest of the Inglemoor High School site, would be done in accordance with applicable zoning codes and regulations. That development will ultimately be found to not be detrimental to the affected property and the general public. This is a public agency request to provide a public benefit.

19.20.220

- 1. Since the last previous area zoning or shoreline environment designation of the subject property, authorized public improvements, permitted private development or other conditions or circumstances affecting the subject property have undergone substantial and material change not anticipated or contemplated in the subarea plan or area zoning.**

As stated previously, this proposal is because the parcel was recently acquired by the District. This was a strategic acquisition to allow for additional development area for the proposed phased modernizations to Inglemoor High School.

- 2. The impacts from the changed conditions or circumstances affect the subject property in a manner and to a degree different that other properties in the vicinity such that area rezoning or redesignation is not appropriate. For purposes of this subsection, “changed conditions or circumstances” does not include actions taken by the current to or former property owners to facilitate a more intense development of the property including but not limited to changing tax limitations, adjusting property lines, extending service or changing property ownership.**

The District only acquired this one parcel to add to the overall site for the future redevelopment of Inglemoor High School. Unless additional parcels are acquired, this

change in zoning would not apply to other properties in the vicinity as they are privately owned for residential uses, not for educational purposes.

3. For proposals to increase residential density, that the proposal meets the criteria in the comprehensive plan; and,

Not applicable as this request is for a change from a low density residential designation to a public designation.

4. The requested reclassification or redesignation is in the public interest.

Including the subject parcel in the overall upcoming phased redevelopment of Inglemoor High School would allow for additional area for parking, access or portable classroom placement. This allows for a more efficient site.

D. Certificate of Water Availability

A Certificate of Water Availability is not required per conversations with City Staff as no structures or features requiring water service will be ultimately proposed for the subject parcel.

E. Certificate of Sewer Availability

A Certificate of Sewer Availability is not required per conversations with City Staff as no structures or features requiring sewer service will be ultimately proposed for the subject parcel.

F. Title Report

A title report for the parcel in question is included with the submittal package.

G. Site Plan Package

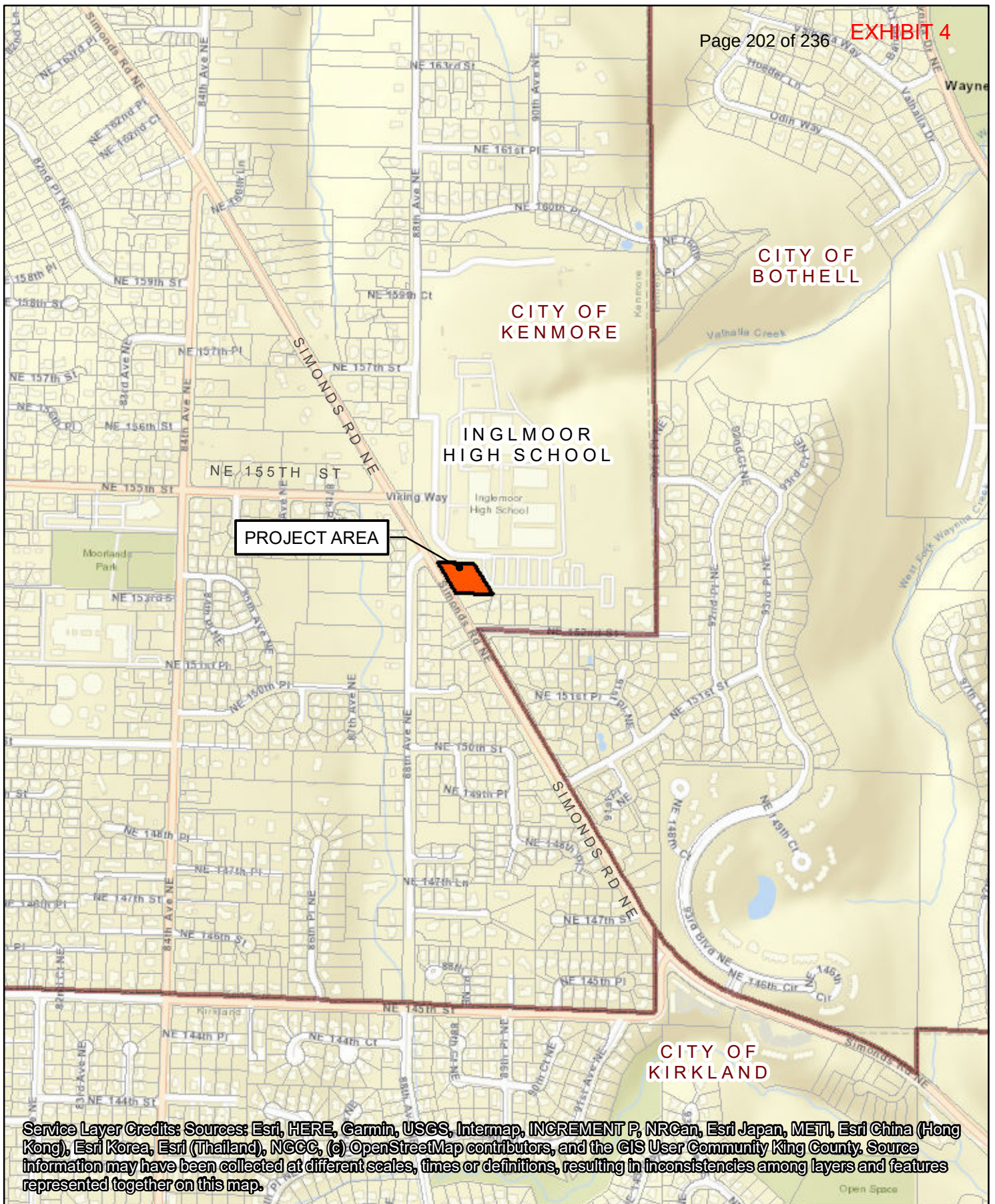
A draft preliminary site plan showing the possible phased modernization of the Inglemoor High School Campus along with how the former Pham property parcel would be utilized is included in the submittal package. Please note that this is preliminary and subject to change as the design evolves.

H. SEPA Checklist

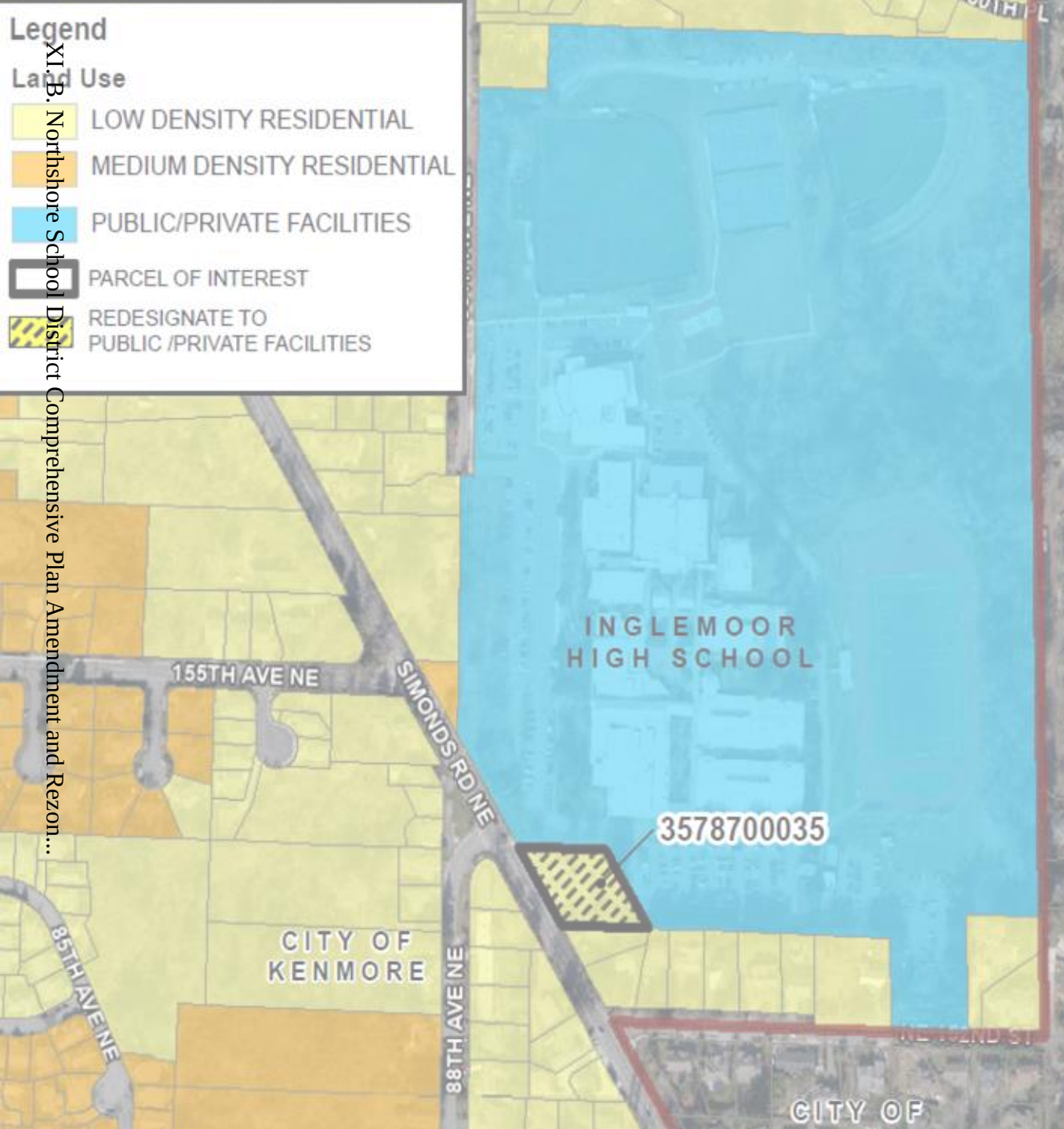
A non-project SEPA Environmental Checklist is included in this application packet.







Comprehensive Plan Map Amendment & Rezone – Northshore School District



City Council– May 20, 2024

Discussion

- Property Description
- Comprehensive Plan Amendment & Rezone Process
- Amendment Decision Criteria
- Planning Commission / City Council Process
- Next Steps

Property Description

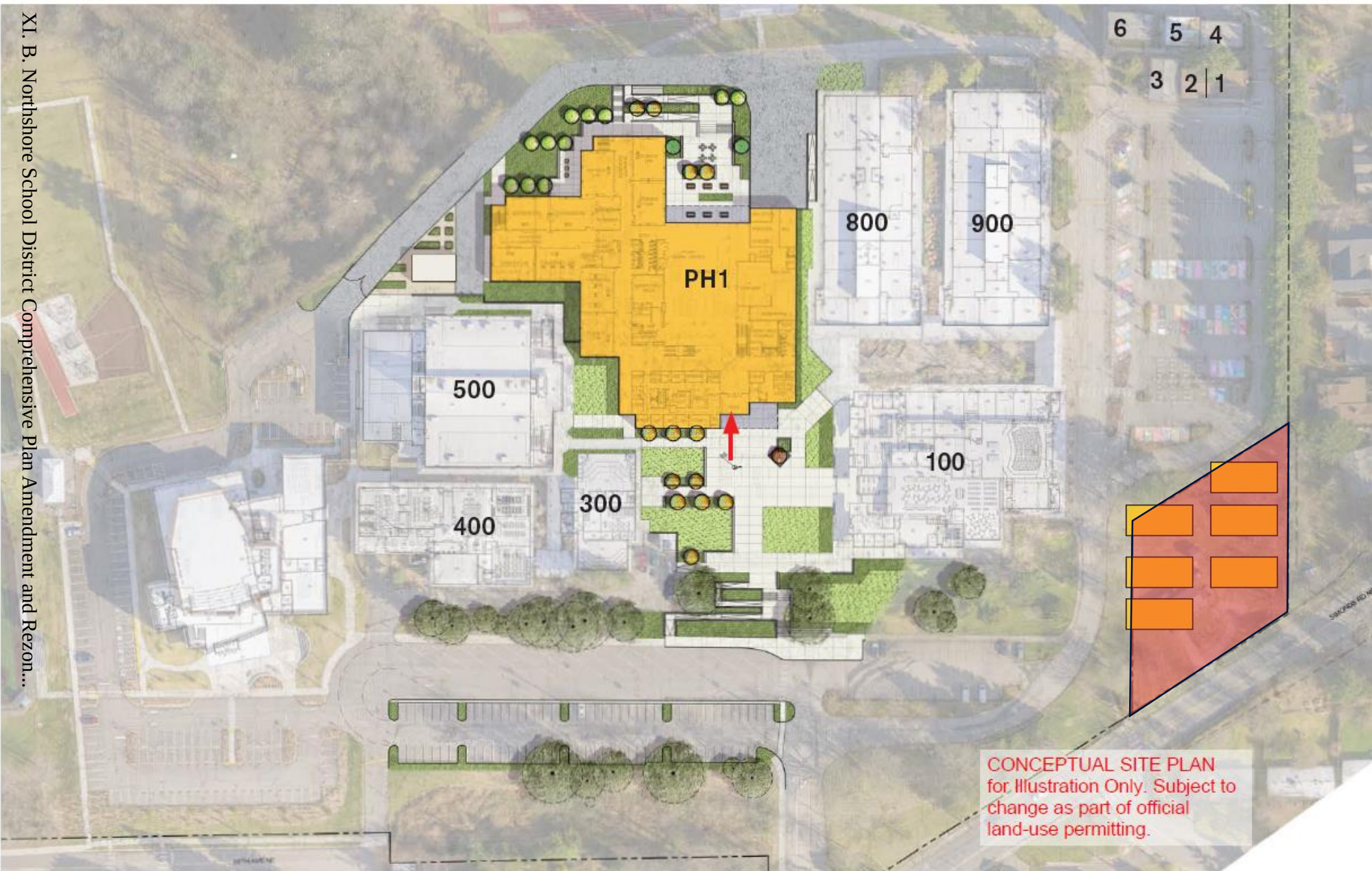
- 15226 Simonds Road NE
- Former single-family residence
- Purchased by NSD in 2023
- Accommodate future additional project area for Inglemoor HS rebuild project





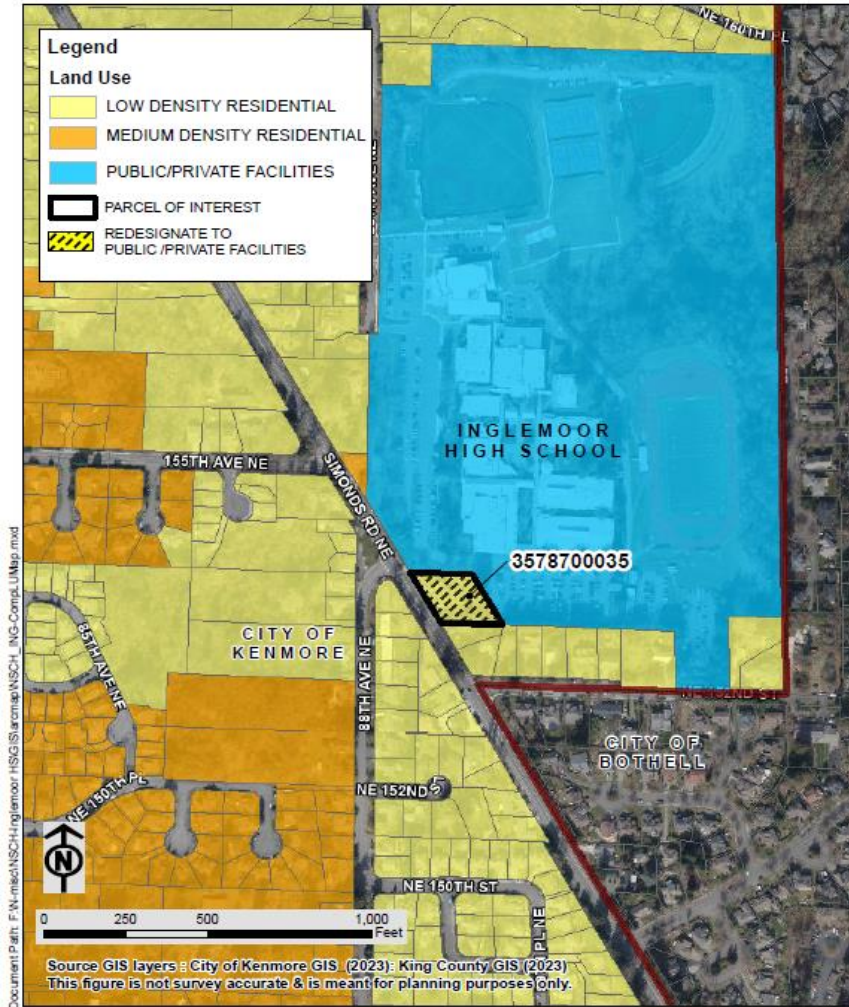
CONCEPTUAL SITE PLAN
for Illustration Only. Subject to
change as part of official
land-use permitting.





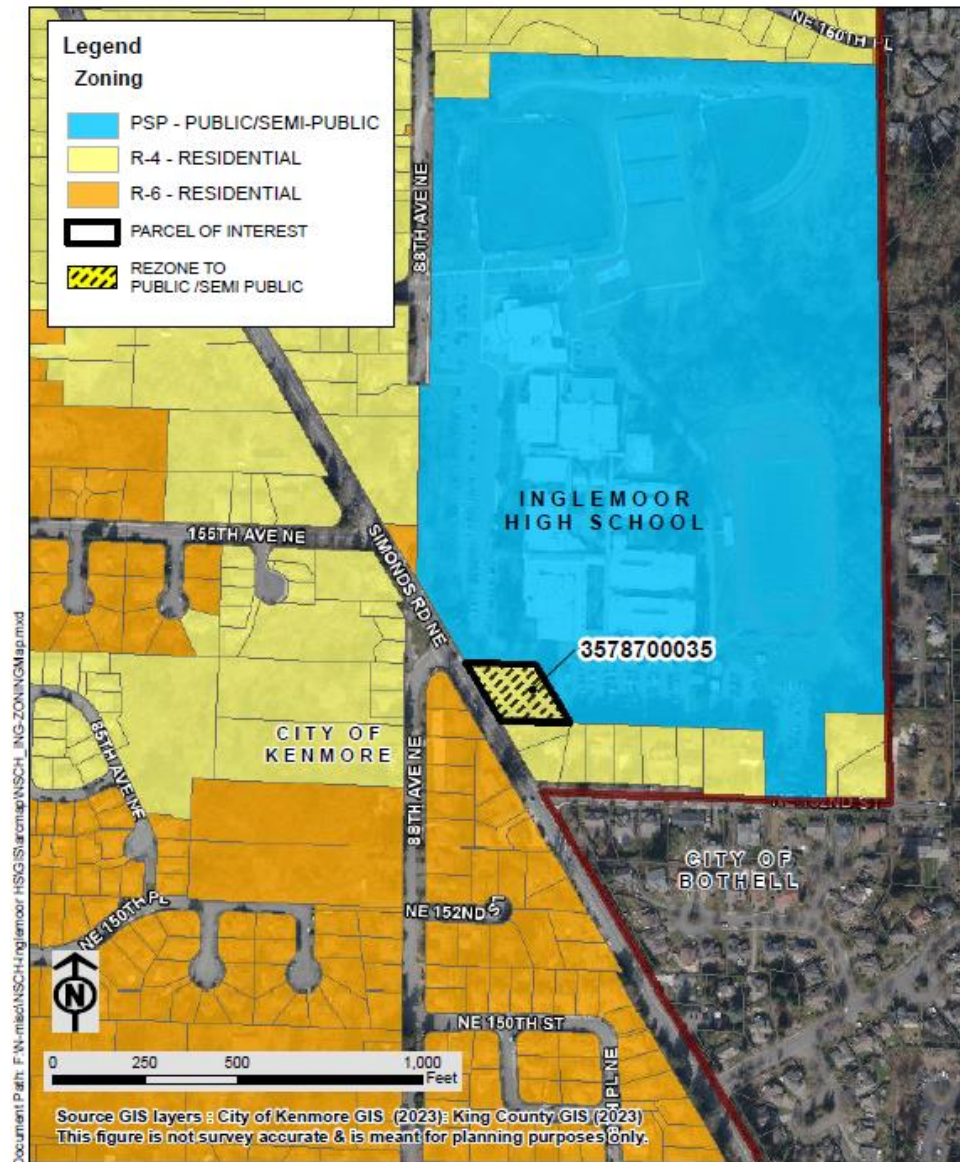
Comprehensive Plan Land Use Map Amendment

Change Land Use Designation -
Low Density Residential to
Public Private Facilities



Rezone

- Change Zoning Designation –
R4 Residential to PSP -
Public/Semi-Public



Comprehensive Plan Amendment & Rezone Process



Amendment Decision Criteria – KMC 19.20.090

1. Proposed amendment is consistent with the GMA and CPPs
2. Proposed amendment eliminates an inconsistency or does not create an inconsistency with the Comp Plan
3. Proposed amendment meets at least one of the following criteria
 - a. The proposed amendment is beneficial to the City as a whole and will not adversely affect public health, safety, and welfare; or
 - b. The proposed amendment addresses changes circumstances within the City as a whole; or
 - c. The proposed amendment accommodates new policy direction from the city council.



Additional Review Criteria for Site-Specific Amendments

- The proposed amendment is consistent with the policies, objectives and goals of the Comp Plan, CPPs and GMA
- The subject property is suitable for development in conformance with the standards under the classification being proposed
- The proposed amendment is compatible with adjacent and nearby existing and permitted land uses
- The proposed amendment is compatible with the surrounding development pattern
- The proposed amendment meets the zoning map decision criteria of KMC 19.30.210 and 19.30.220*

#5 is not applicable because this is a Type 5 (Council) decision, not Hearing Examiner



Planning Commission / City Council Process

Planning Commission

- Similar to other Comp Plan Amendments
- Review, discuss, public hearing (held April 2), make recommendation to City Council

City Council

- Staff presentation (today)
- Additional public hearing, if necessary
- Ordinance to approve in Fall 2024 with remainder of 2024 Docket

Next Steps

City Council

- Final Decision by City Council – November/December 2024





City Council Agenda Bill City of Kenmore, WA

Subject/Topic: Potential 2024 Ballot Measures to Address Operational Funding Needs: Metropolitan Park District (MPD) Ballot Measure for Parks Maintenance or a Public Safety Levy-Lid Lift Ballot Measure for Police Costs.

Proposed Council Action/Motion:

City Council discussion and direction on whether to place formation of a MPD measure or a public safety levy-lid lift measure on the November 2024 ballot.

For Council Meeting Agenda of: 5/20/24

Departments: City Manager, Community Development, Finance, Public Works

Prepared by:

Stephanie Lucash, Deputy City Manger
Melinda Merrell, Finance Director
Debbie Bent, Community Development Director
Jennifer Gordon, Public Works Operations Director

Initial & Date

Approved by Department Head:	<u>DB 5/17/24</u>
Approved by City Attorney:	<u>N/A</u>
Approved by Finance Director:	<u>MM 5/17/24</u>
Approved by City Manager:	<u>SL 5/17/24</u>

Attachments/Exhibits:

1. 2019 – 2030 Public Works Park & Facility Maintenance Expenses Graph
2. 2019-2030 Public Safety Contract Costs Graph

Summary: At the 5/20/24 Council meeting, the City Council will discuss and provide direction on whether to place formation of a Metropolitan Park District (MPD) on the November 2024 ballot to provide a funding source for ongoing parks maintenance needs or whether to place a public safety levy lid lift measure on the November 2024 ballot as a funding source for ongoing police costs. At the 5/6/24 City Council meeting, Council direction was to continue further discussion of an MPD measure. However, several City Councilmembers were still interested in pursuing a public safety levy lid lift ballot measure.

Background:

At the 5/6/24 City Council meeting the Financial Sustainability Plan Task Force (FSPTF) gave their final recommendations to the City Council on strategies to maintain the City's financial sustainability in the General Fund and Street Fund through 2030 and to maintain the fund balance above the reserve goal until 2030. Link to 5/6/24 City Council agenda: [City Council Special Meeting - May 06 2024 - Agenda - Html \(civicweb.net\)](#).

At the 5/6/24 Council meeting, the City Council also discussed potential ballot measures and other funding mechanisms that could meet the needs and desires for public safety, human services, and parks. Link to 5/6/24 City Council agenda: [City Council Special Meeting - May 06 2024 - Agenda - Html \(civicweb.net\)](#).

Park Maintenance Costs and MPD Levy

Parks maintenance is considered a basic foundational city service. Basic level services are not necessarily required for public order, nor are they mandated by state or federal law, but they are considered elemental or inherent to what cities do, and it would be difficult to do without these services.

Basic services are the sole responsibility of the city and do not fall under the responsibility of any other public or private entity.

The FSPTF noted that park and facility maintenance expenditures (\$3.7M for the 2023-2024 biennium) are approximately 12% of the General Fund. To relieve pressure on the General Fund and to provide an ongoing funding source for parks maintenance, the FSPTF recommended formation of a Metropolitan Park District (MPD) going to the voters this year in 2024 with a two-phase property tax increase—a relatively small (approx. 5-cents) levy that would take effect in 2026 and second, higher levy that would be implemented later (no sooner than 2027) only if all the elements for a park proposal on Lakepointe came together.

Park maintenance costs have increased by 53% (\$600K) from 2019 to 2023. Costs have increased for two reasons:

- High inflation costs increase the cost of resources (staff and supplies) needed to provide ongoing maintenance of City parks and streetscapes.
- Adding new park improvements and streetscapes which require additional resources to support maintenance of these new facilities. For example, the new park improvement projects at Rhododendron Park, Log Boom Park, and TI' awh-ah-dees and new streetscape improvements on 68th Ave NE/Juanita Drive NE.

See Attachment #1, 2019 – 2030 Public Works Park & Facility Maintenance Expenses Graph which shows that the initial 5 cent levy that would go into effect in 2026 (assuming a ballot measure to form an MPD is passed in 2024) would reduce impact to the General Fund for park maintenance costs by generating approximately \$350,000 in revenue. For the MPD to fully fund parks maintenance costs in 2026, the levy would need to be 30-cents based on the City's 2023 property assessed value. Even with a 30-cent levy, the total expenditures would continue to outpace the revenue starting as early as 2027. A 20-cent levy would cover the increase in park maintenance costs through 2030.

At the 5/6/24 City Council meeting, staff recommended following the FSPTF recommendation for placing formation of a Metropolitan Park District on the ballot in November 2024 to help offset some parks maintenance costs; but only doing so if there is a united and strong majority city council support. At the 5/6/24 City Council meeting four Councilmembers asked for additional discussion regarding formation of a MPD at the 5/20/24 Council meeting.

Public Safety Costs and Six-Year Levy Lid Lift

Police and public safety are considered core level City services that are essential to public order and to maintain life safety. The City of Kenmore contracts with King County for police services. The FSPTF noted that police service expenditures (\$10.0m for the 2023-2024 biennium) represent approximately 32% of the General Fund. To relieve pressure on the General Fund, the FSPTF recommended a ballot measure in 2027 for a six-year levy lid lift with a 16-cent levy per assessed valuation that would go into effect in 2028. This levy could either expire in six years and would have to be renewed by voters to continue; or continue indefinitely and be subject to the one-percent growth limit under state law.

This FSPTF proposal does not include the Regional Crisis Response (RCR) program (\$300,000). So far, RCR has been partially funded with a grant from the County and one-time dollars from the City's reserves.

Police contract costs have increased from \$3.47m in 2019 to \$4.43m in 2023 by (27%). Costs have increased for the following reasons:

- High inflation costs increase the cost of resources (staff and supplies) needed to provide ongoing police safety services.
- The insurance costs have significantly increased.
- Body worn cameras and in vehicle cameras are an additional expense plus the resulting public records request and administration.

See Attachment #1, 2019 – 2030 Public Safety Contract Expenses Graph which shows that the 16-cent levy that would go into effect in 2025 (assuming a ballot measure is passed in 2024) would reduce impact to the General Fund for police contract costs by generating approximately \$1.12m in revenue. A 16 -cent levy would only cover some of the incremental costs in expenditures. The graph also shows a 30-cent levy that would come closer to covering the incremental costs by generating \$2.10m in revenue in the first year.

Pros and Cons of Placing a Measure on the November 2024 Ballot:

Pros:

- Due to the State's 1% limitation on property tax growth, larger than anticipated increases in public safety costs and other factors, the City of Kenmore faces an upcoming structural deficit in its operating budget. Placing a measure on the November ballot, either formation of an MPD or a police and public safety measure would relieve pressure on the General Fund as shown in Attachments #1 and #2.
- Parks and police and public safety costs at the current service levels are expected to increase putting additional pressure on the General Fund. The FSPTF recommended various strategies to maintain the City's financial sustainability through the 2029-2030 biennium including both formation of an MPD and a police and public safety levy lid lift.
- In a presidential election, there are typically more and diverse voters who might support a ballot measure.
- Building on the Love Where You Live community engagement. In the 2023 statistically valid survey, "maintaining public safety and combatting crime" decisively received the highest priority ranking compared to other city services which may indicate support of a police and public safety ballot measure. If voters said yes to a police and public safety levy lid lift measure in 2024, funds would be available in 2025.
- Building on the Love Where You Live community engagement. In the 2024 statistically valid survey, 54% of survey respondents were supportive of the formation of a Metropolitan Parks District which may indicate support of a MPD ballot measure. Even if voters say yes to an MPD in 2024 the funds will not be received until 2026 so getting a head start now will help the City's operational budget.
- A ballot measure is only one piece of a complex puzzle to solve the funding issue.

- If voters say no to a ballot measure this year, there is still time to pivot and explore other options.

Cons:

- In a General Election even numbered year, the cost of a ballot measure is estimated to be \$41k-\$51k.
- If there is not a united and strong majority city council support for either measure.
- There are only five months to educate the community about a ballot measure.
- A 2024 ballot measure could impact the appeal for future ballot measures.
- For the MPD option, more time would bring more clarity around Lakepointe.
- The one-time fund balance in 2025-2026 may be sufficient to temporarily sustain the ongoing operating costs in the General Fund and Street Funds, so a ballot measure in 2025 or later is an option for the city council to consider but this is only a temporary measure.

What's Next: The Proposed Process Moving Forward

At the 5/20/24 Council meeting, the City Council will discuss and provide direction on whether to place formation of a Metropolitan Park District (MPD) on the November 2024 ballot to provide a funding source for ongoing parks maintenance needs. The City Council may also discuss and provide direction on whether to place a six-year levy lid lift on the November 2024 ballot to provide a funding source for ongoing police and public safety costs.

- May 20 City Council Meeting: Further discuss 2024 ballot measure option and provide direction. Weeks of May 20, May 27, and June 3: Continue to hear from the public.
- June 10 or June 17 City Council Meeting: Adopt a resolution placing a ballot measure on the November General Election ballot. (or no resolution if the City Council chooses no ballot measure at this time)

Staff Recommendation: Staff does not recommend placing a measure on the November 2024 ballot unless there is strong, united majority City Council support. If there is strong City Council support for either measure, following are staff recommendations for each potential ballot measure:

- **MPD and Park Levy:** Based on Attachment #1, staff recommends following the FSPTF recommendation for forming an MPD but increasing the initial levy to 20-cents. If the MPD is formed, there is the potential for implementing a second higher levy for new park facilities that would be implemented no sooner than 2027 only if all the elements for a park proposal on Lakepointe come together.
- **Police and Public Safety Levy Lid Lift:** Based on Attachment #2, staff recommends following the FSPTF recommendation for a six-year levy lid left at 16-cents for police and public safety.

MPD Background Information:

Following is a link to the MRSC webpage that provides an overview of MPD's in Washington state including their powers, property tax levies and governance [MRSC - Metropolitan Park Districts](#).

Fiscal Consideration: Staff time plus costs to place a measure on the ballot and legal counsel.

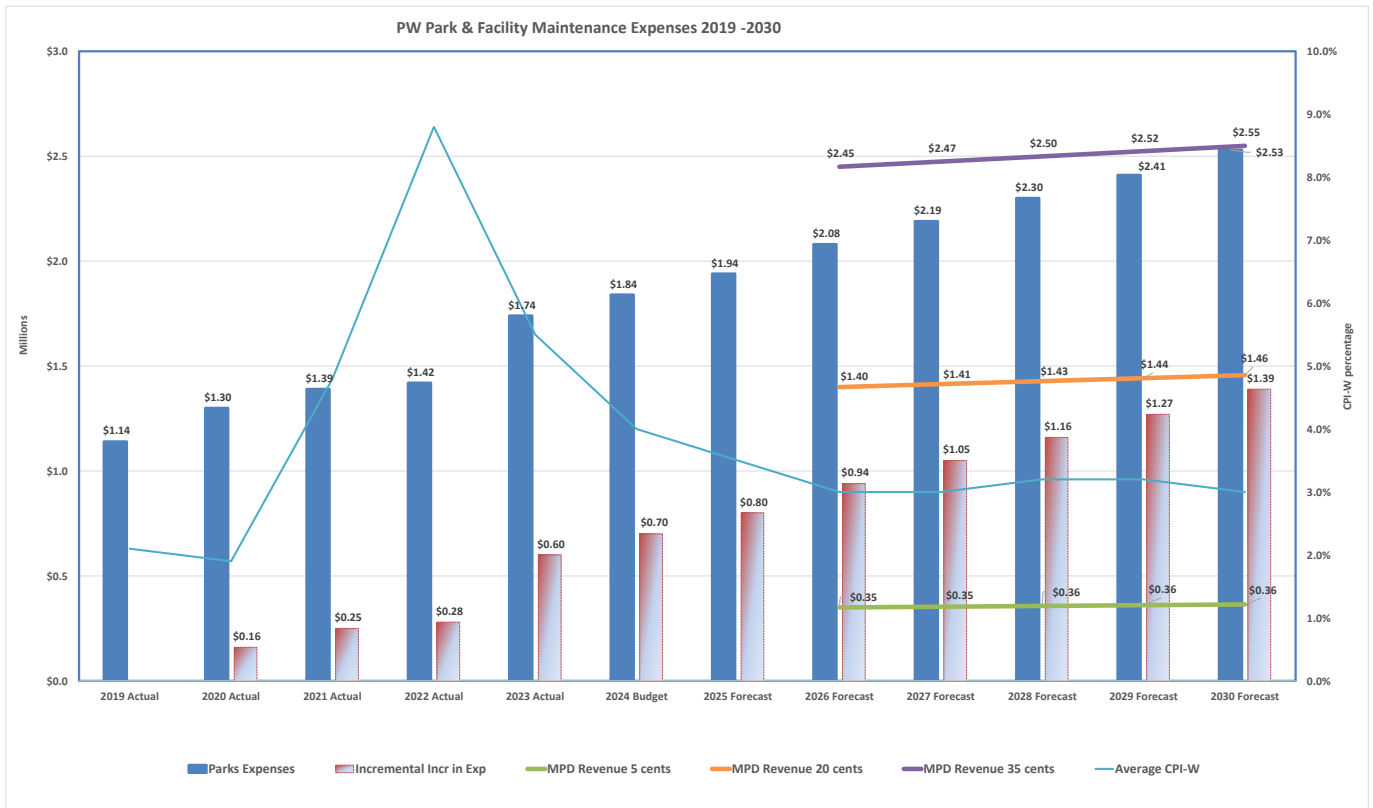
In December 2021 staff researched costs for placing a ballot measure. Numbers in parenthesis are adding a cumulative inflation rate of 15.3% (2021-2024).

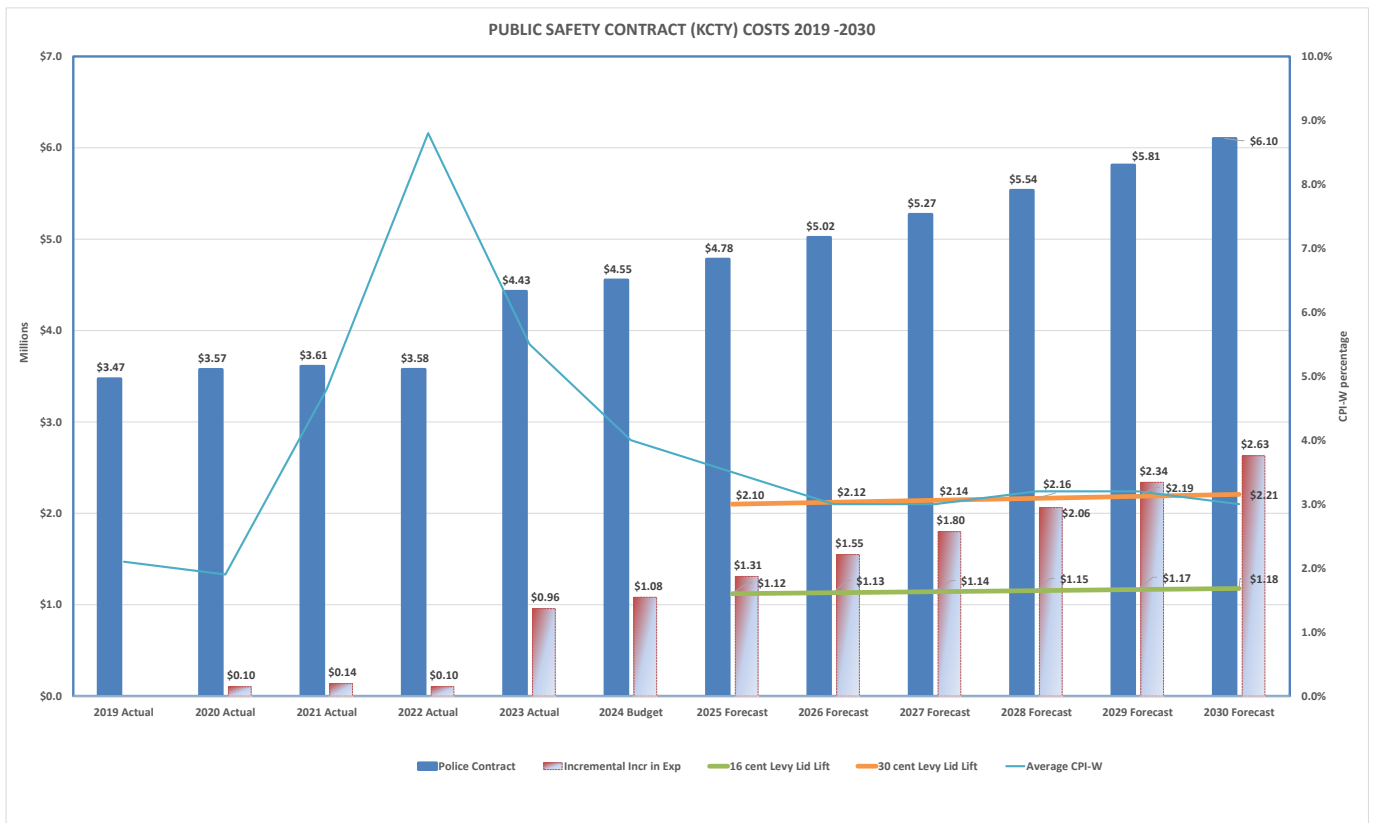
- General Election, odd-numbered years: \$0
- General Election, even-numbered years: \$35,591 to \$43,500 (\$41,037-\$50,155)
- Spring Election, any year: \$35,591 to \$39,545 (\$41,036-\$45,595)

Legal Counsel: approximately \$10,000

City Council Priority or Budget Objective Being Addressed:

Implement recommendations from the Financial Sustainability Plan.





CITY OF KENMORE

2024 Ballot Measure Options to Address Operational Funding Needs

May 20, 2024



Goal for Tonight

To receive direction from Council on if and how to proceed with a potential ballot measure in 2024 to help address the City's operational funding needs

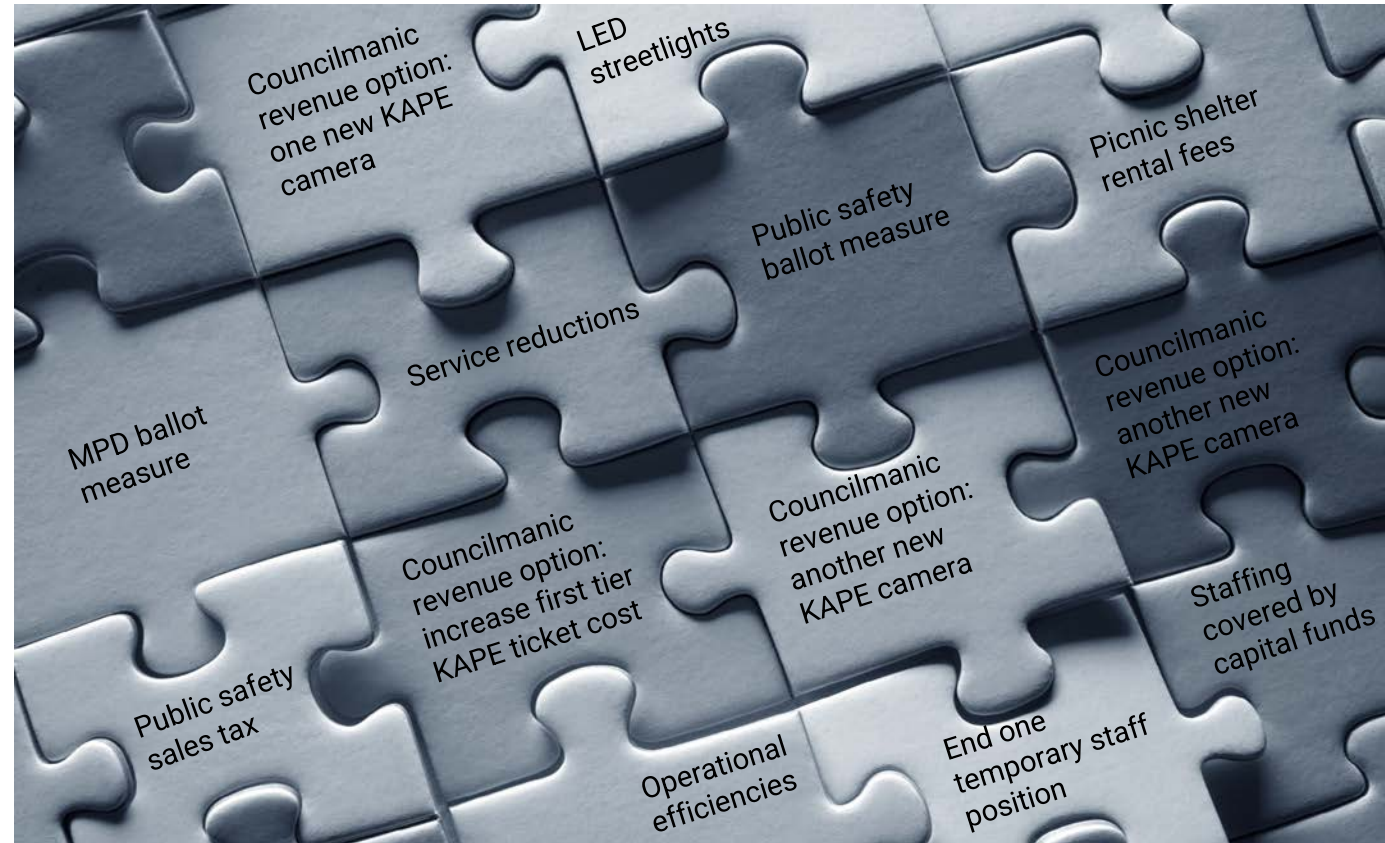


It's a Budget Puzzle

Each piece of the puzzle helps the overall funding picture

No one solution will solve the operational funding needs

Multiple actions will be needed, both in 2024 and beyond



Financial Sustainability Plan Task Force

Review of Ballot Measure Recommendations

The task force recommends three potential ballot measures:

- **2024:** Formation of a Metropolitan Park District (MPD)
 - A two-phase property tax increase—a relatively small (approx. 5-cents) levy that would take effect in 2026 and second, higher levy that would be implemented later (no sooner than 2027) if key elements for a park proposal on Lakepointe came together.
- **2027:** A public safety property tax levy lid lift approved by voters in 2027 and taking effect in 2028.
- **2028:** A 0.1% public safety sales tax approved by voters in 2027 or later.



Why the urgency?

The sooner we tackle the City's operational funding needs, the better positioned we will be for the future

In addition to reducing expenses and Councilmanic options, staff recommend we proceed with one of the two ballot measures (either MPD or public safety) this year

These solutions are necessary to move us closer to financial sustainability through 2030 as noted in the task force recommendations



Pros and Cons

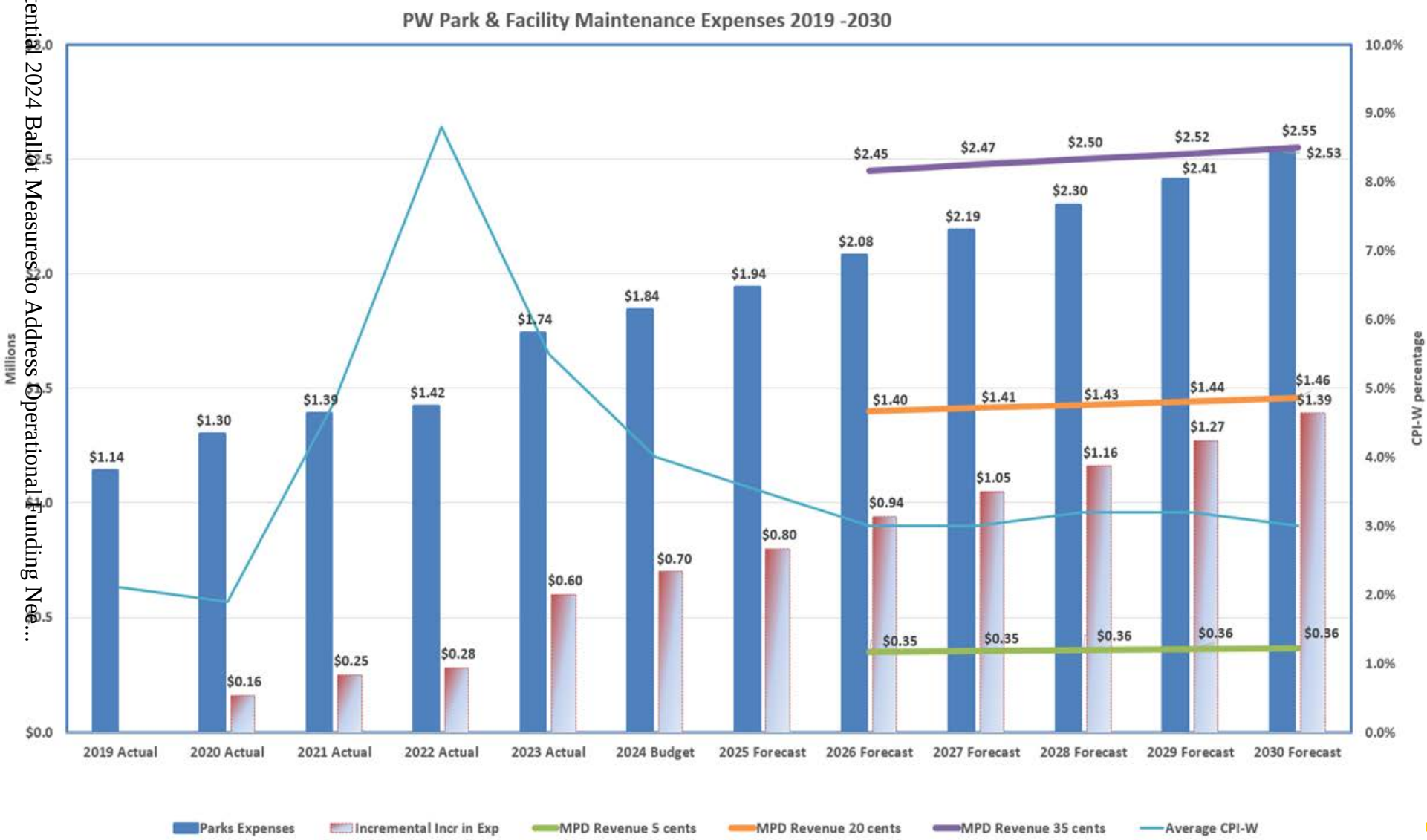
Pros and cons of going to voters with a ballot measure this year:

Pros	Cons
Higher voter turnout in Presidential election year	There are only five months to educate voters before the election
Build on the momentum of the Love Where You Live community engagement efforts	For MPD option, more time would bring more clarity around Lakepointe
Statistically valid community surveys show strong support for both parks and public safety	A 2024 ballot measure will cost the City \$40-50K
A ballot measure is a significant piece of the puzzle to address the City's financial situation	A 2024 ballot measure could reduce the appeal of voters for something else in the future
If voters say no to a ballot measure this year, there is still time to pivot and explore other options	Failure of a ballot measure is a challenge in terms of next steps
Even if voters say yes to an MPD in 2024, the funds will not be received until 2026, so this head start is necessary	
If voters say yes to a public safety levy lid lift in 2024, funds would be received in 2025 and voters could renew in six years	



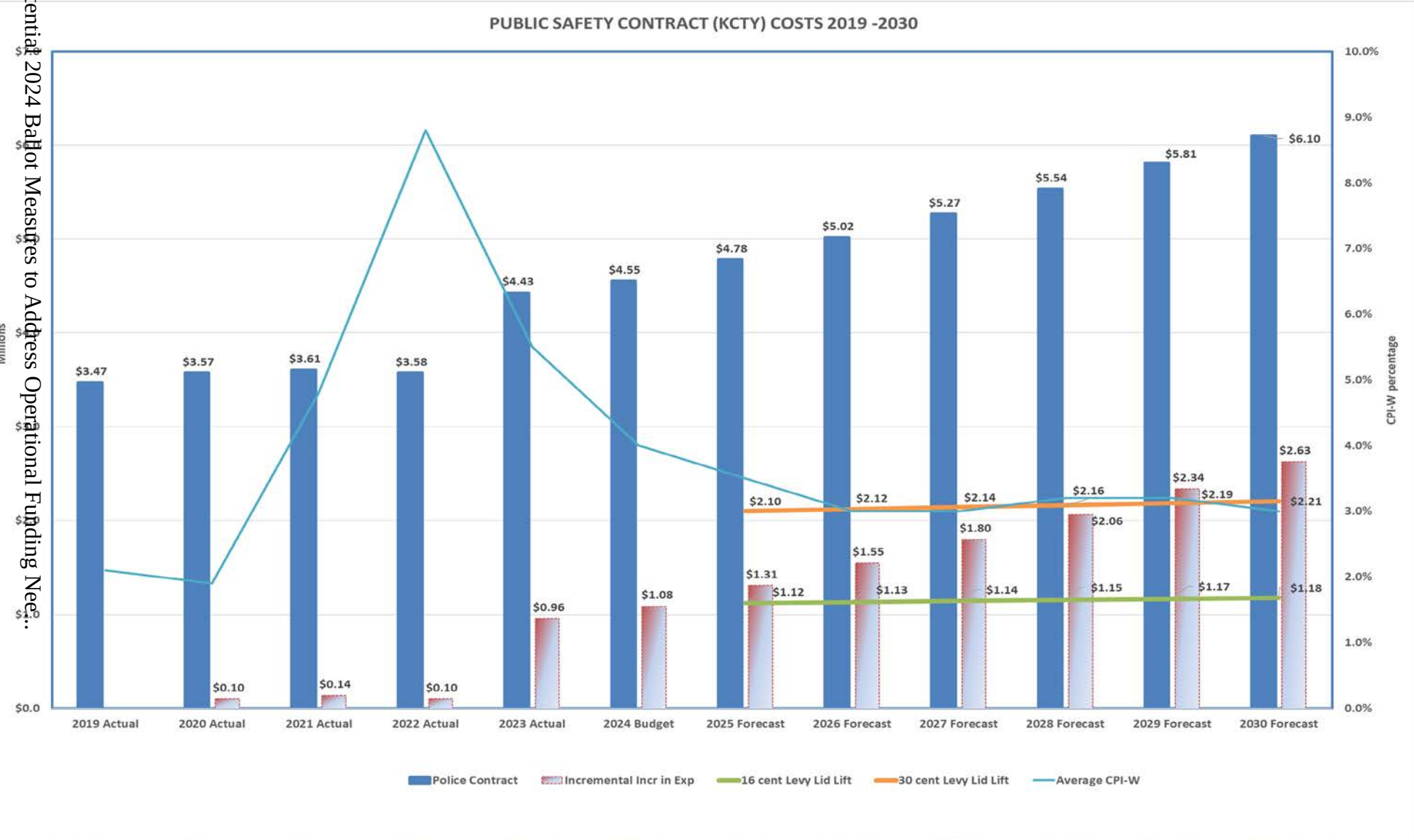
Ballot Measure Option 1: Metropolitan Park District





Ballot Measure Option 2: Public Safety





Impact to Property Owners

Using \$821,000 average 2024 home value

Metropolitan Park District Levy			
Levy Per \$1,000 (cents)	Home owner cost per month	Home owner cost per year	
\$ 0.05	\$ 3.42	\$ 41.05	
\$ 0.20	\$ 13.68	\$ 164.20	(1)
\$ 0.35	\$ 23.95	\$ 287.35	
(1) Staff Recommendation			

Public Safety Property Tax Levy			
Levy Per \$1,000 (cents)	Home owner cost per month	Home owner cost per year	
\$ 0.16	\$ 10.95	\$ 131.36	(1)
\$ 0.30	\$ 20.53	\$ 246.30	
(1) Staff Recommendation			



Property Owner Exemption

Under the King County exemption program, the value of a residence is frozen for property tax purposes, and the taxpayer is exempt from all excess and special levies and possibly regular levies – resulting in a reduction in property taxes. The exemption is available for a primary residence and up to one acre of land. A mobile home may qualify, even if the land where the mobile home is located is leased or rented.

To be eligible, a homeowner must meet the following requirements, which include:

- Own and occupy the property as principal residence for over six months per year
- Annual household income under \$58,423 (2023) or \$84,000 (starting 2024)
- Meet one of the following requirements:
 - 61 years of age by December 31st of prior year, or
 - Disabled, or
 - Veteran with at least 80% total disability rating
- Property owner must apply with King County [Senior Exemption Portal \(kingcounty.gov\)](https://kingcounty.gov/senior-exemption-portal)



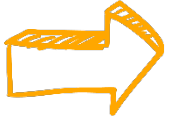
Staff Recommendation

2024 Ballot Measure

- Staff recommends one of two ballot measures for 2024
 - a Metropolitan Park District ballot measure at \$.20 per \$1,000 or
 - a public safety property tax levy lid lift at \$0.16 per \$1,000
- Without a united and strong majority council support, staff recommend no ballot measure this year and to use one-time fund balance in 2025-2026 to temporarily sustain ongoing costs



Timeline and Next Steps



- **Tonight's City Council Meeting:**
Further discussion of ballot measure options and provide direction on which option the City Council prefers.



- **Weeks of May 20, May 27, and June 3:**
Continue to hear from the public.



- **June 10 or June 17 City Council Meeting:**
Adopt a resolution placing a ballot measure(s) on the November General Election ballot. Or no resolution if the City Council chooses no ballot measure at this time.

Thank You and Questions

