



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

City Council Special Meeting

ON-SITE

MONDAY, JANUARY 13, 2025 - 6:00 PM

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

ZOOM LINK: <https://kenmorewa-gov.zoom.us/j/85079837800>

ZOOM PASSWORD: 011325

Or One tap Mobile: US: +12532050468,,85079837800#

Or Telephone Dial US: +1 253 205 0468

Webinar ID: 850 7983 7800

ZOOM PASSWORD: 011325

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 SPECIAL MEETING TO ORDER - 6:00 PM**
- II. ROLL CALL**
- III. LAND ACKNOWLEDGEMENT**
- IV. FLAG SALUTE**
- V. WHERE'S THE FUN?**
- VI. 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.

VII. CONSENT AGENDA

APPROVED BY UNANIMOUS CONSENT

- A. Cancel the City Council Regular Meeting of Monday, January 20, 2025 (and Tuesday, January 21, 2025) in honor of Martin Luther King, Jr. Day.
- B. Approve the City Council Regular Meeting Minutes from Monday, November 25, 2024.
[City Council Regular Meeting Minutes from Monday, November 25, 2024](#)
- C. Approve the City Council Special Meeting Minutes from Monday, December 2, 2024.
[City Council Special Meeting from Monday, December 2, 2024 \(added 1/9\)](#)
- D. Approve the City Council Special and Regular Meeting Minutes from Monday, December 9, 2024.
[City Council Special and Regular Meeting Minutes from December 9, 2024 \(added 1/9\)](#)
- E. Approve the City Council Special Meeting Minutes from Tuesday, December 17, 2024.
[City Council Special Meeting Minutes from Tuesday, December 17, 2024](#)
- F. Approve Total Check #s 55426 through 55528 totaling \$1,765,433.14, Total Payroll/Taxes/Flexible Spending/Retirement & Health Savings Account Electronic Deposits Dated 12/13/2024 in the amount totaling \$282,121.10, and Total EFT Payments #1750 totaling \$18,813.00, and Total Wire Transfer to LGIP totaling \$3,500,000.00
[Voucher Certification 12/07/2024 through 12/20/2024](#)
- G. Approve the proposed 2025 Proclamations Calendar.
[Agenda Bill - Proposed 2025 Proclamations Calendar](#)
[Attachment 1 - Proposed 2025 Proclamations Calendar](#)
[Attachment 2 - Proclamations Request Form](#)
- H. Authorize the City Manager to execute Amendment No. 1 to Contract No. 22-C2862 with KPFF Consulting Engineers to increase the contract by an additional \$850,000 to \$3,000,000.
[Agenda Bill - Amendment No. 1 to Contract No. 22-C2862](#)
- I. Approve Interlocal Agreement between King County and the City of

Kenmore for Jail Services and authorize the City Manager to sign the agreement.

[Agenda Bill - Jail Services](#)

[Attachment 1 - Draft Interlocal Agreement](#)

VIII. PRESENTATION

PRESENTED

- A. Honoring Kenmore Police Officer Jeff Durrant's Service to Kenmore

IX. PUBLIC HEARING

PUBLIC HEARING HELD

VIRTUAL PUBLIC COMMENT PRE-REGISTRATION: 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.

- A. Proposed Ordinance No. 25-0625, amending and extending interim regulations for an additional six months for certain parcels close to Swamp Creek in proximity to SR 522 and 80th Avenue NE, presented by Community Development Director Debbie Bent, *for public hearing*
[Agenda Bill - Interim Regulations](#)
[Attachment 1 - Proposed Ordinance No. 25-0625](#)
[Attachment 2 - Ordinance No. 24-0612](#)
[Attachment 3 - Ordinance No. 24-0606](#)
[Attachment 4 - Ordinance No. 23-0586](#)
[Attachment 5 - Ordinance No. 23-0575](#)
[Attachment 6 - Ordinance No. 23-0569](#)
[Attachment 7 - Ordinance No. 22-0555](#)
[Attachment 8 - Ordinance No. 22-0543](#)

X. BUSINESS AGENDA

- A. Proposed Ordinance No. 25-0625, amending and extending interim regulations for an additional six months for certain parcels close to Swamp Creek in proximity to SR 522 and 80th Avenue NE, presented by Community Development Director Debbie Bent, *for adoption*

ORDINANCE ADOPTED

[Agenda Bill - Interim Regulations](#)

[Attachment 1 - Proposed Ordinance No. 25-0625](#)

[Attachment 2 - Ordinance No. 24-0612](#)

[Attachment 3 - Ordinance No. 24-0606](#)

[Attachment 4 - Ordinance No. 23-0586](#)

[Attachment 5 - Ordinance No. 23-0575](#)

[Attachment 6 - Ordinance No. 23-0569](#)
[Attachment 7 - Ordinance No. 22-0555](#)
[Attachment 8 - Ordinance No. 22-0543](#)

XI. BREAK

XII. STUDY SESSION: PREVIEW OF 2025
STUDY SESSION HELD

- A. 2025 Docket for Planning Commission and City Council
[Memo - Review of 2025 Docket](#)
[Attachment 1 - Draft Preliminary 2025 Docket \(updated 1/8\)](#)
[Attachment 2 - Draft Preliminary Docket Analysis \(updated 1/6\)](#)
[Attachment 3 - Draft Preliminary Schedule \(updated 1/6\)](#)
[Memo - STEP Housing Work Program for 2025](#)
- B. 2025 Department Visual Workplans
[2025 Workplan - City Manager's Office, Excel \(updated 1/9\)](#)
[2025 Workplan - Community Development, Excel \(updated 1/9\)](#)
[2025 Workplan - Development Services, Excel \(updated 1/9\)](#)
[2025 Workplan - Engineering, Excel \(updated 1/9\)](#)
[2025 Workplan - Environmental Services, Excel \(updated 1/9\)](#)
[2025 Workplan - Finance, Excel \(updated 1/9\)](#)
[2025 Workplan - Operations, Excel \(updated 1/9\)](#)
[2025 Workplan - Police, Excel \(updated 1/9\)](#)
- C. Annual City Council Retreat Cadence
[Memo - Council Retreat Research](#)
- D. Other Items for Discussion:

Deputy Mayor O'Cain

- Positioning Kenmore for the FIFA World Cup in 2026
- Next General Town Hall

Councilmember Sasson

- Sanctuary City - Reaffirming 2017 Resolution?
- Bike Lane Sweeper (Necessary with New Candlesticks?)
- Require Recyclable/Compostable Take-out Containers and Utensils (King County?)
- Stipend for Planning Commission? Would like some research on this.

Councilmember Loutsis

- Noise/reckless driving/disturbing the peace (e.g. loud vehicles and mystery booms)
- Youth Representation on Advisory Committees

- Future budgeting priorities and practices - Balanced Budget Requirement

Councilmember Srebnik

- Climate Action Plan (CAP) Workplan
- Multifamily Housing Composting
- Community Garden
- Card Room
- Dog Park Update

[Councilmember Sasson Item - Resolution No. 17-292, reaffirming the City of Kenmore as a Safe, Inclusive, and Welcoming City for All People](#)

[Councilmember Srebnik Item - CAP Workplan Format](#)

XIII. STAFF REPORTS

XIV. COUNCILMEMBER REPORTS & COMMENTS

XV. ADJOURNMENT

UPCOMING MEETINGS

- A. Monday, January 20, 2025 at 7:00 PM - City Council Regular Meeting - **CANCELED (HOLIDAY)**
Tuesday, January 21, 2025 at 7:00 PM - City Council Regular Meeting - **TENTATIVELY CANCELED**
Monday, January 27, 2025 at 7:00 PM - City Council Regular Meeting - Joint Meeting with Planning Commission
Monday, February 10, 2025 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
City Council Meeting
Regular Meeting Minutes
Monday, November 25, 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/DEIA Coordinator Garrett Oppenheim
Community Development Director Debbie Bent
Finance & Administration Director Melinda Merrell

Speaking Guests: Alinafe Matenda, DEIA Advisory Committee Member
Matt Cowan, Fire Chief

Public Comments Speaking Guests:
Janet Hays, Kenmore Resident
Patrick O’Brien, Kenmore Resident
Nathan MacDonald, Kenmore Resident
Maria Hudson, Guest
Elizabeth Mooney, Kenmore Resident
Tracey Banaszynski, Kenmore Resident
David Dorrian, Kenmore Resident
Stacey Valenzuela, Kenmore Resident (virtual)

Special Topic Public Comments Speaking Guests:

Patrick O'Brien, Kenmore Resident
Stacey Valenzuela, Kenmore Resident (virtual)

Public Hearing A Speaking Guests:

Patrick O'Brien, Kenmore Resident
Stacey Valenzuela, Kenmore Resident (virtual)
Elizabeth Mooney, Kenmore Resident

Public Hearing B Speaking Guests:

Patrick O'Brien, Kenmore Resident
Stacey Valenzuela, 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 Pledge of Allegiance.

AGENDA APPROVAL

The agenda was approved as presented.

PRESENTATION

The Council recognized outgoing Diversity, Equity, Inclusion, and Accessibility (DEIA) Advisory Committee Member, Alinafe Matenda, for contributions to the committee and community.

WHERE'S THE FUN?

City Manager Rob Karlinsey highlighted some Kenmore residents holding a 'Dead Freezer Potluck' this past weekend in the aftermath of the power outage and frozen food thawing in their freezers.

PUBLIC COMMENTS

The City Council received comments from the public.

Timestamped link here:

https://www.youtube.com/live/UryaX75W918?si=p7hESNha8ww88_yO&t=405

CONSENT AGENDA

- A. Approve the City Council Special Meeting Minutes from Thursday, November 7, 2024.
[City Council Special Meeting Minutes from November 7, 2024 \(added 11/18\)](#)
- B. Approve Total Check #s 55244 through 55302 totaling \$609,981.85, Total Payroll/Taxes/Flexible Spending/Retirement & Health Savings Account Electronic Deposits Dated 11/01/2024 in the amount totaling \$287,942.30, and EFT Payment #s 1716 through 1729 totaling \$40,024.53.
[Voucher Certification and Approval 10/26/2024 - 11/08/2024](#)
- C. Adopt the Financial Sustainability Plan.
[Agenda Bill - Financial Sustainability Plan \(added 11/19\)](#)
[Attachment 1 - Financial Sustainability Plan \(added 11/19\)](#)
- D. Authorize the City Manager to use City funds in the amount not to exceed \$1,500 for the payment of permit fees related to the Camp United Stand (CUWS) temporary homelessness encampment application.
[Agenda Bill - Camp United We Stand Permit Fees \(added 11/19\)](#)
[Attachment 1 - CUWS Letter of Intent to Apply \(added 11/19\)](#)

MOTION: Approve the consent agenda outlined above.

Moved by O'Cain; seconded by Loutsis.

VOTE: Consent Agenda was approved by UNANIMOUS CONSENT.

BUSINESS AGENDA

Shoreline Fire Department Northshore Fire Department Proposition 1, Proposed Formation of Shoreline Fire Department Regional Fire Authority

- Presentation by Fire Chief Matt Cowan
- Questions and Discussion
- **Public Comment** - Pursuant to RCW 42.17A.555(1), members of the public are afforded an approximately equal opportunity for expression of an opposing view
[Presentation - Regional Fire Authority Ballot Measure \(added 11/22\)](#)

Fire Chief Matt Cowan presented the proposed ballot measure for the Shoreline and Northshore Fire Regional Fire Authority (RFA), which aims to combine the Shoreline and Northshore Fire Departments into a single, special-purpose district. He explained that the goal is to improve fire protection and emergency medical services, save taxpayers money, and streamline operations by sharing resources and reducing duplication. This plan builds on the success of an existing partnership between the two departments, which has already led to better service and cost savings. If voters in Kenmore, Lake Forest Park, and Shoreline approve the measure in February 2025, the RFA would secure long-term funding, ensure fair representation in decision-making, and continue to deliver high-

quality services without adding new taxes. The RFA ballot measure will be on February 11, 2025, special election ballot. The ballot will require a supermajority (60% + 1 vote).

Councilmember Srebnik joined the Council on-site at 7:43 PM.

Public Comment:

The Council held a public comment period to give approximately equal opportunity for expression of an opposing view.

Timestamped link here:

<https://www.youtube.com/live/UryaX75W918?si=y8e1bs5CXzv3AnGn&t=3987>

MOTION: Bring back a resolution in support of the Regional Fire Authority (RFA) as a business item with a second opportunity for public comment, at next Monday's business agenda.

Moved by Culver; seconded by Herbig.

VOTE: Motion passes by unanimous consent.

PUBLIC HEARINGS

A. Comprehensive Plan Amendments presented by Community Development Director Debbie Bent and Principal Planner Todd Hall, *for public hearing*

- Land Capacity Analysis
- Substantive Changes to the Housing Element

[Agenda Bill – Comprehensive Plan Public Hearing \(added 11/19\)](#)

[Attachment 1 – Land Capacity Analysis Memo, from 11/1 \(added 11/19\)](#)

[Attachment 2 – Draft Housing Element, clean and edit \(added 11/19\)](#)

[Attachment 3 – Proposed Housing Element Amendments \(added 11/19\)](#)

Community Development Director Debbie Bent reviewed the progression and content of amendments.

Mayor Herbig opened the Public Hearing at approximately 8:18 PM.

The City Council received testimony from the public.

Timestamped link here:

<https://www.youtube.com/live/UryaX75W918?si=dc0ZaWhlc0e9Pj-z&t=4732>

Mayor Herbig closed the Public Hearing at approximately 8:27.

The Council discussed the Housing and Land Use Elements.

MOTION: Move to amend the proposed Housing element clause as follows:

Adopt development standards that ~~that incentivize limiting new construction to the previous building footprint,~~ encourage reduction of new impervious surfaces, and evaluate opportunities for in-kind or financial contributions for neighborhood sidewalks and/or stream protection plans.

Moved by Sasson; seconded by Mayor Herbig.

AMENDMENT: Amend to remove the word new, as follows:

~~Adopt development standards that incentivize limiting new construction to the previous building footprint,~~ encourage reduction of new impervious surfaces, and evaluate opportunities for in-kind or financial contributions for neighborhood sidewalks and/or stream protection plans.

Moved by O'Cain; seconded by Mayor Herbig.

AMENDMENT PASSES by unanimous consent.

MAIN MOTION AS AMENDED:

Adopt development standards that encourage reduction of impervious surfaces and evaluate opportunities for in-kind or financial contributions for neighborhood sidewalks and/or stream protection plans.

VOTE: 6 Yes – Loutsis, Srebnik, Sasson, Culver O'Cain, Herbig; 1 No - Marshall; 0 Abstain.
MOTION PASSES.

MOTION: Insert the following language “while many working class and middle class families lived and continue to live in single family housing” in line 12, after the word “too” - Housing Element Attachment 3.

Moved by Marshall; seconded Deputy Mayor O'Cain.

VOTE: 5 Yes – Loutsis, Marshall, Srebnik, Sasson, O'Cain; 1 No - Herbig; 0 Abstain.

Note: Culver was out of room during vote.

MOTION PASSES.

Director Debbie Bent will return with more elements for adoption on December 9.

- B. Proposed Ordinance No. 24-0618, Final 2025-2026 Biennial Budget, presented by Finance & Administrative Director Melinda Merrell, *for public hearing*
[Agenda Bill - 2025-2026 Biennial Budget \(added 11/18\)](#)
[Attachment 1 - Proposed Ordinance No. 24-0618 \(added 11/18\)](#)
[Presentation - 2025-2026 Proposed Biennial Budget \(added 11/21\)](#)

Finance & Administration Director Melinda Merrell presented the proposed 2025-2026 Biennial Budget once again. The presentation outlined budget policy priorities, including support for Council goals, a balanced operating budget with a conservative approach, and adherence to financial sustainability measures. The budget totals \$89.7 million in revenues and \$111.0 million in expenditures across all funds. Some proposed new positions and adjustments include a Business & Community Engagement Coordinator, Budget Manager, Public Works Manager, and increases in FTEs for the Building Official, Permit Coordinator, and Engineering Inspector roles. Additionally, a new Capital Project Manager and Senior Planner (two-year limited term) are proposed under the Lakepointe Fund. The Next step is to hold a public hearing to take public comment on the budget later in the meeting. Separately, on December 9, Staff will present a salary study and proposed new salary plan.

Mayor Herbig opened the Public Hearing at approximately 9:06 PM.
 The City Council received testimony from the public.
 Timestamped link here:
https://www.youtube.com/live/UryaX75W918?si=eErHLqA_nKHkl-dd&t=7557.
 Mayor Herbig closed the Public Hearing at approximately 9:11 PM.

BUSINESS AGENDA (continued)

- B. Proposed Ordinance No. 24-0618, Final 2025-2026 Biennial Budget, presented by Finance & Administrative Director Melinda Merrell, *for adoption*
[Agenda Bill - 2025-2026 Biennial Budget \(added 11/18\)](#)
[Attachment 1 - Proposed Ordinance No. 24-0618 \(added 11/18\)](#)
[Presentation - 2025-2026 Proposed Biennial Budget \(added 11/21\)](#)

In response to Council questions, Ms. Merrell explained that the City cut more than \$350,000 in costs prior to making other recommendations. In addition, Mr. Karlinsey gave a brief oral update on Lakepointe spending to date. Before buying Lakepointe, the City will mandatorily invest in critical due diligence and testing.

MOTION: Adopt Ordinance No. 024-0618, thereby approving a biennial budget for years 2025 and 2026.
 Moved by Srebnik; seconded by Herbig
VOTE: 6 Yes – Loutsis, Marshall, Srebnik, Sasson, O’Cain, Herbig; 1 No - Culver; 0 Abstain.
MOTION PASSES.

STAFF REPORTS

COUNCILMEMBER REPORTS & COMMENTS

Three Facilitators of Deeply Affordable Housing (*added 11/18*)

Council discussed if the following facilitators can be adopted by the Council and communicated to legislators:

1. Hold local government account for results - not process.
2. Establish realistic housing result benchmarks, especially for 0-30% AMI.
3. Develop a funding pool to support a variety of deeply affordable and supportive housing forms.

After discussion, the Council agreed that item 3, "Develop a funding pool for deeply affordable and supportive housing," is suitable for legislative communication.

ADJOURNMENT

Mayor Herbig adjourned the meeting at approximately 10:04 PM.

Nigel Herbig, Mayor

Anastasiya Warhol, City Clerk

**City of Kenmore
City Council Meeting
Special Meeting Minutes
Monday, December 2, 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
Development Services Director Samantha Loyuk
Senior Permit Coordinator Andy Torres
Public Works Operations Director Jennifer Gordon
Recreation Program Supervisor Maurita Colburn
Finance & Administration Director Melinda Merrell

Speaking Guests: Tracy Banaszynski, Sno-King Watershed Council Board Member
Krista Camenzind, Deputy Division Director WLRD
Michelle Clark, Executive Director King County Flood Control District
Fire Chief Matt Cowan
Dave Trageser, Managing Director, D.A. Davidson & Co
Deanna Gregory, Partner, Pacifica Law Group

Public Comments Speaking Guests:
John Adamski, Kenmore Resident
Patrick O’Brien, Kenmore Resident

Elizabeth Mooney, Kenmore Resident

Public Hearing #1 Speaking Guests:

Patrick O'Brien, Kenmore Resident

Public Hearing #2 Speaking Guests:

Patrick O'Brien, Kenmore Resident

Special Topic Public Comment Speaking Guests:

Patrick O'Brien, Kenmore Resident

Erik Adman, Kenmore Resident

CALL SPECIAL MEETING TO ORDER

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

FLAG SALUTE

Mayor Herbig led the Council in the Pledge of Allegiance.

WHERE'S THE FUN?

Sno-King Watershed Council Board Member Tracy Banaszynski shared photos and highlights from the last five years of work parties held by the Sno-King Watershed Council at Wallace Swamp Creek and Łaŕwadis (Tl' awh-ah-dees) Park.

LAND ACKNOWLEDGEMENT

Mayor Herbig read the Land Acknowledgement Honoring First Peoples.

PUBLIC COMMENTS

The City Council received comments from the public.

Timestamped link here: <https://www.youtube.com/live/n8kPWgOMllo?si=-yguBSSRFhvV8vvK&t=485>

CONSENT AGENDA

A. Approve the City Council Special and Regular Meeting Minutes from Tuesday, November 12, 2024.

[City Council Special and Regular Meeting Minutes from Tuesday, November 12, 2024](#)

B. Approve the City Council Special Meeting Minutes from Thursday, November 14, 2024.

[City Council Special Meeting from Thursday, November 14, 2024](#)

MOTION: Approve the consent agenda outlined above.
 Moved by Srebnik; seconded by Culver.
VOTE: Consent Agenda was approved by UNANIMOUS CONSENT.

PRESENTATION

Sammamish River Capital Investment Strategy (CIS) Update, presented by Krista Camenzind, Deputy Division Director WLRD and Michelle Clark, Executive Director King County Flood Control District (*added 11/25*)

[Presentation - Sammamish River Capital Investment Strategy \(CIS\) \(added 12/2\)](#)

The Sammamish River Capital Investment Strategy (CIS), developed by the King County Flood Control District, focuses on updating maintenance practices and capital investment plans for the Sammamish River's 13-mile flood control project, originally designed in 1964. The project aligns strategies with current laws while addressing flood risk reduction, fish habitat restoration, and navigability. Ongoing outreach involves community events, surveys, and workshops to understand public priorities, emphasizing ecological preservation and water quality. These insights guide the development of draft alternatives, with further outreach planned to refine recommendations. Implementation is set to begin in 2026 after district approval in summer 2025.

PUBLIC HEARINGS

A. Proposed Ordinance No. 24-0620, Amendments to the Local Project Review Act, Chapter 36.70B RCW, according to Second Substitute Senate Bill SB 5290, presented by Development Director Samantha Loyuk and Senior Permit Coordinator Andy Torres, *for public hearing*

[Agenda Bill - Proposed Ordinance No. 24-0620, SB 5290](#)

[Attachment 1 - SB 5290](#)

[Attachment 2 - SB 5290, annotated](#)

[Attachment 3 - Proposed Ordinance No. 24-0620](#)

[Attachment 4 - Proposed Ordinance No. 24-0620 Exhibit A](#)

[Presentation - SB 5290 \(added 12/2\)](#)

Samantha Loyuk, Development Services Director, explained that staff recommend adoption of Ordinance No. 24-0620 to follow the new rules in SB 5290, which updates the Local Project Review Act (Chapter 36.70B RCW). The goal is to make project reviews faster and more predictable by setting new deadlines, updating reporting rules, and allowing certain interior projects to skip site plan reviews. The ordinance also includes partial fee refunds if deadlines aren't met, as long as the City shows it's working to improve. To meet these changes, Kenmore will improve its processes, update permit software, work closely with outside agencies, and adjust staffing.

Mayor Herbig opened the Public Hearing at approximately 8:01 P.M.

The City Council received testimony from the public.

Timestamped link here:

<https://www.youtube.com/live/n8kPWgOMllo?si=PbHA5hg8gcHnSEfr&t=3757>

Mayor Herbig closed the Public Hearing at approximately 8:04 P.M.

- B. Temporary Use Permit No. TMP24-0795, to "Construction and Trade" as a temporary use for the Interim Public Works Shop for a one-year period at real property located at 6532 NE Bothell Way, presented by Development Services Director Samantha Loyuk and Public Works Operations Director Jennifer Gordon, *for public hearing (revised 12/2)*

[Agenda Bill - Temporary Use Permit TMP25-0495](#)

[Attachment 1 - Project Narrative](#)

[Attachment 2 - Renewal Application](#)

[Attachment 3 - Site Plan](#)

[Attachment 4 - Site Photo](#)

Samantha Loyuk, Development Services Director, presented the recommendation to renew Temporary Use Permit No. TMP25-0495, allowing the City of Kenmore's interim Public Works Shop to remain at 6532 NE Bothell Way for an additional year in 2025. The proposed extension meets the requirements of the Kenmore Municipal Code, ensuring the use will not harm public welfare, remains compatible with nearby land uses, and provides adequate parking. Conditions for the renewal include maintaining existing fencing, landscaping, and privacy screening. City Manager Rob Karlinsey noted that this temporary use permit will likely need to be extended only one more time, as the Public Works Operations Center is expected to be completed by 2026.

Mayor Herbig opened the Public Hearing at approximately 8:07 P.M.

The City Council received testimony from the public.

Timestamped link here:

<https://www.youtube.com/live/n8kPWgOMllo?si=fjX2OzK7DATXvWXg&t=4112>

Mayor Herbig closed the Public Hearing at approximately 8:10 P.M.

BUSINESS AGENDA

- A. Resolution in support of Shoreline Fire Department Northshore Fire Department Proposition 1, Proposed Formation of Shoreline Fire Department Regional Fire Authority

[Resolution No. 24-423 In support of Shoreline and Northshore Fire Department Proposition No. 1 Regional Fire Authority](#)

Pursuant to RCW 42.17A.555(1), members of the public were afforded an approximately equal opportunity for expression of an opposing view. Fire Chief Matt Cowen explained that the union is in support of the RFA creation.

MOTION: Adopt Resolution No. 24-423 expressing support of the Shoreline and Northshore Fire Department Proposition No. 1, a proposed formation of a regional fire authority.

Moved by Culver; seconded by Loutsis.

VOTE: 7 Yes – Sasson, Marshall, Loutsis, Culver Srebnik, O’Cain, Herbig; 0 No; 0 Abstain.

MOTION PASSES.

- B. Proposed Ordinance No. 24-0620, Amendments to the Local Project Review Act, Chapter 36.70B RCW, according to Second Substitute Senate Bill SB 5290, presented by Development Director Samantha Loyuk and Senior Permit Coordinator Andy Torres, *for adoption*

[Agenda Bill - Proposed Ordinance No. 24-0620, SB 5290](#)

[Attachment 1 - SB 5290](#)

[Attachment 2 - SB 5290, annotated](#)

[Attachment 3 - Proposed Ordinance No. 24-0620](#)

[Attachment 4 - Proposed Ordinance No. 24-0620 Exhibit A](#)

[Presentation - SB 5290 \(added 12/2\)](#)

MOTION: Approve proposed Ordinance No. 24-0620.

Moved by Loutsis; seconded by Herbig.

VOTE: 7 Yes – Loutsis, Srebnik, Sasson, Marshall, Culver, O’Cain, Herbig; 0 No; 0 Abstain.

MOTION PASSES.

- C. Temporary Use Permit No. TMP24-0795, to "Construction and Trade" as a temporary use for the Interim Public Works Shop for a one-year period at real property located at 6532 NE Bothell Way, presented by Development Services Director Samantha Loyuk and Public Works Operations Director Jennifer Gordon, *for approval (revised 12/2)*

[Agenda Bill - Temporary Use Permit TMP25-0495](#)

[Attachment 1 - Project Narrative](#)

[Attachment 2 - Renewal Application](#)

[Attachment 3 - Site Plan](#)

[Attachment 4 - Site Photo](#)

MOTION: Allow “Construction and Trade” as a temporary use for the Interim Public Works Shop for a one-year period at real property located at 6532 NE Bothell Way, Kenmore, Washington, which is owned by the City of Kenmore and zoned Downtown Commercial, subject to conditions.

Moved by Loutsis; seconded by Srebnik.

VOTE: 7 Yes – Sasson, Srebnik, Loutsis, Marshall, Culver, O’Cain Herbig; 0 No; 0 Abstain.

MOTION PASSES.

- D. City of Kenmore Picnic Shelter Rental Policies, presented by Public Works Operations Director Jennifer Gordon and Recreation Program Supervisor Maurita Colburn, *for discussion and direction*

[Agenda Bill - Picnic Shelter Rental Policies](#)

[Attachment 1 - Draft City of Kenmore Picnic Shelter Rental Policies](#)

Public Works Director Jennifer Gordon presented the draft Picnic Shelter Rental Policy for the City of Kenmore. The policy aims to standardize rental procedures and fees across all city parks, including new shelters at Moorlands, Log Boom, and ŁaŁadis Parks, as well as the Rhododendron Park shelter managed by the Kenmore Senior Center. Current rental fees, unchanged since 2019, will now apply citywide, with potential fee waivers or reductions for low-income applicants under consideration. The Council provided feedback, and staff will return in January 2025 for formal policy adoption and fee schedule amendments.

The Council proposed the following changes:

1. Add the following language under the “Availability” section:
“When a picnic shelter has not been reserved, it may be used by individuals or groups on a first-come, first-served basis without fee. All general public users must abide by the community rules and user requirements outlined in this policy.”
2. Include a statement of commitment in the policy for low-income users.

STAFF REPORTS

- A. Public Works Operations Center Bond Issue Update, presented by City Manager Rob Karlinsey, Finance & Administration Director Melinda Merrell, Dave Trageser, Managing Director at D.A. Davidson & Co, and Deanna Gregory, Partner at Pacifica Law Group

[Memo - Public Works Operations Center Bond Issue Update](#)

[Attachment 1 - Preliminary Official Statement](#)

[Attachment 2 - S&P Credit Rating Letter](#)

[Attachment 3 - S&P Credit Rating Report](#)

[Attachment 4 - Materials from December 4, 2023 Council Meeting](#)

[Presentation - City of Kenmore Bond Sale Summary \(uploaded 11/27\)](#)

The team updated the Council, explaining that the bond is intended to complete the financing for the Public Works Operations Center project. In preparation for the sale, the City had S&P conduct a rating review. S&A assigned Kenmore a AAA rating, one of only 12 Washington cities rated this highly. Additional bond details below:

- Ordinance Parameters: The bonds must comply with Ordinance No. 23-0599, with a principal amount under \$12.8 million, a 20-year term, and borrowing costs under 6.5% interest.
- Timing: Bonds will be offered on November 26, 2024, and proceeds delivered on December 10, 2024.
- Amount: Expected proceeds are \$12.575 million, with an actual principal closer to \$11.5 million due to a premium structure.
- Total Debt Service: The annual debt service is estimated at \$1.65 million, funded equally by Real Estate Excise Tax and Surface Water Utility revenue.
- Project Timeline: Construction is expected to begin in mid-2025 and conclude by late 2026.

ADJOURNMENT:

Mayor Herbig adjourned the meeting at approximately 8:47 PM.

Nigel Herbig, Mayor

Anastasiya Warhol, City Clerk

**City of Kenmore
City Council Meeting
Special & Regular Meeting Minutes
Monday, December 9, 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
City Attorney Dawn Reitan
City Clerk Anastasiya Warhol
Deputy City Clerk Michelle Kang
Community Development Director Debbie Bent
Principal Planner Todd Hall
Finance & Administration Director Melinda Merrell
Accountant Julie Yinger

Speaking Guests: Dr. Eric Murray, President of Cascadia College
Shelly Helder, Gordon Thomas Honeywell State Lobbyist

Public Comments Speaking Guests:
Elizabeth Mooney, Kenmore Resident
Patrick O’Brien, Kenmore Resident
Stacey Valenzuela, Kenmore Resident (virtual)

CALL SPECIAL MEETING TO ORDER

Mayor Herbig called the special meeting to order at 6:00 PM.

EXECUTIVE SESSION

Pursuant to RCW 42.30.110(1)(b), the City Council entered an executive session to consider the acquisition of real estate. The Mayor announced that the executive session

was slated to last 60 minutes until approximately 7:00 PM. The Council entered the session at 6:00 PM. The Council exited the executive session at 7:00 PM. No final action was taken.

ADJOURN SPECIAL MEETING

Mayor Herbig adjourned the special meeting at approximately 7:00 PM.

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 Pledge of Allegiance.

AGENDA APPROVAL

The agenda was approved as presented.

WHERE'S THE FUN?

Deputy City Clerk Michelle Kang informed the Council and the public of the upcoming Winterfest event hosted by the City. This event will be held on Saturday, December 14 at both City Hall and at the Hangar and will include a Pop! Shop craft market, gift-wrapping station, musical performances, and an igloo building contest.

PUBLIC COMMENTS

The City Council got comments from the public.

Timestamped link here:

<https://www.youtube.com/live/g2eJKAREiEg?si=S8oepV32xACKCs9r&t=3887>

CONSENT AGENDA

- A. Cancel the City Council Regular Meetings of December 16, 2024, and December 23, 2024.
- B. Approve the City Council Regular Meeting Minutes from Monday, November 18, 2024.
[City Council Regular Meeting Minutes from November 18, 2024 \(added 12/4\)](#)
- C. Approve Total Check #s 55303 through 55369 totaling \$504,133.41, Total Payroll/Taxes/Flexible Spending/Retirement & Health Savings Account Electronic Deposits Dated 11/15/2024 in the amount totaling \$398,264.32.
[Voucher Certification & Approval 11/09/2024 - 11/22/2024](#)

- D. Approve Amendment No. 4 to the City Manager's employment agreement, Contract No. 16-C1631, effective January 1, 2025.

[Agenda Bill - Amendment No. 4 to City Manager's Employment Agreement \(added 12/4\)](#)

[Attachment 1 - Amendment No. 4 to Contract No. 16-C1631 \(added 12/4\)](#)

- E. Authorize the City Manager to execute Amendment No. 1 to Contract No. 24-C3026 with Hillis, Clark, Martin & Peterson for provision of environmental legal advice associated with the potential acquisition of a portion of the Lakepointe property and other general environmental legal assistance, subject to approval by the City Attorney.

[Agenda bill - Amendment No. 1 to Contract No. 24-C3026](#)

[Attachment 1 - Amendment No. 1 to Contract No. 24-C3026](#)

[Attachment 2 - Contract No. 24-C3026](#)

- F. Accept \$2,500,000 in state funding from the Washington State Transportation Improvement Board (TIB) to complete the construction of the 61st Avenue NE Sidewalks Replacement Phase 1 Project (T-44) and authorize the City Manager to execute the appropriate agreements with the TIB.

[Agenda Bill - TIB Grant Award](#)

[Attachment 1 - TIB Grant Award Letter](#)

Councilmember Culver requested that item E be discussed independently.

MOTION: Approve the consent agenda minus item E outlined above.

Moved by Culver; seconded by Srebnik.

VOTE: Consent Agenda was approved by UNANIMOUS CONSENT.

MOTION: Approve consent agenda item E (Authorize the City Manager to execute Amendment No. 1 to Contract No. 24-C3026 with Hillis, Clark, Martin & Peterson for provision of environmental legal advice associated with the potential acquisition of a portion of the Lakepointe property and other general environmental legal assistance, subject to approval by the City Attorney.)

Moved by Loutsis; seconded by O'Cain.

VOTE: 6 Yes – Sasson, Loutsis, Srebnik, Marshall, O'Cain Herbig; 0 No – Culver; 0 Abstain.

MOTION PASSES.

PRESENTATION

Cascadia College - State of the College, presented by Cascadia College President Dr. Eric Murray

[Presentation - State of the College \(added 12/5\)](#)

BUSINESS AGENDA

- A. Proposed Ordinance No. 24-0623, Amendments for the Periodic Update to the City's Comprehensive Plan, presented by Community Development Director Debbie Bent and Principal Planner Todd Hall, *for adoption*

[Agenda Bill - Comprehensive Plan Amendments](#)

[Attachment 1 - Proposed Ordinance No. 24-0623](#)

[Exhibit A - Community Design Element](#)

[Exhibit B - Downtown Element](#)

[Exhibit C - Economic Development Element](#)

[Exhibit D - Housing Element](#)

[Exhibit E - Land Use Element](#)

[Exhibit F - Natural Environment Element](#)

[Exhibit G - Surface Water Element](#)

[Exhibit H - Introduction Section](#)

[Exhibit I - Land Use Map](#)

[Exhibit J - Surface Water Facilities Table CF-B](#)

[Exhibit K - Appendix E - Equity Analysis and recommendations of the Kenmore Comprehensive Plan](#)

[Exhibit L - Appendix F - Engagement Report for ARCH and East King County Partner Cities](#)

[Exhibit M - Appendix G - Comp Plan Engagement 2021-2024](#)

[Exhibit N - Appendix H - Land Capacity Analysis Memorandum](#)

Community Development Director Debbie Bent recommended that the Council adopt amendments to the Comprehensive Plan. This includes all items brought to the Council by the Planning Commission and final adjustments made following the public hearings.

In January 2025, the Planning Commission will meet with the City Council to discuss the land use capacity analysis and do a general overview of the policy direction.

MOTION: Adopt proposed Ordinance No. 24-0623, adopting the City of Kenmore's Periodic Update to the Kenmore Comprehensive Plan.

Moved by Culver; seconded by Srebnik.

VOTE: 7 Yes – Srebnik, Marshall, Loutsis, Culver, Sasson, O'Cain, Herbig; 0 No; 0 Abstain.

MOTION PASSES.

- B. Proposed Ordinance No. 24-0624, Amending Chapters 18.20 and 18.55 of the Kenmore Municipal Code and amending the City's Official Zoning Map, presented by Community Development Director Debbie Bent and Principal Planner Todd Hall, *for adoption*

[Agenda Bill - Proposed Ordinance No. 24-0624](#)

[Attachment 1 - Proposed Ordinance No. 24-0624](#)

[Exhibit A - Amendments to the Official Zoning Map](#)

[Exhibit B - Amendments to Chapter 18.20 KMC](#)

[Exhibit C - Amendments to Chapter 18.55 KMC](#)

MOTION: Adopt proposed Ordinance No. 24-0624, amendment Chapters 18.20 and 18.55 of the Kenmore Municipal Code and amending the City's Official Zoning Map.

Moved by O'Cain; seconded by Srebnik.

VOTE: 7 Yes – Loutsis, Culver, Sasson, Marshall, Srebnik, O'Cain, Herbig; 0 No; 0 Abstain.

MOTION PASSES.

C. 3rd Quarter 2024 Financial Report for the City of Kenmore, presented by Finance & Administration Director Melinda Merrell, *to receive and file*

[Agenda Bill - 3rd Quarter 2024 Financial Report \(added 12/5\)](#)

[Attachment 1 - 3rd Quarter 2024 Financial Report \(added 12/5\)](#)

[Presentation - 3rd Quarter 2024 Financial Report \(added 12/6\)](#)

Director Melinda Merrell provided a quarterly update, summarized by the following:

- General Fund revenues are at budget at 87%
- General Fund expenditures are below budget at 70%
- Interest revenue high at 177.5% of budget
- Development Fees & Permits revenue is 144.4% of budget
- Public Safety costs are low due to the use of ARPA funds in 2023
- Transfers will need to be recorded before YE and impact revenues and expenses in various funds

D. Proposed 2025 Salary Plan, presented by Finance & Administration Director Melinda Merrell, *for adoption*

[Agenda Bill - Proposed 2025 Salary Plan \(added 12/5\)](#)

[Attachment 1 - Proposed 2025 Salary Plan \(added 12/5\)](#)

Melinda Merrell, Finance and Administration Director, presented the 2025 Proposed Salary Plan to the City Council. The plan was created through a comprehensive salary survey, conducted by a consulting firm. The plan includes a 3.6% wage adjustment based on the Seattle-Tacoma-Bellevue CPI-W Index, aligning salaries with market standards. This adjustment is part of the 2025-2026 biennial budget, adopted on November 25, 2024, and fulfills state requirements to adopt budgets before the fiscal year begins.

MOTION: Approve the proposed 2025 Salary Plan.

Moved by O'Cain; seconded by Sasson.

VOTE: 7 Yes – Marshall, Srebnik, Sasson, Loutsis, Culver, O'Cain, Herbig; 0 No; 0 Abstain.

MOTION PASSES.

- E. 2025 State Legislative Agenda Amendment, presented by City Manager Rob Karlinsey, *for discussion and possible adoption (added 12/5)*
[Agenda Bill - 2025 State Legislative Agenda, Amended \(added 12/5\)](#)
[Attached - Draft 2025 State Legislative Agenda, Amended \(added 12/5\)](#)

MOTION: Approve the proposed amendment to the City of Kenmore 2025 State Legislative Agenda.

Moved by Srebnik; seconded by Marshall.

VOTE: 7 Yes – Culver, Loutsis, Sasson, Srebnik, Marshall, O’Cain, Herbig; 0 No; 0 Abstain.

MOTION PASSES.

ADJOURNMENT

Mayor Herbig adjourned the meeting at approximately 7:57 PM.

Nigel Herbig, Mayor

Anastasiya Warhol, City Clerk

**City of Kenmore
City Council Meeting
Special Meeting Minutes
Tuesday, December 17, 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 (virtual)
Councilmember Joe Marshall (virtual)
Councilmember Debra Srebnik (excused)
Councilmember Valerie Sasson (excused)
Councilmember Jon Culver (excused)
Councilmember Nathan Loutsis

Staff: City Manager Rob Karlinsey
Deputy City Clerk Michelle Kang
Co-Clerk Elly Gallo
Finance & Administration Director Melinda Merrell

CALL SPECIAL MEETING TO ORDER

Mayor Herbig called the special meeting to order at 12:02 PM.

CONSENT AGENDA

- A. Approve Total Check #s 55370 through 55425 totaling \$408,465.19, Total Payroll/Taxes/Flexible Spending/Retirement & Health Savings Account Electronic Deposits Dated 11/29/2024 in the amount totaling \$385,039.60, and Total EFT Payments #s 1731 through 1749 totaling \$57,509.84.
[Voucher Certification 11/23/2024 - 12/06/2024](#)

MOTION: Approve the consent agenda outlined above.

Moved by O'Cain; seconded by Loutsis.

VOTE: Consent Agenda was approved by UNANIMOUS CONSENT

ADJOURN SPECIAL MEETING

Mayor Herbig adjourned the special meeting at approximately 12:02 PM.

Nigel Herbig, Mayor

Michelle Kang, Deputy City Clerk

DRAFT



Voucher Certification & Approval

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City of Kenmore

DATE RANGE: 12/07/2024 through 12/20/2024

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein, that any advance payment is due and payable pursuant to a contract or is available as an option for full or partial fulfillment of a contractual obligation, and that the claim is a just, due and unpaid obligation against the City of Kenmore and that I am authorized to authenticate and certify to said claim. The following checks and electronic payments are approved for payment:

Total EFT Payments: #1750	18,813.00
Total Checks: #55426 through 55528	1,765,433.14
Total Payroll EFT & Bank Drafts: Payroll/Taxes/Health Insurance/ FSA/HSA/Retirement/Life Ins.; Dated 12/13/2024	282,121.10
Total Wire Transfers: Banner Bank to LGIP	3,500,000.00

Rob Karlinsey

Rob Karlinsey (Dec 30, 2024 09:24 PST)

City Manager / Date

Melinda Merrell

Finance Director / Date

Vendor Name	Payment Number	Payment Date	Description	Amount
CENTER FOR HUMAN SERVICES	1750	12/20/2024	Jul-Oct 2024 Contribution	18,813.00
AMERICAN GENERAL LIFE	55426	12/13/2024	Life Insurance	220.33
DEPARTMENT OF LABOR AND INDUSTRIES	55427-55434	12/10/2024	Workers' Comp 10/4-12/13/2024	20,197.71
ESD - LTC	55435-55437	12/10/2024	WA CARES LTC 10/4-12/13/2024	6,350.71
ESD - PFML	55438-55442	12/10/2024	Paid Family & Medical Leave 10/4-12/13/2024	10,435.22
AWC EMPLOYEE BENEFIT TRUST/VIMLY	55443	12/10/2024	Employee Health Insurance	4,798.37
ESD - UI TAX ADMINISTRATION	55444	12/13/2024	Q2 2024	134.32
PERS DEPT OF RETIREMENT SYSTEMS	55445	12/13/2024	Interest Due PERS 1 Excess Contribution	20.47
CDL Dragons Truck School	55446	12/20/2024	CDL Training Course -	3,800.00
WESTERN SYSTEMS, INC	55447	12/20/2024	Modems & Switches for Radar Signs	35,038.07
ACF WEST INC	55448	12/20/2024	Materials for Ditch Repair @ 61st/190th SR24476	807.78
AGORA REFRESHMENTS	55449	12/20/2024	Dec 2024 City Hall Filtered Water	132.13
AMERICALL	55450	12/20/2024	Nov 2024 After Hours Call Out Service	164.66
ANCHOR QEA, LLC	55451	12/20/2024	Jul-Oct 2024 Lakepointe Technical Support	7,672.25
ARTS OF KENMORE	55452	12/20/2024	Dec 2024 Show Setup & 2025 Schedule Organization	1,290.46
AURORA RENTS	55453	12/20/2024	Rental Roller for Gravel @ Rhododendron Park Lot	1,221.13
BCN TELECOM, INC.	55454	12/20/2024	12/15-1/14/25 City Hall Phones	998.31
CALPORTLAND COMPANY	55455	12/20/2024	Gravel for Service Lot @ Rhododendron Park	2,949.46
CASCADE PEST CONTROL	55456	12/20/2024	Rhododendron Park Pest Control	167.50
CECCANTI, INC.	55457	12/20/2024	West Sammamish River Bridge Project	86,872.43

VII. F. Approve Total Check #s 55426 through 55528 totaling \$1,765,433.1...

Vendor Name	Payment Number	Payment Date	Description	Page 29 of 258	Amount
COMCAST	55458	12/20/2024	Dec 2024 City Hall & Hangar Internet		2,120.06
COMCAST BUSINESS	55459	12/20/2024	12/14/24-1/13/25 City Hall Internet & Cable		157.67
COMCAST BUSINESS	55460	12/20/2024	12/10/24-1/9/25 Tl'awh-ah-dees Park Internet		71.95
DAILY JOURNAL OF COMMERCE	55461	12/20/2024	12/13/24 PROS Plan RFP Notice		392.70
DAVIDSON MACRI SWEEPING, INC.	55462	12/20/2024	Nov 2024 Contracted Street Sweeping Svcs		14,058.77
EMERALD CITY STATEWIDE	55463	12/20/2024	Temp Fences: Tl'awh-ah-dees Park& Log Boom Park Mitigation		2,073.97
FACET NW, INC.	55464	12/20/2024	Oct & Nov 2024 Kenmore Urban Forest Consulting		28,684.50
GRAND EVENT RENTALS	55465	12/20/2024	Winterfest 2024 Table Rental		496.83
H.D. FOWLER COMPANY	55466	12/20/2024	SW Materials-Bolts, Frame, Grate		22.34
HANGING GARDENS NATIVE PLANTS	55467	12/20/2024	Materials-Wallace Swamp Creek Park Planting		1,243.26
HERRERA ENVIRONMENTAL CONSULTANTS	55468	12/20/2024	10/26-11/29/24 Consulting Services		9,184.04
HOME DEPOT CREDIT SERVICES	55469	12/20/2024	PW Operations Supplies & Materials		411.09
INSLEE, BEST, DOEZIE & RYDER, P.S.	55470	12/20/2024	Nov 2024 Legal Services		48,213.06
JACOBS ENGINEERING GROUP	55471	12/20/2024	9/18-11/22/24 Lower Swamp Creek Bridge Svcs		42,564.05
JUDHA OF LION LANDSCAPING AND SERVICES LLC	55472	12/20/2024	Jan-Dec 2024 ROW Landscaping		35,260.00
KING COUNTY FINANCE	55473	12/20/2024	Dec 2024 DPD Small Cities Screening		80.00
KING COUNTY FINANCE	55474	12/20/2024	2024 Q3 Revised Liquor Profits/Excise Tax		67.21
KING COUNTY FINANCE	55475	12/20/2024	Nov 2024 King County Road Signs		5,342.13
KING COUNTY FINANCE	55476	12/20/2024	Nov 2024 King County Road Services		10,953.07
KING COUNTY FINANCE	55477	12/20/2024	Sep-Nov 2024 Hangar Sewer Treatment Cap. Charge		158.49
KING COUNTY RADIO COMM SERVICES	55478	12/20/2024	Emergency Radio Preventative Maintenance		472.76
KING COUNTY RECORDER'S OFFICE	55479	12/20/2024	Claim of Lien filing fee CE19-0001		366.50
KING COUNTY SHERIFF	55480	12/20/2024	Nov & Dec 2024 Police Services		728,762.16
KPFF CONSULTING ENGINEERS	55481	12/20/2024	Oct 2024 Consulting Services		57,266.39
MINUTEMAN PRESS	55482	12/20/2024	2025-2026 Prelim Budget Book Printing		440.23
NATIONAL BARRICADE CO., LLC	55483	12/20/2024	Shoulder Closed Signs(2) @ 61st Ave		219.60
NC Machinery	55484	12/20/2024	Fleet Parts - Keys		24.32
NORTH AMERICAN SAFETY, INC.	55485	12/20/2024	50 Target Zero Children's Safety Vests		199.50
NORTHSHORE UTILITY DIST	55486	12/20/2024	9/30-11/30/24 Irrigation - Rhododendron Park		1,954.77
NORTHSHORE UTILITY DIST	55487	12/20/2024	9/30-11/30/24 Restrooms & Irrigation		3,982.34
NORTHSHORE UTILITY DIST	55488	12/20/2024	Irrigation-ROW 77th/522		2,092.71
NORTHSHORE UTILITY DIST	55489	12/20/2024	Oct 2024 Fuel & Nov 2024 Fuel & Fleet Maintenance		8,572.17
NORTHSHORE UTILITY DIST	55490	12/20/2024	9/30-11/30/24 Log Boom Park Restroom		1,289.53
NORTHWEST ARBORICULTURE LLC	55491	12/20/2024	11/26/24 Tree Removal		3,744.71
OFFICE DEPOT	55492	12/20/2024	Office Depot Misc. Office Supplies		254.83
OFFICE DEPOT	55493	12/20/2024	Office Depot Misc. Office Supplies		85.40
OLSON BROTHERS PRO VAC LLC	55494	12/20/2024	Drainage Maintenance		34,439.60

VII. F. Approve Total Check #s 55426 through 55528 totaling \$1,765,433.1...

Vendor Name	Payment Number	Payment Date	Description	Page 30 of 258	Amount
O'REILLY/FIRST CALL	55495	12/20/2024	Work Truck Soap		14.31
PACE ENGINEERS, INC.	55496	12/20/2024	Nov 2024 On Call Engineering Services		13,329.75
PARAMETRIX INC	55497	12/20/2024	Nov 2024 Consulting Services Arrowhead Dr.		11,450.78
PSR MECHANICAL, LLC	55498	12/20/2024	City Hall HVAC Service		628.14
PUGET SOUND ENERGY	55499	12/20/2024	City Hall Electricity		3,283.11
QUANTUM HOMES	55500	12/20/2024	Refund of Cash Deposit PRJ2005-058		13,937.00
REPUBLIC SERVICES #172	55501	12/20/2024	Nov 2024 Rhododendron Park, City Hall & PW Shop Solid Waste		1,873.29
SARAH ROBERTS	55502	12/20/2024	Aug-Nov 2024 Prosecution & DV Services		52,812.38
SCORE	55503	12/20/2024	Nov 2024 Jail Services		8,814.80
SEATTLE TIMES	55504	12/20/2024	Nov 2024 Legal Notices		3,317.00
SENTINEL OFFENDER SERVICES, LLC	55505	12/20/2024	Nov 2024 Electronic Home Monitoring		285.00
SHERWIN WILLIAMS CO.	55506	12/20/2024	Paint for Parks		26.65
SHRED IT, C/O STERICYCLE, INC>	55507	12/20/2024	Nov 2024 Shred Pickup		112.63
SISKUN POWER EQUIPMENT	55508	12/20/2024	Small Tools & Supplies, Equipment Repair - PW Streets		1,129.53
SNOHOMISH COUNTY	55509	12/20/2024	Oct & Nov 2024 Drainage Maintenance Disposal		10,703.00
SOUND EMPLOYMENT SOLUTIONS, INC.	55510	12/20/2024	Dec 2024 Mandatory Training		1,242.21
SPECIALTY DOOR SERVICE, INC.	55511	12/20/2024	City Hall Garage Door Troubleshooting & Repair		5,037.74
STAPLES	55512	12/20/2024	City Hall & Hangar Maintenance Supplies		130.71
STAPLES	55513	12/20/2024	City Hall Maintenance Supplies		193.37
STATE AUDITOR'S OFFICE	55514	12/20/2024	Nov 2024 Audit Services		6,746.35
STEPHANIE LUCASH	55515	12/20/2024	Travel Meal Advance-Charleston SC Jan 9-12 2025 & Tampa FL Jan 16-18 2025		273.75
STEWART MACNICHOLS HARMELL, INC.	55516	12/20/2024	Nov 2024 Indigent Public Defense Services		5,000.00
STOWE DEVELOPMENT & STRATEGIES LLC	55517	12/20/2024	Jun 2024 General Consulting Services		1,320.00
T MOBILE USA, INC.	55518	12/20/2024	Staff Cell Phones and Data Plans		1,716.76
TASTAD CONSTRUCTION INC	55519	12/20/2024	NE 190th St Fish Culvert Replacement		30,876.35
THE ORIGINAL POOP BAGS	55520	12/20/2024	Refill Dog Poop Bags		1,419.89
TOTAL LANDSCAPE CORP	55521	12/20/2024	Dec 2024 City Hall & Parks Landscape Services		5,034.59
TRUGREEN	55522	12/20/2024	11/16/24 Moorlands Field Lawn Maint. Svcs		351.53
WA STATE DEPT OF TRANSPORTATION	55523	12/20/2024	Oct 2024 Traffic Signal Maintenance		495.48
WAGNER ARCHITECTS	55524	12/20/2024	Sep -Nov 2024 PWOC Facility Planning Consultant		348,921.90
WESTERN ENTRANCE TECHNOLOGY, LLC	55525	12/20/2024	Hangar Door Repairs		771.40
WESTERN SYSTEMS, INC	55526	12/20/2024	Add'l wiring harnesses		215.22
WM CORPORATE SERVICES INC.	55527	12/20/2024	12/2/2024 Sweeper Dump Fees		4,433.87
XEROX CORPORATION	55528	12/20/2024	Nov 2024 B&W/Color Copier Rental & Usage Fees		540.63
MISSION SQUARE / 109964	DFT0002422-2425	12/13/2024	City of Kenmore 401a & 401a Loans		23,906.41
DRS 457	DFT0002426-2427	12/13/2024	DRS 457 Deferred Comp		781.50
MISSION SQUARE 457 / 304745	DFT0002428-2431	12/13/2024	Mission Square 457 Deferred Comp		7,643.73

VII. F. Approve Total Check #s 55426 through 55528 totaling \$1,765,433.1...

Vendor Name	Payment Number	Payment Date	Description	Page 31 of 258	Amount
WEALTHCARE HSA	DFT0002433	12/13/2024	Employee Health Savings Contribution		348.08
PERS DEPT OF RETIREMENT SYSTEMS	DFT0002436-2441	12/13/2024	Public Employees Retirement		37,185.62
NAVIA	DFT0002446	12/13/2024	Employee Flexible Spending Account		1,056.84
BANNER BANK 941 DEPOSIT	DFT0002451	12/13/2024	Federal Taxes		34,003.59
PAYROLL	Electronic Deposit	12/13/2024	Direct Deposit		177,195.33
TOTAL					2,066,367.24

VII. F. Approve Total Check #s 55426 through 55528 totaling \$1,765,433.1...



City of Kenmore, WA

Vendor Purchasing Report

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For Date Range 01/01/2024 - 12/20/2024

Name	Amount
1 ALLIANCE GEOMATICS	23,103.48
58 STARS TRAVEL	2,088.36
A & A LIMOUSINE & BUS SERVICE	6,263.00
AABCO BARRICADE COMPANY INC.	9,957.90
AARTI TANNA	150.00
ABRACADABRA PRINTING	657.89
ABS VALUATION	5,500.00
ACF WEST INC	3,532.68
ADVANCE TESTING & SERVICE INC	2,955.08
AFLAC	1,873.04
AGORA REFRESHMENTS	2,235.62
ALL AROUND FENCE COMPANY	24,715.12
ALL PURPOSE DOOR REPAIR, INC	3,517.58
ALPHAGRAPHICS	1,324.95
ALWAYS ACTIVE SERVICES LLC	802,425.78
ALYSSA MONTGOMERY	150.00
ALYSSA RUSSELL	150.00
AM TEST, INC	6,370.00
AMADOR FARMS	262.00
AMBER CLIFTON	2,260.36
AMERICALL	2,129.33
AMERICAN GENERAL LIFE GPO/400S	2,643.96
AMERICAN SOCIETY OF COMPOSERS	500.00
AMERICAN TRAFFIC SOLUTIONS INC	183,750.00
AMY LINDBLOM	150.00
AMY ZIER	137.60
ANCHOR QEA, LLC	12,057.50
ANDRES TORRES	249.90
ANDREY GOLUBOVICH	6,481.96
ANNA ARNOTT	215.06
ANNIE FOSTER	3,000.00
ANSER ADVISORY CONSULTING, LLC	59,290.00
APPLIED CONCEPTS, INC.	1,845.85
AQUATECHNEX LLC	20,756.18
ARCADIA HOMES LLC	72.82
ARCHIVESOCIAL, INC.	4,845.93
ARMSTRONG SERVICES	19,838.34
ARTS OF KENMORE	9,290.21
ASHWINI HOSADEVARAHADLU SHIVANANDA	250.00
ASPECT CONSULTING LLC	3,122.50
ASSOCIATION OF WA CITIES	30,600.15
AURORA RENTS	10,837.58
AWC EMPLOYEE BENEFIT TRUST/VIMLY	1,110,735.59
BANNER BANK 941 DEPOSIT	821,297.16
BASTYR UNIVERSITY	375.00
BCN TELECOM, INC.	11,368.48
BERGER PARTNERSHIP	3,498.75
BIZDIVERSITY	2,500.00
BOAZ COFFEE	27.00
BOTHELL KENMORE CHAMBER OF COMMERCE	3,600.00
BRASS MONKEY INVESTMENTS LLC	7,554.90
BRIGHT SPARK EARLY LEARNING SERVICES	1,200.00
BROADCAST MUSIC, INC.	435.00

VII. F. Approve Total Check #s 55426 through 55528 totaling \$1,765,433.1...

Name	Amount
BROTHER'S FARMS	461.00
BROWNED AND TOASTED	30.00
BRYAN HAMPSON	165.00
BUD CLARY FORD OF MOSES LAKE	54,007.70
BUILDERS EXCHANGE OF WASHINGTON INC	75.10
BULGER SAFE & LOCK, INC.	109.25
C R COLLINS CONSTRUCTION INC	110.40
CALICO COOKIES - ERIN CALI	103.00
CALPORTLAND COMPANY	10,702.66
CAMP UNITED WE STAND	1,125.60
CANON FINANCIAL SERVICES, INC.	2,928.80
CAPITAL ONE TRADE CREDIT/MCLENDON	401.08
CASCADE PEST CONTROL	2,009.55
CASCADIA COLLEGE	30,000.00
CASCADIA LAW GROUP	3,093.75
CDL Dragons Truck School	3,800.00
CECCANTI, INC.	86,872.43
CEDAR GROVE COMPOSTING, INC.	64.74
CENTER FOR HUMAN SERVICES	105,494.55
CENTRICITY GIS, LLC	14,500.00
CHANIN KELLY-RAE CONSULTING LLC	650.00
CHASE WALKER	492.19
CHICAGO TITLE	32.26
CITY OF BELLEVUE	232,845.92
CITY OF KENMORE	2,553.80
CITY OF KENT	575.00
CITY OF LAKE FOREST PARK	56,187.00
CITYWORKS/AZTECA SYSTEMS LLC	43,832.13
CIVICPLUS LLC	14,625.03
CODE PUBLISHING COMPANY	10,470.88
COMCAST	25,336.24
COMCAST BUSINESS	2,815.38
COMMANDLINK	2,761.89
CONFLUENCE ENVIRONMENTAL COMPANY	54,104.02
CONNOR WATKINS	150.00
CONSOLIDATED PRESS	19,239.49
CONTECH ENGINEERED SOLUTIONS, INC	10,806.00
CORE DESIGN, INC.	5,164.86
COSTCO	60.00
COTTAGE COMMUNITY BAKERY	219.00
CRAIG OLSON	248.00
CUBBYHOLE CREATIVE LTD	3,000.00
D.P. NICOLI, INC.	469.37
DAHLIA CORONA	445.07
DAILY JOURNAL OF COMMERCE	4,980.35
DALE KRUEGER	208.65
DAMODAR NAGANDLA	4,328.91
DANIEL WICK	157.71
DANSOUND INC	7,766.00
DAVID ARTHUR	1,213.03
DAVID BAKER	240.39
DAVIDSON MACRI SWEEPING, INC.	14,058.77
DEPARTMENT OF COMMERCE	105,918.27
DEPARTMENT OF ECOLOGY	31,047.00
DEPARTMENT OF LABOR AND INDUSTRIES	86,788.73
DEPT. OF L&I - BOILER SECTION	82.40
DEVON LEGER	4,500.00
DICK'S TOWING	1,160.25
DILIGENT CORPORATION	18,834.13
DRS 457	27,333.00

VII. F. Approve Total Check #s 55426 through 55528 totaling \$1,765,433.1...

Name	Amount
DTG RECYCLE	7,140.95
E SQUARED SYSTEMS, LLC	1,291.98
EBIX, INC.	164.20
ELECTRONIC BUSINESS MACHINES	2,681.73
ELIAS M. KAUHANE	1,700.00
ELYON MAINTENANCE, INC.	97,076.20
EMC RESEARCH, INC.	71,000.00
EMERALD CITY STATEWIDE	2,073.97
ENVIRONMENTAL SYSTEMS RESEARCH INST	15,320.10
ENVIROTECH	10,041.75
ESD - LTC	26,530.52
ESD - PFML	46,993.20
ESD - UI TAX ADMINISTRATION	6,751.95
EVERMARK, LLC	2,559.98
FACET NW, INC.	28,684.50
FARM FRESH NW	148.00
FAST WATER HEATER	187.10
FASTSIGNS	3,915.35
FERGUSON WATERWORKS #3156	7,135.99
FIRE PROTECTION, INC	3,970.65
FIRESTONE INVESTMENT LLC	87,576.20
FIX AUTO KENMORE	3,222.02
FLEMINGS HOLIDAY LIGHTING LLC	5,665.99
FLYNN BEC LP	14,831.82
FLYWAY RETAIL + LIVING	6,779.87
FOSTER GARVEY PC	3,787.50
FOURTEN CREATIVE	14,945.58
FRANKLIN COVEY	26.00
FUELCARE	7,643.05
GAMETIME	84.46
GARY ULRICH	40.00
GAYLYNN BRIEN	660.00
GCP WW HOLDCO, LLC	8,550.70
GOAT AND SEED	374.00
GOOD TO GO	3.00
GOOD, MICHAEL J.	300.00
GORDON THOMAS HONEYWELL	49,727.31
GRAINGER	1,321.33
GRAND EVENT RENTALS	13,628.71
GRANICUS	28,736.29
GREAT WESTERN RECREATION, LLC	141.81
GSC PRODUCTION	600.00
GUY JONES	206.64
H.D. FOWLER COMPANY	8,195.61
HAGGARD & GANSON LLP	3,857.00
HANGING GARDENS NATIVE PLANTS	1,243.26
HAYTON FARMS	40.00
HDR ENGINEERING, INC	47,990.63
HEALTH MANAGEMENT ASSOCIATES INC	36,928.75
HEIDELBERG MATERIALS	2,933.03
HERRERA ENVIRONMENTAL CONSULTANTS	39,464.35
HESTON PHOTOGRAPHY	1,644.15
HIGHWIRE	3,317.85
HILLIS CLARK MARTIN & PETERSON P.S.	43,223.00
HIMA NURSERY, INC.	7,008.11
HOLMBERG COMPANY	1,678.63
HOME DEPOT CREDIT SERVICES	6,096.83
HONEY BUCKET	6,130.00
HORIZON DISTRIBUTORS INC	13,015.64
HP'S SMOKEHOUSE BBQ	330.00

Name	Amount
HRA VEBA TRUST	48,892.06
HULA O LEHUALANI	900.00
HUNTINGTON TECHNOLOGY FINANCE	45,235.36
HYDROPOINT DATA SYSTEMS, INC.	10,914.07
ICICLE VILLAGE RESORT	8,138.12
ICLEI	1,200.00
ICMA INTERNATIONAL CITY/CNTY MGMT ASSOC	1,200.00
INGLEMOOR HIGH SCHOOL	570.00
INSIDESOURCE	2,470.64
INSLEE, BEST, DOEZIE & RYDER, P.S.	433,180.94
INTERNATIONAL INST OF MUNI CLERKS	375.00
iWORQ SYSTEMS	2,800.00
J&E PRODUCE	23.00
JACOBS ENGINEERING GROUP	42,564.05
JADA THOMPSON	156.00
JAMIE MCKEOGH	2,500.00
JASON CHURCH	7,500.00
JASON RICHARD SPERLING	830.00
JAYMARC AV	2,016.66
JENNIFER LEIGH DIXON	3,520.00
JENNIFER SPELHAUG	1,043.12
JENSEN TOFFEE	22.00
JERRY OWEN	27,732.40
JET CITY PRINTING	2,382.76
JIM DANDY SEWER & PLUMBING	462.42
JOHN BAYS	7,500.00
JOHN VICENTE	591.28
JOHNSON'S JUNK REMOVAL LLC	19,381.18
JONES BOYS MAINTENANCE CO. INC.	1,414.79
JORDAN STECKS	150.00
JUDHA OF LION LANDSCAPING AND SERVICES LLC	35,260.00
JURASSIC PARLIAMENT	1,899.64
JUSTIN CONNORS	150.00
KARI HATCHER	150.00
KARIM KARMALI	79.92
KBA INC.	13,122.98
KCDA PURCHASING COOP	6,834.60
KDJ'S THE BAKERIE	31.00
KENMORE AUTOMOTIVE	13,406.39
KENMORE COMMUNITY CLUB	530.00
KENMORE ELEMENTARY PTA	5,000.00
KENMORE HERITAGE SOCIETY	5,585.85
KENMORE MIDDLE SCHOOL	10,000.00
KENMORE SENIOR CENTER	31,250.00
KERRY KAESTNER	150.00
KIMLEY HORN AND ASSOCIATES, INC.	56,079.36
KINDFIRE CREATIVE	4,800.00
KING COUNTY BAR ASSOCIATION	800.00
KING COUNTY FINANCE	1,716.12
KING COUNTY FINANCE	239,921.99
KING COUNTY RADIO COMM SERVICES	472.76
KING COUNTY RECORDER'S OFFICE	1,273.50
KING COUNTY REGIONAL HOMELESSNESS AUTHORITY	38,000.00
KING COUNTY SHERIFF	4,512,739.04
KING COUNTY TREASURY	103,652.68
KOMPAN, INC	6,476.30
KPFF CONSULTING ENGINEERS	605,380.89
LAKE CITY PARTNERS ENDING HOMELESSNESS	17,000.00
LAKE SIDE INDUSTRIES	1,248.57
LANGTON SPIETH, LLC	20,000.00

Name	Amount
LEIGH ANNE MALAVOTTE	156.00
LEVERAGE TECHNOLOGIES, INC	9,970.00
LIGHTHOUSE CONSULTING INC	159,454.72
LINCOLN NATIONAL LIFE INSURANCE	25,430.59
LINKEDIN CORP.	5,730.00
LITTLE JACK FLOWER FARM	235.00
LOUDEDGE, INC.	1,150.00
LUPITA ZAMORA CONSULTING LLC	1,200.00
MACDONALD MILLER FACILITY SOLUTIONS	1,693.62
MARINE FLOATS CORPORATION	9,826.87
MARY MILLER STEPHENS	13,750.00
McGRATH HUMAN RESOURCES GROUP	5,000.00
MCKEE APPRAISAL REAL ESTATE SERVICES & CONSUL	1,600.00
MELANIE O'CAIN	453.50
MELINDA MERRELL	971.69
METROPOLITAN TRANSPORTATION COMM/STREETSA	2,000.00
MICHELLE KANG	415.39
MICHELLE SHAW	150.00
MINUTEMAN PRESS	46,163.93
MISSION SQUARE / 109964	704,805.19
MISSION SQUARE 457 / 304745	174,692.13
MKS PROPERTIES	44,548.08
MOJO STRATEGIES	5,870.00
MORGAN SOUND INC	4,443.21
MORGAN STANLEY GLOBAL BANKING OPERATIONS	9,166.66
MORUP SIGNS, INC.	688.76
Motorola Solutions, Inc.	9,695.70
MOTT MACDONALD	20,222.30
MR. T'S TROPHIES & AWARDS LLC	28.52
MSR BEACHWOOD 2 LLC	7,906.55
MSR KENMORE CREEK HOMES	7,766.81
MUNIMANAGE, LLC	10,750.00
NAC INC	44,515.00
NAMI EASTSIDE	7,500.00
NARWHAL MET, LLC	4,250.00
NATIONAL BARRICADE CO., LLC	7,749.00
NATIONAL LEAGUE OF CITIES	2,190.00
NATIONAL LIFE INSURANCE CO.	845.16
NAVIA	47,581.71
NC Machinery	24.32
NELSON ELECTRIC, INC.	8,905.47
NELSON TRUCK EQUIPMENT CO	9,779.98
NEOGOV	880.00
NIGEL HERBIG	1,274.71
NIKHIL PATNE	250.00
NINA RASMUSSEN	977.74
NORTH AMERICAN SAFETY, INC.	2,500.00
NORTHLAKE LITTLE LEAGUE	187.00
NORTHSHORE PARK & REC SERVICE AREA	5,440.00
NORTHSHORE SCHOOL DISTRICT	477,500.50
NORTHSHORE SCHOOLS FOUNDATION	3,000.00
NORTHSHORE SENIOR CENTER	16,250.00
NORTHSHORE UTILITY DIST	175,580.57
NORTHSHORE YOUTH SOCCER ASSOC.	55.00
NORTHWEST ARBORICULTURE LLC	26,609.98
NORTHWEST PAVEMENT MANAGEMENT ASSOCIATIO	700.00
NORTHWEST TROPHY	1,670.40
NUHSA	1,000.00
OFFICE DEPOT	5,685.46
OFFICE OF MINORITY & WOMEN'S BUSINESS ENTERPI	2,395.47

VII. F. Approve Total Check #s 55426 through 55528 totaling \$1,765,433.1...

Name	Amount
OLBRECHTS & ASSOCIATES, PLLC	11,718.50
OLSON BROTHERS PRO VAC LLC	185,241.01
OLYMPIC ENVIRONMENTAL RESOURCES INC	52,138.20
OLYMPIC NURSERY INC	1,250.10
OLYMPIC TRAILER & TRUCK ACCESSORIES	10,840.49
ONE DIVERSIFIED	25,701.34
ONTRA MARKETING GROUP	150.00
O'REILLY/FIRST CALL	492.82
OSBORN CONSULTING INC.	501,742.77
OUR FAMILY FARM	342.00
OUTCOMES BY LEVY, LLC	16,700.00
PACE ENGINEERS, INC.	277,424.75
PACIFIC AIR CONTROL, INC.	20,567.84
PACIFIC TOPSOILS	13,696.87
PACIFICA LAW GROUP LLP	1,716.00
PACWEST MACHINERY	2,605.98
PAO DE QUEIJO	32.00
PARAMETRIX INC	218,220.43
PATRICK O'BRIEN	134.40
PAWS	5,954.00
PENDLETON CONSULTING LLC	15,442.40
PERFORMANCE SYSTEMS INTEGRATION LLC	1,045.79
PERS DEPT OF RETIREMENT SYSTEMS	981,092.08
PETROCARD, INC	3,942.42
PETTY CASH CUSTODIAN	472.08
PLYWOOD SUPPLY	1,298.96
POLCO	9,000.00
PREMIER MEDIA GROUP	2,585.00
PROGENGO LLC	128.76
PSR MECHANICAL, LLC	6,013.06
PUGET SOUND CLEAN AIR AGENCY	23,536.00
PUGET SOUND EMERGENCY RADIO NETWORK OPERA	1,814.40
PUGET SOUND ENERGY	714,198.11
PUGET SOUND PLANTS	12,188.95
PUGET SOUND REGIONAL COUNCIL	10,159.00
QUADIENT LEASING USA, INC.	2,582.49
QUALITY BUSINESS SYSTEMS / WELLS FARGO	58.83
QUANTUM HOMES	13,937.00
QUINN PROFFITT	612.20
RAJESH MASKARA	250.00
RAMEZ DEBBAS	1,099.31
REGIONAL ANIMAL SERVICES OF KC	1,395.00
REGIONAL CRISIS RESPONSE AGENCY	115,379.25
REPUBLIC SERVICES #172	21,438.01
RICH HARTMAN'S BELLINGHAM FORD LINCOLN	53,089.00
ROB KARLINSEY	500.00
RRJ COMPANY, LLC	504,140.25
SAGACITY MEDIA, INC.	2,510.00
SAMANTHA LOYUK	146.06
SANDHYA MANICKAVASAGAM	300.00
SARABJIT MANN	7,500.00
SARAH ROBERTS	146,670.92
SCENIC 365 LLC	4,295.00
SCHEMATA WORKSHOP INC.	243.00
SCHINDLER ELEVATOR CORPORATION	6,155.15
SCORE	140,362.61
SEATOWN SWEETS	50.00
SEATTLE & KING COUNTY PUBLIC HEALTH	1,026.00
SEATTLE OUT & PROUD FOUNDATION	2,250.00
SEATTLE PUMP & EQUIPMENT CO./JETTERS NORTHW	241.29

Name	Amount
SEATTLE TIMES	15,824.80
SEATTLE'S CHILD	700.00
SECURITY SOLUTIONS NW	27,266.00
SENTINEL OFFENDER SERVICES, LLC	1,754.00
SENZA KENMORE LLC / GOLDSMITH	7,500.00
SESAC	581.00
SHANNON & WILSON, INC.	2,162.50
SHANNON TIPPLE-LEEN	173.45
SHERWIN WILLIAMS CO.	932.71
SHI INTERNATIONAL CORP.	3,414.93
SHORELINE FIRE DEPT	1,400.00
SHRED IT, C/O STERICYCLE, INC>	1,420.46
SIGN CONNEXTION LLC	656.41
SISKUN POWER EQUIPMENT	12,996.03
SIU SONG	144.80
SKYCORP, LTD	43,074.87
SLABJACK NW, LLC	5,031.57
SMS CLEANING, INC.	64,950.00
SNO KING WATERSHED COUNCIL	150.00
SNOHOMISH COUNTY	40,279.00
SOFTWAREONE, INC.	21,668.07
SOMERSAULT WELLNESS LLC	1,200.00
SOUND EMPLOYMENT SOLUTIONS, INC.	3,084.42
SOUND PUBLISHING, INC.	1,415.00
SOUND SAFETY PRODUCTS CO.	763.69
SOUND STUMP REMOVAL LLC	1,900.00
SOVA CONSULTING	7,500.00
SPECIALTY DOOR SERVICE, INC.	9,498.35
ST OF WA DEPT OF FISH & WILDLIFE	40.00
STAPLES	21,108.78
STATE AUDITOR'S OFFICE	71,999.24
STATE OF WA DEPT. OF LICENSING	1.64
STEPHAN GMUR	1,775.72
STEPHANIE LUCASH	1,365.75
STEWART MACNICHOLS HARMELL, INC.	60,000.00
STORM LAKE GROWERS, INC.	2,221.67
STOWE DEVELOPMENT & STRATEGIES LLC	11,520.00
STRATEGIES 360, INC.	18,416.67
STRIDER CONSTRUCTION CO., INC.	57,430.84
SUMMIT LAW GROUP PLLC	1,500.00
SUNBELT RENTALS	4,521.33
SUNRISE LOCAL BERRIES FARM, LLC	222.00
SUPERION, LLC	29,098.99
SURYA SKJONSBY	514.93
SWANK MOTION PICTURES, INC.	1,395.00
T MOBILE USA, INC.	18,768.41
TAMBI CORK	243.89
TAME THE JUNGLE, LLC	3,279.00
TASTAD CONSTRUCTION INC	202,355.48
THE LODGE AT ST. EDWARD PARK	895.56
THE ORIGINAL POOP BAGS	2,839.78
THOMCO CONSTRUCTION, INC.	18,882.49
TILCO VANGUARD INC.	10,534.98
TIM STROUSE	250.00
TOASTMASTERS INTERNATIONAL	250.00
TOBIN BENNETT GOLD	711.40
TOTAL LANDSCAPE CORP	142,583.41
Traffic Safety Supply Co. Inc	35,422.72
TRAILER BOSS	12,018.71
TRUE NORTH EQUIPMENT INC	314.35

VII. F. Approve Total Check #s 55426 through 55528 totaling \$1,765,433.1...

Name	Amount
TRUGREEN	3,817.58
TRUSTEES OF THE HAMLINE UNIVERSITY OF MINNESC	1,704.47
TYLER TECHNOLOGIES, INC.	22,850.12
U.S. BANK N.A. / CUSTODY	650.00
U.S. BANK PURCHASE CARDS	317,416.66
ULINE	9,232.11
UNITED RENTALS NW, INC	2,774.17
UPS STORE KENMORE	949.16
URBAN ACCESSORIES, INC.	2,404.54
URBAN LAND INSTITUTE	25,000.00
US POSTAL SERVICE	11,840.18
USPS-POC c/o CITIBANK	3,996.75
UTILITIES UNDERGROUND LOCATION CTR	1,663.20
VALLEY, CHRIS & BETH	2,464.75
VERIZON WIRELESS	726.56
VIDIT JAIN	150.00
VIJAYARAGHAVAN MAKKAKODE	250.00
WA CITIES INSURANCE AUTHORITY	795,456.00
WA FINANCE OFFICERS ASSOCIATION	225.00
WA RECREATION & PARK ASSOC.	605.00
WA STATE DEPARTMENT OF AGRICULTURE	75.00
WA STATE DEPT OF ENTERPRISE SVCS	4,329.69
WA STATE DEPT OF LABOR & INDUSTRIES	284.30
WA STATE DEPT OF TRANSPORTATION	9,502.36
WA STATE DEPT OF TRANSPORTATION	431.02
WAGNER ARCHITECTS	584,232.90
WAPRO	225.00
WARD'S SCIENCE	2,372.31
WASHINGTON ASSOCIATION OF CONSERVATION DIST	275.88
WASHINGTON AUDIOLOGY SERVICES, INC.	1,114.10
WASHINGTON CITY/COUNTY MGMT ASSOC	860.00
WASHINGTON FEDERAL BANK	2,732.20
WASHINGTON MUNICIPAL CLERKS ASSOC	100.00
WASHINGTON STATE FARMERS MARKET ASSOCIATIOI	350.00
WASHINGTON STATE OFFICE CASH MGMT	1,075.50
WEALTHCARE HSA	8,702.00
WESTERN DISPLAY FIREWORKS, LTD.	15,000.00
WESTERN ENTRANCE TECHNOLOGY, LLC	2,314.20
WESTERN SYSTEMS, INC	32,478.64
WESTLAKE HARDWARE WA-153	4,455.28
WETLANDS & WOODLANDS INC	2,605.79
WM CORPORATE SERVICES INC.	51,897.65
WONDERLAND CHILD & FAMILY SERVICES	2,000.00
WORKPLACE RESOLUTIONS, LLC	800.00
XEROX CORPORATION	6,750.21
YANGFENG YU	150.00
YOUNGMIN KIM	150.00
YOURMEMBERSHIP.COM, INC	249.00
ZEN DEVELOPMENT, LLC	11,266.50
ZENCITY TECHNOLOGIES, INC.	14,601.50
ZESBAUGH, INC.	506.92
ZIPLY FIBER	8,311.58
ZONAR SYSTEMS	544.07
ZUMAR	1,989.99

Vlist 2024-12-20

Final Audit Report

2024-12-30

Created:	2024-12-24
By:	Brenda Chamness (bchamness@kenmorewa.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAA9dMqQllna8A2kqHEc7wznmU3lxR5ccA

"Vlist 2024-12-20" History

-  Document created by Brenda Chamness (bchamness@kenmorewa.gov)
2024-12-24 - 5:28:48 PM GMT
-  Document emailed to Melinda Merrell (mmerrell@kenmorewa.gov) for signature
2024-12-24 - 5:29:41 PM GMT
-  Email viewed by Melinda Merrell (mmerrell@kenmorewa.gov)
2024-12-30 - 4:52:37 AM GMT
-  Document e-signed by Melinda Merrell (mmerrell@kenmorewa.gov)
Signature Date: 2024-12-30 - 4:52:48 AM GMT - Time Source: server
-  Document emailed to Rob Karlinsey (rkarlinsey@kenmorewa.gov) for signature
2024-12-30 - 4:52:49 AM GMT
-  Email viewed by Rob Karlinsey (rkarlinsey@kenmorewa.gov)
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-  Document e-signed by Rob Karlinsey (rkarlinsey@kenmorewa.gov)
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City Council Agenda Bill
City of Kenmore, WA



Meeting Date: 1/13/2025

Subject/Topic:	Proposed Council Action/Motion:
Proposed 2025 Proclamations Calendar Department: City Clerk's Office Prepared by: Michelle Kang, Deputy City Clerk Attachments: Attachment 1 – Proposed 2025 Proclamations Calendar Attachment 2 – Proclamations Request Form	☐ Information Only ☐ Receive and File ☐ Discuss ☐ Provide Direction ☐ Public Hearing ☒ Adopt/Approve ☐ Other: Approve the Proposed 2025 Proclamations Calendar.

Approvals:

Department Head AW 1/2/2025 Finance Director N/A City Attorney N/A City Manager RK 1/2/2025

Summary/Background:

In 2021, the City Council adopted the inaugural Proclamations Calendar as required by the Proclamations Policy. The City aims to issue proclamations under the guiding principles of promoting inclusiveness, and honoring, celebrating, or raising awareness about an event, special occasion, or a significant issue.

The calendar outlines the various acknowledgements, declarations, and recognitions the Mayor and the City Council routinely bring forth as they relate to the City Council Goals and Priorities.

The following change was made to reflect changes between the approved 2024 Proclamations Calendar and what proclamation was actually made throughout the year:

- Asian American and Pacific Islander Heritage Month → Asian American, Native Hawaiian, and Pacific Islander Heritage Month (May)
- Suicide Prevention Week → Suicide Prevention Awareness Month (September)
- Domestic Violence Awareness Day → Domestic Violence Awareness Month (October)

If members of the community would like additional proclamations to be made that are not reflected in the Proclamations Calendar, these requests can be made using Attachment 2: Proclamations Request Form (also located on the City's website) and submitted to the City Clerk's Office. The request must be approved by the Mayor and the City Manager.

Previous Council Action(s):

See above in Summary/Background.

Fiscal Consideration:

N/A

City Council Priorities or Budget Objective Being Addressed:

The proposed 2025 Proclamations Calendar supports various City Council Priorities.

2025 Proclamations Calendar													
2025-2026 City Council Priorities	January	February	March	April	May	June	July	August	September	October	November	December	
Preamble/General					Peace Officers Memorial Day (May 15, 2025)	National Gun Violence Awareness Month							
Climate Action Plan				Earth Day (April 22, 2025) Arbor Day (April 25, 2025)									
All Types of Housing					Affordable Housing Month								
Human Services Strategic Plan				Sexual Assault Awareness Month Child Abuse Prevention Month					Suicide Prevention Month National Recovery Month Falls Prevention Awareness Week (September 21-27, 2025)	Domestic Violence Awareness Month	Hunger and Homelessness Awareness Week (November 17-25, 2025)		
Multimodal Transportation					Pedestrian and Bicycle Safety Month								
Diversity, Equity, Inclusion, and Accessibility (DEIA)		Black History Month	Women's History Month		Asian American, Native Hawaiian, and Pacific Islander Heritage Month	Pride Month Juneteenth (June 19, 2025)			Hispanic and Latino Heritage Month (September 15-October 15, 2025)	Indigenous Peoples' Day (October 13, 2025)	Native American Heritage Month Honoring Veterans Day		Page 43 of 258
Parks and Recreations					Safe Boating and Paddling Week (May 17-23, 2025) Kids to Parks Day (May 17, 2025)								

**PROCLAMATION REQUEST**

TOPIC OF PROCLAMATION (EVENT, PERSON, CAUSE BEING RECOGNIZED):

PLEASE DESCRIBE YOUR REASONS FOR REQUESTING THIS PROCLAMATION:

PURPOSE OF PROCLAMATION:

- ☐ Recognize Community Member(s) or Organization
- ☐ Ask for Community Support for Local Cause
- ☐ Announce Local Event

INDIVIDUAL, AGENCY, OR ORGANIZATION SPONSORING THE REQUEST:

COUNCIL MEETING DATE REQUESTED: _____

DO YOU REQUEST THE DOCUMENT BE?

- ☐ Read at a City Council Meeting
- ☐ Mailed to the Address Below
- ☐ Held for Pick up at City Hall

INDIVIDUAL OR REPRESENTATIVE ATTENDING COUNCIL MEETING TO RECEIVE THE DOCUMENT:

Name	Title	Phone # and email address
------	-------	---------------------------

REQUESTED BY: _____

Name

Email

Address

Phone

Please attach copy of your proposed proclamation to this application and email the City Clerk at awarhol@kenmorewa.gov. Requests Proclamations must be submitted at least three (3) weeks prior to the requested Council Meeting date.

For Office Use Only

Date Request Received: _____

Approved: _____ Not Approved: _____ Applicant Notified: _____

Council Meeting Date: _____

City Council Agenda Bill
City of Kenmore, WA



Meeting Date:1/13/2025

Subject/Topic:	Proposed Council Action/Motion:
Contract No. 22-C2862 with KPFF Consulting Engineers: On-Call Services for Transportation Engineering Services Department: Engineering Prepared by: John Vicente, PE, Engineering Director Attachments: N/A	☐ Information Only ☐ Receive and File ☐ Discuss ☐ Provide Direction ☐ Public Hearing ☐ Adopt/Approve ☒ Authorize ☐ Other: Authorize the City Manager to execute Amendment No. 1 with KPFF Consulting Engineers Contract No. 22-C2862 to increase the contract by an additional \$850,000 to \$3,000,000.

Approvals:

Department Head JV 12/5/2024 Finance Director N/A City Attorney N/A City Manager RK 12/5/2024

Summary/Background:

The City currently utilizes KPFF Consulting Engineers (KPFF) for on-call transportation related engineering planning, design, and construction. The transportation services needed include: design, survey, right of way acquisition, structural engineering, grant writing, geotechnical review, street standards review, permitting, environmental review, construction management services, and report preparation. Staff anticipates utilizing KPFF services through 2026 to complete existing projects and those starting in 2025.

On January 9, 2023, the City Council authorized the City Manager to execute Contract No. 22-C2862 for \$2,150,000 with KPFF.

The KPFF agreement has been utilized for the following tasks:

- 73rd Ave Overlay construction management: \$225K
- Lower Swamp Creek alternative analysis update: \$33K
- Traffic analysis services: \$39K
- BGT/SR522 Project design: \$596K
- 80th Ave Ped/Bike Lane Project design: \$364K
- 68th/Simonds Rechannelization Project design: \$86K
- 61st Ave NE Sidewalk Replacement design: \$410K
- W Sammamish Bridge annual wetland mitigation report: \$17K
- 61st Ave FEMA Slope Slide Repair Project temp. repair: \$40K



- Miscellaneous engineering and project administrative cost: \$69K

Total Encumbered: \$1,878,000

Total remaining in contract: \$272,000

The following additional services for 2025/2026 are anticipated:

- Additional 80th Ave Ped/Bike Project design: \$100K
- NE 181st Sidewalk Project design: \$300K
- 84th Ave NE Ped/Bike Project Design (pending funding): \$325K
- Additional administration costs: \$50K

Previous Council Action(s):

On January 9, 2023, the City Council authorized the City Manager to execute a contract for \$2,150,000 with KPFF Consulting Engineers for engineering on-call services.

Fiscal Consideration:

The amended contract value will be set at \$3,000,000 (original contract amount of \$2,150,000). The funds to pay for the work in the agreement have been accounted for in the individual project budgets and the approved 2025/2026 Engineering Cost Center.

Prior to any work starting, a “task order” is formally written and executed for any work given under this agreement. The Engineering Director approves all task order assignments and task order amendments.

City Council Priorities or Budget Objective Being Addressed:

Council Priority 5: Enhance multimodal transportation, including pedestrian and bicycle safety.

City Council Agenda Bill
City of Kenmore, WA



Meeting Date: 1/13/2025

Subject/Topic:	Proposed Council Action/Motion:
Interlocal Agreement between King County and the City of Kenmore for Jail Services Department: Police Prepared by: Brandon Moen, Kenmore Police Chief Attachments: Attachment 1 – Draft Interlocal Agreement Between King County and the City of Kenmore for Jail Services	☐ Information Only ☐ Receive and File ☐ Discuss ☐ Provide Direction ☐ Public Hearing ☒ Adopt/Approve ☒ Authorize ☐ Other: Approve Interlocal Agreement between King County and the City of Kenmore for Jail Services and authorize the City Manager to sign the agreement.

Approvals:

Department Head BM 12/19/24 Finance Director N/A City Attorney DR 1/3/25 City Manager RK 1/3/2025

Summary/Background:

The City of Kenmore continues to contract with the South Correctional Entity (SCORE) for the housing of persons incarcerated for misdemeanor Kenmore cases. However, on rare occasion Officers are unable to book a person into SCORE due to acute medical issues. This typically occurs 1-2 times per year.

An alternative is necessary for these instances when state law mandates a physical booking into jail (e.g. domestic violence). For many years, Kenmore has used the King County Jail as a back-up booking location in these situations.

Attached is what is effectively a renewal to an existing interlocal agreement with King County, and would be in place for potential use, when necessary, between 2025-2029.

Previous Council Action(s):

See above for information.

Fiscal Consideration:

The use of the King County Jail for back-up jail services is accounted for in the existing public safety budget.

City Council Priorities or Budget Objective Being Addressed:

The use of the King County Jail for jail services aligns with the council goal of enhancing public safety, by providing secure, high quality jail services when necessary.

Attachment A

Interlocal Agreement Between King County and The City of Kenmore for Jail Services

THIS AGREEMENT is effective as of January 1, 2025 ("Effective Date"). The Parties to this Agreement are King County, a Washington municipal corporation and legal subdivision of the State of Washington (the "County") and The City of Kenmore, a Washington municipal corporation (the "City").

WHEREAS, this Agreement is made in accordance with the Interlocal Cooperation Act (RCW Chapter 39.34) and the City and County Jails Act (RCW Chapter 70.48);

NOW THEREFORE, in consideration of the promises, payments, covenants and agreements contained in this Agreement, the parties agree as follows:

1. Definitions: Unless the context clearly shows another usage is intended, the following terms shall have these meanings in this Agreement:
 - 1.1 "Agreement" means this Interlocal Agreement by and between King County and the City for Jail Services and any amendments to this Agreement.
 - 1.2 "Booking" means registering, screening and examining persons for confinement in the Jail or assignment to a King County Community Corrections Division (CCD) program; inventorying and safekeeping personal property of such persons; maintaining all computerized records of arrest; performing warrant checks; Jail Health Services (JHS) health screening; and all other activities associated with processing a person for confinement in Jail or assignment to a CCD program.
 - 1.3 "Booking Fee" means the fee incurred for booking City Jail Residents, as further described in Section 4 and Exhibit III, Section 2.
 - 1.4 "Business Day" means Monday through Friday, 8:00 a.m. until 5:00 p.m., except holidays and County-designated furlough days.
 - 1.5 "City Detainee" means a person booked into or housed in a Secure Detention facility such as the Jail but also including any other Secure Detention facility not operated by or on behalf of the County, which individual would, if housed in the Jail, qualify as a City Jail Resident.
 - 1.6 "City Jail Resident" means a person booked into or housed in the Jail when a City charge is the principal basis for booking or confining that person.
 - A. A City charge is the principal basis for booking or confining a person where one or more of the following applies, whether pre-trial or post-trial. (See Exhibit I for further billable charge rules.):

- 1.6.1 The person is booked or confined by reason of committing or allegedly committing a misdemeanor or gross misdemeanor offense within the City's jurisdiction, and:
 - 1.6.1.1 The case is referred to the City, through its City Attorney or contracted attorney, for a filing decision; or
 - 1.6.1.2 The case is referred to the City, through its City Attorney or contracted attorney, who then refers the case to the County Prosecutor for a filing decision per section 1.6.2; or
 - 1.6.1.3 The case is filed by the City, through its City Attorney or contracted attorney, whether filed under state law or city ordinance.
 - 1.6.2 The person is booked or confined by reason of committing or allegedly committing a misdemeanor or gross misdemeanor offense, whether filed under state law or city ordinance, within the City's jurisdiction and the case is referred by the City, through its City attorney or contracted attorney, to the County prosecutor and filed by the County prosecutor as a misdemeanor in district court due to a conflict or other reason but excluding a case filed in a regionally-funded mental health court as described in Section 1.6.10.
 - 1.6.3 The person is booked or confined by reason of a Court warrant issued either by the City's Municipal Court or other court when acting as the City's Municipal Court;
 - 1.6.4 The person is booked or confined by reason of a Court order issued either by the City's Municipal Court or other court when acting as the City's Municipal Court; or,
 - 1.6.5 The person is booked or confined by reason of subsections 1.6.1 through 1.6.4 above in combination with charges, investigation of charges, and/or warrants of other governments, and the booking or confinement by reason of subsections 1.6.1 through 1.6.4 above is determined to be the most serious charge in accordance with Exhibit I.
 - 1.6.6 The person has been booked or confined for reasons other than subsections 1.6.1 through 1.6.5 and would be released or transferred but for the City having requested that the County continue to confine the person.
- B. A City charge is not the principal basis for confining a person where:
- 1.6.7 The person is booked or confined exclusively or in combination with other charges by reason of a felony charge or felony investigation.
 - 1.6.8 The person is confined exclusively or in combination with other charges by reason of a felony charge or felony investigation that has been reduced to a State misdemeanor or gross misdemeanor.
 - 1.6.9 The City has requested the transfer of the person to another jail facility not operated by King County and the County denies the request, unless one or more of the transfer exception criteria listed in Attachment I-2 are met, in which case the person remains a City Jail Resident. The billing status of the person will change to no longer be the City's responsibility effective the calendar day following the day that the County denies the transfer request. If the County thereafter determines that it no longer needs to detain the person and the person would as a result become a City Jail Resident, then the County will provide notice to the City that it will become billable for the Jail Resident. For details on notice and billing, see Attachment I-2.

- 1.6.10 The person is booked or confined by reason of committing a misdemeanor or gross misdemeanor offense, whether filed under state law or city ordinance, within the City's jurisdiction and the case is referred by the City attorney or contracted attorney to the County prosecutor and filed by the County prosecutor as a misdemeanor in the mental health court (or successor) for so long as the operations of such court are substantially funded by special regional funds (for example, Mental Illness and Drug Dependency sales tax levy) or other regional funding as the County may determine. The County shall provide the City thirty (30) days Notification before changing the status of a regionally-funded mental health court to local funding status. The City is not billed for cases filed by the County prosecutor into mental health court prior to changing to local funding status.
- 1.7 "Community Corrections Programs" means programs designed as alternatives to, or as rehabilitation or treatment in lieu of, Secure Detention, operated by or on behalf of the King County Department of Adult and Juvenile Detention (DAJD) Community Corrections Division, or its successor. Upon the date of the execution of this Agreement, Community Corrections Programs include Electronic Home Detention and Community Center for Alternative Programs (CCAP).
- 1.8 "Continuity of Care Records" means a Jail Resident's diagnosis, list of current medications, treatments, PPD (tuberculosis screening test) results and scheduled appointments or follow-ups.
- 1.9 "Contract Cities" mean cities that are signatory to an agreement in substantially similar form to this Agreement. Contract Cities do not include cities who are a party to the 2012-2030 Agreement.
- 1.10 "Contract Cities Jail Residents" means all Contract Cities' City Jail Residents.
- 1.11 "County Jail Resident" means any Jail Resident that is not a City Jail Resident.
- 1.12 "DAJD" means the King County Department of Adult and Juvenile Detention or its successor agency.
- 1.13 "Fees and Charges" are the Fees and Charges imposed as described in Section 4 and Exhibit III.
- 1.14 "Force Majeure" means war, civil unrest, and any natural event outside of the party's reasonable control, including pandemic, fire, storm, flood, earthquake, or other act of nature.
- 1.15 "Jail Resident" means a person booked into or housed in the Jail.
- 1.16 The first "Jail Resident Day" means confinement for more than six (6) hours measured from the time such Jail Resident is first presented to and accepted by the Jail for housing in the Jail until the person is released, provided that an arrival on or after six (6) o'clock p.m. and continuing into the succeeding day shall be considered one day. The second and each subsequent Jail Resident Day means confinement for any portion of a calendar day after the first Jail Resident Day. For persons confined to the Jail for the purpose of mandatory Driving Under the Influence (DUI) sentences, "Jail Resident Day" means confinement in accordance with Exhibit II.

- 1.17 “Jail” means a place owned or operated by or under contract to the County primarily designed, staffed, and used for the housing, in full confinement, of adults charged or convicted of a criminal offense; for the punishment, correction, and rehabilitation of offenders charged or convicted of a criminal offense; for confinement during a criminal investigation or for civil detention to enforce a court order, all where such place is structured and operated to ensure such individuals remain on the premises 24-hours a day (excluding time for court appearances, court approved off-premises trips, or medical treatment). Jail Residents housed in the Jail are considered to be in Secure Detention as defined in Section 1.26. Upon the date of the execution of the Agreement, Jail includes the King County Correctional Facility and the detention facility at the Maleng Regional Justice Center.
- 1.18 “Maintenance Charge” is the daily housing charge incurred for City Jail Residents housed in Jail as further described in Section 4 and Exhibit III, Section 1.
- 1.19 “Medical Jail Resident” means a Jail Resident clinically determined by the Seattle-King County Department of Public Health, or its successor charged with the same duties, as needing the level of services provided in the Jail’s infirmary. If a Jail Resident is moved to the general population, then the Jail Resident is no longer considered a Medical Jail Resident.
- 1.20 “Notification” means provision of written alert, confirmation of information or request meeting the requirements of Section 11.11. In contrast, a “notice” means providing alert or confirmation of information or request in writing to the individuals identified in Section 11.11, or their designee (as may be specified through a formal Notification) through means less formal than required by Section 11.11, including but not limited to electronic mail or facsimile.
- 1.21 "Official Daily Population Count" is an official count of Jail Residents in the custody of the Jail made at a point in time in a 24-hour period for, among other purposes, security and population management. It is not used for billing purposes.
- 1.22 “Offsite Medical Care Charges” means those pass-through charges for treatment of a City Jail Resident where that Jail Resident is clinically determined by the Seattle-King County Department of Public Health, or its successor charged with the same duties, as needing services provided from offsite medical institutions, as further defined in Exhibit III Section 4. A Jail Resident may receive Offsite Medical Care that triggers an Offsite Medical Care Charge without being otherwise classified as a Medical Jail Resident or Psychiatric Jail Resident (e.g., some Jail Residents held in the general population receive offsite medical care that will result in Offsite Medical Care Charges being incurred).
- 1.23 “Psychiatric Jail Resident” means either an Acute Psychiatric Jail Resident or a Non-Acute Psychiatric Jail Resident, as defined below.
 - 1.23.1 A “Non-Acute Psychiatric Jail Resident” is a Jail Resident clinically determined by the Seattle-King County Department of Public Health, or its successor charged with the same duties, as needing Psychiatric Care Services (as further described in Exhibit III and Attachment III-1) and housed outside the Jail’s acute psychiatric housing units.

- 1.23.2 An “Acute Psychiatric Jail Resident” is a Jail Resident clinically determined by the Seattle-King County Department of Public Health, or its successor charged with the same duties, as needing the level of services provided in the Jail’s acute psychiatric housing units (as further described in Exhibit III and Attachment III-1). If a Jail Resident is moved to housing outside the Jail’s acute psychiatric housing units, then the Jail Resident is no longer considered an Acute Psychiatric Jail Resident.
- 1.24 “Parties” mean the City and County, as parties to this Agreement.
- 1.25 “Secure Bed Cap for Contract Cities” means the maximum total number of beds in Secure Detention in the Jail available on a daily basis to house Contract Cities Jail Residents in the aggregate. The Secure Bed Cap for Contract Cities is based on the Official Daily Population Count and is established in Section 6.
- 1.26 “Secure Detention” refers to a facility structured and operated for the full confinement of City Detainees to ensure such individuals remain on the premises 24-hours a day (excluding time for court appearances, court approved off-premises trips, or medical treatment), such as the Jail but also including other similar facilities that the City may elect to house City Detainees. Secure Detention excludes City Jail Residents enrolled in Community Corrections Programs.
- 1.27 “Surcharge” means any of the following special charges, defined in Exhibit III, Section 3 and further described in Attachment III-1: Infirmity Care Surcharge; Psychiatric Care Surcharge; Acute Psychiatric Care Surcharge; and 1:1 Guarding Surcharge.
- 1.28 “2012-2030 Agreement” means the agreement executed by the County and the City of Seattle effective on January 1, 2012 together with any other interlocal agreement in substantially the same form of said agreement executed by the County and another city.
- 1.29 “Base Year” refers to the year in which the base fees, charges and surcharges are set.
2. Term. This Agreement shall commence on the Effective Date and shall extend through December 31, 2029. This Agreement shall supersede all previous contracts and agreements among the Parties relating to the Jail and any other jail services, except that any obligations contained in these previous contracts or agreements which expressly survived termination or expiration of these previous contracts or agreements shall remain in effect.
3. Jail and Health Services. The County shall accept City Jail Residents for confinement in the Jail, except as provided in Sections 5.4, and 6 of this Agreement. Additionally, the County is not obligated to accept a City Jail Resident for confinement in the Jail if the County has booking restrictions in place on the charge for which the City Jail Resident is proposed to be held. The County shall also furnish the City with Jail facilities; booking; transportation among facilities, as determined necessary in the County’s sole discretion, including the various Jail facilities, Harborview Medical Center and Western State Hospital; custodial services; and personnel for the confinement of City Jail Residents at least equal to those the County provides for confinement of County Jail Residents. However, the County reserves the right to operate specific programs and/or facilities exclusively for County Jail Residents or persons sentenced or assigned to Community Corrections Programs. The County shall furnish to City Jail Residents in Secure Detention all medical, dental, and other health care services required to be provided pursuant to federal or state law. Also, the County shall make every reasonable effort to release a City Jail Resident as expeditiously as possible after the County has received notice of a court order to

release. Nothing in this section shall be deemed to limit the County's right to refuse to accept City Detainees for confinement in Jail when they are deemed by the County to be in need of urgent medical or psychological care, nor to return custody of such Jail Residents back to the City if the City Detainee is admitted to the hospital or psychiatric facility.

4. City Compensation. The City will pay the County a Booking Fee, Maintenance Charge, Surcharges, and Offsite Medical Charges as follows (together with such other charges as may be applicable in accordance with this Agreement):

4.1 Booking Fee. The Booking Fee shall be assessed for the booking of City Jail Residents by or on behalf of the City into the Jail as further described in Exhibit III, Section 2. The Booking Fee will be inflated annually effective January 1, 2026 and each January 1 thereafter through the term of the agreement.

4.2 Maintenance Charge. The Maintenance Charge shall be assessed for a City Jail Resident for each Jail Resident Day as provided in Exhibit III, Subsection 1. The Maintenance Charge will be inflated effective January 1, 2026 and each January 1 thereafter through the term of the agreement.

4.2.1 The County will provide notice to the City after booking a City Jail Resident in order to give notice that the City Jail Resident has been booked and to provide the opportunity for release to the City if the City so desires. Such action will take place as soon as reasonably possible but no later than the next business day after booking. A City Jail Resident released within six hours of booking will result in no Maintenance Charges.

4.2.2 The County will provide notice to the City of the billing status of its Jail Residents for the prior calendar day in cases where confinement is the result of multiple warrants or sentences from two or more jurisdictions. As of the date of this Agreement, this notice is provided to the City once each business day when applicable. The intent of this program is to allow the City to take custody of a City Jail Resident if they so desire after the other jurisdictional warrants are resolved and thereby prevent unnecessary Maintenance Charges.

4.2.3 The Parties may amend the notice requirements of Sections 4.2.1 and 4.2.2 by administrative agreement signed by both the Chief Executive Officer of the City and the King County Executive.

4.3 Access to and Charges for City Jail Resident Use of Community Corrections Programs. The Parties agree to discuss in good faith the ability for the City to access Community Corrections Programs, and to negotiate charges for such access. Any agreement between the Parties with respect to access and charges for Community Corrections Programs shall be enacted through an amendment to this Agreement.

4.4 Surcharges and Offsite Medical Charges. In addition to the Booking Fee, Maintenance Charge, and any other charges agreed to per Section 4.3, the City will be charged for Offsite Medical Charges and Surcharges as detailed in Exhibit III, Section 3 and 4.

Proposed Notice of Certain Surcharges. The County intends to provide or make available to the City timely notice of occurrences when a City Jail Resident is admitted to Harborview Medical Center or other offsite medical institution or is receiving infirmary care or psychiatric care that will subject a City to Surcharges. Notice provided or made available will be based on information known to DAJD at the time (since billing status of a Jail

Resident may be changed retroactively based on new information or other factors). The County intends to provide or make available this notice within two (2) business days following the day in which the chargeable event occurs and will make good faith efforts to provide notice sooner if practicable. The County will make good faith efforts to try to institute a means to provide notice to the City within twenty-four (24) hours of the admittance of a City Jail Resident to Harborview Medical Center or other offsite medical institution. The County's failure to provide or make available notice or develop quicker means to provide notice to the City as detailed above shall not excuse the City from financial responsibility for related Offsite Medical Charges or Surcharges and shall not be a basis for imposing financial responsibility for related Offsite Medical Charges or Surcharges on the County.

5. Billing and Billing Dispute Resolution Procedures.

5.1 The County shall transmit billings to the City monthly. Within forty-five (45) days after receipt, the City shall pay the full amount billed or withhold a portion thereof and provide the County written notice meeting the requirements of Section 5.2.1, specifying the total amount withheld and the grounds for withholding such amount, together with payment of the remainder of the amount billed (if any amount remains). Notwithstanding the foregoing, the County shall bill the City for Offsite Medical Charges as such charges are periodically received by the County from third party medical institutions or other offsite medical providers. Offsite Medical Charges shall be due within such time and subject to such withholding and dispute resolution procedures as otherwise provided in this Section 5.

5.2 Withholding of any amount billed or alleging a violation related to billing provisions of this Agreement shall constitute a dispute, which shall be resolved as follows:

5.2.1 The County shall respond in writing to billing disputes within sixty (60) days of receipt of such disputes by the DAJD billing offices. To ensure the soonest start to the sixty (60)-day timeline, the City should electronically mail scanned billing disputes directly to the DAJD billing office, or by fax, or U.S. mail rather than to any other County office or officer. The DAJD billing office contact information as of the date of this Amendment is:

KC DAJD
DBISINFO.DAJD@kingcounty.gov
 Attn: Finance – Jail Resident Billing
 500 Fifth Avenue
 Seattle, WA 98104

5.2.2 In the event the parties are unable to resolve the dispute, either Party may pursue the dispute resolution mechanisms outlined in Section 9.

5.3 Any amount withheld from a billing, which is determined to be owed to the County pursuant to the dispute resolution procedure described herein, shall be paid by the City within thirty (30) days of the date of the resolution.

5.4 If the City fails to pay a billing within forty-five (45) days of receipt, the County will provide the City with a notice of its failure to pay and the City shall have ten (10) days from receipt of such notice to cure nonpayment. Any undisputed billing amount not paid by the City within sixty (60) days of receipt of the billing, and any amounts found to be owing to the County as a result of the billing dispute resolution procedure that are not paid

within thirty (30) days of resolution, shall be conclusively established as a lawful debt owed to the County by the City, shall be binding on the Parties, and shall not be subject to legal question either directly or collaterally. In the event the City fails to cure its nonpayment, the City shall be deemed to have voluntarily waived its right to house City Jail Residents in the Jail and, at the County's request, will remove City Jail Residents already housed in the Jail within thirty (30) days. Thereafter, the County, at its sole discretion, may accept no further City Jail Residents until all outstanding bills are paid. This provision shall not limit the City's ability to challenge or dispute any billings that have been paid by the City.

- 5.5 The County may charge an interest rate equal to the interest rate on the monthly County investment earnings on any undisputed billing amount not paid by the City within forty-five (45) days of receipt of the billing, and any amounts found to be owing to the County as a result of the billing dispute resolution procedure. Interest on amounts owed begin accruing on the forty-sixth (46) day after payment was due.
- 5.6 Each Party may examine the other's financial records to verify charges. If an examination reveals an improper charge, the next billing statement will be adjusted appropriately. Disputes on matters related to this Agreement which are revealed by an audit shall be resolved pursuant to Section 5.2.

6. Jail Capacity.

- 6.1 The Contract Cities may house Contract Cities Jail Residents in the Jail at an aggregate number, calculated based on the Jail's Official Daily Population Count, equal to or less than the Secure Bed Cap for Contract Cities established in Sections 6.1.1.
 - 6.1.1 The Secure Bed Cap for Contract Cities in the aggregate is fifty (50) beds. These fifty (50) beds shall be available on a first-come, first-served basis measured at the time of the Jail's Official Daily Population Count.
- 6.2 In the event the number of Contract Cities Jail Residents exceeds the Secure Bed Cap for Contract Cities described in Section 6.1, the County will notify the Contract Cities by phone or electronic mail. The County may then decide to continue to house Contract Cities Jail Residents in excess of the Secure Bed Cap for Contract Cities. Alternatively, the County may refuse to accept bookings from the City until such time as the aggregate number of Contract Cities Jail Residents is reduced below the Secure Bed Cap for Contract Cities. If the aggregate number of Contract Cities Jail Residents is reduced below the Secure Bed Cap for Contract Cities through removal of Contract Cities Jail Residents from the Jail, then the County will be obligated to accept new City bookings. The notice required by the first sentence of this Section 6.2, will be made to the person designated in Section 11.11 of this Agreement, and will inform the City whether the County intends to continue to house Contract Cities Jail Residents in excess of the Secure Bed Cap for Contract Cities described in Section 6.1, or whether the County will refuse to accept bookings from the City until such time as the aggregate number of Contract Cities Jail Residents is reduced below the Secure Bed Cap for Contract Cities described in Section 6.1.
- 6.3 At the end of the last day of this Agreement, the Contract City agrees to reduce the number of Contract City Jail Residents in the Jail to zero (0), with the exception that Jail Residents whose status has changed to Contract City Jail Resident, will not be included in the

calculation of the number of Contract City Jail Residents, if such individuals are removed from the Jail within seventy-two (72) hours of such change in status.

For the purpose of determining the number of Contract Cities Jail Residents only, and not for billing purposes, Jail Residents held on multiple warrants or sentences by the County which include one or more city warrants or sentences in addition to a County and/or state warrant or sentence, and Contract Cities Jail Residents that have been booked into the Jail and the Contract City has not been notified of such booking shall not be considered a Contract Cities Jail Resident. Also, Contract Cities Jail Residents housed in the Jail will not be considered Contract Cities Jail Residents for the purpose of determining the number of City Jail Residents.

- 6.4 The Jail's capacity limit for Medical Jail Residents is thirty (30). The Jail's capacity limit for Psychiatric Jail Residents is one-hundred-fifty-one (151). For the purpose of this Section the Medical and Psychiatric Jail Resident population will be determined following the definitions in Sections 1.21 and 1.25 at the time of the Jail's Official Daily Population Count.
- 6.5 When the Jail has reached its capacity limit for either Medical or Psychiatric Jail Residents as set forth in Section 6.4, the County will provide notice to the City by phone or electronic mail. Such notification will be made to the person designated in Section 11.11 of this Agreement. At the time this notification is made the County may request that the City take custody of a sufficient number of its Medical or Psychiatric Jail Residents to reduce the number of Medical or Psychiatric Jail Residents to the capacity limits detailed in Section 6.4, or the County may inform the City that the County is willing to continue to house these Jail Residents.
- 6.6 County requests under Section 6.5 will be made as follows. The billable city (under this Agreement or other jail service agreements between the County and cities that have identical provisions as this Section) with the Jail Resident most recently admitted as Medical or Psychiatric Jail Resident will be asked to take custody of that Jail Resident. This process will be repeated until such time as the Medical and Psychiatric populations are reduced below capacity limits, or the Jail is willing to house these Jail Residents.
- 6.7 If the County, pursuant to Sections 6.5 and 6.6, requests that the City take custody of Medical or Psychiatric Jail Residents, the City shall comply with the County's request. The City shall take custody of its¹ Medical or Psychiatric Jail Residents by picking them up no later than twenty-four (24) hours after the County's request. If the City has not picked-up the Medical or Psychiatric Jail Resident within twenty-four (24) hours of the County's request, the County shall deliver the Medical or Psychiatric Jail Resident to the City's designated drop-off location or backup location. In either case, the City's designee

¹ Within eight (8)-hours of the County's request notification, the City may provide the County with the names of other Medical Jail Residents to substitute for the Medical Jail Residents identified by the County for pick-up. In the event the City identifies substitute Medical Jail Residents that are City Jail Residents, the provisions of Section 6 will continue to apply. In the event the City identifies substitute Medical Jail Residents that are the responsibility of a different city (Substitute City) that is party to this Agreement or a jail services agreement with the King County containing these same provisions, and the Substitute City agrees to remove its Medical Jail Residents, then the Substitute City will be responsible for picking-up the substitute Medical Jail Residents within 24-hours of the County's initial request notification for pick-up. In the event the Substitute City fails to pick-up its Medical Jail Residents within 24-hours of the County's initial request notification to the City, the County may deliver the Medical Jail Residents named in the original request notification to the City's designated drop-off location or backup location. The procedures outlined in this footnote will also apply to Psychiatric Jail Residents.

must accept the Medical or Psychiatric Jail Resident from the County and must be available to do so seven (7) days a week, twenty-four (24) hours a day. In all cases, the County shall provide the receiving entity with Continuity of Care Records, in a sealed envelope, at the time custody is transferred. The City will ensure that the City and the receiving entity comply with all applicable confidentiality laws and rules. Similarly, the City will ensure that Continuity of Care Records are provided to the County at the time custody of a City Jail Resident receiving the level of care consistent with a Medical or Psychiatric Jail Resident is transferred to the County.

- 6.8 If the County, in its sole discretion, decides to transport Medical or Psychiatric Jail Residents to the City's designated drop-off location or backup location within King County, Washington, the County will do so without charge. Should the County agree to a drop-off location or backup location outside of King County, Washington, the City will pay all transportation costs for Medical or Psychiatric Jail Residents taken to the designated drop off location or backup location. In no case will the County be obligated to transport a Medical or Psychiatric Jail Resident out-of-state.

7. Jail Planning.

- 7.1 Jail Planning. The County and the City recognize the value of sharing information about their respective Jail Resident populations and anticipated use of Secure Detention and alternative means of detention. The Parties agree to make good-faith efforts to share this information regularly. Furthermore, should the County begin planning for potential changes in jail space or models, the County will make good-faith efforts to provide notice to the City that such planning is underway, so that the City has an opportunity to participate in planning efforts.

8. Indemnification.

- 8.1 The County shall indemnify and hold harmless the City and its officers, agents, and employees, or any of them, from any, and all claims, actions, suits, liability, loss, costs, expenses, and damages of any nature whatsoever, by reason of or arising out of any negligent action or omission of the County, its officers, agents, and employees, or any of them. In the event that any suit based upon such a claim, action, loss, or damage is brought against the City, the County shall defend the same at its sole cost and expense; provided, that, the City retains the right to participate in said suit if any principle of governmental or public law is involved; and if final judgment be rendered against the City and its officers, agents, and employees, or any of them, or jointly against the City and the County and their respective officers, agents, and employees, or any of them, the County shall satisfy the same.
- 8.2 The City shall indemnify and hold harmless the County and its officers, agents, and employees, or any of them, from any, and all claims, actions, suits, liability, loss, costs, expenses, and damages of any nature whatsoever, by reason of or arising out of any negligent act or omission of the City, its officers, agents, and employees, or any of them. In the event that any suit based upon such a claim, action, loss, or damage is brought against the County, the City shall defend the same at its sole cost and expense; provided that the County retains the right to participate in said suit if any principle of governmental or public laws is involved; and if final judgment be rendered against the County, and its officers, agents, and employees, or any of them, or jointly against the County and the City and their respective officers, agents, and employees, or any of them, the City shall satisfy the same.
- 8.3 In executing this agreement, the County does not assume liability or responsibility for or

in any way release the City from any liability or responsibility, which arises in whole or in part from the existence or effect of City ordinances, rules, or regulations. If any cause, claim, suit, action or administrative proceeding is commenced in which the enforceability and/or validity of any such City ordinance, rule or regulation is at issue, the City shall defend the same at its sole expense and if judgment is entered or damages are awarded against the City, the County, or both, the City shall satisfy the same, including all chargeable costs and attorney's fees.

- 8.4 The terms of this Section 8 "Indemnification" shall survive the termination or expiration of this Agreement.
9. Dispute Resolution. In the event the Parties are unable to resolve a dispute, then either Party may pursue the dispute resolution provisions of this Section 9.
 - 9.1 Either Party may give Notification to the other in writing of a dispute involving the interpretation or execution of the Agreement. Within thirty (30) days of this Notification, the King County Executive and the Chief Executive Officer of the City, or their designees, shall meet to resolve the dispute. If the dispute is not resolved, then at the request of either Party it shall be referred to non-binding mediation. The mediator will be selected in the following manner: The City shall propose a mediator and the County shall propose a mediator; in the event the mediators are not the same person, the two proposed mediators shall select a third mediator who shall mediate the dispute. Alternately, the Parties may agree to select a mediator through a mediation service mutually acceptable to both Parties. The Parties shall share equally in the costs charged by the mediator or mediation service.
 - 9.2 Each party reserves the right to litigate any disputed issue in court, *de novo*.
10. Termination. Either Party may initiate a process to terminate this Agreement as follows:
 - 10.1 Ten (10)-Day Notification of Intent to Terminate. Any Party wishing to terminate this Agreement shall issue a written Notification of intent to terminate, not less than ten (10) days prior to issuing a ninety (90) day termination Notification under Section 10.2 of this Agreement. Upon receipt of the written Notification of intent to terminate, the parties will meet to confer on whether there are steps that the non-terminating party can take, in order to, avoid a ninety (90) day termination Notification notice under Section 10.2 of this Agreement.
 - 10.2 Ninety (90)-Day Termination Notification. After the ten (10) day period has run under Section 10.1 of this Agreement, the party desiring to terminate this Agreement may provide the other party ninety (90) days written termination Notification, as provided in RCW 70.48.090.
11. General Provisions.
 - 11.1 Other Facilities. This Agreement reserves in each party the power to establish a temporary holding facility during a pandemic, riot, civil disobedience or natural disaster, to establish group homes or other care or rehabilitation facilities in furtherance of a social service program, to temporarily transfer Jail Residents to alternative detention facilities in order to respond to Jail overcrowding, a public health directive, or to comply with a final order of a federal court or a state court of record for the care and treatment of Jail Residents.

- 11.2 Grants. Both Parties shall cooperate and assist each other toward procuring grants or financial assistance from the United States, the State of Washington, and private benefactors for the Jail, the care and rehabilitation of Jail Residents, and the reduction of costs of operating and maintaining Jail facilities.
- 11.3 Law Enforcement Intake Portal. The County offers the use of a web-based Subject Intake Portal via its LEA Jail Management System Portal. The tool allows law enforcement officers to log onto the system and enter all arrest, case/charge, victim, probable cause, and drug crime certificate information. This method is the County's preferred method of intake and booking. LEO User Access to the JMS Portal is managed by the LEA who must designate one, or more, Group Administrator(s) who will be responsible for creating, managing, and deleting its users via the County's Login.KC system.
- 11.4 Severability. If any provision of this Agreement shall be held invalid, the remainder of this Agreement shall not be affected thereby.
- 11.5 Remedies. No waiver of any right under this Agreement shall be effective unless made in writing by the authorized representative of the party to be bound thereby. Failure to insist upon full performance on any one or several occasions does not constitute consent to or waiver of any later non-performance nor does payment of a billing or continued performance after Notification of a deficiency in performance constitute an acquiescence thereto. The Parties are entitled to all remedies in law or equity.
- 11.6 Exhibits. This Agreement consists of several pages plus the following attached exhibits, which are incorporated herein by reference as fully set forth:

Exhibit I	Method of Determining Billable Charge and Agency
Exhibit II	Exception to Billing Procedure
Exhibit III	Calculation of Fees, Charges and Surcharges
- 11.7 Not Binding on Future Agreements. This Agreement does not bind the Parties as to the terms, fees, or rate formulas to be included in any future jail services agreements.
- 11.8 Entire Agreement. This Agreement, including all exhibits and attachments hereto, represents the entire understanding of the Parties and supersedes any oral representations that are inconsistent with or modify its terms and conditions.
- 11.9 Modifications. The provisions of this Agreement may only be modified and amended with the mutual written consent of the King County Executive and the Chief Executive Officer of the City and the approval of their respective legislative bodies, excepting that, certain modifications to the notice requirements in Sections 4.2.1 and 4.2.2 as reflected in 4.2.3, and Attachment I-2 may be approved administratively by signature of both the Chief Executive Officer of the City and King County Executive as specified herein.
- 11.10 Force Majeure. In the event either party's performance of any of the provisions of this Agreement become impossible due to Force Majeure, that party will be excused from performing such obligations until such time as the Force Majeure event has ended and all facilities and operations have been repaired and/or restored.

- 11.11 Notifications. Except as otherwise provided in this Agreement, any Notification required to be provided under the terms of this Agreement, shall be delivered by certified mail, return receipt requested or by personal service to the following person:

For the City of Kenmore:

Deputy City Manager
18120 68th Avenue NE
Kenmore, WA 98028

Or his/her successor, as may be designated by written Notification from the City to the County.

For the County:

Chief of Administration
Dept. of Adult and Juvenile Detention
500 Fifth Avenue
Seattle, WA 98104

Or their successor, as may be designated by written Notification from the County to the City.

- 11.12 Council Approval. The Parties' obligations under this Agreement are subject to official City and County Council approval.
- 11.13 Filing. As provided by RCW 39.34.040, this Agreement shall be filed with the King County Department of Records and Elections.
- 11.14 Assignment/Subcontracting. The City may not assign or subcontract any portion of this Agreement or transfer or assign any claim arising pursuant to this Agreement.
- 11.15 No-Third Party Beneficiaries. There are no third-party beneficiaries to this Agreement. No person or entity other than a party to this Agreement shall have any rights hereunder or any authority to enforce its provisions, and any such rights or enforcement must be consistent with and subject to the terms of this Agreement.
- 11.16 Execution in Counterparts. This Agreement and any amendments thereto, shall be executed on behalf of each party by its duly authorized representative and pursuant to an appropriate motion, resolution, or ordinance. The Agreement may be executed in any number of counterparts, each of which shall be an original, but those counterparts will constitute one and the same instrument.

King County:

The City of Kenmore:

Allen Nance
Director, Department of Adult and
Juvenile Detention

Stephanie Lucash
Deputy City Manager

Date

Date

Approved as to Form by:

Approved as to Form:

King County Prosecutor's Office

Dawn Reitan
City Attorney

Date

EXHIBIT I
Method of Determining Billable Charge and Agency

Process Overview

The application of all billing rules in conjunction with Section 1.6 of this Agreement comprises the method for determining the principal basis for booking or confining a person. The County's billing system examines all open and active charges and holds for each calendar day and applies the billing priority rules and tie breaker rules as set forth below. Then the billable agency is determined from the billable charge(s) or hold(s) and the application of exception rules, for example, the special DUI sentencing rule or the special six-hour rule.

Billing Priority Rules

The Billing Priority Group is determined in the following order:

1. Local felony charge(s)	A local felony charge is filed by the King County Prosecuting Attorney into a King County court.
2. Investigation holds from King County agencies or pursuant to a contract	An investigation hold is one that has been referred to the King County Prosecutor and includes King County investigation holds.
3. Department of Corrections (DOC) charge(s) pursuant to contract with DOC	Felony and misdemeanor charges adjudicated by DOC hearing examiner. Cases heard by a local court are considered local misdemeanors even if DOC is the originating agency.
4. Local misdemeanor charge(s) and city court appearance orders	Includes King County misdemeanors.
5. Other holds (contract and non- contract)	

Tie Breaker Rules

Tie breaker rules are applied in the following order to the Local Misdemeanor Priority Group (Number 4 above) when there are charges with multiple billable agencies. The first rule that applies determines the billable charge(s). The billable agency for the selected charge(s) is the billable agency.

1. Longest or only sentenced charge rule	This rule selects the charge(s) with an active sentenced charge or, if there is more than one active sentenced charge, the rule selects the charge with the longest imposed sentence length.
2. Earliest sentence rule	This rule selects the charge(s) with the earliest sentence start date.
3. Lowest sentence charge number rule	This rule selects the sentenced charge(s) with the lowest charge number as given in the DAJD booking system.
4. Arresting agency rule	This rule selects the charge(s) or hold(s) with a charge billable agency that matches the arresting agency for the booking.
5. Accumulated bail rule	This rule selects the agency with the highest total bail summed for all of the charge(s) and hold(s) for which the agency is the billable agency.
6. Lowest charge number rule	This rule selects the charge or hold with the lowest charge number as given in the DAJD booking system.

Attachment I-1: City and County Jail Charges Clarification

This document contains several examples consistent with Section 1.6 of this Agreement.

#	Situation	Jail Costs associated with these cases are:
1	Jail Resident <i>booked by a city on a felony investigation</i>, whose case is filed by the Prosecutor <i>initially as a felony in Superior Court</i> but <i>subsequently amended to a misdemeanor</i> charge (for evidentiary reasons, or entry into mental health court, or for other reasons)	County responsibility
2	Jail Resident <i>booked by a city on a felony investigation</i> and whose case is <i>initially filed</i> by the Prosecutor <i>as a felony in District Court</i> as part of a plea bargain effort (so called “<i>expedited cases</i>”)	County responsibility (including the expedited cases to be filed under the new Prosecutor Filing Standards).
3	Jail Resident <i>booked by a city on a felony investigation</i>, whose case is initially filed by the County Prosecutor as a <i>misdemeanor</i> in district court (i.e., mental health, domestic violence <u>or</u> in regular district court)	County responsibility
4	Jail Resident <i>booked by a city on a felony investigation</i>. The County prosecutor declines to file the case and refers it <i>to a city</i> prosecutor or law enforcement for any further action.	County responsibility prior to release of felony investigation by the County prosecutor; City responsibility from and after release of felony investigation
5	Misdemeanor or felony cases <i>originated by state agencies</i> (i.e., WSP)	County responsibility
6	Jail Residents <i>booked by a city on a juvenile charge</i> who are held in adult detention or become adults during the pendency of their charge or sentence.	County responsibility

Attachment I-2

**Jail Resident Transfers: Transfer Request Exemption Criteria, Notice and Billing
(Relating to Section 1.6.9)**

- A. In the event of one or more of the following transfer exception criteria are met, a transfer may be denied by the County, in which case the person for whom the City has sought a transfer remains a City Jail Resident:
 - (1) Jail Resident has medical/health conditions/treatments preventing transfer.
 - (2) Transfer location refuses Jail Resident.
 - (3) Jail Resident refuses to be transported and poses a security risk.
 - (4) Jail Resident misses transport due to being at court or other location.
 - (5) City refuses to sign transfer paperwork requiring the City to arrange transportation for Jail Resident back to King County, if needed, when City sentence ends.

- B. If the County has refused a transfer request and thereafter determines that it no longer needs to detain the person and the person would as a result become a City Jail Resident, then the County will provide notice to the City that it will become billable for the Jail Resident. The City will not incur a Maintenance Charge on the day of notice. If the City transfers the Jail Resident during the six calendar days immediately following the day of notice, it will not incur a Maintenance Charge for the first calendar day following notice but will incur a Maintenance Charge for each subsequent calendar day until the Jail Resident is transferred. If the City does not transfer the Jail Resident from the Jail during this six-day period, the City is billable beginning the calendar day following the day of notice from the County.

- C. The terms of this Attachment I-2 may be amended by administrative agreement evidenced by execution in writing by the Chief Executive Officer of the City and King County Executive.

EXHIBIT II
Exception to Billing Procedure

For persons serving the one- and two-day commitments pursuant to the mandatory DUI sentence grid who report directly from the community to the Jail for incarceration, Jail Resident Day shall not be defined according to Section 1.16 of the Agreement. Instead, Jail Resident Day shall be defined as a twenty-four-hour period beginning at the time of booking. Any portion of a twenty-four-hour period shall be counted as a full Jail Resident Day. The number of days billed for each sentence shall not exceed the sentence lengths specified on the court commitment.

Two examples are provided for illustration:

Two-day sentence served on consecutive days:

John Doe	Booked 7/1/23 0700	Released 7/3/23 0700
	Number of Jail Resident days = 2	

Two-day sentence served on non-consecutive days:

John Doe	Booked 7/1/23 0700	Temporary Release 7/2/23 0700
	Return to Jail 7/8/23 0700 Number of Jail Resident days = 2	Released 7/9/23 0700

The Department of Adult and Juvenile Detention will apply this definition of Jail Resident Day to the City's direct DUI one and two-day Jail Residents by adjusting the City's monthly bill before it is sent to the City. If the changes are not made for some reason, the City will notify the Department of Adult and Juvenile Detention, which will make the necessary adjustments.

EXHIBIT III Calculation of Fees, Charges and Surcharges

Starting on the Effective Date of this Agreement, the City shall pay the fees, charges, and surcharges with such annual adjustments for inflation as described below. Starting on the Effective Date of this Agreement, the City shall also pay offsite medical care charges as detailed below

2025 is the Base Year for fees, charges, and surcharges and is the basis from which the fees, charges, and surcharges are to be annually adjusted by applying the inflators set forth in Subsection 5.a. of this Exhibit III.

1. MAINTENANCE CHARGE AND CAPITAL EXPENDITURE CHARGE

The Maintenance Charge shall be calculated as described below.

- a. The **Maintenance Charge** starting **January 1, 2025**, and for the remainder of the calendar year 2025, **excluding** any adjustments for Capital Expenditure Charges, will be **\$273.39**. When combined with the Capital Expenditure Charges, the Maintenance Charge for calendar year 2025 is **\$278.60**. The Maintenance Charge shall be inflated in 2026 as described in Section 5, and annually thereafter throughout the term of the agreement. The City will not be charged a Maintenance Charge for a City Jail Resident where the Jail Resident has been offsite (e.g. housed outside of the Jail) for all twenty-four (24) hours of a Surcharge Day and subject to 1:1 Guarding Surcharge for the entirety of such twenty-four (24)-hour period.
- b. In addition to the annual adjustment to the Maintenance Charge described above, King County will increase the Maintenance Charge to capture the cost of **Capital Expenditures**. Capital Expenditures are defined as the cost of repairing and renovating current jail capacity and facilities and support and administrative facilities that benefit Jail operations. Additional Capital Expenditures will be included in the Maintenance Charge if such expenditures benefit City Jail Residents. Any Capital Expenditure that solely benefits County Jail Residents will not be charged to the City. Capital Expenditures do not include Jail Bed Expansion Projects. Capital Expenditures do not include Major Maintenance.
 - i. Capital Expenditures will be calculated in proportion to the square footage that benefits adult detention. Cities will be billed their proportionate share based on the total number of Jail Resident Days (as defined in Section 1.16). By August 15 of 2025, and each August 15 through 2028, DAJD will estimate the total number of Jail Resident Days for the following year and will provide notice to the City of the Capital Expenditure Charge to be included in the Maintenance Charge for the following year.
 - ii. Upon request of the City, the County shall provide its six (6)-year CIP and its six (6)-year major maintenance plan to the City. The County will provide a detailed line-item budget of each Capital Expenditure. If the City disputes that the Capital Expenditure benefits City Jail Residents or otherwise disputes the inclusion of the Capital Expenditure or any portion of the Capital Expenditures' budget in the maintenance fee, the matter will be resolved under the dispute resolution processes described herein. Capital Expenditures will not be charged to the City to the extent such Capital Expenditures are covered by federal grants, state grants, insurance proceeds, capital maintenance reserves or voter approved capital funding for jail related improvements.
 - iii. Capital Expenditures, if debt financed, shall begin being charged when debt service payments begin for the permanent financing of the Capital Expenditure and shall

continue until the end of the debt amortization unless the debt amortization is less than fifteen (15) years, in which case the charges to the City will be amortized over fifteen (15) years. If the Capital Expenditure is not debt financed, Capital Expenditure charges shall be based on actual expenditures. The County will make available documentation evidencing such expenditures.

- iv. Beginning January 1, 2025, and continuing through calendar year 2025, the Capital Expenditure Charge for ISP for the City is \$5.21 and the Capital Expenditure Charge for the CSSP is \$0, for a combined total Capital Expenditure Charge of \$5.21 to be added to the Maintenance Charge set forth in subparagraphs a and b above.

2. BOOKING FEE

- a. The booking fee shall be based on whether or not the City is using the County's Personal Recognizance (PR) screeners for individuals it brings to a County jail facility to be booked. The two booking fees starting January 1, 2025, and for the remainder of the calendar year 2025 will be initially set as follows:
 - i. The **Base Booking Fee** shall be **\$199.81**. This is the booking fee payable by Contract Cities that are **not** using the County's PR screeners. This Booking Fee shall include **40.86%** of the total Budgeted Jail Costs associated with booking (including Jail Health Intake Services); this percentage of booking costs to be included in the Booking Fee shall remain fixed through the term of this Agreement.
 - ii. The **Standard Booking Fee** shall be **\$293.28**. This is the booking fee payable by Contract Cities using the County's PR screeners. This booking fee is composed of the Base Booking Fee plus the fee associated with the County's PR screeners.
- b. If the City has a court order on file as of the Effective Date, confirming that the City and not the County will have authorization to provide PR screening for City Jail Residents, then the City will be qualified for the Base Booking Fee as of the Effective Date. To qualify for the Base Booking Fee in subsequent years, the City must either provide a court order no later than July 1 of the prior year, confirming that the City and not the County will have authorization to provide PR screening for City Jail Residents, or a previously issued court order must remain in effect. If an authorizing court order is revoked or expires and is not renewed, the City will no longer qualify for the Base Booking Fee.

The Booking Fee shall be inflated in 2026 and annually thereafter as described in Section 5 below.

3. SURCHARGES

In addition to payment of the Maintenance Charge and the Booking Fees, the City shall pay Surcharges associated with services provided to City Jail Residents as described below. The types of services provided to a Jail Resident associated with each Surcharge, and a general description of each Surcharge, is set forth in Attachment III-1.

The initial Surcharge amounts described in paragraphs (a) – (d) below shall apply from January 1, 2025, through December 31, 2025, and shall be inflated for 2026 as described in Section 5 below, and annually each year thereafter.

- a. **Infirmiry Care.** For Medical Jail Residents, the City shall pay an Infirmiry Care Surcharge of **\$447.43** for each Surcharge Day.

- b. **Psychiatric Care.** For Non-Acute Psychiatric Jail Residents, the City shall pay a Psychiatric Care Surcharge of **\$137.17** for each Surcharge Day.
- c. **Acute Psychiatric Housing.** For Acute Psychiatric Jail Residents, the City shall pay an Acute Psychiatric Care Surcharge of **\$340.53** for each Surcharge Day.
 - i. The **Acute Psychiatric Surcharge** for each Surcharge Day shall be **\$340.53**
 - ii. The **Psychiatric Care Surcharge** for each Surcharge Day of **\$137.17** is added to the Acute Psychiatric Housing surcharge for a total Acute Psychiatric Care Surcharge of **\$477.70**.
- d. **1:1 Guarding Surcharge.** The 1:1 Guarding Surcharge is the charge imposed when the County dedicates an individual officer to guard a City Jail Resident. The Surcharge shall be **\$97.61** per guard *for each hour* or portion thereof, and as further described in Attachment III-1.
- e. A **Surcharge Day** is defined as a 24-hour period from midnight to midnight, or any portion thereof, in which a Jail Resident receives any of the services within the Surcharges listed in subparagraphs (a) – (c) above; *provided that* with respect to the Infirmary Care Surcharge, Psychiatric Care Surcharge and Acute Psychiatric Surcharge, a maximum of one (1) charge may be imposed within the twenty-four (24)-hour period for a single Jail Resident, and the charge imposed shall be the highest applicable charge. For example, if a Jail Resident is placed in Acute Psychiatric Care, released to the general population, and then again placed in Acute Psychiatric Care all within the same twenty-four (24)-hour period (midnight to midnight), a single Acute Psychiatric Care Surcharge will be imposed. Similarly, if a Jail Resident is placed in Acute Psychiatric Care and then in Non-Acute Psychiatric Care within the twenty-four (24)-hour midnight to midnight period, then a single Acute Psychiatric Care charge will be imposed.

4. OFFSITE MEDICAL CARE CHARGES

In addition to the Maintenance Charge, the Booking Fee, and the Surcharges detailed above, the City shall be responsible for payment of all Offsite Medical Care Charges incurred by a City Jail Resident.

5. INFLATORS AND RE-SETS OF FEES CHARGES, AND SURCHARGES

- a. **Inflators.** Beginning January 1, 2026, and effective every January 1 through the term of the agreement, all fees, charges, and surcharges, excluding: (1) Offsite Medical Care Charges and, (2) the Capital Expenditure Charge components of the Maintenance Charge, shall be inflated by the percentage rates described below.

Non-Medical Charges: The following fees and charges are subject to an annual inflator of the Seattle-Tacoma-Bremerton CPI-W (covering the twelve (12)-month period ending in June) plus 1.5% but shall in no event be lower than 1.5%:

- i. Maintenance Charge
- ii. Booking Fee
- iii. Acute Psychiatric Housing Surcharge
- iv. 1:1 Guarding

Medical Charges: The following fees and charges are subject to an annual inflator of the Seattle-Tacoma-Bremerton CPI-W (covering the twelve (12)-month period ending in June) plus three (3) percent, but shall in no event be lower than three (3) percent:

- i. Infirmary Care Surcharge
 - ii. Psychiatric Care Surcharge
- b. Final Fee, Charge and Surcharge Notice for Following Calendar Year. No later than August 15, the County will provide notice to the City of the final fees, charges and surcharges listed in this Subsection 5.a. reflecting the application of the June-June CPI index in the manner prescribed in Subsection 5.a above.
- c. Inflation Re-sets. Notwithstanding the terms of Subsections 5.a and 5.b to the contrary, in the event the Seattle-Tacoma-Bremerton CPI-W (June-June) exceeds eight (8) percent then, as part of the August 15, final fee and charge notice, the County will include information demonstrating whether, based on factors affecting the DAJD Budgeted Jail Costs including but not limited to personnel costs, food, utilities and pharmaceuticals, the County's reasonably expected inflation experience for the DAJD Budgeted Jail Costs in the next calendar year (the "Expected Inflation Rate") is *less than or greater than* said CPI-W (June-June) rate. If the Expected Inflation Rate is lower than the CPI-W (June-June) rate, the County will apply the lower of the two rates to the fees and charges listed in this Subsection 5.c for the following calendar year.

Attachment III-1
Summary Description of Medical Cost Model Surcharges and Pass-Through Charges

	Surcharge	Description
1.	1:1 Guarding	Cost to guard a Jail Resident in a 1:1 situation. Most common occurrence is at hospital or at off-site medical appointments. If more than one guard is required, then the rate would be the multiple of guards.
2.	Acute Psychiatric Care (two components) – billed by location	
	a. Psychiatric Care Surcharge	Costs for Jail Health Services (JHS) treatment team for services listed below for Psychiatric Care.
	b. Acute Psychiatric Housing Surcharge	Costs for additional officer staffing for: 15-minute checks, assistance with feeding, emergency responses, escorts, and other necessary services to provide for a Jail Resident who poses a potential danger to him or herself.
3.	Psychiatric Care (one component)	
	a. Psychiatric Care Surcharge	Costs for JHS Psychiatric treatment team for services listed below for Psychiatric Care.
4.	Infirmity Care	Costs for JHS Infirmity care, services listed on reverse.

	Pass-Through Charge	Description
5.	Off-Site Medical Charges	Costs for Jail Residents to receive services from outside medical providers (services not available from JHS). Examples include: ❖ Hospital care ❖ Dialysis ❖ Cancer treatment (chemotherapy, radiation) ❖ Specialized transport to medical appointments (wheelchair bound Jail Residents)

JHS Psychiatric Care

Services Provided:	Criteria:
❖ Psychiatric Treatment & Management ❖ Psychiatric Treatment Team Monitoring ❖ Medication Administration ❖ Mental Health Crisis Counseling ❖ Psychiatric Therapy Groups	<i>Jail Residents with severe or unstable mental health conditions are placed in psychiatric housing units and receive a level of monitoring and care based on the acuity of their mental illness. Jail Residents in psychiatric housing are evaluated upon admission and then re-evaluated on a regular basis by a multi-disciplinary treatment team.</i>

JHS Infirmary Care

Services Provided:	Criteria:
❖ 24-hour Skilled Nursing Care ❖ Daily Provider Rounds ❖ Treatment and Management of Complex Disease States ❖ Medication Administration ❖ Activities of Daily Living Assistance ❖ Alcohol Detoxification	<i>Jail Residents who meet diagnostic criteria that require 24-hour skilled nursing care are housed in the KCCF Infirmary. Examples include but are not limited to:</i> ❖ <i>Patients requiring medical detoxification/withdrawal management;</i> ❖ <i>Individuals with non-stable medical conditions such as: need for kidney dialysis, wired jaws, newly started on blood thinning medication;</i> ❖ <i>Individuals who are mobility impaired and/or not independent in activities of daily living;</i> ❖ <i>Individuals requiring IV therapy or with central lines in place;</i> ❖ <i>Individuals who are acutely ill, post-surgical, who require convalescent care, and those with conditions requiring extensive treatment and frequent monitoring; and</i> ❖ <i>Individuals with severe respiratory problems requiring nebulizer treatments, oxygen and close observation.</i> <i>Jail Residents are formally admitted to infirmary care following assessment by a physician or nurse practitioner and then monitored daily by provider and nursing staff. Discharge from the infirmary occurs either at the time of release from jail or as the patient's condition improves and can be safely managed in general population housing. Some individuals remain in infirmary care for the duration of their incarceration.</i>

City Council Agenda Bill
City of Kenmore, WA



Meeting Date: 1/13/2025

Subject/Topic:	Proposed Council Action/Motion:
Public Hearing regarding Ordinance 25-0625 amending and extending interim regulations for an additional six-months for certain parcels close to Swamp Creek in proximity to SR522 and 80th Ave NE Department: Community Development Prepared by: Debbie Bent, Community Development Director Attachments: 1. Ordinance No. 25-0625 2. Ordinance No. 24-0612 3. Ordinance No. 24-0606 4. Ordinance No. 23-0586 5. Ordinance No. 23-0575 6. Ordinance No. 23-0569 7. Ordinance No. 22-0555 8. Ordinance No. 22-0543	☐ Information Only ☐ Receive and File ☒ Discuss ☒ Provide Direction ☒ Public Hearing ☒ Adopt/Approve ☐ Other: Adopt Ordinance No. 25-0625 to amend and extend interim regulations for an additional six months for certain parcels close to Swamp Creek in proximity to SR 522 and 80th Avenue NE.

Approvals:

Department	Finance	City	City
Head <u>DB 1/2/24</u>	Director <u>N/A</u>	Attorney <u>DR 1/2/25</u>	Manager <u>RK 1/2/25</u>

Summary/Background:

Following conclusion of the Public Hearing and City Council discussion. Staff recommends that the Council pass a motion to adopt Ordinance 25-0625 to amend and extend interim regulations for an additional six-months (through for certain parcels close to Swamp Creek in proximity to SR522 and 80th Ave NE.

A Public Hearing is scheduled for 1/13/25 to receive public testimony on Ordinance 25-0625 (see Attachment #1) amending and extending interim regulations for an additional six-months to apply to certain parcels close to Swamp Creek. The interim regulations prohibit townhome development, and for properties that do not choose to develop under the Transit Oriented Development (TOD) provisions they must meet the base density of the underlying zone and include at least 25% of the total number of units as affordable units.

Previous Council Action(s):

Ordinance 25-0625 states the findings and justification for extending and amending the interim regulations. The findings include Council direction given 11/28/22 for staff to conduct a channel restoration assessment of Swamp Creek that will determine where channel restoration would provide the most ecological benefit. Results of the assessment were presented to Council on 9/16/24, link to the agenda bill [Kenmore - Document Center](#). Results of the assessment will inform options for future zoning regulations that will apply to the parcels. Developing zoning regulations is a recommended Community Development work program item for 2025.

The interim regulations were adopted 2/14/22 by Ordinance 22-0543 (Attachment #8) and were set to expire 8/14/22. The purpose of interim regulations was to provide additional time for the Planning Commission to consider regulations for the Transit Oriented Development (TOD) District Overlay area. Ordinance 22-0555 was adopted 7/25/22 (Attachment #7), which amended Ordinance 22-0543 to renew and extend the interim regulations for an additional six-month period through 1/25/23. Ordinance 23-0569 was adopted 1/9/23 (Attachment #6) to renew and extend the interim regulations for an additional six-month period through 7/25/23. Ordinance 23-0575 was adopted on 3/13/23 (Attachment #5) to extend the interim regulations, reduce the Transit Oriented Development (TOD) District Overlay to certain properties identified in the ordinance, and adopt amended interim regulations to those identified parcels close to Swamp Creek pending completion of a Swamp Creek channel restoration assessment that will determine where channel restoration would provide the most ecological benefit. Ordinance 23-0586 (Attachment #4) was adopted on 9/11/23 to extend the interim regulations for those identified parcels close to Swamp Creek for an additional six months through 3/11/24. Ordinance 24-0606 (Attachment #3) was adopted on 2/26/24 to extend the interim regulations for those identified parcels close to Swamp Creek for an additional six months through 8/26/24. Ordinance 24-0612 (Attachment #2) was adopted on 7/15/24 to extend the interim regulations for those identified parcels close to Swamp Creek for an additional six months through 1/15/25.

On 11/21/22 the Planning Commission presented recommendations to Council on proposed TOD recommendations. At the 11/28/22 Council meeting Council gave direction to move forward with an ordinance for TOD regulations except for a “carve out” area for certain parcels close to Swamp Creek. On 2/13/23 Council confirmed which certain proposed new TOD amendments should or should not apply on applicable regulations for the “carve out” area. On 3/13/23 Council adopted Ordinance 23-0575 for the “carve out” area.

Fiscal Consideration:

Staff time to complete to develop zoning regulations for City Council consideration. City Attorney review of ordinance.

[City Council Priorities](#) or Budget Objective Being Addressed:

#1: Continue to implement the adopted Climate Action Plan and promote environmental stewardship, including water, air, forest, and habitat restoration and preservation.

#7 broaden community engagement and foster fun

**CITY OF KENMORE
WASHINGTON
ORDINANCE NO. 25-0625**

AN ORDINANCE OF THE CITY OF KENMORE, WASHINGTON, AMENDING ORDINANCE NO. 22-0543, AS AMENDED BY ORDINANCE NO. 22-0555, ORDINANCE NO. 23-0569, ORDINANCE NO. 23-0575, ORDINANCE NO. 23-0586, ORDINANCE NO. 24-0606 AND ORDINANCE NO. 24-0612 TO EXTEND AND RENEW FOR AN ADDITIONAL SIX-MONTH PERIOD THE CITY'S INTERIM REGULATIONS RELATING TO THE TRANSIT ORIENTED DEVELOPMENT (TOD) DISTRICT OVERLAY APPLICABLE TO CERTAIN REAL PROPERTIES IDENTIFIED BY THE FOLLOWING TAX PARCEL (TPN): TPN 086650-0000, TPN 670540-0000, TPN 182260-0000, TPN 011410-0841, TPN 011410-0843, TPN 011410-0850, TPN 011410-0855, TPN 011410-0860, TPN 011410-0865, TPN 011410-0885, TPN 011410-0870, TPN 011410-0881, TPN 011410-0889; PROVIDING FOR SEVERABILITY; DECLARING AN EMERGENCY AND ESTABLISHING AN IMMEDIATE EFFECTIVE DATE

WHEREAS, the City Council adopted Ordinance 15-0406, which established the Transit Oriented Development (TOD) District Overlay, which is codified at Chapter 18.29 of the Kenmore Municipal Code (KMC); and

WHEREAS, the purpose of the TOD District Overlay is to reinforce the City's planned concentrations of pedestrian-oriented mixed-use development at intensities that support and are supported by multi-modal transportation options, including high-capacity transit; and

WHEREAS, the City has directed the Planning Commission to review the City's TOD District Overlay regulations as part of the State-mandated Comprehensive Plan update; and

WHEREAS, the City became aware of the potential of lower density projects within the TOD District Overlay area, which would interfere with the City's intended planning for the TOD District Overlay area; and

WHEREAS, on August 16, 2021, the City Council adopted public emergency Ordinance No. 21-0533 that established an effective date for a six-month moratorium to and through February 16, 2022 to give the Planning Commission sufficient time to hold a hearing, complete planning for the TOD District Overlay area, and provide recommendations to the City Council regarding the appropriate regulatory framework for the TOD District Overlay; and

WHEREAS, on September 27, 2021, following a public hearing held by the City Council on the six-month moratorium, the Council adopted Ordinance No. 21-0535 amending Section 2 of Ordinance No. 21-0533 to allow an additional exemption for building permit applications for or the construction of transitional housing or permanent supportive housing or building permit application for or the construction of indoor emergency housing; and

WHEREAS, on February 14, 2022, following a public hearing held by the City Council on the moratorium and interim regulations, the Council repealed the moratorium (Ordinance No. 21-0533 and Ordinance No. 21-0535) and immediately adopted interim regulations (Ordinance No. 22-0543) allowing certain development applications at appropriate densities within the TOD District Overlay consistent with the City's long-range planning, prior to completion of the City's regulatory review process; and

WHEREAS, on July 25, 2022, following a public hearing, the City Council adopted Ordinance No. 22-0555 extending and renewing interim regulations adopted by Ordinance No. 22-0543 for a further six-month period through January 25, 2023 to provide additional time for the Planning Commission to hold a public hearing, complete planning for the TOD District Overlay area, provide recommendations to the City Council regarding the appropriate regulatory framework for the TOD District Overlay and for Council to consider the recommendation; and

WHEREAS, on October 18, 2022, the Planning Commission held a public hearing regarding a proposed regulatory framework for the TOD District Overlay; and

WHEREAS, on November 21, 2022, the Planning Commission presented recommendations to the City Council regarding a proposed regulatory framework for the TOD District Overlay; and

WHEREAS, on November 28, 2022, the City Council gave direction on the proposed regulatory framework for the TOD District Overlay and requested consideration of an ordinance at a future meeting; and

WHEREAS, on November 28, 2022 the City Council gave direction to "carve out" certain parcels close to Swamp Creek in proximity to SR522 and 80th Ave NE from the proposed regulatory framework and thereby reduce the area applicable to the TOD District Overlay pending completion of a channel restoration assessment of Swamp Creek to determine where channel restoration would provide the most ecological benefit and options for new regulations for the "carve out" area to incentivize Swamp Creek channel restoration; and

WHEREAS, on January 9, 2023, following a public hearing the City Council adopted Ordinance No. 23-0569 extending and renewing interim regulations adopted by Ordinance No. 22-0543, as renewed by Ordinance No. 22-0555 for a further six-month period through July 25, 2023, to provide additional time for the City Council to consider adoption of an ordinance for the TOD regulatory framework; and

WHEREAS, on February 13, 2023, Council gave direction and confirmed which certain proposed new TOD amendments should or should not apply on applicable regulations for the reduced TOD “carve out” area; and

WHEREAS, on March 13, 2023, the City Council adopted Ordinance No. 23-0574 adopting municipal code and zoning map amendments related to a Transit-Oriented Development regulatory framework; and

WHEREAS, on March 13, 2023, the City Council held a public hearing on the proposed six-month extension and renewal of the City's interim regulations authorized and imposed by Ordinance No. 22-0543, as renewed, and extended by Ordinance Nos. 22-0555 and 23-0569; and

WHEREAS, on March 13, 2023, the City Council adopted Ordinance No. 23-0575 amending the interim regulations established by Ordinance No. 22-0543, and as codified at Section 18.29.020 and Figure 18.29.020.1 of the Kenmore Municipal Code, to reduce the area of the Transit Oriented Development (TOD) District Overlay to the following real properties, identified by Tax Parcel Number and address:

1. TPN 086650-0000, 17915 80th Ave NE, Kenmore, WA 98028
 2. TPN 670540-0000, 17827 80th Ave NE, Kenmore, WA 98028
 3. TPN 182260-0000, 17811 80th Ave NE, Kenmore, WA 98028
 4. TPN 011410-0841, 17721 80th Ave NE, Kenmore, WA 98028
 5. TPN 011410-0843, 17715 80th Ave NE, Kenmore, WA 98028
 6. TPN 011410-0850, 17525 80th Ave NE, Kenmore, WA 98028
 7. TPN 011410-0855, 7900 NE Bothell Way, Kenmore, WA 98028
 8. TPN 011410-0860, 7850 NE Bothell Way, Kenmore, WA 98028
 9. TPN 011410-0865, 7800 NE Bothell Way, Kenmore, WA 98028
 10. TPN 011410-0885, 7750 NE Bothell Way, Kenmore, WA 98028
 11. TPN 011410-0870, 7760 NE Bothell Way, Kenmore, WA 98028
 12. TPN 011410-0881, 7638 NE Bothell Way, Kenmore, WA 98028
 13. TPN 011410-0889, 7644 NE Bothell Way, Kenmore, WA 98028
- (referenced together as the “Reduced TOD Area”)

WHEREAS, on September 11, 2023, the City Council held a public hearing on the proposed six-month extension and renewal of the City's interim regulations authorized and imposed by Ordinance No. 22-0543, as renewed, and extended by Ordinance Nos. 22-0555, 23-0569, and as amended and extended by Ordinance No. 23-0575; and

WHEREAS, on September 11, 2023, the City Council adopted Ordinance No. 23-0586 to extend and amend the interim regulations established by Ordinance No. 22-0543 and as amended and extended by Ordinance No. 23-0575 for a further six months; and

WHEREAS, on February 26, 2024, the City Council adopted Ordinance No. 24-0606 to extend and amend the interim regulations established by Ordinance No. 22-0543 and as amended and extended by Ordinance No. 23-0586, for a further six months; and

WHEREAS, on July 15, 2024 the City Council adopted Ordinance No. 24-0612 to extend and amend the interim regulations established by Ordinance No. 22-0543 and as amended and extended by Ordinance No. 24-0606, for a further six months; and

WHEREAS, on September 16, 2024 the City Council held a discussion on the results of the channel restoration assessment of Swamp Creek including for the Reduced TOD Area; and

WHEREAS, on January 13, 2025, the City Council held a public hearing on this Ordinance and considered extending the interim regulations; and

WHEREAS, the City Council finds that additional time is necessary to consider and potentially adopt an ordinance and new regulations to incentivize Swamp Creek channel restoration including for the Reduced TOD Area; and

WHEREAS, the regulations of zoning and land use are valid exercises of the City's police powers under Art. XI, Sec. 11 of the Washington State Constitution, and such police powers grant the City the authority to adopt interim regulations; and

WHEREAS, RCW 35A.63.220 and RCW 36.70A.390 authorize the City Council, as the governing body, to renew and extend interim regulations on development or land use for one or more six-month periods if a subsequent hearing is held and findings of fact are made prior to said extension and renewal; and

WHEREAS, the City Council has determined that it is in the best interest of the public, and is necessary for the protection of public health, safety, property, or peace, to extend and renew for an additional six-month period the interim regulations established in Ordinance No. 22-0543, as amended, extended, and renewed by Ordinance Nos. 22-0555, 23-0569, 23-0575, 23-0586, 24-0606 and 24-0612; and

WHEREAS, in order for this Ordinance to become effective prior to the January 15th expiration of the existing interim regulations, the City Council needs to declare an emergency and authorize an immediate effective date for this Ordinance, and the City acknowledges that state law requires a super-majority of the City Council to approve such an emergency declaration.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF KENMORE, WASHINGTON ORDAINS AS FOLLOWS:

Section 1. Findings of Fact in Support of Renewal and Extension. The City Council adopts the recitals set forth above, and in Ordinance Nos. 22-0543, 22-0555, 23-0569, 23-0575, 23-0586, 24-0606 and 24-0612 which are incorporated herein by reference, as findings of fact in support of the extension and renewal of interim regulations.

Section 2. Six-Month Extension and Renewal of Interim Regulations. Section 4 of Ordinance No. 22-0543, as amended by Ordinance Nos. 22-0555, 23-0569, 23-0575 23-0586, 24-0606, and 24-0612 is further amended to read as follows:

Section 4. Duration. The interim regulations established by Ordinance No. 22-0543, as renewed and extended by Ordinance Nos. 22-0555, 23-0569, 23-0575, 23-0586 and 24-0606 and 24-0612 as amended by Section 3.D of Ordinance No. 23-0575, shall be extended and renewed for an additional period of six (6) months from the adoption date of this Ordinance, ~~July 15, 2024~~ January 13, 2025 (to and through ~~January 15, 2025~~ July 13, 2025), and shall automatically expire at the end of that day unless repealed, modified, or renewed and extended (after subsequent public hearing if renewed and extended), and entry of appropriate findings of fact as provided in RCW 35A.63.220 and RCW 36.70A.390.

Section 3. Transmittal of Ordinance. The City Manager is directed to transmit this ordinance to the Washington State Department of Commerce as required by law.

Section 4. Severability. If any provision of this ordinance or its application to any person or circumstance is held invalid or unconstitutional by a court of competent jurisdiction, the remainder of the ordinance, or the application of the provision to other persons or circumstances, is not affected.

Section 5. Emergency; Effective Date. This Ordinance, as a public emergency ordinance necessary for the protection of the public health, public safety, public property, or public peace, shall take effect and be in full force immediately upon its adoption. Pursuant to Matson v. Clark County Board of Commissioners, 79 Wn. App. 641, 904 P.2d 317 (1995), underlying facts necessary to support this emergency declaration are included in the recitals set forth above, which are adopted by reference.

PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 13th DAY OF JANUARY 2025.

CITY OF KENMORE

Mayor Nigel Herbig

ATTEST/AUTHENTICATED:

Anastasiya Warhol City Clerk

Approved as to form:

Dawn Reitan, City Attorney

FILED WITH THE CITY CLERK: 01/02/2025
PASSED BY THE CITY COUNCIL: JANUARY 13, 2025
ORDINANCE NO.: 25-0625
DATE OF PUBLICATION:
EFFECTIVE DATE:

**CITY OF KENMORE
WASHINGTON
ORDINANCE NO. 24-0612**

AN ORDINANCE OF THE CITY OF KENMORE, WASHINGTON, AMENDING ORDINANCE 22-0543, AS AMENDED BY ORDINANCE 22-0555, ORDINANCE 23-0569, ORDINANCE 23-0575, ORDINANCE 23-0586 AND ORDINANCE 24-0606 TO EXTEND AND RENEW FOR AN ADDITIONAL SIX-MONTH PERIOD THE CITY'S INTERIM REGULATIONS RELATING TO THE TRANSIT ORIENTED DEVELOPMENT (TOD) DISTRICT OVERLAY APPLICABLE TO CERTAIN REAL PROPERTIES IDENTIFIED BY THE FOLLOWING TAX PARCEL (TPN): TPN 086650-0000, TPN 670540-0000, TPN 182260-0000, TPN 011410-0841, TPN 011410-0843, TPN 011410-0850, TPN 011410-0855, TPN 011410-0860, TPN 011410-0865, TPN 011410-0885, TPN 011410-0870, TPN 011410-0881, TPN 011410-0889; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the City Council adopted Ordinance 15-0406, which established the Transit Oriented Development (TOD) District Overlay, which is codified at Chapter 18.29 of the Kenmore Municipal Code (KMC); and

WHEREAS, the purpose of the TOD District Overlay is to reinforce the City's planned concentrations of pedestrian-oriented mixed-use development at intensities that support and are supported by multi-modal transportation options, including high-capacity transit; and

WHEREAS, the City has directed the Planning Commission to review the City's TOD District Overlay regulations as part of the State-mandated Comprehensive Plan update; and

WHEREAS, the City became aware of the potential of lower density projects within the TOD District Overlay area, which would interfere with the City's intended planning for the TOD District Overlay area; and

WHEREAS, on August 16, 2021, the City Council adopted public emergency Ordinance 21-0533 that established an effective date for a six-month moratorium to and through February 16, 2022 to give the Planning Commission sufficient time to hold a hearing, complete planning for the TOD District Overlay area, and provide recommendations to the City Council regarding the appropriate regulatory framework for the TOD District Overlay; and

WHEREAS, on September 27, 2021, following a public hearing held by the City Council on the six-month moratorium, the Council adopted Ordinance 21-0535 amending Section 2 of Ordinance 21-0533 to allow an additional exemption for building permit

applications for or the construction of transitional housing or permanent supportive housing or building permit application for or the construction of indoor emergency housing; and

WHEREAS, on February 14, 2022, following a public hearing held by the City Council on the moratorium and interim regulations, the Council repealed the moratorium (Ordinance 21-0533 and Ordinance 21-0535) and immediately adopted interim regulations (Ordinance 22-0543) allowing certain development applications at appropriate densities within the TOD District Overlay consistent with the City's long-range planning, prior to completion of the City's regulatory review process; and

WHEREAS, on July 25, 2022, following a public hearing, the City Council adopted Ordinance 22-0555 extending and renewing interim regulations adopted by Ordinance 22-0543 for a further six-month period through January 25, 2023 to provide additional time for the Planning Commission to hold a public hearing, complete planning for the TOD District Overlay area, provide recommendations to the City Council regarding the appropriate regulatory framework for the TOD District Overlay and for Council to consider the recommendation; and

WHEREAS, on October 18, 2022, the Planning Commission held a public hearing regarding a proposed regulatory framework for the TOD District Overlay; and

WHEREAS, on November 21, 2022, the Planning Commission presented recommendations to the City Council regarding a proposed regulatory framework for the TOD District Overlay; and

WHEREAS, on November 28, 2022, the City Council gave direction on the proposed regulatory framework for the TOD District Overlay and requested consideration of an ordinance at a future meeting; and

WHEREAS, on November 28, 2022 the City Council gave direction to "carve out" certain parcels close to Swamp Creek in proximity to SR522 and 80th Ave NE from the proposed regulatory framework and thereby reduce the area applicable to the TOD District Overlay pending completion of a channel restoration assessment of Swamp Creek to determine where channel restoration would provide the most ecological benefit and options for new regulations for the "carve out" area to incentivize Swamp Creek channel restoration; and

WHEREAS, on January 9, 2023, following a public hearing the City Council adopted Ordinance 23-0569 extending and renewing interim regulations adopted by Ordinance 22-0543, as renewed by Ordinance 22-0555 for a further six-month period through July 25, 2023, to provide additional time for the City Council to consider adoption of an ordinance for the TOD regulatory framework; and

WHEREAS, on February 13, 2023, Council gave direction and confirmed which certain proposed new TOD amendments should or should not apply on applicable regulations for the reduced TOD "carve out" area; and

WHEREAS, on March 13, 2023, the City Council adopted Ordinance 23-0575 adopting municipal code and zoning map amendments related to a Transit-Oriented Development regulatory framework; and

WHEREAS, on March 13, 2023, the City Council held a public hearing on the proposed six-month extension and renewal of the City's interim regulations authorized and imposed by Ordinance 22-0543, as renewed, and extended by Ordinance Nos. 22-0555 and 23-0569; and

WHEREAS, on March 13, 2023, the City Council adopted Ordinance 23-0575 amending the interim regulations established by Ordinance 22-0543, and as codified at Section 18.29.020 and Figure 18.29.020.1 of the Kenmore Municipal Code, to reduce the area of the Transit Oriented Development (TOD) District Overlay to the following real properties, identified by Tax Parcel Number and address:

1. TPN 086650-0000, 17915 80th Ave NE, Kenmore, WA 98028
2. TPN 670540-0000, 17827 80th Ave NE, Kenmore, WA 98028
3. TPN 182260-0000, 17811 80th Ave NE, Kenmore, WA 98028
4. TPN 011410-0841, 17721 80th Ave NE, Kenmore, WA 98028
5. TPN 011410-0843, 17715 80th Ave NE, Kenmore, WA 98028
6. TPN 011410-0850, 17525 80th Ave NE, Kenmore, WA 98028
7. TPN 011410-0855, 7900 NE Bothell Way, Kenmore, WA 98028
8. TPN 011410-0860, 7850 NE Bothell Way, Kenmore, WA 98028
9. TPN 011410-0865, 7800 NE Bothell Way, Kenmore, WA 98028
10. TPN 011410-0885, 7750 NE Bothell Way, Kenmore, WA 98028
11. TPN 011410-0870, 7760 NE Bothell Way, Kenmore, WA 98028
12. TPN 011410-0881, 7638 NE Bothell Way, Kenmore, WA 98028
13. TPN 011410-0889, 7644 NE Bothell Way, Kenmore, WA 98028

(referenced together as the “Reduced TOD Area”)

WHEREAS, on September 11, 2023, the City Council held a public hearing on the proposed six-month extension and renewal of the City's interim regulations authorized and imposed by Ordinance 22-0543, as renewed, and extended by Ordinance Nos. 22-0555, 23-0569, and as amended and extended by Ordinance 23-0575; and

WHEREAS, on September 11, 2023, the City Council adopted Ordinance 23-0586 to extend and amend the interim regulations established by Ordinance 22-0543 and as amended and extended by Ordinance 23-0575 for a further six months; and

WHEREAS, on February 26, 2024, the City Council adopted Ordinance 24-606 to extend and amend the interim regulations established by Ordinance 22-0543 and as amended and extended by Ordinance 23-0586, for a further six months, until August 26, 2024; and

WHEREAS, on July 15, 2024, the City Council held a public hearing on this Ordinance and considered extending the interim regulations; and

WHEREAS, the City Council finds that additional time is necessary to complete a channel restoration assessment of Swamp Creek including for the Reduced TOD Area and also to give Council sufficient time to consider and potentially adopt an ordinance and new regulations to incentivize Swamp Creek channel restoration; and

WHEREAS, the regulations of zoning and land use are valid exercises of the City's police powers under Art. XI, Sec. 11 of the Washington State Constitution, and such police powers grant the City the authority to adopt interim regulations; and

WHEREAS, RCW 35A.63.220 and RCW 36.70A.390 authorize the City Council, as the governing body, to renew and extend interim regulations on development or land use for one or more six-month periods if a subsequent hearing is held and findings of fact are made prior to said extension and renewal; and

WHEREAS, the City Council has determined that it is in the best interest of the public, and is necessary for the protection of public health, safety, property, or peace, to extend and renew for an additional six-month period the interim regulations established in Ordinance 22-0543, as amended, extended, and renewed by Ordinance Nos. 22-0555, 23-0569, 23-0575, 23-0586 and 24-0606;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF KENMORE, WASHINGTON ORDAINS AS FOLLOWS:

Section 1. Findings of Fact in Support of Renewal and Extension. The City Council adopts the recitals set forth above, and in Ordinance Nos. 22-0543, 22-0555, 23-0569, 23-0575, 23-0586 and 24-0606 which are incorporated herein by reference, as findings of fact in support of the extension and renewal of interim regulations.

Section 2. Six-Month Extension and Renewal of Interim Regulations. Section 4 of Ordinance 22-0543, as amended by Ordinance Nos. 22-0555, 23-0569, 23-0575 23-0586 and 24-0606 is further amended to read as follows:

Section 4. Duration. The interim regulations established by Ordinance 22-0543, as renewed and extended by Ordinance Nos. 22-0555, 23-0569, 23-0575, ~~and 23-0586~~ and 24-0606 and as amended by Section 3.D of Ordinance No. 23-0575,

shall be extended and renewed for an additional period of six (6) months from the adoption date of this Ordinance, ~~February 26, 2024~~ July 15, 2024 (to and through ~~August 26, 2024~~ January 15, 2025), and shall automatically expire at the end of that day unless repealed, modified, or renewed and extended (after subsequent public hearing if renewed and extended), and entry of appropriate findings of fact as provided in RCW 35A.63.220 and RCW 36.70A.390.

Section 3. Transmittal of Ordinance. The City Manager is directed to transmit this ordinance to the Washington State Department of Commerce as required by law.

Section 4. Severability. If any provision of this ordinance or its application to any person or circumstance is held invalid or unconstitutional by a court of competent jurisdiction, the remainder of the ordinance, or the application of the provision to other persons or circumstances, is not affected.

Section 5. Effective Date. This Ordinance shall be published in the official newspaper of the City and shall take effect and be in full force and effect five (5) days after the date of publication.

PASSED BY THE CITY COUNCIL AT A MEETING THEREOF ON THE 15th DAY OF JULY 2024.

CITY OF KENMORE


Nigel Herbig (Jul 15, 2024 21:58 PDT)

Mayor Nigel Herbig

ATTEST/AUTHENTICATED:


Anastasiya Warhol (Jul 16, 2024 09:48 PDT)

Anastasiya Warhol City Clerk

Approved as to form:


Dawn Reitan (Jul 16, 2024 09:37 PDT)

Dawn Reitan, City Attorney

FILED WITH THE CITY CLERK: JULY 3, 2024
PASSED BY THE CITY COUNCIL: JULY 15, 2024
ORDINANCE NO.: 24-0612
DATE OF PUBLICATION: JULY 19, 2024
EFFECTIVE DATE: JULY 24, 2024

Ordinance No. 24-0612 amending and extending TOD interim regulations

Final Audit Report

2024-07-16

Created:	2024-07-16
By:	Michelle Kang (mkang@kenmorewa.gov)
Status:	Signed
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"Ordinance No. 24-0612 amending and extending TOD interim regulations" History

-  Document created by Michelle Kang (mkang@kenmorewa.gov)
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-  Document emailed to Anastasiya Warhol (awarhol@kenmorewa.gov) for signature
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Document e-signed by Anastasiya Warhol (awarhol@kenmorewa.gov)

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Agreement completed.

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**CITY OF KENMORE
WASHINGTON
ORDINANCE NO. 24-0606**

AN ORDINANCE OF THE CITY OF KENMORE, WASHINGTON, AMENDING ORDINANCE 22-0543, AS AMENDED BY ORDINANCE 22-0555, ORDINANCE 22-0569, ORDINANCE 23-0575, AND ORDINANCE 23-0586 TO EXTEND AND RENEW FOR AN ADDITIONAL SIX-MONTH PERIOD THE CITY'S INTERIM REGULATIONS RELATING TO THE TRANSIT ORIENTED DEVELOPMENT (TOD) DISTRICT OVERLAY APPLICABLE TO CERTAIN REAL PROPERTIES IDENTIFIED BY THE FOLLOWING TAX PARCEL (TPN): TPN 086650-0000, TPN 670540-0000, TPN 182260-0000, TPN 011410-0841, TPN 011410-0843, TPN 011410-0850, TPN 011410-0855, TPN 011410-0860, TPN 011410-0865, TPN 011410-0885, TPN 011410-0870, TPN 011410-0881, TPN 011410-0889; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the City Council adopted Ordinance 15-0406, which established the Transit Oriented Development (TOD) District Overlay, which is codified at Chapter 18.29 of the Kenmore Municipal Code (KMC); and

WHEREAS, the purpose of the TOD District Overlay is to reinforce the City's planned concentrations of pedestrian-oriented mixed-use development at intensities that support and are supported by multi-modal transportation options, including high-capacity transit; and

WHEREAS, the City has directed the Planning Commission to review the City's TOD District Overlay regulations as part of the State-mandated Comprehensive Plan update; and

WHEREAS, the City became aware of the potential of lower density projects within the TOD District Overlay area, which would interfere with the City's intended planning for the TOD District Overlay area; and

WHEREAS, on August 16, 2021, the City Council adopted public emergency Ordinance 21-0533 that established an effective date for a six-month moratorium to and through February 16, 2022 to give the Planning Commission sufficient time to hold a hearing, complete planning for the TOD District Overlay area, and provide recommendations to the City Council regarding the appropriate regulatory framework for the TOD District Overlay; and

WHEREAS, on September 27, 2021, following a public hearing held by the City Council on the six-month moratorium, the Council adopted Ordinance 21-0535 amending Section 2 of Ordinance 21-0533 to allow an additional exemption for building permit applications for or the construction of transitional housing or permanent supportive

housing or building permit application for or the construction of indoor emergency housing; and

WHEREAS, on February 14, 2022, following a public hearing held by the City Council on the moratorium and interim regulations, the Council repealed the moratorium (Ordinance 21-0533 and Ordinance 21-0535) and immediately adopted interim regulations (Ordinance 22-0543) allowing certain development applications at appropriate densities within the TOD District Overlay consistent with the City's long-range planning, prior to completion of the City's regulatory review process; and

WHEREAS, on July 25, 2022, following a public hearing, the City Council adopted Ordinance 22-0555 extending and renewing interim regulations adopted by Ordinance 22-0543 for a further six-month period through January 25, 2023 to provide additional time for the Planning Commission to hold a public hearing, complete planning for the TOD District Overlay area, provide recommendations to the City Council regarding the appropriate regulatory framework for the TOD District Overlay and for Council to consider the recommendation; and

WHEREAS, on October 18, 2022, the Planning Commission held a public hearing regarding a proposed regulatory framework for the TOD District Overlay; and

WHEREAS, on November 21, 2022, the Planning Commission presented recommendations to the City Council regarding a proposed regulatory framework for the TOD District Overlay; and

WHEREAS, on November 28, 2022, the City Council gave direction on the proposed regulatory framework for the TOD District Overlay and requested consideration of an ordinance at a future meeting; and

WHEREAS, on November 28, 2022 the City Council gave direction to "carve out" certain parcels close to Swamp Creek in proximity to SR522 and 80th Ave NE from the proposed regulatory framework and thereby reduce the area applicable to the TOD District Overlay pending completion of a channel restoration assessment of Swamp Creek to determine where channel restoration would provide the most ecological benefit and options for new regulations for the "carve out" area to incentivize Swamp Creek channel restoration; and

WHEREAS, on January 9, 2023, following a public hearing the City Council adopted Ordinance 23-0569 extending and renewing interim regulations adopted by Ordinance 22-0543, as renewed by Ordinance 22-0555 for a further six-month period through July 25, 2023, to provide additional time for the City Council to consider adoption of an ordinance for the TOD regulatory framework; and

WHEREAS, on February 13, 2023, Council gave direction and confirmed which certain proposed new TOD amendments should or should not apply on applicable regulations for the reduced TOD "carve out" area; and

WHEREAS, on March 13, 2023, the City Council adopted Ordinance 23-0574 adopting municipal code and zoning map amendments related to a Transit-Oriented Development regulatory framework; and

WHEREAS, on March 13, 2023, the City Council held a public hearing on the proposed six-month extension and renewal of the City's interim regulations authorized and imposed by Ordinance 22-0543, as renewed, and extended by Ordinance Nos. 22-0555 and 23-0569; and

WHEREAS, on March 13, 2023, the City Council adopted Ordinance 23-0575 amending the interim regulations established by Ordinance 22-0543, and as codified at Section 18.29.020 and Figure 18.29.020.1 of the Kenmore Municipal Code, to reduce the area of the Transit Oriented Development (TOD) District Overlay to the following real properties, identified by Tax Parcel Number and address:

1. TPN 086650-0000, 17915 80th Ave NE, Kenmore, WA 98028
2. TPN 670540-0000, 17827 80th Ave NE, Kenmore, WA 98028
3. TPN 182260-0000, 17811 80th Ave NE, Kenmore, WA 98028
4. TPN 011410-0841, 17721 80th Ave NE, Kenmore, WA 98028
5. TPN 011410-0843, 17715 80th Ave NE, Kenmore, WA 98028
6. TPN 011410-0850, 17525 80th Ave NE, Kenmore, WA 98028
7. TPN 011410-0855, 7900 NE Bothell Way, Kenmore, WA 98028
8. TPN 011410-0860, 7850 NE Bothell Way, Kenmore, WA 98028
9. TPN 011410-0865, 7800 NE Bothell Way, Kenmore, WA 98028
10. TPN 011410-0885, 7750 NE Bothell Way, Kenmore, WA 98028
11. TPN 011410-0870, 7760 NE Bothell Way, Kenmore, WA 98028
12. TPN 011410-0881, 7638 NE Bothell Way, Kenmore, WA 98028
13. TPN 011410-0889, 7644 NE Bothell Way, Kenmore, WA 98028

(referenced together as the “Reduced TOD Area”)

WHEREAS, on September 11, 2023, the City Council held a public hearing on the proposed six-month extension and renewal of the City's interim regulations authorized and imposed by Ordinance 22-0543, as renewed, and extended by Ordinance Nos. 22-0555, 23-0569, and as amended and extended by Ordinance 23-0575; and

WHEREAS, on September 11, 2023, the City Council adopted Ordinance 23-0586 to extend and amend the interim regulations established by Ordinance 22-0543 and as amended and extended by Ordinance 23-0575 for a further six months; and

WHEREAS, additional time is necessary to complete a channel restoration assessment of Swamp Creek including for the Reduced TOD Area and also to give Council sufficient time to consider and potentially adopt an ordinance and new regulations to incentivize Swamp Creek channel restoration; and

WHEREAS, the regulations of zoning and land use are valid exercises of the City's police powers under Art. XI, Sec. 11 of the Washington State Constitution, and such police powers grant the City the authority to adopt interim regulations; and

WHEREAS, RCW 35A.63.220 and RCW 36.70A.390 authorize the City Council, as the governing body, to renew and extend interim regulations on development or land use for one or more six-month periods if a subsequent hearing is held and findings of fact are made prior to said extension and renewal; and

WHEREAS, the City Council has determined that it is in the best interest of the public, and is necessary for the protection of public health, safety, property, or peace, to extend and renew for an additional six-month period the interim regulations established in Ordinance 22-0543, as amended, extended, and renewed by Ordinance Nos. 22-0555, 23-0569, 23-0575 and 23-0586; and

WHEREAS, in order for this Ordinance to become effective prior to the March 11th expiration of the existing interim regulations, the City Council needs to declare an emergency and authorize an immediate effective date for this Ordinance, and the City acknowledges that state law requires a super-majority of the City Council to approve such an emergency declaration;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF KENMORE, WASHINGTON ORDAINS AS FOLLOWS:

Section 1. Findings of Fact in Support of Renewal and Extension. The City Council adopts the recitals set forth above, and in Ordinance Nos. 22-0543, 22-0555, 23-0569, 23-0575, and 23-0586 which are incorporated herein by reference, as findings of fact in support of the extension and renewal of interim regulations.

Section 2. Six-Month Extension and Renewal of Interim Regulations. Section 4 of Ordinance 22-0543, as amended by Ordinance Nos. 22-0555, 23-0569, 23-0575 and 23-0586 is further amended to read as follows:

Section 4. Duration. The interim regulations established by Ordinance 22-0543, as renewed and extended by Ordinance Nos. 22-0555, 23-0569, ~~and 23-0575,~~ and 23-0586 and as amended by Section 3.D of Ordinance No. 23-0575, shall be extended and renewed for an additional period of six (6) months from the adoption date of this Ordinance, ~~September~~

~~11, 2023~~ February 26, 2024 (to and through ~~March 11, 2024~~ August 26, 2024), and shall automatically expire at the end of that day unless repealed, modified, or renewed and extended (after subsequent public hearing if renewed and extended), and entry of appropriate findings of fact as provided in RCW 35A.63.220 and RCW 36.70A.390.

Section 3. Transmittal of Ordinance. The City Manager is directed to transmit this ordinance to the Washington State Department of Commerce as required by law.

Section 4. Severability. If any provision of this ordinance or its application to any person or circumstance is held invalid or unconstitutional by a court of competent jurisdiction, the remainder of the ordinance, or the application of the provision to other persons or circumstances, is not affected.

Section 5. Emergency; Effective Date. This Ordinance, as a public emergency ordinance necessary for the protection of the public health, public safety, public property, or public peace, shall take effect and be in full force immediately upon its adoption. Pursuant to Matson v. Clark County Board of Commissioners, 79 Wn. App. 641, 904 P.2d 317 (1995), underlying facts necessary to support this emergency declaration are included in the recitals set forth above, which are adopted by reference.

PASSED BY THE CITY COUNCIL AT A MEETING THEREOF ON THE 26th DAY OF FEBRUARY 2024.

CITY OF KENMORE


Nigel G. Herbig (Mar 1, 2024 12:36 PST)
Mayor Nigel Herbig

ATTEST/AUTHENTICATED:


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

Approved as to form:


Dawn Reitan (Feb 27, 2024 16:19 PST)
Dawn Reitan, City Attorney

FILED WITH THE CITY CLERK: 02/14/2024

PASSED BY THE CITY COUNCIL: FEBRUARY 26, 2024

ORDINANCE NO.: 24-0606
DATE OF PUBLICATION: 03/01/2024
EFFECTIVE DATE: 03/06/2024

Ordinance No. 24-0606 amending and extending TOD interim regulations

Final Audit Report

2024-03-01

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By:	Michelle Kang (mkang@kenmorewa.gov)
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"Ordinance No. 24-0606 amending and extending TOD interim regulations" History

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 Document e-signed by Nigel G. Herbig (nherbig@kenmorewa.gov)

Signature Date: 2024-03-01 - 8:36:18 PM GMT - Time Source: server

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2024-03-01 - 8:36:18 PM GMT



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**CITY OF KENMORE
WASHINGTON
ORDINANCE NO. 23-0586**

**AN ORDINANCE OF THE CITY OF KENMORE, WASHINGTON, AMENDING
ORDINANCE 22-0543, AS AMENDED BY ORDINANCE 22-0555,
ORDINANCE 22-0569 AND ORDINANCE 23-0575, TO EXTEND AND
RENEW FOR AN ADDITIONAL SIX-MONTH PERIOD THE CITY'S INTERIM
REGULATIONS RELATING TO THE TRANSIT ORIENTED DEVELOPMENT
(TOD) DISTRICT OVERLAY APPLICABLE TO CERTAIN REAL PROPERTIES
IDENTIFIED BY THE FOLLOWING TAX PARCEL (TPN): TPN 086650-0000,
TPN 670540-0000, TPN 182260-0000, TPN 011410-0841, TPN 011410-
0843, TPN 011410-0850, TPN 011410-0855, TPN 011410-0860, TPN
011410-0865, TPN 011410-0885, TPN 011410-0870, TPN 011410-0881,
TPN 011410-0889; PROVIDING FOR SEVERABILITY; AND ESTABLISHING
AN EFFECTIVE DATE**

WHEREAS, the City Council adopted Ordinance 15-0406, which established the Transit Oriented Development (TOD) District Overlay, which is codified at Chapter 18.29 of the Kenmore Municipal Code (KMC); and

WHEREAS, the purpose of the TOD District Overlay is to reinforce the City's planned concentrations of pedestrian-oriented mixed-use development at intensities that support and are supported by multi-modal transportation options, including high-capacity transit; and

WHEREAS, the City has directed the Planning Commission to review the City's TOD District Overlay regulations as part of the State-mandated Comprehensive Plan update; and

WHEREAS, the City became aware of the potential of lower density projects within the TOD District Overlay area, which would interfere with the City's intended planning for the TOD District Overlay area; and

WHEREAS, on August 16, 2021, the City Council adopted public emergency Ordinance 21-0533 that established an effective date for a six-month moratorium to and through February 16, 2022 to give the Planning Commission sufficient time to hold a hearing, complete planning for the TOD District Overlay area, and provide recommendations to the City Council regarding the appropriate regulatory framework for the TOD District Overlay; and

WHEREAS, on September 27, 2021, following a public hearing held by the City Council on the six-month moratorium, the Council adopted Ordinance 21-0535 amending Section 2 of Ordinance 21-0533 to allow an additional exemption for building permit applications for or the construction of transitional housing or permanent supportive

housing or building permit application for or the construction of indoor emergency housing; and

WHEREAS, on February 14, 2022, following a public hearing held by the City Council on the moratorium and interim regulations, the Council repealed the moratorium (Ordinance 21-0533 and Ordinance 21-0535) and immediately adopted interim regulations (Ordinance 22-0543) allowing certain development applications at appropriate densities within the TOD District Overlay consistent with the City's long-range planning, prior to completion of the City's regulatory review process; and

WHEREAS, on July 25, 2022, following a public hearing, the City Council adopted Ordinance 22-0555 extending and renewing interim regulations adopted by Ordinance 22-0543 for a further six-month period through January 25, 2023 to provide additional time for the Planning Commission to hold a public hearing, complete planning for the TOD District Overlay area, provide recommendations to the City Council regarding the appropriate regulatory framework for the TOD District Overlay and for Council to consider the recommendation; and

WHEREAS, on October 18, 2022, the Planning Commission held a public hearing regarding a proposed regulatory framework for the TOD District Overlay; and

WHEREAS, on November 21, 2022, the Planning Commission presented recommendations to the City Council regarding a proposed regulatory framework for the TOD District Overlay; and

WHEREAS, on November 28, 2022, the City Council gave direction on the proposed regulatory framework for the TOD District Overlay and requested consideration of an ordinance at a future meeting; and

WHEREAS, on November 28, 2022 the City Council gave direction to "carve out" certain parcels close to Swamp Creek in proximity to SR522 and 80th Ave NE from the proposed regulatory framework and thereby reduce the area applicable to the TOD District Overlay pending completion of a channel restoration assessment of Swamp Creek to determine where channel restoration would provide the most ecological benefit and options for new regulations for the "carve out" area to incentivize Swamp Creek channel restoration; and

WHEREAS, on January 9, 2023, following a public hearing the City Council adopted Ordinance 23-0569 extending and renewing interim regulations adopted by Ordinance 22-0543, as renewed by Ordinance 22-0555 for a further six-month period through July 25, 2023, to provide additional time for the City Council to consider adoption of an ordinance for the TOD regulatory framework; and

WHEREAS, on February 13, 2023, Council gave direction and confirmed which certain proposed new TOD amendments should or should not apply on applicable regulations for the reduced TOD "carve out" area; and

WHEREAS, on March 13, 2023, the City Council adopted Ordinance 23-0574 adopting municipal code and zoning map amendments related to a Transit-Oriented Development regulatory framework; and

WHEREAS, on March 13, 2023, the City Council held a public hearing on the proposed six-month extension and renewal of the City's interim regulations authorized and imposed by Ordinance 22-0543, as renewed and extended by Ordinance Nos. 22-0555 and 23-0569; and

WHEREAS, on March 13, 2023, the City Council adopted Ordinance 23-0575 amending the interim regulations established by Ord. 22-0543, and as codified at Section 18.29.020 and Figure 18.29.020.1 of the Kenmore Municipal Code, to reduce the area of the Transit Oriented Development (TOD) District Overlay to the following real properties, identified by Tax Parcel Number and address:

1. TPN 086650-0000, 17915 80th Ave NE, Kenmore, WA 98028
2. TPN 670540-0000, 17827 80th Ave NE, Kenmore, WA 98028
3. TPN 182260-0000, 17811 80th Ave NE, Kenmore, WA 98028
4. TPN 011410-0841, 17721 80th Ave NE, Kenmore, WA 98028
5. TPN 011410-0843, 17715 80th Ave NE, Kenmore, WA 98028
6. TPN 011410-0850, 17525 80th Ave NE, Kenmore, WA 98028
7. TPN 011410-0855, 7900 NE Bothell Way, Kenmore, WA 98028
8. TPN 011410-0860, 7850 NE Bothell Way, Kenmore, WA 98028
9. TPN 011410-0865, 7800 NE Bothell Way, Kenmore, WA 98028
10. TPN 011410-0885, 7750 NE Bothell Way, Kenmore, WA 98028
11. TPN 011410-0870, 7760 NE Bothell Way, Kenmore, WA 98028
12. TPN 011410-0881, 7638 NE Bothell Way, Kenmore, WA 98028
13. TPN 011410-0889, 7644 NE Bothell Way, Kenmore, WA 98028

(referenced together as the “Reduced TOD Area”)

WHEREAS, additional time is necessary to complete a channel restoration assessment of Swamp Creek including for the Reduced TOD Area and also to give Council sufficient time to consider and potentially adopt an ordinance and new regulations to incentivize Swamp Creek channel restoration; and

WHEREAS, the regulations of zoning and land use are valid exercises of the City's police powers under Art. XI, Sec. 11 of the Washington State Constitution, and such police powers grant the City the authority to adopt interim regulations; and

WHEREAS, RCW 35A.63.220 and RCW 36.70A.390 authorize the City Council, as the governing body, to renew and extend interim regulations on development or land use for one or more six-month periods if a subsequent hearing is held and findings of fact are made prior to said extension and renewal; and

WHEREAS, the City Council has determined that it is in the best interest of the public, and is necessary for the protection of public health, safety, property, or peace, to extend and renew for an additional six-month period the interim regulations established in Ordinance 22-0543, as amended, extended, and renewed by Ordinance Nos. 22-0555, 23-0569 and 23-0575; and

WHEREAS, in order for this Ordinance to become effective prior to the September 13th expiration of the existing interim regulations, the City Council needs to declare an emergency and authorize an immediate effective date for this Ordinance, and the City acknowledges that state law requires a super-majority of the City Council to approve such an emergency declaration;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF KENMORE, WASHINGTON ORDAINS AS FOLLOWS:

Section 1. Findings of Fact in Support of Renewal and Extension. The City Council adopts the recitals set forth above, and in Ordinance Nos. 22-0543, 22-0555, 23-0569 and Ordinance 23-0575, which are incorporated herein by reference, as findings of fact in support of the extension and renewal of interim regulations.

Section 2. Six-Month Extension and Renewal of Interim Regulations. Section 4 of Ordinance 22-0543, as amended by Ordinance Nos. 22-0555, 23-0569, and 23-0575 is further amended to read as follows:

Section 4. Duration. The interim regulations established by Ordinance 22-0543, as renewed and extended by Ordinance Nos. 22-0555, ~~and 23-0569, and 23-0575,~~ and as amended by Section 3.D of this Ordinance ~~No. 23-0575,~~ shall be extended and renewed for an additional period of six (6) months from the adoption date of this Ordinance, September 11, 2023~~March 13, 2023~~ (to and through March 11, 2024~~September 13, 2023~~), and shall automatically expire at the end of that day unless repealed, modified, or renewed and extended (after subsequent public hearing if renewed and extended), and entry of appropriate findings of fact as provided in RCW 35A.63.220 and RCW 36.70A.390.

Section 3. Transmittal of Ordinance. The City Manager is directed to transmit this ordinance to the Washington State Department of Commerce as required by law.

Section 4. Severability. If any provision of this ordinance or its application to any person or circumstance is held invalid or unconstitutional by a court of competent jurisdiction, the remainder of the ordinance, or the application of the provision to other persons or circumstances, is not affected.

Section 5. Emergency; Effective Date. This Ordinance, as a public emergency ordinance necessary for the protection of the public health, public safety, public property, or public peace, shall take effect and be in full force immediately upon its adoption. Pursuant to Matson v. Clark County Board of Commissioners, 79 Wn. App. 641, 904 P.2d 317 (1995), underlying facts necessary to support this emergency declaration are included in the recitals set forth above, which are adopted by reference.

PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 11th DAY OF September 2023.

CITY OF KENMORE


[Nigel G. Herbig \(Sep 15, 2023 08:04 PDT\)](#)

Mayor Nigel Herbig

ATTEST/AUTHENTICATED:


[Anastasiya Warhol \(Sep 13, 2023 11:37 PDT\)](#)

Anastasiya Warhol City Clerk

Approved as to form:


[Dawn Reitan \(Sep 13, 2023 09:55 PDT\)](#)

Dawn Reitan, City Attorney

FILED WITH THE CITY CLERK: AUGUST 31, 2023
PASSED BY THE CITY COUNCIL: SEPTEMBER 11, 2023
ORDINANCE NO.: 23-0586
DATE OF PUBLICATION: SEPTEMBER 15, 2023
EFFECTIVE DATE: SEPTEMBER 20, 2023

Att. #1 Ordinance 23-0586 amending and extending TOD interim regulations revised 081523

Final Audit Report

2023-09-15

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"Att. #1 Ordinance 23-0586 amending and extending TOD interim regulations revised 081523" History

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 Signer nherbig@kenmorewa.gov entered name at signing as Nigel G. Herbig
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**CITY OF KENMORE
WASHINGTON
ORDINANCE NO. 23-0575**

**AN ORDINANCE OF THE CITY OF KENMORE, WASHINGTON,
AMENDING ORDINANCE 22-0543, AS AMENDED BY ORDINANCE 22-
0555 AND ORDINANCE 22-0569, TO EXTEND AND RENEW FOR AN
ADDITIONAL SIX-MONTH PERIOD THE CITY'S INTERIM
REGULATIONS, AND AMENDING SECTION 18.29.020 AND FIGURE
18.29.020.1 OF THE KENMORE MUNICIPAL CODE TO REDUCE THE
AREA OF THE TRANSIT ORIENTED DEVELOPMENT (TOD)
DISTRICT OVERLAY TO CERTAIN REAL PROPERTIES IDENTIFIED
BY THE FOLLOWING TAX PARCEL (TPN): TPN 086650-0000, TPN
670540-0000, TPN 182260-0000, TPN 011410-0841, TPN 011410-0843, TPN
011410-0850, TPN 011410-0855, TPN 011410-0860, TPN 011410-0865, TPN
011410-0885, TPN 011410-0870, TPN 011410-0881, TPN 011410-0889;
PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN
EFFECTIVE DATE**

WHEREAS, the City Council adopted Ordinance 15-0406, which established the Transit Oriented Development (TOD) District Overlay, which is codified at Chapter 18.29 of the Kenmore Municipal Code (KMC); and

WHEREAS, the purpose of the TOD District Overlay is to reinforce the City's planned concentrations of pedestrian-oriented mixed-use development at intensities that support and are supported by multi-modal transportation options, including high-capacity transit; and

WHEREAS, the City has directed the Planning Commission to review the City's TOD District Overlay regulations as part of the State-mandated Comprehensive Plan update; and

WHEREAS, the City became aware of the potential of lower density projects within the TOD District Overlay area, which would interfere with the City's intended planning for the TOD District Overlay area; and

WHEREAS, on August 16, 2021, the City Council adopted public emergency Ordinance 21-0533 that established an effective date for a six-month moratorium to and through February 16, 2022 to give the Planning Commission sufficient time to hold a hearing, complete planning for the TOD District Overlay area, and provide recommendations to the City Council regarding the appropriate regulatory framework for the TOD District Overlay; and

WHEREAS, on September 27, 2021, following a public hearing held by the City Council on the six-month moratorium, the Council adopted Ordinance 21-0535 amending Section 2 of Ordinance 21-0533 to allow an additional exemption for building permit applications for or the construction of transitional housing or permanent supportive housing or building permit application for or the construction of indoor emergency housing; and

WHEREAS, on February 14, 2022, following a public hearing held by the City Council on the moratorium and interim regulations, the Council repealed the moratorium (Ordinance 21-0533 and Ordinance 21-0535) and immediately adopted interim regulations (Ordinance 22-0543) allowing certain development applications at appropriate densities within the TOD District Overlay consistent with the City's long-range planning, prior to completion of the City's regulatory review process; and

WHEREAS, on July 25, 2022, following a public hearing, the City Council adopted Ordinance 22-0555 extending and renewing interim regulations adopted by Ordinance 22-0543 for a further six-month period through January 25, 2023 to provide additional time for the Planning Commission to hold a public hearing, complete planning for the TOD District Overlay area, provide recommendations to the City Council regarding the appropriate regulatory framework for the TOD District Overlay and for Council to consider the recommendation; and

WHEREAS, on October 18, 2022, the Planning Commission held a public hearing regarding a proposed regulatory framework for the TOD District Overlay; and

WHEREAS, on November 21, 2022, the Planning Commission presented recommendations to the City Council regarding a proposed regulatory framework for the TOD District Overlay; and

WHEREAS, on November 28, 2022 the City Council gave direction on the proposed regulatory framework for the TOD District Overlay and requested consideration of an ordinance at a future meeting; and

WHEREAS, on November 28, 2022 the City Council gave direction to "carve out" certain parcels close to Swamp Creek in proximity to SR522 and 80th Ave NE from the proposed regulatory framework and thereby reduce the area applicable to the TOD District Overlay pending completion of a channel restoration assessment of Swamp Creek to determine where channel restoration would provide the most ecological benefit and options for new regulations for the "carve out" area to incentivize Swamp Creek channel restoration; and

WHEREAS, on January 9, 2023, following a public hearing the City Council adopted Ordinance 23-0569 extending and renewing interim regulations adopted by Ordinance 22-0543, as renewed by Ordinance 22-0555 for a further six-month period through July 25, 2023 to provide additional time for the City Council to consider adoption of an ordinance for the TOD regulatory framework; and

WHEREAS, on February 13, 2023, Council gave direction and confirmed which certain proposed new TOD amendments should or should not apply on applicable regulations for the reduced TOD "carve out" area; and

WHEREAS, on March 13, 2023, the City Council will be considering adoption of Ordinance 23-0574 adopting municipal code and zoning map amendments related to a Transit-Oriented Development regulatory framework; and

WHEREAS, on March 13, 2023, the City Council held a public hearing on the proposed six-month extension and renewal of the City's interim regulations authorized and imposed by Ordinance 22-0543, as renewed and extended by Ordinance Nos. 22-0555 and 23-0569; and

WHEREAS, additional time is necessary to complete a channel restoration assessment of Swamp Creek including for the reduced TOD “carve out” area for those certain parcels close to Swamp Creek in proximity to SR522 and 80th Ave NE and also to give Council sufficient time to consider and potentially adopt an ordinance and new regulations to incentivize Swamp Creek channel restoration; and

WHEREAS, the City Council desires to amend the interim regulations established by Ord. 22-0543, and as codified at Section 18.29.020 and Figure 18.29.020.1 of the Kenmore Municipal Code, to reduce the area of the Transit Oriented Development (TOD) District Overlay to the following real properties, identified by Tax Parcel Number and address:

1. TPN 086650-0000, 17915 80th Ave NE, Kenmore, WA 98028
2. TPN 670540-0000, 17827 80th Ave NE, Kenmore, WA 98028
3. TPN 182260-0000, 17811 80th Ave NE, Kenmore, WA 98028
4. TPN 011410-0841, 17721 80th Ave NE, Kenmore, WA 98028
5. TPN 011410-0843, 17715 80th Ave NE, Kenmore, WA 98028
6. TPN 011410-0850, 17525 80th Ave NE, Kenmore, WA 98028
7. TPN 011410-0855, 7900 NE Bothell Way, Kenmore, WA 98028
8. TPN 011410-0860, 7850 NE Bothell Way, Kenmore, WA 98028
9. TPN 011410-0865, 7800 NE Bothell Way, Kenmore, WA 98028
10. TPN 011410-0885, 7750 NE Bothell Way, Kenmore, WA 98028
11. TPN 011410-0870, 7760 NE Bothell Way, Kenmore, WA 98028
12. TPN 011410-0881, 7638 NE Bothell Way, Kenmore, WA 98028
13. TPN 011410-0889, 7644 NE Bothell Way, Kenmore, WA 98028

WHEREAS, the regulations of zoning and land use are valid exercises of the City’s police powers under Art. XI, Sec. 11 of the Washington State Constitution, and such police powers grant the City the authority to adopt interim regulations; and

WHEREAS, RCW 35A.63.220 and RCW 36.70A.390 authorize the City Council, as the governing body, to renew and extend interim regulations on development or land use for one or more six-month periods if a subsequent hearing is held and findings of fact are made prior to said extension and renewal; and

WHEREAS, the City Council has determined that it is in the best interest of the public, and is necessary for the protection of public health, safety, property, or peace, to extend and renew for

an additional six-month period the interim regulations established in Ordinance 22-0543, as extended and renewed by Ordinance Nos. 22-0555 and 23-0569;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF KENMORE, WASHINGTON ORDAINS AS FOLLOWS:

Section 1. Findings of Fact in Support of Renewal and Extension. The City Council adopts the recitals set forth above and in Ordinance Nos. 22-0543, 22-0555 and 23-0569, which are incorporated herein by reference, as findings of fact in support of the extension and renewal of interim regulations.

Section 2. Amendment. The City Council amends Section 3 of Ordinance 22-0543 to read as follows:

Section 3. Interim Regulations.

A. Adoption. Pursuant to the City's police powers under Article XI, Section 11 of the Washington State Constitution, RCW 35A.63.220, and RCW 36.70A.390, interim regulations are hereby adopted and imposed on the application for, intake of, review of, or issuance of any approval and/or development permit, including, but not limited to, building permits, site plan review, etc., for the establishment, location and/or construction of any development on certain real properties identified by the following Tax Parcel Numbers (TPN) and addresses:

1. TPN 086650-0000, 17915 80th Ave NE, Kenmore, WA 98028
2. TPN 670540-0000, 17827 80th Ave NE, Kenmore, WA 98028
3. TPN 182260-0000, 17811 80th Ave NE, Kenmore, WA 98028
4. TPN 011410-0841, 17721 80th Ave NE, Kenmore, WA 98028
5. TPN 011410-0843, 17715 80th Ave NE, Kenmore, WA 98028
6. TPN 011410-0850, 17525 80th Ave NE, Kenmore, WA 98028
7. TPN 011410-0855, 7900 NE Bothell Way, Kenmore, WA 98028
8. TPN 011410-0860, 7850 NE Bothell Way, Kenmore, WA 98028
9. TPN 011410-0865, 7800 NE Bothell Way, Kenmore, WA 98028
10. TPN 011410-0885, 7750 NE Bothell Way, Kenmore, WA 98028
11. TPN 011410-0870, 7760 NE Bothell Way, Kenmore, WA 98028
12. TPN 011410-0881, 7638 NE Bothell Way, Kenmore, WA 98028

13. TPN 011410-0889, 7644 NE Bothell Way, Kenmore, WA 98028

(collectively, the “Parcels”), located within the Transit Oriented Development (TOD) District Overlay area, as shown and depicted in KMC 18.29.020 (as revised in Section 3.D of this Ordinance). The term “development” means the same as defined in KMC 18.20.715. The term “development permit” means the same as defined in KMC 18.20.735.

- B. Exemptions. The interim regulations adopted by this Ordinance only apply to new development permit applications.
- C. Adopted Interim Regulations: Interim regulations for the TOD District Overlay adopted and imposed pursuant to Section 3.A are set forth in Exhibit A, attached hereto and incorporated by reference.
- D. Amending Interim Regulations. The interim regulations adopted and imposed by Ordinance No. 22-0543, and as codified at Chapter 18.29 of the Kenmore Municipal Code (KMC), are amended as follows: Exhibit A to Ordinance No. 22-0543, KMC 18.29.020 “Area” is amended by replacing Figure 18.29.020.1 with new Figure 18.29.020.1 as set forth in Exhibit B, attached hereto and incorporated by reference, which include the Parcels identified in Section 3.A.

Section 3. Six-Month Extension and Renewal of Interim Regulations. Section 4 of Ordinance 22-0543, as amended by Ordinance Nos. 22-0555 and 23-0569, is further amended to read as follows:

Section 4. Duration. The interim regulations established by Ordinance 22-0543, as renewed and extended by Ordinance Nos. 22-0555 and 23-0569, and as amended by Section 3.D of this Ordinance, shall be extended and renewed for an additional period of six (6) months from the adoption date of this Ordinance, ~~March 13, 2023~~ ~~January 25, 2023~~ (to and through ~~September 13, 2023~~ ~~July 25, 2023~~), and shall automatically expire at the end of that day unless repealed, modified, or renewed and extended (after subsequent public hearing if renewed and extended), and entry of appropriate findings of fact as provided in RCW 35A.63.220 and RCW 36.70A.390.

Section 4. Authorization of City Manager. The City Manager is hereby authorized and directed to complete a channel restoration assessment of Swamp Creek that includes the area within the TOD District Boundary, Exhibit B attached to this ordinance and to move forward and bring an ordinance for new regulations to incentivize Swamp Creek Channel restoration to the City Council for consideration and potential adoption.

Section 5. Transmittal of Ordinance. The City Manager is directed to transmit this ordinance to the Washington State Department of Commerce as required by law.

Section 6. Severability. If any provision of this ordinance or its application to any person or circumstance is held invalid or unconstitutional by a court of competent jurisdiction, the remainder of the ordinance, or the application of the provision to other persons or circumstances, is not affected.

Section 7. Effective Date. This Ordinance shall be published in the official newspaper of the City and shall take effect and be in full force (5) days after the date of publication.

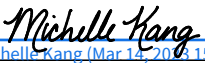
PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 13th DAY OF MARCH 2023.

CITY OF KENMORE


[Nigel G. Herbig \(Mar 14, 2023 18:19 PDT\)](#)

Mayor Nigel Herbig

ATTEST/AUTHENTICATED:


[Michelle Kang \(Mar 14, 2023 15:50 PDT\)](#)

Michelle Kang, Deputy City Clerk

Approved as to form:


[Dawn Reitan \(Mar 14, 2023 15:56 PDT\)](#)

Dawn Reitan, City Attorney

FILED WITH THE CITY CLERK: 03/13/2023

PASSED BY THE CITY COUNCIL: MARCH 13, 2023

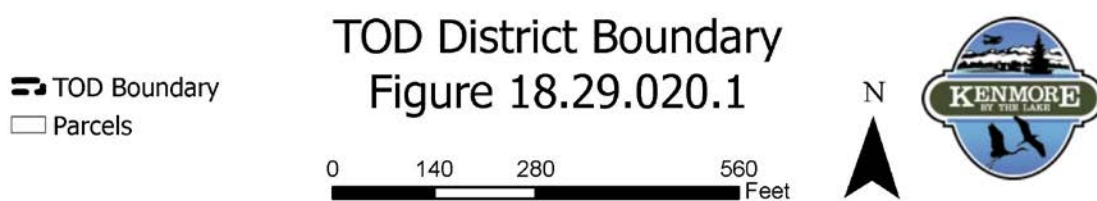
ORDINANCE NO.: 23-0575

DATE OF PUBLICATION: 03/17/2023

EFFECTIVE DATE: 03/22/2023

18.29.020 Area.

The area of the TOD district overlay is shown on Figure 18.29.020.1. In order to develop under the TOD district overlay, at least 50 percent of a parcel shown on Figure 18.29.020.1 shall be located within the TOD district overlay.



Ordinance 23-0575 amending and extending interim regulations

Final Audit Report

2023-03-15

Created:	2023-03-14
By:	Michelle Kang (mkang@kenmorewa.gov)
Status:	Signed
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**CITY OF KENMORE
WASHINGTON
ORDINANCE NO. 23-0569**

**AN ORDINANCE OF THE CITY OF KENMORE, WASHINGTON,
AMENDING ORDINANCE 22-0543, AS AMENDED BY ORDINANCE 22-
0555, TO EXTEND AND RENEW FOR AN ADDITIONAL SIX-MONTH
PERIOD THE CITY'S INTERIM REGULATIONS WITHIN THE
TRANSIT OVERLAY DEVELOPMENT (TOD) DISTRICT; PROVIDING
FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE**

WHEREAS, the City Council adopted Ordinance 15-0406, which established the Transit Oriented Development (TOD) District Overlay, which is codified at Chapter 18.29 of the Kenmore Municipal Code (KMC); and

WHEREAS, the purpose of the TOD District Overlay is to reinforce the City's planned concentrations of pedestrian-oriented mixed-use development at intensities that support and are supported by multi-modal transportation options, including high-capacity transit; and

WHEREAS, the City has directed the Planning Commission to review the City's TOD District Overlay regulations as part of the State-mandated Comprehensive Plan update; and

WHEREAS, the City became aware of the potential of lower density projects within the TOD District Overlay area, which would interfere with the City's intended planning for the TOD District Overlay area; and

WHEREAS, on August 16, 2021, the City Council adopted public emergency Ordinance 21-0533 that established an effective date for a six-month moratorium to and through February 16, 2022 to give the Planning Commission sufficient time to hold a hearing, complete planning for the TOD District Overlay area, and provide recommendations to the City Council regarding the appropriate regulatory framework for the TOD District Overlay; and

WHEREAS, on September 27, 2021, following a public hearing held by the City Council on the six-month moratorium, the Council adopted Ordinance 21-0535 amending Section 2 of Ordinance 21-0533 to allow an additional exemption for building permit applications for or the construction of transitional housing or permanent supportive housing or building permit application for or the construction of indoor emergency housing; and

WHEREAS, on February 14, 2022, following a public hearing held by the City Council on the moratorium and interim regulations, the Council repealed the moratorium (Ordinance 21-0533 and Ordinance 21-0535) and immediately adopted interim regulations (Ordinance 22-0543) allowing certain development applications at appropriate densities within the TOD District Overlay consistent with the City's long-range planning, prior to completion of the City's regulatory review process; and

WHEREAS, on July 25, 2022, following a public hearing, the City Council adopted Ordinance 22-0555 extending and renewing interim regulations adopted by Ordinance 22-0543 for a further six-month period through January 25, 2023 to provide additional time for the Planning Commission to hold a public hearing, complete planning for the TOD District Overlay area, provide recommendations to the City Council regarding the appropriate regulatory framework for the TOD District Overlay and for Council to consider the recommendation; and

WHEREAS, on October 18, 2022 the Planning Commission held a public hearing regarding a proposed regulatory framework for the TOD District Overlay; and

WHEREAS, on November 21, 2022 the Planning Commission presented recommendations to the City Council regarding a proposed regulatory framework for the TOD District Overlay; and

WHEREAS, on November 28, 2022 the City Council gave direction on the proposed regulatory framework for the TOD District Overlay and requested consideration of an ordinance at a future meeting; and

WHEREAS, additional time is necessary for an ordinance to be drafted reflecting Council's direction on the proposed regulatory framework for the TOD District Overlay, and to give Council sufficient time to consider and potentially adopt such an ordinance; and

WHEREAS, the regulations of zoning and land use are valid exercises of the City's police powers under Art. XI, Sec. 11 of the Washington State Constitution, and such police powers grant the City the authority to adopt interim regulations; and

WHEREAS, RCW 35A.63.220 and RCW 36.70A.390 authorize the City Council, as the governing body, to renew and extend interim regulations on development or land use for one or more six—month periods if a subsequent hearing is held and findings of fact are made prior to said extension and renewal; and

WHEREAS, on January 9, 2023 the City Council held a public hearing on the proposed six—month extension and renewal of the City's interim regulations authorized and imposed by Ordinance 22-0543, as renewed and extended by Ordinance 22-0555; and

WHEREAS, the City Council has determined that it is in the best interest of the public, and is necessary for the protection of public health, safety, property, or peace, to extend and renew for an additional six-month period the interim regulations established in Ordinance 22-0543, as extended and renewed by Ordinance 22-0555;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF KENMORE, WASHINGTON ORDAINS AS FOLLOWS:

Section 1. Findings of Fact in Support of Renewal and Extension. The City Council adopts the recitals set forth above and in Ordinance Nos. 22-0543 and 22-0555, which are incorporated herein by reference, as findings of fact in support of the extension and renewal of interim regulations adopted under Ordinance 22-0543, as amended by Ordinance 22-0555, for an additional six-month period.

Section 2. Six-Month Extension and Renewal of Interim Regulations. Section 4 of Ordinance 22-0543, as amended by Ordinance 22-0555, is further amended to read as follows:

Section 4. Duration. The interim regulations established by Ordinance 22-0543, as renewed and extended by Ordinance 22-0555, shall be extended and renewed for an additional period of six (6) months from January 25, 2023 (to and through July 25, 2023), and shall automatically expire at the end of that day unless repealed, modified, or renewed and extended (after subsequent public hearing if renewed and extended), and entry of appropriate findings of fact as provided in RCW 35A.63.220 and RCW 36.70A.390.

Section 3. Authorization of City Manager. The City Manager is hereby authorized and directed to move forward and bring an ordinance relating to the proposed TOD regulatory framework to the City Council for consideration and potential adoption.

Section 4. Transmittal of Ordinance. The City Manager is directed to transmit this ordinance to the Washington State Department of Commerce as required by law.

Section 5. Severability. If any provision of this ordinance or its application to any person or circumstance is held invalid or unconstitutional by a court of competent jurisdiction, the remainder of the ordinance, or the application of the provision to other persons or circumstances, is not affected.

Section 6. Effective Date. This Ordinance shall be published in the official newspaper of the City and shall take effect and be in full force (5) days after the date of publication.

PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 9th DAY OF JANUARY 2023.

CITY OF KENMORE


[Nigel Herbig \(Jan 10, 2023 17:12 PST\)](#)
Mayor Nigel Herbig

ATTEST/AUTHENTICATED:


[Michelle Kang \(Jan 10, 2023 16:33 PST\)](#)
Michelle Kang, Deputy City Clerk

Approved as to form:


[Dawn Reitan \(Jan 11, 2023 10:54 PST\)](#)
Dawn Reitan, City Attorney

FILED WITH THE CITY CLERK: 12/29/2022
PASSED BY THE CITY COUNCIL: JANUARY 9, 2023
ORDINANCE NO.: 23-0569
DATE OF PUBLICATION: 01/13/2023
EFFECTIVE DATE: 01/18/2023

Ordinance No. 23-0569 Extending and Renewing TOD Interim Regulations

Final Audit Report

2023-01-11

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**CITY OF KENMORE
WASHINGTON
ORDINANCE NO. 22-0555**

**AN ORDINANCE OF THE CITY OF KENMORE, WASHINGTON,
AMENDING ORDINANCE 22-0543 TO EXTEND AND RENEW FOR AN
ADDITIONAL SIX-MONTH PERIOD THE CITY'S INTERIM
REGULATIONS WITHIN THE TRANSIT OVERLAY DEVELOPMENT
(TOD) DISTRICT; PROVIDING FOR SEVERABILITY; AND
ESTABLISHING AN EFFECTIVE DATE**

WHEREAS, the City Council adopted Ordinance 15-0406, which established the Transit Oriented Development (TOD) District Overlay, which is codified at Chapter 18.29 of the Kenmore Municipal Code (KMC); and

WHEREAS, the purpose of the TOD District Overlay is to reinforce the City's planned concentrations of pedestrian-oriented mixed-use development at intensities that support and are supported by multi-modal transportation options, including high-capacity transit; and

WHEREAS, the City has directed the Planning Commission to review the City's TOD District Overlay regulations as part of the State-mandated Comprehensive Plan update; and

WHEREAS, the City became aware of the potential of lower density projects within the TOD District Overlay area, which would interfere with the City's intended planning for the TOD District Overlay area; and

WHEREAS, on August 16, 2021, the City Council adopted public emergency Ordinance 21-0533 that established an effective date for a six-month moratorium to and through February 16, 2022 to give the Planning Commission sufficient time to hold a hearing, complete planning for the TOD District Overlay area, and provide recommendations to the City Council regarding the appropriate regulatory framework for the TOD District Overlay; and

WHEREAS, on September 27, 2021, following a public hearing held by the City Council on the six-month moratorium, the Council adopted Ordinance 21-0535 amending Section 2 of Ordinance 21-0533 to allow an additional exemption for building permit applications for or the construction of transitional housing or permanent supportive housing or building permit application for or the construction of indoor emergency housing; and

WHEREAS, on February 14, 2022, following a public hearing held by the City Council on the moratorium and interim regulations, the Council repealed the moratorium (Ordinance 21-0533 and Ordinance 21-0535) and immediately adopted interim regulations (Ordinance 22-0543) allowing certain development applications at appropriate densities within the TOD District Overlay consistent with the City's long-range planning, prior to completion of the City's regulatory review process; and

WHEREAS, additional time is necessary for the Planning Commission to hold a public hearing, complete planning for the TOD District Overlay area, provide recommendations to the

City Council regarding the appropriate regulatory framework for the TOD District Overlay and for Council to consider the recommendation; and

WHEREAS, the regulations of zoning and land use are valid exercises of the City's police powers under Art. XI, Sec. 11 of the Washington State Constitution, and such police powers grant the City the authority to adopt interim regulations; and

WHEREAS, RCW 35A.63.220 and RCW 36.70A.390 authorize the City Council, as the governing body, to renew and extend interim regulations on development or land use for one or more six—month periods if a subsequent hearing is held and findings of fact are made prior to said extension and renewal; and

WHEREAS, on July 25, 2022, the City Council held a public hearing on the proposed six—month extension and renewal of the City's interim regulations authorized and imposed by Ordinance 22-0543; and

WHEREAS, the City Council has determined that it is in the best interest of the public, and is necessary for the protection of public health, safety, property, or peace, to extend and renew for an additional six-month period the interim regulations established in Ordinance 22-0543; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF KENMORE, WASHINGTON ORDAINS AS FOLLOWS:

Section 1. Findings. The City Council adopts the recitals set forth above and in Ordinance No. 22-0543, which are incorporated herein by reference, as findings in support of the extension and renewal of interim regulations adopted under Ordinance 22-0543 for an additional six-month period.

Section 2. Six-Month Extension and Renewal of Interim Regulations. Section 4 of Ordinance 22-0543 is amended to read as follows:

Section 4. Duration. The interim regulations established by ~~in Section 3 above~~ Ordinance 22-0543 shall be extended and renewed in effect for a period of six (6) months from the effective date of this Ordinance 22-0555 (to and through ~~September 14, 2022~~ January 25, 2023) and shall automatically expire at the end of that day unless repealed, modified, or extended (after subsequent public hearing if extended), and entry of appropriate findings of fact as provided in RCW 35A.63.220 and RCW 36.70A.390.

Section 3. Authorization of City Manager. The City Manager is hereby authorized and directed to move forward with the Planning Commission's review of appropriate development regulations relating to the TOD District Overlay area, and to bring its recommendation to the City Council for consideration and potential adoption.

Section 4. Transmittal of Ordinance. The City Manager is directed to transmit this ordinance to the Washington State Department of Commerce as required by law.

Section 5. Severability. If any provision of this ordinance or its application to any person or circumstance is held invalid or unconstitutional by a court of competent jurisdiction, the

remainder of the ordinance, or the application of the provision to other persons or circumstances, is not affected.

Section 6. Effective Date. This Ordinance shall be published in the official newspaper of the City and shall take effect and be in full force (5) days after the date of publication.

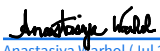
PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 25th DAY OF JULY 2022.

CITY OF KENMORE


Nigel Herbig (Jul 27, 2022 12:29 PDT)

Mayor Nigel Herbig

ATTEST/AUTHENTICATED:


Anastasiya Warhol (Jul 27, 2022 14:10 PDT)

Anastasiya Warhol, City Clerk

Approved as to form:


Dawn Reitan (Jul 27, 2022 09:52 PDT)

Dawn Reitan, City Attorney

FILED WITH THE CITY CLERK: 7/15/22

PASSED BY THE CITY COUNCIL: JULY 25, 2022

ORDINANCE NO.: 22-0555

DATE OF PUBLICATION: 7/28/22

EFFECTIVE DATE: 8/2/22

Ordinance 22-0555, Extending Interim Regulations in TOD Area

Final Audit Report

2022-07-27

Created:	2022-07-26
By:	Anastasiya Warhol (awarhol@kenmorewa.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAANxGV0eLnVHw2rccslbNNi5XxouOKHSUs

"Ordinance 22-0555, Extending Interim Regulations in TOD Area" History

-  Document created by Anastasiya Warhol (awarhol@kenmorewa.gov)
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Document e-signed by Anastasiya Warhol (awarhol@kenmorewa.gov)

Page 122 of 258

Signature Date: 2022-07-27 - 9:10:54 PM GMT - Time Source: server- IP address: 50.235.209.34



Agreement completed.

2022-07-27 - 9:10:54 PM GMT



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**CITY OF KENMORE
WASHINGTON
ORDINANCE NO. 22-0543**

**AN ORDINANCE OF THE CITY OF KENMORE, WASHINGTON,
ADOPTING SIX-MONTH INTERIM REGULATIONS WITHIN THE
TRANSIT OVERLAY DEVELOPMENT (TOD) DISTRICT; REPEALING
ORDINANCE NOS. 21-0533 AND 21-0535; DECLARING AN
EMERGENCY AND ESTABLISHING AN IMMEDIATE EFFECTIVE
DATE**

WHEREAS, the City Council adopted Ordinance 15-0406, which established the Transit Oriented Development (TOD) District Overlay, which is codified at Chapter 18.29 of the Kenmore Municipal Code (KMC); and

WHEREAS, the purpose of the TOD District Overlay is to reinforce the City's planned concentrations of pedestrian-oriented mixed-use development at intensities that support and are supported by multi-modal transportation options, including high-capacity transit; and

WHEREAS, the City has directed the Planning Commission to review the City's TOD District Overlay regulations as part of the State-mandated Comprehensive Plan update; and

WHEREAS, the City became aware of the potential of lower density projects within the TOD District Overlay area, which would interfere with the City's intended planning for the TOD District Overlay area; and

WHEREAS, on August 16, 2021 the City Council adopted public emergency Ordinance 21-0533 that established an effective date for a six-month moratorium to and through February 16, 2022 to give the Planning Commission sufficient time to hold a hearing, complete planning for the TOD District Overlay area, and provide recommendations to the City Council regarding the appropriate regulatory framework for the TOD District Overlay; and

WHEREAS, on September 27, 2021 following a public hearing held by the City Council on the six-month moratorium, the Council adopted Ordinance 21-0535 amending Section 2 of Ordinance 21-0533 to allow an additional exemption for building permit applications for or the construction of transitional housing or permanent supportive housing or building permit application for or the construction of indoor emergency housing; and

WHEREAS, additional time is necessary for the Planning Commission to hold a public hearing, complete planning for the TOD District Overlay area, provide recommendations to the City Council regarding the appropriate regulatory framework for the TOD District Overlay and for Council to consider the recommendation; and

WHEREAS, repeal of the moratorium (Ordinance 21-0533 and Ordinance 21-0535) and immediate adoption of interim regulations allows certain development applications at appropriate densities within the TOD District Overlay consistent with the City's long-range planning, prior to completion of the City's regulatory review process; and

WHEREAS, the City Council deems it to be in the best interest of the public, and necessary for the protection of the public health, safety, property, or peace, to establish immediate interim regulations on the acceptance, review, and approval of permits for the establishment, location, and/or construction of any development within the TOD District Overlay; and

WHEREAS, the regulation of zoning and land use are valid exercises of the City's police powers under Article XI, Section 11 of the Washington State Constitution, and such police powers grant the City Council authority to adopt a moratorium; and

WHEREAS, RCW 35A.63.220 and RCW 36.70A.390 authorize the City Council, as the governing body, to adopt interim regulations on development or land use for six-months; and

WHEREAS, as provided in RCW 35A.63.220 and RCW 36.70A.390, the City Council advertised and held a public hearing on February 14, 2022 to take public testimony and consider adopting further findings justifying the imposition of interim regulations; and

WHEREAS, RCW 35A.13.190 provides that an ordinance may be made effective upon adoption if passed by a majority plus one of the whole membership of the council, and if designated as a public emergency ordinance necessary for the protection of the public health, public safety, public property or public peace; and

WHEREAS, pursuant to RCW 35A.13.190, the City Council finds that this ordinance is a public emergency ordinance necessary for the protection of public health, public safety, public property, or public peace for the reasons set forth herein;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF KENMORE, WASHINGTON ORDAINS AS FOLLOWS:

Section 1. Findings. The City Council adopts the recitals set forth above, which are incorporated by reference, as findings in support of the interim regulations and declaration of this ordinance as a public emergency ordinance.

Section 2. Repeal of the Moratorium. The City Council hereby repeals Ordinance Nos. 21-0533 and Ordinance 21-0535, which established and amended the six-month moratorium.

Section 3. Interim Regulations.

A. Adoption. Pursuant to the City's police powers under Article XI, Section 11 of the Washington State Constitution, RCW 35A.63.220, and RCW 36.70A.390, interim regulations are hereby adopted and imposed on the application for, intake of, review of, or issuance of any approval and/or development permit, including, but not limited to, building permits, site plan review, etc., for the establishment, location and/or construction of any development within the Transit Oriented Development (TOD) District Overlay area, as shown and depicted in KMC 18.29.020. The term "development" means the same as defined in KMC 18.20.715. The term "development permit" means the same as defined in KMC 18.20.735.

B. Exemptions. The interim regulations adopted by this Ordinance only apply to new development permit applications.

C. Adopted Interim Regulations: Interim regulations for the TOD District Overlay adopted and imposed pursuant to Section 3.A are set forth in Exhibit A, attached hereto and incorporated by reference.

Section 4. Duration. The interim regulations established in Section 3 above shall be in effect for a period of six (6) months from the effective date of this Ordinance (to and through September 14, 2022) and shall automatically expire at the end of that day unless repealed, modified, or extended (after subsequent public hearing if extended), and entry of appropriate findings of fact as provided in RCW 35A.63.220 and RCW 36.70A.390.

Section 5. Authorization of City Manager. The City Manager is hereby authorized and directed to move forward with the Planning Commission's review of appropriate development regulations relating to the TOD District Overlay area, and to bring its recommendation to the City Council for consideration and potential adoption.

Section 6. Transmittal of Ordinance. The City Manager is directed to transmit this ordinance to the Washington State Department of Commerce as required by law.

Section 7. Severability. If any provision of this ordinance or its application to any person or circumstance is held invalid or unconstitutional by a court of competent jurisdiction, the remainder of the ordinance, or the application of the provision to other persons or circumstances, is not affected.

Section 8. Designation of Emergency Ordinance; Immediate Effective Date. Pursuant to RCW 35A.13.190, the City Council declares and designates this ordinance as a public emergency ordinance necessary for the protection of the public health, public safety, public property, or the public peace. Upon adoption of this ordinance by a majority plus one of the whole membership of the council, this ordinance shall take effect and be in full force immediately upon its adoption. Pursuant to Matson v. Clark County Board of Commissioners, 79 Wn. App. 641, 904 P.2d 317 (1995), underlying facts necessary to support this emergency declaration are included in the recitals set forth above, which are adopted by reference.

PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 14th DAY OF FEBRUARY 2022.

CITY OF KENMORE



Mayor Nigel Herbig

ATTEST/AUTHENTICATED:


Anastasiya Warhol (Feb 16, 2022 15:56 PST)

Anastasiya Warhol, City Clerk

Approved as to form:


Dawn Reitan (Feb 15, 2022 13:29 PST)

Dawn Reitan, City Attorney

FILED WITH THE CITY CLERK: 2/10/22
PASSED BY THE CITY COUNCIL: 2/14/22
ORDINANCE NO.: 22-0543
DATE OF PUBLICATION: 2/18/22
EFFECTIVE DATE: 2/14/22

Chapter 18.29

TRANSIT ORIENTED DEVELOPMENT (TOD) DISTRICT OVERLAY

Sections:

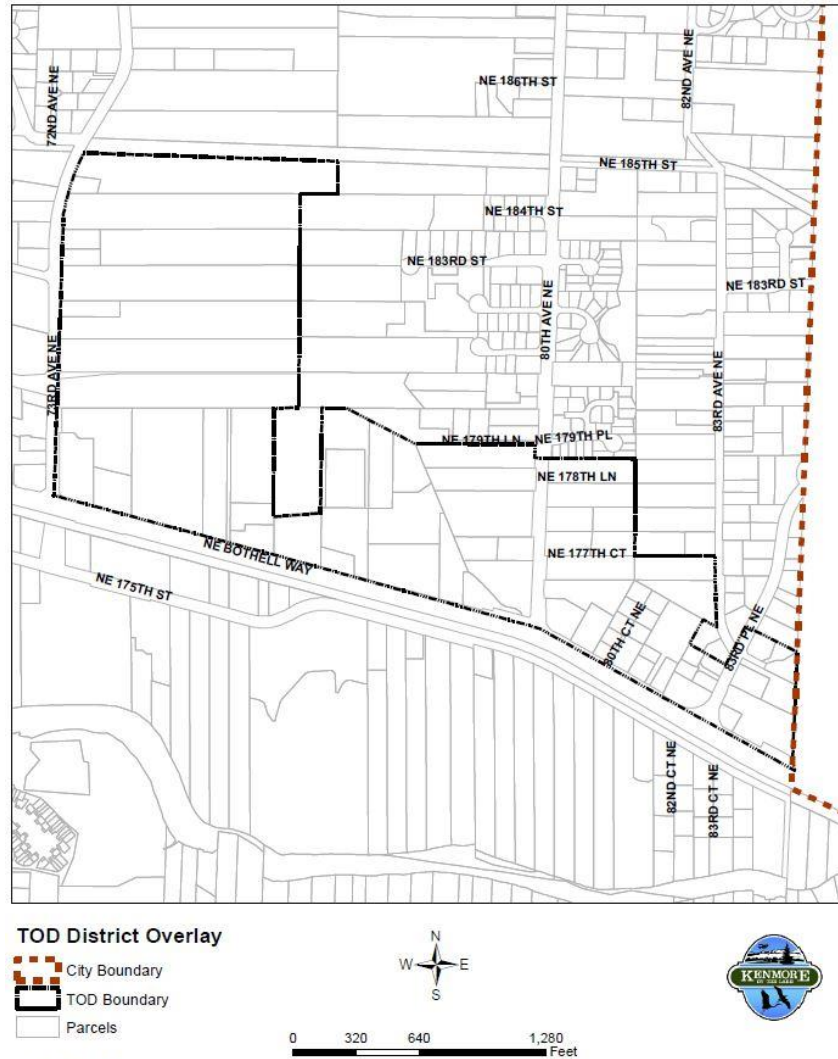
[18.29.010 Intent.](#)
[18.29.020 Area.](#)
[18.29.030 Applicability.](#)
[18.29.040 Use allowances.](#)
[18.29.050 Zoning standards.](#)
[18.29.055 Wireless communication facilities.](#)
[18.29.060 Affordable housing requirements.](#)
[18.29.070 Parking.](#)
[18.29.080 Design requirements.](#)
[18.29.090 Connectivity requirements.](#)
[18.29.100 Significant tree grove retention.](#)

18.29.010 Intent.

The purpose of the transit oriented development (TOD) district overlay is to reinforce the City's planned concentration of pedestrian-oriented mixed use development at intensities that support and are supported by multi-modal transportation options, including high capacity transit. The TOD district overlay revitalizes the City's core by creating incentives and opportunities for a mix of jobs and residences, cultivates a respectful relationship among development within the district, the natural environment, and nearby traditional neighborhoods, and provides a framework for future infrastructure and service decisions. The TOD district overlay provides public benefits in the form of encouraging housing affordable to all economic groups, increased pedestrian connectivity, quality design, and incentive to preserve significant tree groves where they exist. [Ord. 15-0406 § 1 (Att. A).]

18.29.020 Area.

The area of the TOD district overlay is shown on Figure 18.29.020.1. In order to develop under the TOD district overlay, at least 50 percent of a parcel shown on Figure 18.29.020.1 shall be located within the TOD district overlay.



[Ord. 19-0481 § 2 (Att. A); Ord. 15-0406 § 1 (Att. A).]

18.29.030 Applicability.

A. The TOD district overlay is an incentive-based zoning overlay. Applicants who elect to develop under the provisions of the TOD district overlay shall adhere to all development standards set forth in this chapter; except that development standards not addressed in this chapter shall be governed by provisions of the underlying zone.

B. In order to be eligible to develop under the TOD district overlay regulations, a development application shall meet the following criteria:

1. The property must be located within the TOD district overlay area as described in KMC [18.29.020](#);
2. The proposed development must either:

- a. Be considered a mixed use development as defined in KMC [18.20.1740](#); or
- b. Be a residential-only development or mixed use development with commercial permitted only on the ground floor if located in the R-12, R-18, or R-24 underlying zones, which are areas designated as primarily residential.

C. Eligible properties within the TOD district overlay that do not choose to develop under the provisions of this chapter shall comply with the provisions of the underlying zone in their entirety **with the following exceptions:**

1. In the R-12, R-18, R-24, UC East, and DC zones in the TOD district overlay area, the minimum density for residential development shall be no less than the base density for the underlying zone:

2. Except in the R-1 zone, townhouse development shall be prohibited.

3. At least twenty five percent of the total number of units in the development shall be *low- or very low-income affordable housing units* subject to the standards in KMC Chapter 18.77.

18.29.040 Use allowances.

The following uses listed in Table A are identified as *permitted*, conditionally permitted or *prohibited uses* for properties electing to develop under provisions of the TOD district overlay.

All uses not specifically listed in this section shall be prohibited.

**Table A – TOD District Overlay
Use Allowances**

Permitted	Conditionally Permitted	Prohibited
Arts, entertainment, indoor ^{1,3}	Ambulatory surgery center ²	Adult entertainment business
Business service, standard ^{1,3}	Animal kennel/ shelter ^{2,5}	Air transportation service
Day care	College/ university ²	Arts, entertainment, outdoor
Eating and drinking place ¹	Fire or police facility ²	Auction house
Educational service ¹	Laboratory ²	Automotive sales and service, marine
Health care and social assistance ^{1,3}	Park	Automotive sales and service, nonmarine

**Table A – TOD District Overlay
Use Allowances**

Permitted	Conditionally Permitted	Prohibited
Manufacturing, light ^{1,3,5}	Regional land use	Business service, intensive
Mobile food service ⁴	Religious institution ²	Cemetery, columbarium or mausoleum
Multiple-family dwelling ⁵	Supportive living facility ²	Community residential facility
Office ¹		Construction and trade
Personal service ^{1,3}		Family child-care home
Recreational facility, indoor ^{1,3}		Funeral home/crematory
Retail sales ^{1,3,5}		Hospital
Temporary lodging ^{1,3}		Manufactured housing community
		Manufacturing, heavy
		Marijuana business
		Recreational facility, outdoor
		Resource land use
		Retail sales, bulk
		Secure facility
		Single detached dwelling unit
		Standalone parking
		Transportation
		Utility facility
		Vehicle or equipment rental
		Vehicle refueling station
		Warehousing
		Wholesale trade

- ¹ Commercial use limitations in residentially oriented underlying zones: If these uses are proposed for property with underlying zoning of R-12, R-18, or R-24, then each use is limited to maximum 5,000 square feet per use and 15,000 square feet total contiguous nonresidential area within the development.
- ² Conditional use permit required in underlying urban corridor, downtown commercial, and public/semi-public zones. Prohibited in all other underlying zones within the TOD district overlay area.
- ³ Conditional use permit required in underlying R-12, R-18, R-24 zones. Permitted in underlying urban corridor, downtown commercial, and public/semi-public zones within the TOD district overlay area.
- ⁴ *Mobile food service* is permitted subject to the following requirements:
 - a. For a stand, location shall be on a sidewalk or near a storefront consistent with barrier-free regulations;
 - b. For a stand, location on the sidewalk or near a storefront shall provide for at least four feet of unobstructed sidewalk between the stand and the sidewalk edge for pedestrian movement;
 - c. No permanent fencing, walls, or other structures are installed which hinder removal of the structure from the site;
 - d. No required parking stall shall be blocked or rendered unusable as a result of the mobile *food service*;
 - e. Safe ingress and egress to the site shall be maintained. Visibility for transportation and pedestrian access shall be maintained;
 - f. The limited duration of the *mobile food service* shall be established as a condition of approval of any applicable permits; if accessory to a use, such operation is removed daily at the time of or prior to the close of business hours;
 - g. A sign permit is required for exterior signage in accordance with the sign code, Chapter [18.42](#) KMC.
- ⁵ No *outdoor storage* of materials shall be permitted.

⁶ **Townhouse development shall be prohibited.**

[Ord. 19-0481 § 2 (Exh. A); Ord. 17-0438 § 2 (Att. A); Ord. 16-0426 § 5 (Att. C); Ord. 15-0406 § 1 (Att. A).]

18.29.050 Zoning standards.

The following development standards in Table B apply to properties electing to develop under provisions of the TOD district overlay:

Table B – TOD Overlay District Development Standards

STANDARD	REQUIREMENT
Minimum Density: Dwelling Units/Gross Acre	60 ¹
Maximum Density: Dwelling Units/Gross Acre	150 ¹
Maximum Height	65' ²

¹ Portions of any property developing under the TOD district overlay regulations with an underlying zoning of R-1 shall cluster development away from critical areas or corridors such as urban separators or the wildlife habitat network to the extent possible and the open space shall be placed in a separate tract that includes at least 50 percent of the site. The open space tract shall be permanent and meet the provisions of KMC [17.20.130](#)(B).

² Portions of any property developing under the TOD district overlay regulations that are within 50 feet of a single-family zone (R-1, R-4, R-6) shall have a maximum height of 35 feet within that area to provide a transition in height to the lower intensity uses.

[Ord. 15-0406 § 1 (Att. A).]

18.29.055 Wireless communication facilities.

Use allowances and development regulations for *wireless communication facilities* in the TOD district overlay shall be as specified in Chapter [18.60](#) KMC for the underlying zoning district. [Ord. 16-0426 § 6 (Att. D).]

18.29.060 Affordable housing requirements.

For properties choosing to develop under the TOD district overlay, *development* shall provide affordable housing as described in Chapter [18.77](#) KMC. *Development* choosing to develop under the TOD district overlay shall not utilize the provisions of residential density incentives found in Chapter [18.80](#) KMC to achieve maximum densities. [Ord. 19-0481 § 2 (Exh. A); Ord. 15-0406 § 1 (Att. A).]

18.29.070 Parking.

Parking in the TOD district overlay should be sufficient to support local businesses and residential development, while at the same time promoting transit ridership, walkable streets, and efficient use of land. Proposed development choosing to develop under the TOD district overlay shall provide parking as follows:

A. Minimum parking requirements for nonresidential uses may be reduced to 75 percent of the minimum requirement computed according to the provisions of KMC [18.40.030](#).

B. Minimum residential parking shall be supplied at the following ratios:

1. 1.0 parking spaces per market-rate dwelling unit, except as follows:

a. Pioneer Project Incentive. For purposes of this section, a pioneer project consists of the first 100 bonus housing units provided in the city under the TOD district overlay regulations. The first 100 bonus housing units in a pioneer project(s) may elect to provide parking spaces for market rate bonus units at 0.6 parking spaces per dwelling unit.

2. 1.0 additional parking space per every five market rate dwelling units shall be provided and designated as guest parking for use by all guests.

3. 0.6 parking spaces per dwelling unit for affordable or senior dwelling units.

4. Affordable housing shall be as defined under KMC [18.29.060](#). Senior housing shall be defined as housing restricted to those meeting the definition of “senior citizen” as found in KMC [18.20.2500](#).

C. The following factors shall count towards minimum parking standards for residential and nonresidential development:

1. On-street parking immediately adjoining a property proposed for development or provided as part of the proposed development may be counted toward the minimum parking requirement.

2. Minimum on-site parking may be reduced further by provisions of KMC [18.40.090](#)(B) for properties within the TOD district overlay that meet the requirements of KMC [18.40.090](#)(B) for accessibility to high frequency transit service.

3. Shared parking among uses is encouraged within the TOD district overlay. Developments that propose shared parking arrangements shall submit a parking management plan as defined in KMC [18.20.1995](#) that describes the terms and conditions of shared parking arrangements on site.

D. Parking Provided in Excess of Minimum. Provision of parking in excess of the minimum parking requirements outlined in subsections A and B of this section shall require the excess parking be included in a structured parking garage, or under building and screened from the street frontage, unless the additional parking is associated with a phased, mixed use development, is interim in nature, and is temporarily located on land reserved for future phases not yet built.

E. Maximum parking within the TOD district overlay shall not exceed the minimum requirement calculated under the provisions of KMC [18.40.030](#).

1. Applicants may be allowed to exceed the maximum parking if the applicant can produce a parking study that demonstrates probable on-site parking needs that are significantly higher than similar uses. This traffic study shall be subject to review by the city manager before approval for additional parking is granted. All parking granted in excess of the maximum shall be provided in a structured parking garage or under building and screened from the street frontage.

F. All other parking requirements shall be as provided in Chapter [18.40](#) KMC. [Ord. 16-0428 § 13 (Att. I); Ord. 15-0406 § 1 (Att. A).]

18.29.080 Design requirements.

Development within the TOD district overlay shall comply with Standard 1 provisions of the downtown design standards, as set forth in Chapter [18.52](#) KMC.

In addition, the following design requirements shall apply:

A. Relational Setback Requirements. Any proposed development within the TOD district overlay adjacent to an existing single-family zone (R-1, R-4, or R-6) shall be required to provide an interior ground-level setback of 15 feet on the side of the property facing the single-family zone, unless a larger setback is required in the underlying zone. In that event, the larger of the two setback requirements shall govern. The setback required by this subsection shall be landscaped with Type II landscaping as defined in KMC [18.35.040](#)(B) to provide a visual buffer. [Ord. 15-0406 § 1 (Att. A).]

18.29.090 Connectivity requirements.

The TOD district overlay should remove impediments to pedestrian use of the district and the downtown area by fostering the creation of an extensive network of sidewalks and pedestrian walkways.

Development proposals within the boundaries of the TOD district overlay that elect to develop under the provisions of this chapter shall:

A. Provide any direct pedestrian connections between proposed development and transit facilities, or arterials providing transit access in order to minimize walking distances to transit.

B. Comply with the downtown design standards pertaining to pedestrian walkways, as set forth in KMC [18.52.100](#).

C. Properties abutting water bodies (i.e., wetlands, rivers, lakes, or streams) shall provide a public access trail paralleling the water body from one property line to the next with setbacks that are consistent with the requirements of KMC Title [16](#) and Chapter [18.55](#) KMC. The public access trail shall connect to a public right-of-way.

1. Where a development proposal abuts a property with a public access trail segment, the public access segment on the subject property shall connect to abutting property public access segment(s).

2. The public access easement for public access trails shall be documented on the face of the plat or plan and recorded with the King County Department of Records and Elections. Public access easements shall run with the land in perpetuity. [Ord. 15-0406 § 1 (Att. A).]

18.29.100 Significant tree grove retention.

A. Definitions.

1. Significant Tree Grove Definition. A “significant tree grove” shall consist of two or more trees with a minimum of five and one-half tree units total. A qualifying tree has two tree units minimum. The maximum distance measured in feet between qualifying trees shall be equal to

two times the critical root zone in order to be defined as a significant tree grove. For example a 24-inch d.b.h. tree must be within 24 feet of another tree in the grove to be included in the significant tree grove. A tree of any size that is topped or considered a “hazard tree” as defined in KMC [18.20.3084](#) may not qualify as part of a significant tree grove as herein defined. For purposes of this chapter, a significant tree grove may not contain trees that are located within a critical area or critical area buffer protected under Chapter [18.55](#) KMC. A significant tree grove is not the same as a “grove,” as defined in KMC [18.20.1273](#).

2. Tree Units. See KMC [18.57.060](#)(A) for translation of diameter at breast height (d.b.h.) to tree units.

B. Applicability.

1. If the underlying zone within the TOD district overlay requires tree retention as provided in Chapter [18.57](#) KMC, then the provisions of Chapter [18.57](#) KMC shall be retained. If Chapter [18.57](#) KMC exempts a property from tree retention then it shall remain exempt.

2. Development proposals within the boundaries of the TOD district overlay that elect to develop under the provisions of this chapter shall be eligible to benefit from providing less parking or more dwelling units or any combination of the two if the development retains one or more significant tree grove(s) as defined in this section in perpetuity. A development may be able to benefit from both reduced parking and additional dwelling units by preserving a significant tree grove so long as the same tree credits are not counted towards both reductions in parking and additional bonus dwellings. Trees or groves retained through the provision of Chapter [18.57](#) KMC may count towards the significant tree grove retention if they meet the definitions found in subsection A of this section.

3. Tree on Property Line. In instances where one or more trees that would qualify as part of a significant tree grove is located on a property line such that the tree is on more than one property, and the properties are in separate ownerships, the tree shall qualify to be counted as part of a separate tree grove by each property owner.

C. Reduced Parking. In order to retain qualifying significant tree groves, required parking may be reduced at the maximum rate of one stall per each five and one-half tree units. Parking quantities may be reduced up to a maximum of 20 percent from the parking requirement after other reductions are applied, if any.

D. Residential Bonus Units. In order to retain qualifying significant tree groves, residential units are offered at the rate of one bonus unit per each 11 tree units preserved. Grove bonus units are not included in maximum unit density calculations. Grove bonus units are not subject to the affordability requirements of KMC [18.29.060](#).

E. Significant Tree Grove Preservation Requirements.

1. Tree Protection Plan Required. A tree protection plan as identified in KMC [18.57.050](#) shall be required for any development application proposing to protect one or more significant tree groves through this section.

2. Recorded on Title. The map of significant tree groves preserved through this section, along with a covenant preventing removal, shall be recorded and shown on the property title.

3. Subject to Tree Protection Measures of Chapter [18.57](#) KMC. Significant tree groves protected under this section shall be subject to the tree protection measures during construction found in KMC [18.57.090](#), the post-construction replacement, financial guarantee, and maintenance requirements of KMC [18.57.100](#), and the penalties and enforcement of KMC [18.57.110](#). [Ord. 15-0406 § 1 (Att. A).]

City Council Agenda Bill
City of Kenmore, WA



Meeting Date: 1/13/2025

Subject/Topic:	Proposed Council Action/Motion:
Public Hearing regarding Ordinance 25-0625 amending and extending interim regulations for an additional six-months for certain parcels close to Swamp Creek in proximity to SR522 and 80th Ave NE Department: Community Development Prepared by: Debbie Bent, Community Development Director Attachments: 1. Ordinance No. 25-0625 2. Ordinance No. 24-0612 3. Ordinance No. 24-0606 4. Ordinance No. 23-0586 5. Ordinance No. 23-0575 6. Ordinance No. 23-0569 7. Ordinance No. 22-0555 8. Ordinance No. 22-0543	☐ Information Only ☐ Receive and File ☒ Discuss ☒ Provide Direction ☒ Public Hearing ☒ Adopt/Approve ☐ Other: Adopt Ordinance No. 25-0625 to amend and extend interim regulations for an additional six months for certain parcels close to Swamp Creek in proximity to SR 522 and 80th Avenue NE.

Approvals:

Department	Finance	City	City
Head <u>DB 1/2/24</u>	Director <u>N/A</u>	Attorney <u>DR 1/2/25</u>	Manager <u>RK 1/2/25</u>

Summary/Background:

Following conclusion of the Public Hearing and City Council discussion. Staff recommends that the Council pass a motion to adopt Ordinance 25-0625 to amend and extend interim regulations for an additional six-months (through for certain parcels close to Swamp Creek in proximity to SR522 and 80th Ave NE.

A Public Hearing is scheduled for 1/13/25 to receive public testimony on Ordinance 25-0625 (see Attachment #1) amending and extending interim regulations for an additional six-months to apply to certain parcels close to Swamp Creek. The interim regulations prohibit townhome development, and for properties that do not choose to develop under the Transit Oriented Development (TOD) provisions they must meet the base density of the underlying zone and include at least 25% of the total number of units as affordable units.

Previous Council Action(s):

Ordinance 25-0625 states the findings and justification for extending and amending the interim regulations. The findings include Council direction given 11/28/22 for staff to conduct a channel restoration assessment of Swamp Creek that will determine where channel restoration would provide the most ecological benefit. Results of the assessment were presented to Council on 9/16/24, link to the agenda bill [Kenmore - Document Center](#). Results of the assessment will inform options for future zoning regulations that will apply to the parcels. Developing zoning regulations is a recommended Community Development work program item for 2025.

The interim regulations were adopted 2/14/22 by Ordinance 22-0543 (Attachment #8) and were set to expire 8/14/22. The purpose of interim regulations was to provide additional time for the Planning Commission to consider regulations for the Transit Oriented Development (TOD) District Overlay area. Ordinance 22-0555 was adopted 7/25/22 (Attachment #7), which amended Ordinance 22-0543 to renew and extend the interim regulations for an additional six-month period through 1/25/23. Ordinance 23-0569 was adopted 1/9/23 (Attachment #6) to renew and extend the interim regulations for an additional six-month period through 7/25/23. Ordinance 23-0575 was adopted on 3/13/23 (Attachment #5) to extend the interim regulations, reduce the Transit Oriented Development (TOD) District Overlay to certain properties identified in the ordinance, and adopt amended interim regulations to those identified parcels close to Swamp Creek pending completion of a Swamp Creek channel restoration assessment that will determine where channel restoration would provide the most ecological benefit. Ordinance 23-0586 (Attachment #4) was adopted on 9/11/23 to extend the interim regulations for those identified parcels close to Swamp Creek for an additional six months through 3/11/24. Ordinance 24-0606 (Attachment #3) was adopted on 2/26/24 to extend the interim regulations for those identified parcels close to Swamp Creek for an additional six months through 8/26/24. Ordinance 24-0612 (Attachment #2) was adopted on 7/15/24 to extend the interim regulations for those identified parcels close to Swamp Creek for an additional six months through 1/15/25.

On 11/21/22 the Planning Commission presented recommendations to Council on proposed TOD recommendations. At the 11/28/22 Council meeting Council gave direction to move forward with an ordinance for TOD regulations except for a “carve out” area for certain parcels close to Swamp Creek. On 2/13/23 Council confirmed which certain proposed new TOD amendments should or should not apply on applicable regulations for the “carve out” area. On 3/13/23 Council adopted Ordinance 23-0575 for the “carve out” area.

Fiscal Consideration:

Staff time to complete to develop zoning regulations for City Council consideration. City Attorney review of ordinance.

[City Council Priorities](#) or Budget Objective Being Addressed:

#1: Continue to implement the adopted Climate Action Plan and promote environmental stewardship, including water, air, forest, and habitat restoration and preservation.

#7 broaden community engagement and foster fun

**CITY OF KENMORE
WASHINGTON
ORDINANCE NO. 25-0625**

AN ORDINANCE OF THE CITY OF KENMORE, WASHINGTON, AMENDING ORDINANCE NO. 22-0543, AS AMENDED BY ORDINANCE NO. 22-0555, ORDINANCE NO. 23-0569, ORDINANCE NO. 23-0575, ORDINANCE NO. 23-0586, ORDINANCE NO. 24-0606 AND ORDINANCE NO. 24-0612 TO EXTEND AND RENEW FOR AN ADDITIONAL SIX-MONTH PERIOD THE CITY'S INTERIM REGULATIONS RELATING TO THE TRANSIT ORIENTED DEVELOPMENT (TOD) DISTRICT OVERLAY APPLICABLE TO CERTAIN REAL PROPERTIES IDENTIFIED BY THE FOLLOWING TAX PARCEL (TPN): TPN 086650-0000, TPN 670540-0000, TPN 182260-0000, TPN 011410-0841, TPN 011410-0843, TPN 011410-0850, TPN 011410-0855, TPN 011410-0860, TPN 011410-0865, TPN 011410-0885, TPN 011410-0870, TPN 011410-0881, TPN 011410-0889; PROVIDING FOR SEVERABILITY; DECLARING AN EMERGENCY AND ESTABLISHING AN IMMEDIATE EFFECTIVE DATE

WHEREAS, the City Council adopted Ordinance 15-0406, which established the Transit Oriented Development (TOD) District Overlay, which is codified at Chapter 18.29 of the Kenmore Municipal Code (KMC); and

WHEREAS, the purpose of the TOD District Overlay is to reinforce the City's planned concentrations of pedestrian-oriented mixed-use development at intensities that support and are supported by multi-modal transportation options, including high-capacity transit; and

WHEREAS, the City has directed the Planning Commission to review the City's TOD District Overlay regulations as part of the State-mandated Comprehensive Plan update; and

WHEREAS, the City became aware of the potential of lower density projects within the TOD District Overlay area, which would interfere with the City's intended planning for the TOD District Overlay area; and

WHEREAS, on August 16, 2021, the City Council adopted public emergency Ordinance No. 21-0533 that established an effective date for a six-month moratorium to and through February 16, 2022 to give the Planning Commission sufficient time to hold a hearing, complete planning for the TOD District Overlay area, and provide recommendations to the City Council regarding the appropriate regulatory framework for the TOD District Overlay; and

WHEREAS, on September 27, 2021, following a public hearing held by the City Council on the six-month moratorium, the Council adopted Ordinance No. 21-0535 amending Section 2 of Ordinance No. 21-0533 to allow an additional exemption for building permit applications for or the construction of transitional housing or permanent supportive housing or building permit application for or the construction of indoor emergency housing; and

WHEREAS, on February 14, 2022, following a public hearing held by the City Council on the moratorium and interim regulations, the Council repealed the moratorium (Ordinance No. 21-0533 and Ordinance No. 21-0535) and immediately adopted interim regulations (Ordinance No. 22-0543) allowing certain development applications at appropriate densities within the TOD District Overlay consistent with the City's long-range planning, prior to completion of the City's regulatory review process; and

WHEREAS, on July 25, 2022, following a public hearing, the City Council adopted Ordinance No. 22-0555 extending and renewing interim regulations adopted by Ordinance No. 22-0543 for a further six-month period through January 25, 2023 to provide additional time for the Planning Commission to hold a public hearing, complete planning for the TOD District Overlay area, provide recommendations to the City Council regarding the appropriate regulatory framework for the TOD District Overlay and for Council to consider the recommendation; and

WHEREAS, on October 18, 2022, the Planning Commission held a public hearing regarding a proposed regulatory framework for the TOD District Overlay; and

WHEREAS, on November 21, 2022, the Planning Commission presented recommendations to the City Council regarding a proposed regulatory framework for the TOD District Overlay; and

WHEREAS, on November 28, 2022, the City Council gave direction on the proposed regulatory framework for the TOD District Overlay and requested consideration of an ordinance at a future meeting; and

WHEREAS, on November 28, 2022 the City Council gave direction to "carve out" certain parcels close to Swamp Creek in proximity to SR522 and 80th Ave NE from the proposed regulatory framework and thereby reduce the area applicable to the TOD District Overlay pending completion of a channel restoration assessment of Swamp Creek to determine where channel restoration would provide the most ecological benefit and options for new regulations for the "carve out" area to incentivize Swamp Creek channel restoration; and

WHEREAS, on January 9, 2023, following a public hearing the City Council adopted Ordinance No. 23-0569 extending and renewing interim regulations adopted by Ordinance No. 22-0543, as renewed by Ordinance No. 22-0555 for a further six-month period through July 25, 2023, to provide additional time for the City Council to consider adoption of an ordinance for the TOD regulatory framework; and

WHEREAS, on February 13, 2023, Council gave direction and confirmed which certain proposed new TOD amendments should or should not apply on applicable regulations for the reduced TOD “carve out” area; and

WHEREAS, on March 13, 2023, the City Council adopted Ordinance No. 23-0574 adopting municipal code and zoning map amendments related to a Transit-Oriented Development regulatory framework; and

WHEREAS, on March 13, 2023, the City Council held a public hearing on the proposed six-month extension and renewal of the City's interim regulations authorized and imposed by Ordinance No. 22-0543, as renewed, and extended by Ordinance Nos. 22-0555 and 23-0569; and

WHEREAS, on March 13, 2023, the City Council adopted Ordinance No. 23-0575 amending the interim regulations established by Ordinance No. 22-0543, and as codified at Section 18.29.020 and Figure 18.29.020.1 of the Kenmore Municipal Code, to reduce the area of the Transit Oriented Development (TOD) District Overlay to the following real properties, identified by Tax Parcel Number and address:

1. TPN 086650-0000, 17915 80th Ave NE, Kenmore, WA 98028
 2. TPN 670540-0000, 17827 80th Ave NE, Kenmore, WA 98028
 3. TPN 182260-0000, 17811 80th Ave NE, Kenmore, WA 98028
 4. TPN 011410-0841, 17721 80th Ave NE, Kenmore, WA 98028
 5. TPN 011410-0843, 17715 80th Ave NE, Kenmore, WA 98028
 6. TPN 011410-0850, 17525 80th Ave NE, Kenmore, WA 98028
 7. TPN 011410-0855, 7900 NE Bothell Way, Kenmore, WA 98028
 8. TPN 011410-0860, 7850 NE Bothell Way, Kenmore, WA 98028
 9. TPN 011410-0865, 7800 NE Bothell Way, Kenmore, WA 98028
 10. TPN 011410-0885, 7750 NE Bothell Way, Kenmore, WA 98028
 11. TPN 011410-0870, 7760 NE Bothell Way, Kenmore, WA 98028
 12. TPN 011410-0881, 7638 NE Bothell Way, Kenmore, WA 98028
 13. TPN 011410-0889, 7644 NE Bothell Way, Kenmore, WA 98028
- (referenced together as the “Reduced TOD Area”)

WHEREAS, on September 11, 2023, the City Council held a public hearing on the proposed six-month extension and renewal of the City's interim regulations authorized and imposed by Ordinance No. 22-0543, as renewed, and extended by Ordinance Nos. 22-0555, 23-0569, and as amended and extended by Ordinance No. 23-0575; and

WHEREAS, on September 11, 2023, the City Council adopted Ordinance No. 23-0586 to extend and amend the interim regulations established by Ordinance No. 22-0543 and as amended and extended by Ordinance No. 23-0575 for a further six months; and

WHEREAS, on February 26, 2024, the City Council adopted Ordinance No. 24-0606 to extend and amend the interim regulations established by Ordinance No. 22-0543 and as amended and extended by Ordinance No. 23-0586, for a further six months; and

WHEREAS, on July 15, 2024 the City Council adopted Ordinance No. 24-0612 to extend and amend the interim regulations established by Ordinance No. 22-0543 and as amended and extended by Ordinance No. 24-0606, for a further six months; and

WHEREAS, on September 16, 2024 the City Council held a discussion on the results of the channel restoration assessment of Swamp Creek including for the Reduced TOD Area; and

WHEREAS, on January 13, 2025, the City Council held a public hearing on this Ordinance and considered extending the interim regulations; and

WHEREAS, the City Council finds that additional time is necessary to consider and potentially adopt an ordinance and new regulations to incentivize Swamp Creek channel restoration including for the Reduced TOD Area; and

WHEREAS, the regulations of zoning and land use are valid exercises of the City's police powers under Art. XI, Sec. 11 of the Washington State Constitution, and such police powers grant the City the authority to adopt interim regulations; and

WHEREAS, RCW 35A.63.220 and RCW 36.70A.390 authorize the City Council, as the governing body, to renew and extend interim regulations on development or land use for one or more six-month periods if a subsequent hearing is held and findings of fact are made prior to said extension and renewal; and

WHEREAS, the City Council has determined that it is in the best interest of the public, and is necessary for the protection of public health, safety, property, or peace, to extend and renew for an additional six-month period the interim regulations established in Ordinance No. 22-0543, as amended, extended, and renewed by Ordinance Nos. 22-0555, 23-0569, 23-0575, 23-0586, 24-0606 and 24-0612; and

WHEREAS, in order for this Ordinance to become effective prior to the January 15th expiration of the existing interim regulations, the City Council needs to declare an emergency and authorize an immediate effective date for this Ordinance, and the City acknowledges that state law requires a super-majority of the City Council to approve such an emergency declaration.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF KENMORE, WASHINGTON ORDAINS AS FOLLOWS:

Section 1. Findings of Fact in Support of Renewal and Extension. The City Council adopts the recitals set forth above, and in Ordinance Nos. 22-0543, 22-0555, 23-0569, 23-0575, 23-0586, 24-0606 and 24-0612 which are incorporated herein by reference, as findings of fact in support of the extension and renewal of interim regulations.

Section 2. Six-Month Extension and Renewal of Interim Regulations. Section 4 of Ordinance No. 22-0543, as amended by Ordinance Nos. 22-0555, 23-0569, 23-0575 23-0586, 24-0606, and 24-0612 is further amended to read as follows:

Section 4. Duration. The interim regulations established by Ordinance No. 22-0543, as renewed and extended by Ordinance Nos. 22-0555, 23-0569, 23-0575, 23-0586 and 24-0606 and 24-0612 as amended by Section 3.D of Ordinance No. 23-0575, shall be extended and renewed for an additional period of six (6) months from the adoption date of this Ordinance, ~~July 15, 2024~~ January 13, 2025 (to and through ~~January 15, 2025~~ July 13, 2025), and shall automatically expire at the end of that day unless repealed, modified, or renewed and extended (after subsequent public hearing if renewed and extended), and entry of appropriate findings of fact as provided in RCW 35A.63.220 and RCW 36.70A.390.

Section 3. Transmittal of Ordinance. The City Manager is directed to transmit this ordinance to the Washington State Department of Commerce as required by law.

Section 4. Severability. If any provision of this ordinance or its application to any person or circumstance is held invalid or unconstitutional by a court of competent jurisdiction, the remainder of the ordinance, or the application of the provision to other persons or circumstances, is not affected.

Section 5. Emergency; Effective Date. This Ordinance, as a public emergency ordinance necessary for the protection of the public health, public safety, public property, or public peace, shall take effect and be in full force immediately upon its adoption. Pursuant to Matson v. Clark County Board of Commissioners, 79 Wn. App. 641, 904 P.2d 317 (1995), underlying facts necessary to support this emergency declaration are included in the recitals set forth above, which are adopted by reference.

PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 13th DAY OF JANUARY 2025.

CITY OF KENMORE

Mayor Nigel Herbig

ATTEST/AUTHENTICATED:

Anastasiya Warhol City Clerk

Approved as to form:

Dawn Reitan, City Attorney

FILED WITH THE CITY CLERK: 01/02/2025

PASSED BY THE CITY COUNCIL: JANUARY 13, 2025

ORDINANCE NO.: 25-0625

DATE OF PUBLICATION:

EFFECTIVE DATE:

**CITY OF KENMORE
WASHINGTON
ORDINANCE NO. 24-0612**

AN ORDINANCE OF THE CITY OF KENMORE, WASHINGTON, AMENDING ORDINANCE 22-0543, AS AMENDED BY ORDINANCE 22-0555, ORDINANCE 23-0569, ORDINANCE 23-0575, ORDINANCE 23-0586 AND ORDINANCE 24-0606 TO EXTEND AND RENEW FOR AN ADDITIONAL SIX-MONTH PERIOD THE CITY'S INTERIM REGULATIONS RELATING TO THE TRANSIT ORIENTED DEVELOPMENT (TOD) DISTRICT OVERLAY APPLICABLE TO CERTAIN REAL PROPERTIES IDENTIFIED BY THE FOLLOWING TAX PARCEL (TPN): TPN 086650-0000, TPN 670540-0000, TPN 182260-0000, TPN 011410-0841, TPN 011410-0843, TPN 011410-0850, TPN 011410-0855, TPN 011410-0860, TPN 011410-0865, TPN 011410-0885, TPN 011410-0870, TPN 011410-0881, TPN 011410-0889; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the City Council adopted Ordinance 15-0406, which established the Transit Oriented Development (TOD) District Overlay, which is codified at Chapter 18.29 of the Kenmore Municipal Code (KMC); and

WHEREAS, the purpose of the TOD District Overlay is to reinforce the City's planned concentrations of pedestrian-oriented mixed-use development at intensities that support and are supported by multi-modal transportation options, including high-capacity transit; and

WHEREAS, the City has directed the Planning Commission to review the City's TOD District Overlay regulations as part of the State-mandated Comprehensive Plan update; and

WHEREAS, the City became aware of the potential of lower density projects within the TOD District Overlay area, which would interfere with the City's intended planning for the TOD District Overlay area; and

WHEREAS, on August 16, 2021, the City Council adopted public emergency Ordinance 21-0533 that established an effective date for a six-month moratorium to and through February 16, 2022 to give the Planning Commission sufficient time to hold a hearing, complete planning for the TOD District Overlay area, and provide recommendations to the City Council regarding the appropriate regulatory framework for the TOD District Overlay; and

WHEREAS, on September 27, 2021, following a public hearing held by the City Council on the six-month moratorium, the Council adopted Ordinance 21-0535 amending Section 2 of Ordinance 21-0533 to allow an additional exemption for building permit

applications for or the construction of transitional housing or permanent supportive housing or building permit application for or the construction of indoor emergency housing; and

WHEREAS, on February 14, 2022, following a public hearing held by the City Council on the moratorium and interim regulations, the Council repealed the moratorium (Ordinance 21-0533 and Ordinance 21-0535) and immediately adopted interim regulations (Ordinance 22-0543) allowing certain development applications at appropriate densities within the TOD District Overlay consistent with the City's long-range planning, prior to completion of the City's regulatory review process; and

WHEREAS, on July 25, 2022, following a public hearing, the City Council adopted Ordinance 22-0555 extending and renewing interim regulations adopted by Ordinance 22-0543 for a further six-month period through January 25, 2023 to provide additional time for the Planning Commission to hold a public hearing, complete planning for the TOD District Overlay area, provide recommendations to the City Council regarding the appropriate regulatory framework for the TOD District Overlay and for Council to consider the recommendation; and

WHEREAS, on October 18, 2022, the Planning Commission held a public hearing regarding a proposed regulatory framework for the TOD District Overlay; and

WHEREAS, on November 21, 2022, the Planning Commission presented recommendations to the City Council regarding a proposed regulatory framework for the TOD District Overlay; and

WHEREAS, on November 28, 2022, the City Council gave direction on the proposed regulatory framework for the TOD District Overlay and requested consideration of an ordinance at a future meeting; and

WHEREAS, on November 28, 2022 the City Council gave direction to "carve out" certain parcels close to Swamp Creek in proximity to SR522 and 80th Ave NE from the proposed regulatory framework and thereby reduce the area applicable to the TOD District Overlay pending completion of a channel restoration assessment of Swamp Creek to determine where channel restoration would provide the most ecological benefit and options for new regulations for the "carve out" area to incentivize Swamp Creek channel restoration; and

WHEREAS, on January 9, 2023, following a public hearing the City Council adopted Ordinance 23-0569 extending and renewing interim regulations adopted by Ordinance 22-0543, as renewed by Ordinance 22-0555 for a further six-month period through July 25, 2023, to provide additional time for the City Council to consider adoption of an ordinance for the TOD regulatory framework; and

WHEREAS, on February 13, 2023, Council gave direction and confirmed which certain proposed new TOD amendments should or should not apply on applicable regulations for the reduced TOD "carve out" area; and

WHEREAS, on March 13, 2023, the City Council adopted Ordinance 23-0575 adopting municipal code and zoning map amendments related to a Transit-Oriented Development regulatory framework; and

WHEREAS, on March 13, 2023, the City Council held a public hearing on the proposed six-month extension and renewal of the City's interim regulations authorized and imposed by Ordinance 22-0543, as renewed, and extended by Ordinance Nos. 22-0555 and 23-0569; and

WHEREAS, on March 13, 2023, the City Council adopted Ordinance 23-0575 amending the interim regulations established by Ordinance 22-0543, and as codified at Section 18.29.020 and Figure 18.29.020.1 of the Kenmore Municipal Code, to reduce the area of the Transit Oriented Development (TOD) District Overlay to the following real properties, identified by Tax Parcel Number and address:

1. TPN 086650-0000, 17915 80th Ave NE, Kenmore, WA 98028
2. TPN 670540-0000, 17827 80th Ave NE, Kenmore, WA 98028
3. TPN 182260-0000, 17811 80th Ave NE, Kenmore, WA 98028
4. TPN 011410-0841, 17721 80th Ave NE, Kenmore, WA 98028
5. TPN 011410-0843, 17715 80th Ave NE, Kenmore, WA 98028
6. TPN 011410-0850, 17525 80th Ave NE, Kenmore, WA 98028
7. TPN 011410-0855, 7900 NE Bothell Way, Kenmore, WA 98028
8. TPN 011410-0860, 7850 NE Bothell Way, Kenmore, WA 98028
9. TPN 011410-0865, 7800 NE Bothell Way, Kenmore, WA 98028
10. TPN 011410-0885, 7750 NE Bothell Way, Kenmore, WA 98028
11. TPN 011410-0870, 7760 NE Bothell Way, Kenmore, WA 98028
12. TPN 011410-0881, 7638 NE Bothell Way, Kenmore, WA 98028
13. TPN 011410-0889, 7644 NE Bothell Way, Kenmore, WA 98028

(referenced together as the “Reduced TOD Area”)

WHEREAS, on September 11, 2023, the City Council held a public hearing on the proposed six-month extension and renewal of the City's interim regulations authorized and imposed by Ordinance 22-0543, as renewed, and extended by Ordinance Nos. 22-0555, 23-0569, and as amended and extended by Ordinance 23-0575; and

WHEREAS, on September 11, 2023, the City Council adopted Ordinance 23-0586 to extend and amend the interim regulations established by Ordinance 22-0543 and as amended and extended by Ordinance 23-0575 for a further six months; and

WHEREAS, on February 26, 2024, the City Council adopted Ordinance 24-606 to extend and amend the interim regulations established by Ordinance 22-0543 and as amended and extended by Ordinance 23-0586, for a further six months, until August 26, 2024; and

WHEREAS, on July 15, 2024, the City Council held a public hearing on this Ordinance and considered extending the interim regulations; and

WHEREAS, the City Council finds that additional time is necessary to complete a channel restoration assessment of Swamp Creek including for the Reduced TOD Area and also to give Council sufficient time to consider and potentially adopt an ordinance and new regulations to incentivize Swamp Creek channel restoration; and

WHEREAS, the regulations of zoning and land use are valid exercises of the City's police powers under Art. XI, Sec. 11 of the Washington State Constitution, and such police powers grant the City the authority to adopt interim regulations; and

WHEREAS, RCW 35A.63.220 and RCW 36.70A.390 authorize the City Council, as the governing body, to renew and extend interim regulations on development or land use for one or more six-month periods if a subsequent hearing is held and findings of fact are made prior to said extension and renewal; and

WHEREAS, the City Council has determined that it is in the best interest of the public, and is necessary for the protection of public health, safety, property, or peace, to extend and renew for an additional six-month period the interim regulations established in Ordinance 22-0543, as amended, extended, and renewed by Ordinance Nos. 22-0555, 23-0569, 23-0575, 23-0586 and 24-0606;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF KENMORE, WASHINGTON ORDAINS AS FOLLOWS:

Section 1. Findings of Fact in Support of Renewal and Extension. The City Council adopts the recitals set forth above, and in Ordinance Nos. 22-0543, 22-0555, 23-0569, 23-0575, 23-0586 and 24-0606 which are incorporated herein by reference, as findings of fact in support of the extension and renewal of interim regulations.

Section 2. Six-Month Extension and Renewal of Interim Regulations. Section 4 of Ordinance 22-0543, as amended by Ordinance Nos. 22-0555, 23-0569, 23-0575 23-0586 and 24-0606 is further amended to read as follows:

Section 4. Duration. The interim regulations established by Ordinance 22-0543, as renewed and extended by Ordinance Nos. 22-0555, 23-0569, 23-0575, ~~and 23-0586~~ and 24-0606 and as amended by Section 3.D of Ordinance No. 23-0575,

shall be extended and renewed for an additional period of six (6) months from the adoption date of this Ordinance, ~~February 26, 2024~~ July 15, 2024 (to and through ~~August 26, 2024~~ January 15, 2025), and shall automatically expire at the end of that day unless repealed, modified, or renewed and extended (after subsequent public hearing if renewed and extended), and entry of appropriate findings of fact as provided in RCW 35A.63.220 and RCW 36.70A.390.

Section 3. Transmittal of Ordinance. The City Manager is directed to transmit this ordinance to the Washington State Department of Commerce as required by law.

Section 4. Severability. If any provision of this ordinance or its application to any person or circumstance is held invalid or unconstitutional by a court of competent jurisdiction, the remainder of the ordinance, or the application of the provision to other persons or circumstances, is not affected.

Section 5. Effective Date. This Ordinance shall be published in the official newspaper of the City and shall take effect and be in full force and effect five (5) days after the date of publication.

PASSED BY THE CITY COUNCIL AT A MEETING THEREOF ON THE 15th DAY OF JULY 2024.

CITY OF KENMORE


Nigel Herbig (Jul 15, 2024 21:58 PDT)

Mayor Nigel Herbig

ATTEST/AUTHENTICATED:


Anastasiya Warhol (Jul 16, 2024 09:48 PDT)

Anastasiya Warhol City Clerk

Approved as to form:


Dawn Reitan (Jul 16, 2024 09:37 PDT)

Dawn Reitan, City Attorney

FILED WITH THE CITY CLERK: JULY 3, 2024
PASSED BY THE CITY COUNCIL: JULY 15, 2024
ORDINANCE NO.: 24-0612
DATE OF PUBLICATION: JULY 19, 2024
EFFECTIVE DATE: JULY 24, 2024

Ordinance No. 24-0612 amending and extending TOD interim regulations

Final Audit Report

2024-07-16

Created:	2024-07-16
By:	Michelle Kang (mkang@kenmorewa.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAuaGcKff8fPniL6A_cgPKXiLcMkJbWlt

"Ordinance No. 24-0612 amending and extending TOD interim regulations" History

-  Document created by Michelle Kang (mkang@kenmorewa.gov)
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2024-07-16 - 4:57:30 AM GMT
-  Document emailed to Dawn Reitan (dreitan@insleebest.com) for signature
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Document e-signed by Anastasiya Warhol (awarhol@kenmorewa.gov)

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**CITY OF KENMORE
WASHINGTON
ORDINANCE NO. 24-0606**

AN ORDINANCE OF THE CITY OF KENMORE, WASHINGTON, AMENDING ORDINANCE 22-0543, AS AMENDED BY ORDINANCE 22-0555, ORDINANCE 22-0569, ORDINANCE 23-0575, AND ORDINANCE 23-0586 TO EXTEND AND RENEW FOR AN ADDITIONAL SIX-MONTH PERIOD THE CITY'S INTERIM REGULATIONS RELATING TO THE TRANSIT ORIENTED DEVELOPMENT (TOD) DISTRICT OVERLAY APPLICABLE TO CERTAIN REAL PROPERTIES IDENTIFIED BY THE FOLLOWING TAX PARCEL (TPN): TPN 086650-0000, TPN 670540-0000, TPN 182260-0000, TPN 011410-0841, TPN 011410-0843, TPN 011410-0850, TPN 011410-0855, TPN 011410-0860, TPN 011410-0865, TPN 011410-0885, TPN 011410-0870, TPN 011410-0881, TPN 011410-0889; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the City Council adopted Ordinance 15-0406, which established the Transit Oriented Development (TOD) District Overlay, which is codified at Chapter 18.29 of the Kenmore Municipal Code (KMC); and

WHEREAS, the purpose of the TOD District Overlay is to reinforce the City's planned concentrations of pedestrian-oriented mixed-use development at intensities that support and are supported by multi-modal transportation options, including high-capacity transit; and

WHEREAS, the City has directed the Planning Commission to review the City's TOD District Overlay regulations as part of the State-mandated Comprehensive Plan update; and

WHEREAS, the City became aware of the potential of lower density projects within the TOD District Overlay area, which would interfere with the City's intended planning for the TOD District Overlay area; and

WHEREAS, on August 16, 2021, the City Council adopted public emergency Ordinance 21-0533 that established an effective date for a six-month moratorium to and through February 16, 2022 to give the Planning Commission sufficient time to hold a hearing, complete planning for the TOD District Overlay area, and provide recommendations to the City Council regarding the appropriate regulatory framework for the TOD District Overlay; and

WHEREAS, on September 27, 2021, following a public hearing held by the City Council on the six-month moratorium, the Council adopted Ordinance 21-0535 amending Section 2 of Ordinance 21-0533 to allow an additional exemption for building permit applications for or the construction of transitional housing or permanent supportive

housing or building permit application for or the construction of indoor emergency housing; and

WHEREAS, on February 14, 2022, following a public hearing held by the City Council on the moratorium and interim regulations, the Council repealed the moratorium (Ordinance 21-0533 and Ordinance 21-0535) and immediately adopted interim regulations (Ordinance 22-0543) allowing certain development applications at appropriate densities within the TOD District Overlay consistent with the City's long-range planning, prior to completion of the City's regulatory review process; and

WHEREAS, on July 25, 2022, following a public hearing, the City Council adopted Ordinance 22-0555 extending and renewing interim regulations adopted by Ordinance 22-0543 for a further six-month period through January 25, 2023 to provide additional time for the Planning Commission to hold a public hearing, complete planning for the TOD District Overlay area, provide recommendations to the City Council regarding the appropriate regulatory framework for the TOD District Overlay and for Council to consider the recommendation; and

WHEREAS, on October 18, 2022, the Planning Commission held a public hearing regarding a proposed regulatory framework for the TOD District Overlay; and

WHEREAS, on November 21, 2022, the Planning Commission presented recommendations to the City Council regarding a proposed regulatory framework for the TOD District Overlay; and

WHEREAS, on November 28, 2022, the City Council gave direction on the proposed regulatory framework for the TOD District Overlay and requested consideration of an ordinance at a future meeting; and

WHEREAS, on November 28, 2022 the City Council gave direction to "carve out" certain parcels close to Swamp Creek in proximity to SR522 and 80th Ave NE from the proposed regulatory framework and thereby reduce the area applicable to the TOD District Overlay pending completion of a channel restoration assessment of Swamp Creek to determine where channel restoration would provide the most ecological benefit and options for new regulations for the "carve out" area to incentivize Swamp Creek channel restoration; and

WHEREAS, on January 9, 2023, following a public hearing the City Council adopted Ordinance 23-0569 extending and renewing interim regulations adopted by Ordinance 22-0543, as renewed by Ordinance 22-0555 for a further six-month period through July 25, 2023, to provide additional time for the City Council to consider adoption of an ordinance for the TOD regulatory framework; and

WHEREAS, on February 13, 2023, Council gave direction and confirmed which certain proposed new TOD amendments should or should not apply on applicable regulations for the reduced TOD "carve out" area; and

WHEREAS, on March 13, 2023, the City Council adopted Ordinance 23-0574 adopting municipal code and zoning map amendments related to a Transit-Oriented Development regulatory framework; and

WHEREAS, on March 13, 2023, the City Council held a public hearing on the proposed six-month extension and renewal of the City's interim regulations authorized and imposed by Ordinance 22-0543, as renewed, and extended by Ordinance Nos. 22-0555 and 23-0569; and

WHEREAS, on March 13, 2023, the City Council adopted Ordinance 23-0575 amending the interim regulations established by Ordinance 22-0543, and as codified at Section 18.29.020 and Figure 18.29.020.1 of the Kenmore Municipal Code, to reduce the area of the Transit Oriented Development (TOD) District Overlay to the following real properties, identified by Tax Parcel Number and address:

1. TPN 086650-0000, 17915 80th Ave NE, Kenmore, WA 98028
2. TPN 670540-0000, 17827 80th Ave NE, Kenmore, WA 98028
3. TPN 182260-0000, 17811 80th Ave NE, Kenmore, WA 98028
4. TPN 011410-0841, 17721 80th Ave NE, Kenmore, WA 98028
5. TPN 011410-0843, 17715 80th Ave NE, Kenmore, WA 98028
6. TPN 011410-0850, 17525 80th Ave NE, Kenmore, WA 98028
7. TPN 011410-0855, 7900 NE Bothell Way, Kenmore, WA 98028
8. TPN 011410-0860, 7850 NE Bothell Way, Kenmore, WA 98028
9. TPN 011410-0865, 7800 NE Bothell Way, Kenmore, WA 98028
10. TPN 011410-0885, 7750 NE Bothell Way, Kenmore, WA 98028
11. TPN 011410-0870, 7760 NE Bothell Way, Kenmore, WA 98028
12. TPN 011410-0881, 7638 NE Bothell Way, Kenmore, WA 98028
13. TPN 011410-0889, 7644 NE Bothell Way, Kenmore, WA 98028

(referenced together as the “Reduced TOD Area”)

WHEREAS, on September 11, 2023, the City Council held a public hearing on the proposed six-month extension and renewal of the City's interim regulations authorized and imposed by Ordinance 22-0543, as renewed, and extended by Ordinance Nos. 22-0555, 23-0569, and as amended and extended by Ordinance 23-0575; and

WHEREAS, on September 11, 2023, the City Council adopted Ordinance 23-0586 to extend and amend the interim regulations established by Ordinance 22-0543 and as amended and extended by Ordinance 23-0575 for a further six months; and

WHEREAS, additional time is necessary to complete a channel restoration assessment of Swamp Creek including for the Reduced TOD Area and also to give Council sufficient time to consider and potentially adopt an ordinance and new regulations to incentivize Swamp Creek channel restoration; and

WHEREAS, the regulations of zoning and land use are valid exercises of the City's police powers under Art. XI, Sec. 11 of the Washington State Constitution, and such police powers grant the City the authority to adopt interim regulations; and

WHEREAS, RCW 35A.63.220 and RCW 36.70A.390 authorize the City Council, as the governing body, to renew and extend interim regulations on development or land use for one or more six-month periods if a subsequent hearing is held and findings of fact are made prior to said extension and renewal; and

WHEREAS, the City Council has determined that it is in the best interest of the public, and is necessary for the protection of public health, safety, property, or peace, to extend and renew for an additional six-month period the interim regulations established in Ordinance 22-0543, as amended, extended, and renewed by Ordinance Nos. 22-0555, 23-0569, 23-0575 and 23-0586; and

WHEREAS, in order for this Ordinance to become effective prior to the March 11th expiration of the existing interim regulations, the City Council needs to declare an emergency and authorize an immediate effective date for this Ordinance, and the City acknowledges that state law requires a super-majority of the City Council to approve such an emergency declaration;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF KENMORE, WASHINGTON ORDAINS AS FOLLOWS:

Section 1. Findings of Fact in Support of Renewal and Extension. The City Council adopts the recitals set forth above, and in Ordinance Nos. 22-0543, 22-0555, 23-0569, 23-0575, and 23-0586 which are incorporated herein by reference, as findings of fact in support of the extension and renewal of interim regulations.

Section 2. Six-Month Extension and Renewal of Interim Regulations. Section 4 of Ordinance 22-0543, as amended by Ordinance Nos. 22-0555, 23-0569, 23-0575 and 23-0586 is further amended to read as follows:

Section 4. Duration. The interim regulations established by Ordinance 22-0543, as renewed and extended by Ordinance Nos. 22-0555, 23-0569, ~~and 23-0575,~~ and 23-0586 and as amended by Section 3.D of Ordinance No. 23-0575, shall be extended and renewed for an additional period of six (6) months from the adoption date of this Ordinance, ~~September~~

~~11, 2023~~ February 26, 2024 (to and through ~~March 11, 2024~~ August 26, 2024), and shall automatically expire at the end of that day unless repealed, modified, or renewed and extended (after subsequent public hearing if renewed and extended), and entry of appropriate findings of fact as provided in RCW 35A.63.220 and RCW 36.70A.390.

Section 3. Transmittal of Ordinance. The City Manager is directed to transmit this ordinance to the Washington State Department of Commerce as required by law.

Section 4. Severability. If any provision of this ordinance or its application to any person or circumstance is held invalid or unconstitutional by a court of competent jurisdiction, the remainder of the ordinance, or the application of the provision to other persons or circumstances, is not affected.

Section 5. Emergency; Effective Date. This Ordinance, as a public emergency ordinance necessary for the protection of the public health, public safety, public property, or public peace, shall take effect and be in full force immediately upon its adoption. Pursuant to Matson v. Clark County Board of Commissioners, 79 Wn. App. 641, 904 P.2d 317 (1995), underlying facts necessary to support this emergency declaration are included in the recitals set forth above, which are adopted by reference.

PASSED BY THE CITY COUNCIL AT A MEETING THEREOF ON THE 26th DAY OF FEBRUARY 2024.

CITY OF KENMORE


Nigel G. Herbig (Mar 1, 2024 12:36 PST)

Mayor Nigel Herbig

ATTEST/AUTHENTICATED:


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

Anastasiya Warhol City Clerk

Approved as to form:


Dawn Reitan (Feb 27, 2024 16:19 PST)

Dawn Reitan, City Attorney

FILED WITH THE CITY CLERK: 02/14/2024

PASSED BY THE CITY COUNCIL: FEBRUARY 26, 2024

ORDINANCE NO.: 24-0606
DATE OF PUBLICATION: 03/01/2024
EFFECTIVE DATE: 03/06/2024

Ordinance No. 24-0606 amending and extending TOD interim regulations

Final Audit Report

2024-03-01

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By:	Michelle Kang (mkang@kenmorewa.gov)
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"Ordinance No. 24-0606 amending and extending TOD interim regulations" History

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-  Signer nherbig@kenmorewa.gov entered name at signing as Nigel G. Herbig
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 Document e-signed by Nigel G. Herbig (nherbig@kenmorewa.gov)

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 Agreement completed.

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**CITY OF KENMORE
WASHINGTON
ORDINANCE NO. 23-0586**

**AN ORDINANCE OF THE CITY OF KENMORE, WASHINGTON, AMENDING
ORDINANCE 22-0543, AS AMENDED BY ORDINANCE 22-0555,
ORDINANCE 22-0569 AND ORDINANCE 23-0575, TO EXTEND AND
RENEW FOR AN ADDITIONAL SIX-MONTH PERIOD THE CITY'S INTERIM
REGULATIONS RELATING TO THE TRANSIT ORIENTED DEVELOPMENT
(TOD) DISTRICT OVERLAY APPLICABLE TO CERTAIN REAL PROPERTIES
IDENTIFIED BY THE FOLLOWING TAX PARCEL (TPN): TPN 086650-0000,
TPN 670540-0000, TPN 182260-0000, TPN 011410-0841, TPN 011410-
0843, TPN 011410-0850, TPN 011410-0855, TPN 011410-0860, TPN
011410-0865, TPN 011410-0885, TPN 011410-0870, TPN 011410-0881,
TPN 011410-0889; PROVIDING FOR SEVERABILITY; AND ESTABLISHING
AN EFFECTIVE DATE**

WHEREAS, the City Council adopted Ordinance 15-0406, which established the Transit Oriented Development (TOD) District Overlay, which is codified at Chapter 18.29 of the Kenmore Municipal Code (KMC); and

WHEREAS, the purpose of the TOD District Overlay is to reinforce the City's planned concentrations of pedestrian-oriented mixed-use development at intensities that support and are supported by multi-modal transportation options, including high-capacity transit; and

WHEREAS, the City has directed the Planning Commission to review the City's TOD District Overlay regulations as part of the State-mandated Comprehensive Plan update; and

WHEREAS, the City became aware of the potential of lower density projects within the TOD District Overlay area, which would interfere with the City's intended planning for the TOD District Overlay area; and

WHEREAS, on August 16, 2021, the City Council adopted public emergency Ordinance 21-0533 that established an effective date for a six-month moratorium to and through February 16, 2022 to give the Planning Commission sufficient time to hold a hearing, complete planning for the TOD District Overlay area, and provide recommendations to the City Council regarding the appropriate regulatory framework for the TOD District Overlay; and

WHEREAS, on September 27, 2021, following a public hearing held by the City Council on the six-month moratorium, the Council adopted Ordinance 21-0535 amending Section 2 of Ordinance 21-0533 to allow an additional exemption for building permit applications for or the construction of transitional housing or permanent supportive

housing or building permit application for or the construction of indoor emergency housing; and

WHEREAS, on February 14, 2022, following a public hearing held by the City Council on the moratorium and interim regulations, the Council repealed the moratorium (Ordinance 21-0533 and Ordinance 21-0535) and immediately adopted interim regulations (Ordinance 22-0543) allowing certain development applications at appropriate densities within the TOD District Overlay consistent with the City's long-range planning, prior to completion of the City's regulatory review process; and

WHEREAS, on July 25, 2022, following a public hearing, the City Council adopted Ordinance 22-0555 extending and renewing interim regulations adopted by Ordinance 22-0543 for a further six-month period through January 25, 2023 to provide additional time for the Planning Commission to hold a public hearing, complete planning for the TOD District Overlay area, provide recommendations to the City Council regarding the appropriate regulatory framework for the TOD District Overlay and for Council to consider the recommendation; and

WHEREAS, on October 18, 2022, the Planning Commission held a public hearing regarding a proposed regulatory framework for the TOD District Overlay; and

WHEREAS, on November 21, 2022, the Planning Commission presented recommendations to the City Council regarding a proposed regulatory framework for the TOD District Overlay; and

WHEREAS, on November 28, 2022, the City Council gave direction on the proposed regulatory framework for the TOD District Overlay and requested consideration of an ordinance at a future meeting; and

WHEREAS, on November 28, 2022 the City Council gave direction to "carve out" certain parcels close to Swamp Creek in proximity to SR522 and 80th Ave NE from the proposed regulatory framework and thereby reduce the area applicable to the TOD District Overlay pending completion of a channel restoration assessment of Swamp Creek to determine where channel restoration would provide the most ecological benefit and options for new regulations for the "carve out" area to incentivize Swamp Creek channel restoration; and

WHEREAS, on January 9, 2023, following a public hearing the City Council adopted Ordinance 23-0569 extending and renewing interim regulations adopted by Ordinance 22-0543, as renewed by Ordinance 22-0555 for a further six-month period through July 25, 2023, to provide additional time for the City Council to consider adoption of an ordinance for the TOD regulatory framework; and

WHEREAS, on February 13, 2023, Council gave direction and confirmed which certain proposed new TOD amendments should or should not apply on applicable regulations for the reduced TOD "carve out" area; and

WHEREAS, on March 13, 2023, the City Council adopted Ordinance 23-0574 adopting municipal code and zoning map amendments related to a Transit-Oriented Development regulatory framework; and

WHEREAS, on March 13, 2023, the City Council held a public hearing on the proposed six-month extension and renewal of the City's interim regulations authorized and imposed by Ordinance 22-0543, as renewed and extended by Ordinance Nos. 22-0555 and 23-0569; and

WHEREAS, on March 13, 2023, the City Council adopted Ordinance 23-0575 amending the interim regulations established by Ord. 22-0543, and as codified at Section 18.29.020 and Figure 18.29.020.1 of the Kenmore Municipal Code, to reduce the area of the Transit Oriented Development (TOD) District Overlay to the following real properties, identified by Tax Parcel Number and address:

1. TPN 086650-0000, 17915 80th Ave NE, Kenmore, WA 98028
2. TPN 670540-0000, 17827 80th Ave NE, Kenmore, WA 98028
3. TPN 182260-0000, 17811 80th Ave NE, Kenmore, WA 98028
4. TPN 011410-0841, 17721 80th Ave NE, Kenmore, WA 98028
5. TPN 011410-0843, 17715 80th Ave NE, Kenmore, WA 98028
6. TPN 011410-0850, 17525 80th Ave NE, Kenmore, WA 98028
7. TPN 011410-0855, 7900 NE Bothell Way, Kenmore, WA 98028
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9. TPN 011410-0865, 7800 NE Bothell Way, Kenmore, WA 98028
10. TPN 011410-0885, 7750 NE Bothell Way, Kenmore, WA 98028
11. TPN 011410-0870, 7760 NE Bothell Way, Kenmore, WA 98028
12. TPN 011410-0881, 7638 NE Bothell Way, Kenmore, WA 98028
13. TPN 011410-0889, 7644 NE Bothell Way, Kenmore, WA 98028

(referenced together as the “Reduced TOD Area”)

WHEREAS, additional time is necessary to complete a channel restoration assessment of Swamp Creek including for the Reduced TOD Area and also to give Council sufficient time to consider and potentially adopt an ordinance and new regulations to incentivize Swamp Creek channel restoration; and

WHEREAS, the regulations of zoning and land use are valid exercises of the City's police powers under Art. XI, Sec. 11 of the Washington State Constitution, and such police powers grant the City the authority to adopt interim regulations; and

WHEREAS, RCW 35A.63.220 and RCW 36.70A.390 authorize the City Council, as the governing body, to renew and extend interim regulations on development or land use for one or more six-month periods if a subsequent hearing is held and findings of fact are made prior to said extension and renewal; and

WHEREAS, the City Council has determined that it is in the best interest of the public, and is necessary for the protection of public health, safety, property, or peace, to extend and renew for an additional six-month period the interim regulations established in Ordinance 22-0543, as amended, extended, and renewed by Ordinance Nos. 22-0555, 23-0569 and 23-0575; and

WHEREAS, in order for this Ordinance to become effective prior to the September 13th expiration of the existing interim regulations, the City Council needs to declare an emergency and authorize an immediate effective date for this Ordinance, and the City acknowledges that state law requires a super-majority of the City Council to approve such an emergency declaration;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF KENMORE, WASHINGTON ORDAINS AS FOLLOWS:

Section 1. Findings of Fact in Support of Renewal and Extension. The City Council adopts the recitals set forth above, and in Ordinance Nos. 22-0543, 22-0555, 23-0569 and Ordinance 23-0575, which are incorporated herein by reference, as findings of fact in support of the extension and renewal of interim regulations.

Section 2. Six-Month Extension and Renewal of Interim Regulations. Section 4 of Ordinance 22-0543, as amended by Ordinance Nos. 22-0555, 23-0569, and 23-0575 is further amended to read as follows:

Section 4. Duration. The interim regulations established by Ordinance 22-0543, as renewed and extended by Ordinance Nos. 22-0555, ~~and 23-0569, and 23-0575,~~ and as amended by Section 3.D of this Ordinance ~~No. 23-0575,~~ shall be extended and renewed for an additional period of six (6) months from the adoption date of this Ordinance, September 11, 2023~~March 13, 2023~~ (to and through March 11, 2024~~September 13, 2023~~), and shall automatically expire at the end of that day unless repealed, modified, or renewed and extended (after subsequent public hearing if renewed and extended), and entry of appropriate findings of fact as provided in RCW 35A.63.220 and RCW 36.70A.390.

Section 3. Transmittal of Ordinance. The City Manager is directed to transmit this ordinance to the Washington State Department of Commerce as required by law.

Section 4. Severability. If any provision of this ordinance or its application to any person or circumstance is held invalid or unconstitutional by a court of competent jurisdiction, the remainder of the ordinance, or the application of the provision to other persons or circumstances, is not affected.

Section 5. Emergency; Effective Date. This Ordinance, as a public emergency ordinance necessary for the protection of the public health, public safety, public property, or public peace, shall take effect and be in full force immediately upon its adoption. Pursuant to Matson v. Clark County Board of Commissioners, 79 Wn. App. 641, 904 P.2d 317 (1995), underlying facts necessary to support this emergency declaration are included in the recitals set forth above, which are adopted by reference.

PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 11th DAY OF September 2023.

CITY OF KENMORE


[Nigel C. Herbig \(Sep 15, 2023 08:04 PDT\)](#)

Mayor Nigel Herbig

ATTEST/AUTHENTICATED:


[Anastasiya Warhol \(Sep 13, 2023 11:37 PDT\)](#)

Anastasiya Warhol City Clerk

Approved as to form:


[Dawn Reitan \(Sep 13, 2023 09:55 PDT\)](#)

Dawn Reitan, City Attorney

FILED WITH THE CITY CLERK: AUGUST 31, 2023
PASSED BY THE CITY COUNCIL: SEPTEMBER 11, 2023
ORDINANCE NO.: 23-0586
DATE OF PUBLICATION: SEPTEMBER 15, 2023
EFFECTIVE DATE: SEPTEMBER 20, 2023

Att. #1 Ordinance 23-0586 amending and extending TOD interim regulations revised 081523

Final Audit Report

2023-09-15

Created:	2023-09-12
By:	Michelle Kang (mkang@kenmorewa.gov)
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"Att. #1 Ordinance 23-0586 amending and extending TOD interim regulations revised 081523" History

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 Signer nherbig@kenmorewa.gov entered name at signing as Nigel G. Herbig
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 Document e-signed by Nigel G. Herbig (nherbig@kenmorewa.gov)
Signature Date: 2023-09-15 - 3:04:11 PM GMT - Time Source: server

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**CITY OF KENMORE
WASHINGTON
ORDINANCE NO. 23-0575**

**AN ORDINANCE OF THE CITY OF KENMORE, WASHINGTON,
AMENDING ORDINANCE 22-0543, AS AMENDED BY ORDINANCE 22-
0555 AND ORDINANCE 22-0569, TO EXTEND AND RENEW FOR AN
ADDITIONAL SIX-MONTH PERIOD THE CITY'S INTERIM
REGULATIONS, AND AMENDING SECTION 18.29.020 AND FIGURE
18.29.020.1 OF THE KENMORE MUNICIPAL CODE TO REDUCE THE
AREA OF THE TRANSIT ORIENTED DEVELOPMENT (TOD)
DISTRICT OVERLAY TO CERTAIN REAL PROPERTIES IDENTIFIED
BY THE FOLLOWING TAX PARCEL (TPN): TPN 086650-0000, TPN
670540-0000, TPN 182260-0000, TPN 011410-0841, TPN 011410-0843, TPN
011410-0850, TPN 011410-0855, TPN 011410-0860, TPN 011410-0865, TPN
011410-0885, TPN 011410-0870, TPN 011410-0881, TPN 011410-0889;
PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN
EFFECTIVE DATE**

WHEREAS, the City Council adopted Ordinance 15-0406, which established the Transit Oriented Development (TOD) District Overlay, which is codified at Chapter 18.29 of the Kenmore Municipal Code (KMC); and

WHEREAS, the purpose of the TOD District Overlay is to reinforce the City's planned concentrations of pedestrian-oriented mixed-use development at intensities that support and are supported by multi-modal transportation options, including high-capacity transit; and

WHEREAS, the City has directed the Planning Commission to review the City's TOD District Overlay regulations as part of the State-mandated Comprehensive Plan update; and

WHEREAS, the City became aware of the potential of lower density projects within the TOD District Overlay area, which would interfere with the City's intended planning for the TOD District Overlay area; and

WHEREAS, on August 16, 2021, the City Council adopted public emergency Ordinance 21-0533 that established an effective date for a six-month moratorium to and through February 16, 2022 to give the Planning Commission sufficient time to hold a hearing, complete planning for the TOD District Overlay area, and provide recommendations to the City Council regarding the appropriate regulatory framework for the TOD District Overlay; and

WHEREAS, on September 27, 2021, following a public hearing held by the City Council on the six-month moratorium, the Council adopted Ordinance 21-0535 amending Section 2 of Ordinance 21-0533 to allow an additional exemption for building permit applications for or the construction of transitional housing or permanent supportive housing or building permit application for or the construction of indoor emergency housing; and

WHEREAS, on February 14, 2022, following a public hearing held by the City Council on the moratorium and interim regulations, the Council repealed the moratorium (Ordinance 21-0533 and Ordinance 21-0535) and immediately adopted interim regulations (Ordinance 22-0543) allowing certain development applications at appropriate densities within the TOD District Overlay consistent with the City's long-range planning, prior to completion of the City's regulatory review process; and

WHEREAS, on July 25, 2022, following a public hearing, the City Council adopted Ordinance 22-0555 extending and renewing interim regulations adopted by Ordinance 22-0543 for a further six-month period through January 25, 2023 to provide additional time for the Planning Commission to hold a public hearing, complete planning for the TOD District Overlay area, provide recommendations to the City Council regarding the appropriate regulatory framework for the TOD District Overlay and for Council to consider the recommendation; and

WHEREAS, on October 18, 2022, the Planning Commission held a public hearing regarding a proposed regulatory framework for the TOD District Overlay; and

WHEREAS, on November 21, 2022, the Planning Commission presented recommendations to the City Council regarding a proposed regulatory framework for the TOD District Overlay; and

WHEREAS, on November 28, 2022 the City Council gave direction on the proposed regulatory framework for the TOD District Overlay and requested consideration of an ordinance at a future meeting; and

WHEREAS, on November 28, 2022 the City Council gave direction to "carve out" certain parcels close to Swamp Creek in proximity to SR522 and 80th Ave NE from the proposed regulatory framework and thereby reduce the area applicable to the TOD District Overlay pending completion of a channel restoration assessment of Swamp Creek to determine where channel restoration would provide the most ecological benefit and options for new regulations for the "carve out" area to incentivize Swamp Creek channel restoration; and

WHEREAS, on January 9, 2023, following a public hearing the City Council adopted Ordinance 23-0569 extending and renewing interim regulations adopted by Ordinance 22-0543, as renewed by Ordinance 22-0555 for a further six-month period through July 25, 2023 to provide additional time for the City Council to consider adoption of an ordinance for the TOD regulatory framework; and

WHEREAS, on February 13, 2023, Council gave direction and confirmed which certain proposed new TOD amendments should or should not apply on applicable regulations for the reduced TOD "carve out" area; and

WHEREAS, on March 13, 2023, the City Council will be considering adoption of Ordinance 23-0574 adopting municipal code and zoning map amendments related to a Transit-Oriented Development regulatory framework; and

WHEREAS, on March 13, 2023, the City Council held a public hearing on the proposed six-month extension and renewal of the City's interim regulations authorized and imposed by Ordinance 22-0543, as renewed and extended by Ordinance Nos. 22-0555 and 23-0569; and

WHEREAS, additional time is necessary to complete a channel restoration assessment of Swamp Creek including for the reduced TOD “carve out” area for those certain parcels close to Swamp Creek in proximity to SR522 and 80th Ave NE and also to give Council sufficient time to consider and potentially adopt an ordinance and new regulations to incentivize Swamp Creek channel restoration; and

WHEREAS, the City Council desires to amend the interim regulations established by Ord. 22-0543, and as codified at Section 18.29.020 and Figure 18.29.020.1 of the Kenmore Municipal Code, to reduce the area of the Transit Oriented Development (TOD) District Overlay to the following real properties, identified by Tax Parcel Number and address:

1. TPN 086650-0000, 17915 80th Ave NE, Kenmore, WA 98028
2. TPN 670540-0000, 17827 80th Ave NE, Kenmore, WA 98028
3. TPN 182260-0000, 17811 80th Ave NE, Kenmore, WA 98028
4. TPN 011410-0841, 17721 80th Ave NE, Kenmore, WA 98028
5. TPN 011410-0843, 17715 80th Ave NE, Kenmore, WA 98028
6. TPN 011410-0850, 17525 80th Ave NE, Kenmore, WA 98028
7. TPN 011410-0855, 7900 NE Bothell Way, Kenmore, WA 98028
8. TPN 011410-0860, 7850 NE Bothell Way, Kenmore, WA 98028
9. TPN 011410-0865, 7800 NE Bothell Way, Kenmore, WA 98028
10. TPN 011410-0885, 7750 NE Bothell Way, Kenmore, WA 98028
11. TPN 011410-0870, 7760 NE Bothell Way, Kenmore, WA 98028
12. TPN 011410-0881, 7638 NE Bothell Way, Kenmore, WA 98028
13. TPN 011410-0889, 7644 NE Bothell Way, Kenmore, WA 98028

WHEREAS, the regulations of zoning and land use are valid exercises of the City’s police powers under Art. XI, Sec. 11 of the Washington State Constitution, and such police powers grant the City the authority to adopt interim regulations; and

WHEREAS, RCW 35A.63.220 and RCW 36.70A.390 authorize the City Council, as the governing body, to renew and extend interim regulations on development or land use for one or more six-month periods if a subsequent hearing is held and findings of fact are made prior to said extension and renewal; and

WHEREAS, the City Council has determined that it is in the best interest of the public, and is necessary for the protection of public health, safety, property, or peace, to extend and renew for

an additional six-month period the interim regulations established in Ordinance 22-0543, as extended and renewed by Ordinance Nos. 22-0555 and 23-0569;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF KENMORE, WASHINGTON ORDAINS AS FOLLOWS:

Section 1. Findings of Fact in Support of Renewal and Extension. The City Council adopts the recitals set forth above and in Ordinance Nos. 22-0543, 22-0555 and 23-0569, which are incorporated herein by reference, as findings of fact in support of the extension and renewal of interim regulations.

Section 2. Amendment. The City Council amends Section 3 of Ordinance 22-0543 to read as follows:

Section 3. Interim Regulations.

A. Adoption. Pursuant to the City's police powers under Article XI, Section 11 of the Washington State Constitution, RCW 35A.63.220, and RCW 36.70A.390, interim regulations are hereby adopted and imposed on the application for, intake of, review of, or issuance of any approval and/or development permit, including, but not limited to, building permits, site plan review, etc., for the establishment, location and/or construction of any development on certain real properties identified by the following Tax Parcel Numbers (TPN) and addresses:

1. TPN 086650-0000, 17915 80th Ave NE, Kenmore, WA 98028
2. TPN 670540-0000, 17827 80th Ave NE, Kenmore, WA 98028
3. TPN 182260-0000, 17811 80th Ave NE, Kenmore, WA 98028
4. TPN 011410-0841, 17721 80th Ave NE, Kenmore, WA 98028
5. TPN 011410-0843, 17715 80th Ave NE, Kenmore, WA 98028
6. TPN 011410-0850, 17525 80th Ave NE, Kenmore, WA 98028
7. TPN 011410-0855, 7900 NE Bothell Way, Kenmore, WA 98028
8. TPN 011410-0860, 7850 NE Bothell Way, Kenmore, WA 98028
9. TPN 011410-0865, 7800 NE Bothell Way, Kenmore, WA 98028
10. TPN 011410-0885, 7750 NE Bothell Way, Kenmore, WA 98028
11. TPN 011410-0870, 7760 NE Bothell Way, Kenmore, WA 98028
12. TPN 011410-0881, 7638 NE Bothell Way, Kenmore, WA 98028

13. TPN 011410-0889, 7644 NE Bothell Way, Kenmore, WA 98028

(collectively, the “Parcels”), located within the Transit Oriented Development (TOD) District Overlay area, as shown and depicted in KMC 18.29.020 (as revised in Section 3.D of this Ordinance). The term “development” means the same as defined in KMC 18.20.715. The term “development permit” means the same as defined in KMC 18.20.735.

- B. Exemptions. The interim regulations adopted by this Ordinance only apply to new development permit applications.
- C. Adopted Interim Regulations: Interim regulations for the TOD District Overlay adopted and imposed pursuant to Section 3.A are set forth in Exhibit A, attached hereto and incorporated by reference.
- D. Amending Interim Regulations. The interim regulations adopted and imposed by Ordinance No. 22-0543, and as codified at Chapter 18.29 of the Kenmore Municipal Code (KMC), are amended as follows: Exhibit A to Ordinance No. 22-0543, KMC 18.29.020 “Area” is amended by replacing Figure 18.29.020.1 with new Figure 18.29.020.1 as set forth in Exhibit B, attached hereto and incorporated by reference, which include the Parcels identified in Section 3.A.

Section 3. Six-Month Extension and Renewal of Interim Regulations. Section 4 of Ordinance 22-0543, as amended by Ordinance Nos. 22-0555 and 23-0569, is further amended to read as follows:

Section 4. Duration. The interim regulations established by Ordinance 22-0543, as renewed and extended by Ordinance Nos. 22-0555 and 23-0569, and as amended by Section 3.D of this Ordinance, shall be extended and renewed for an additional period of six (6) months from the adoption date of this Ordinance, ~~March 13, 2023~~ ~~January 25, 2023~~ (to and through ~~September 13, 2023~~ ~~July 25, 2023~~), and shall automatically expire at the end of that day unless repealed, modified, or renewed and extended (after subsequent public hearing if renewed and extended), and entry of appropriate findings of fact as provided in RCW 35A.63.220 and RCW 36.70A.390.

Section 4. Authorization of City Manager. The City Manager is hereby authorized and directed to complete a channel restoration assessment of Swamp Creek that includes the area within the TOD District Boundary, Exhibit B attached to this ordinance and to move forward and bring an ordinance for new regulations to incentivize Swamp Creek Channel restoration to the City Council for consideration and potential adoption.

Section 5. Transmittal of Ordinance. The City Manager is directed to transmit this ordinance to the Washington State Department of Commerce as required by law.

Section 6. Severability. If any provision of this ordinance or its application to any person or circumstance is held invalid or unconstitutional by a court of competent jurisdiction, the remainder of the ordinance, or the application of the provision to other persons or circumstances, is not affected.

Section 7. Effective Date. This Ordinance shall be published in the official newspaper of the City and shall take effect and be in full force (5) days after the date of publication.

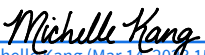
PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 13th DAY OF MARCH 2023.

CITY OF KENMORE


[Nigel G. Herbig \(Mar 14, 2023 18:19 PDT\)](#)

Mayor Nigel Herbig

ATTEST/AUTHENTICATED:


[Michelle Kang \(Mar 14, 2023 15:50 PDT\)](#)

Michelle Kang, Deputy City Clerk

Approved as to form:


[Dawn Reitan \(Mar 14, 2023 15:56 PDT\)](#)

Dawn Reitan, City Attorney

FILED WITH THE CITY CLERK: 03/13/2023

PASSED BY THE CITY COUNCIL: MARCH 13, 2023

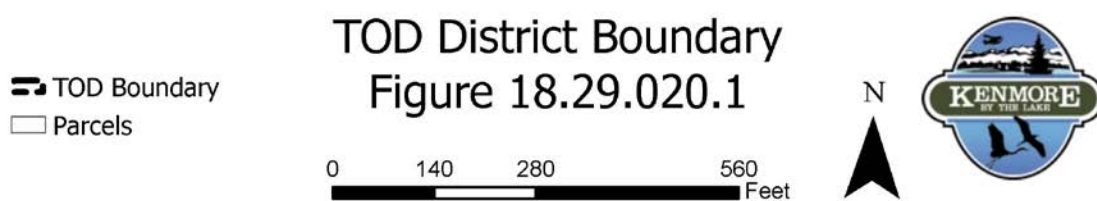
ORDINANCE NO.: 23-0575

DATE OF PUBLICATION: 03/17/2023

EFFECTIVE DATE: 03/22/2023

18.29.020 Area.

The area of the TOD district overlay is shown on Figure 18.29.020.1. In order to develop under the TOD district overlay, at least 50 percent of a parcel shown on Figure 18.29.020.1 shall be located within the TOD district overlay.



Ordinance 23-0575 amending and extending interim regulations

Final Audit Report

2023-03-15

Created:	2023-03-14
By:	Michelle Kang (mkang@kenmorewa.gov)
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"Ordinance 23-0575 amending and extending interim regulations" History

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-  Signer nherbig@kenmorewa.gov entered name at signing as Nigel G. Herbig
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**CITY OF KENMORE
WASHINGTON
ORDINANCE NO. 23-0569**

**AN ORDINANCE OF THE CITY OF KENMORE, WASHINGTON,
AMENDING ORDINANCE 22-0543, AS AMENDED BY ORDINANCE 22-
0555, TO EXTEND AND RENEW FOR AN ADDITIONAL SIX-MONTH
PERIOD THE CITY'S INTERIM REGULATIONS WITHIN THE
TRANSIT OVERLAY DEVELOPMENT (TOD) DISTRICT; PROVIDING
FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE**

WHEREAS, the City Council adopted Ordinance 15-0406, which established the Transit Oriented Development (TOD) District Overlay, which is codified at Chapter 18.29 of the Kenmore Municipal Code (KMC); and

WHEREAS, the purpose of the TOD District Overlay is to reinforce the City's planned concentrations of pedestrian-oriented mixed-use development at intensities that support and are supported by multi-modal transportation options, including high-capacity transit; and

WHEREAS, the City has directed the Planning Commission to review the City's TOD District Overlay regulations as part of the State-mandated Comprehensive Plan update; and

WHEREAS, the City became aware of the potential of lower density projects within the TOD District Overlay area, which would interfere with the City's intended planning for the TOD District Overlay area; and

WHEREAS, on August 16, 2021, the City Council adopted public emergency Ordinance 21-0533 that established an effective date for a six-month moratorium to and through February 16, 2022 to give the Planning Commission sufficient time to hold a hearing, complete planning for the TOD District Overlay area, and provide recommendations to the City Council regarding the appropriate regulatory framework for the TOD District Overlay; and

WHEREAS, on September 27, 2021, following a public hearing held by the City Council on the six-month moratorium, the Council adopted Ordinance 21-0535 amending Section 2 of Ordinance 21-0533 to allow an additional exemption for building permit applications for or the construction of transitional housing or permanent supportive housing or building permit application for or the construction of indoor emergency housing; and

WHEREAS, on February 14, 2022, following a public hearing held by the City Council on the moratorium and interim regulations, the Council repealed the moratorium (Ordinance 21-0533 and Ordinance 21-0535) and immediately adopted interim regulations (Ordinance 22-0543) allowing certain development applications at appropriate densities within the TOD District Overlay consistent with the City's long-range planning, prior to completion of the City's regulatory review process; and

WHEREAS, on July 25, 2022, following a public hearing, the City Council adopted Ordinance 22-0555 extending and renewing interim regulations adopted by Ordinance 22-0543 for a further six-month period through January 25, 2023 to provide additional time for the Planning Commission to hold a public hearing, complete planning for the TOD District Overlay area, provide recommendations to the City Council regarding the appropriate regulatory framework for the TOD District Overlay and for Council to consider the recommendation; and

WHEREAS, on October 18, 2022 the Planning Commission held a public hearing regarding a proposed regulatory framework for the TOD District Overlay; and

WHEREAS, on November 21, 2022 the Planning Commission presented recommendations to the City Council regarding a proposed regulatory framework for the TOD District Overlay; and

WHEREAS, on November 28, 2022 the City Council gave direction on the proposed regulatory framework for the TOD District Overlay and requested consideration of an ordinance at a future meeting; and

WHEREAS, additional time is necessary for an ordinance to be drafted reflecting Council's direction on the proposed regulatory framework for the TOD District Overlay, and to give Council sufficient time to consider and potentially adopt such an ordinance; and

WHEREAS, the regulations of zoning and land use are valid exercises of the City's police powers under Art. XI, Sec. 11 of the Washington State Constitution, and such police powers grant the City the authority to adopt interim regulations; and

WHEREAS, RCW 35A.63.220 and RCW 36.70A.390 authorize the City Council, as the governing body, to renew and extend interim regulations on development or land use for one or more six—month periods if a subsequent hearing is held and findings of fact are made prior to said extension and renewal; and

WHEREAS, on January 9, 2023 the City Council held a public hearing on the proposed six—month extension and renewal of the City's interim regulations authorized and imposed by Ordinance 22-0543, as renewed and extended by Ordinance 22-0555; and

WHEREAS, the City Council has determined that it is in the best interest of the public, and is necessary for the protection of public health, safety, property, or peace, to extend and renew for an additional six-month period the interim regulations established in Ordinance 22-0543, as extended and renewed by Ordinance 22-0555;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF KENMORE, WASHINGTON ORDAINS AS FOLLOWS:

Section 1. Findings of Fact in Support of Renewal and Extension. The City Council adopts the recitals set forth above and in Ordinance Nos. 22-0543 and 22-0555, which are incorporated herein by reference, as findings of fact in support of the extension and renewal of interim regulations adopted under Ordinance 22-0543, as amended by Ordinance 22-0555, for an additional six-month period.

Section 2. Six-Month Extension and Renewal of Interim Regulations. Section 4 of Ordinance 22-0543, as amended by Ordinance 22-0555, is further amended to read as follows:

Section 4. Duration. The interim regulations established by Ordinance 22-0543, as renewed and extended by Ordinance 22-0555, shall be extended and renewed for an additional period of six (6) months from January 25, 2023 (to and through July 25, 2023), and shall automatically expire at the end of that day unless repealed, modified, or renewed and extended (after subsequent public hearing if renewed and extended), and entry of appropriate findings of fact as provided in RCW 35A.63.220 and RCW 36.70A.390.

Section 3. Authorization of City Manager. The City Manager is hereby authorized and directed to move forward and bring an ordinance relating to the proposed TOD regulatory framework to the City Council for consideration and potential adoption.

Section 4. Transmittal of Ordinance. The City Manager is directed to transmit this ordinance to the Washington State Department of Commerce as required by law.

Section 5. Severability. If any provision of this ordinance or its application to any person or circumstance is held invalid or unconstitutional by a court of competent jurisdiction, the remainder of the ordinance, or the application of the provision to other persons or circumstances, is not affected.

Section 6. Effective Date. This Ordinance shall be published in the official newspaper of the City and shall take effect and be in full force (5) days after the date of publication.

PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 9th DAY OF JANUARY 2023.

CITY OF KENMORE


[Nigel Herbig \(Jan 10, 2023 17:12 PST\)](#)

Mayor Nigel Herbig

ATTEST/AUTHENTICATED:


[Michelle Kang \(Jan 10, 2023 16:33 PST\)](#)

Michelle Kang, Deputy City Clerk

Approved as to form:


[Dawn Reitan \(Jan 11, 2023 10:54 PST\)](#)

Dawn Reitan, City Attorney

FILED WITH THE CITY CLERK: 12/29/2022
PASSED BY THE CITY COUNCIL: JANUARY 9, 2023
ORDINANCE NO.: 23-0569
DATE OF PUBLICATION: 01/13/2023
EFFECTIVE DATE: 01/18/2023

Ordinance No. 23-0569 Extending and Renewing TOD Interim Regulations

Final Audit Report

2023-01-11

Created:	2023-01-11
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Status:	Signed
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"Ordinance No. 23-0569 Extending and Renewing TOD Interim Regulations" History

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**CITY OF KENMORE
WASHINGTON
ORDINANCE NO. 22-0555**

**AN ORDINANCE OF THE CITY OF KENMORE, WASHINGTON,
AMENDING ORDINANCE 22-0543 TO EXTEND AND RENEW FOR AN
ADDITIONAL SIX-MONTH PERIOD THE CITY'S INTERIM
REGULATIONS WITHIN THE TRANSIT OVERLAY DEVELOPMENT
(TOD) DISTRICT; PROVIDING FOR SEVERABILITY; AND
ESTABLISHING AN EFFECTIVE DATE**

WHEREAS, the City Council adopted Ordinance 15-0406, which established the Transit Oriented Development (TOD) District Overlay, which is codified at Chapter 18.29 of the Kenmore Municipal Code (KMC); and

WHEREAS, the purpose of the TOD District Overlay is to reinforce the City's planned concentrations of pedestrian-oriented mixed-use development at intensities that support and are supported by multi-modal transportation options, including high-capacity transit; and

WHEREAS, the City has directed the Planning Commission to review the City's TOD District Overlay regulations as part of the State-mandated Comprehensive Plan update; and

WHEREAS, the City became aware of the potential of lower density projects within the TOD District Overlay area, which would interfere with the City's intended planning for the TOD District Overlay area; and

WHEREAS, on August 16, 2021, the City Council adopted public emergency Ordinance 21-0533 that established an effective date for a six-month moratorium to and through February 16, 2022 to give the Planning Commission sufficient time to hold a hearing, complete planning for the TOD District Overlay area, and provide recommendations to the City Council regarding the appropriate regulatory framework for the TOD District Overlay; and

WHEREAS, on September 27, 2021, following a public hearing held by the City Council on the six-month moratorium, the Council adopted Ordinance 21-0535 amending Section 2 of Ordinance 21-0533 to allow an additional exemption for building permit applications for or the construction of transitional housing or permanent supportive housing or building permit application for or the construction of indoor emergency housing; and

WHEREAS, on February 14, 2022, following a public hearing held by the City Council on the moratorium and interim regulations, the Council repealed the moratorium (Ordinance 21-0533 and Ordinance 21-0535) and immediately adopted interim regulations (Ordinance 22-0543) allowing certain development applications at appropriate densities within the TOD District Overlay consistent with the City's long-range planning, prior to completion of the City's regulatory review process; and

WHEREAS, additional time is necessary for the Planning Commission to hold a public hearing, complete planning for the TOD District Overlay area, provide recommendations to the

City Council regarding the appropriate regulatory framework for the TOD District Overlay and for Council to consider the recommendation; and

WHEREAS, the regulations of zoning and land use are valid exercises of the City's police powers under Art. XI, Sec. 11 of the Washington State Constitution, and such police powers grant the City the authority to adopt interim regulations; and

WHEREAS, RCW 35A.63.220 and RCW 36.70A.390 authorize the City Council, as the governing body, to renew and extend interim regulations on development or land use for one or more six—month periods if a subsequent hearing is held and findings of fact are made prior to said extension and renewal; and

WHEREAS, on July 25, 2022, the City Council held a public hearing on the proposed six—month extension and renewal of the City's interim regulations authorized and imposed by Ordinance 22-0543; and

WHEREAS, the City Council has determined that it is in the best interest of the public, and is necessary for the protection of public health, safety, property, or peace, to extend and renew for an additional six-month period the interim regulations established in Ordinance 22-0543; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF KENMORE, WASHINGTON ORDAINS AS FOLLOWS:

Section 1. Findings. The City Council adopts the recitals set forth above and in Ordinance No. 22-0543, which are incorporated herein by reference, as findings in support of the extension and renewal of interim regulations adopted under Ordinance 22-0543 for an additional six-month period.

Section 2. Six-Month Extension and Renewal of Interim Regulations. Section 4 of Ordinance 22-0543 is amended to read as follows:

Section 4. Duration. The interim regulations established by ~~in Section 3 above~~ Ordinance 22-0543 shall be extended and renewed in effect for a period of six (6) months from the effective date of this Ordinance 22-0555 (to and through ~~September 14, 2022~~ January 25, 2023) and shall automatically expire at the end of that day unless repealed, modified, or extended (after subsequent public hearing if extended), and entry of appropriate findings of fact as provided in RCW 35A.63.220 and RCW 36.70A.390.

Section 3. Authorization of City Manager. The City Manager is hereby authorized and directed to move forward with the Planning Commission's review of appropriate development regulations relating to the TOD District Overlay area, and to bring its recommendation to the City Council for consideration and potential adoption.

Section 4. Transmittal of Ordinance. The City Manager is directed to transmit this ordinance to the Washington State Department of Commerce as required by law.

Section 5. Severability. If any provision of this ordinance or its application to any person or circumstance is held invalid or unconstitutional by a court of competent jurisdiction, the

remainder of the ordinance, or the application of the provision to other persons or circumstances, is not affected.

Section 6. Effective Date. This Ordinance shall be published in the official newspaper of the City and shall take effect and be in full force (5) days after the date of publication.

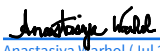
PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 25th DAY OF JULY 2022.

CITY OF KENMORE


Nigel Herbig (Jul 27, 2022 12:29 PDT)

Mayor Nigel Herbig

ATTEST/AUTHENTICATED:


Anastasiya Warhol (Jul 27, 2022 14:10 PDT)

Anastasiya Warhol, City Clerk

Approved as to form:


Dawn Reitan (Jul 27, 2022 09:52 PDT)

Dawn Reitan, City Attorney

FILED WITH THE CITY CLERK: 7/15/22

PASSED BY THE CITY COUNCIL: JULY 25, 2022

ORDINANCE NO.: 22-0555

DATE OF PUBLICATION: 7/28/22

EFFECTIVE DATE: 8/2/22

Ordinance 22-0555, Extending Interim Regulations in TOD Area

Final Audit Report

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"Ordinance 22-0555, Extending Interim Regulations in TOD Area" History

-  Document created by Anastasiya Warhol (awarhol@kenmorewa.gov)
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Signature Date: 2022-07-27 - 9:10:54 PM GMT - Time Source: server- IP address: 50.235.209.34



Agreement completed.

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**CITY OF KENMORE
WASHINGTON
ORDINANCE NO. 22-0543**

**AN ORDINANCE OF THE CITY OF KENMORE, WASHINGTON,
ADOPTING SIX-MONTH INTERIM REGULATIONS WITHIN THE
TRANSIT OVERLAY DEVELOPMENT (TOD) DISTRICT; REPEALING
ORDINANCE NOS. 21-0533 AND 21-0535; DECLARING AN
EMERGENCY AND ESTABLISHING AN IMMEDIATE EFFECTIVE
DATE**

WHEREAS, the City Council adopted Ordinance 15-0406, which established the Transit Oriented Development (TOD) District Overlay, which is codified at Chapter 18.29 of the Kenmore Municipal Code (KMC); and

WHEREAS, the purpose of the TOD District Overlay is to reinforce the City's planned concentrations of pedestrian-oriented mixed-use development at intensities that support and are supported by multi-modal transportation options, including high-capacity transit; and

WHEREAS, the City has directed the Planning Commission to review the City's TOD District Overlay regulations as part of the State-mandated Comprehensive Plan update; and

WHEREAS, the City became aware of the potential of lower density projects within the TOD District Overlay area, which would interfere with the City's intended planning for the TOD District Overlay area; and

WHEREAS, on August 16, 2021 the City Council adopted public emergency Ordinance 21-0533 that established an effective date for a six-month moratorium to and through February 16, 2022 to give the Planning Commission sufficient time to hold a hearing, complete planning for the TOD District Overlay area, and provide recommendations to the City Council regarding the appropriate regulatory framework for the TOD District Overlay; and

WHEREAS, on September 27, 2021 following a public hearing held by the City Council on the six-month moratorium, the Council adopted Ordinance 21-0535 amending Section 2 of Ordinance 21-0533 to allow an additional exemption for building permit applications for or the construction of transitional housing or permanent supportive housing or building permit application for or the construction of indoor emergency housing; and

WHEREAS, additional time is necessary for the Planning Commission to hold a public hearing, complete planning for the TOD District Overlay area, provide recommendations to the City Council regarding the appropriate regulatory framework for the TOD District Overlay and for Council to consider the recommendation; and

WHEREAS, repeal of the moratorium (Ordinance 21-0533 and Ordinance 21-0535) and immediate adoption of interim regulations allows certain development applications at appropriate densities within the TOD District Overlay consistent with the City's long-range planning, prior to completion of the City's regulatory review process; and

WHEREAS, the City Council deems it to be in the best interest of the public, and necessary for the protection of the public health, safety, property, or peace, to establish immediate interim regulations on the acceptance, review, and approval of permits for the establishment, location, and/or construction of any development within the TOD District Overlay; and

WHEREAS, the regulation of zoning and land use are valid exercises of the City's police powers under Article XI, Section 11 of the Washington State Constitution, and such police powers grant the City Council authority to adopt a moratorium; and

WHEREAS, RCW 35A.63.220 and RCW 36.70A.390 authorize the City Council, as the governing body, to adopt interim regulations on development or land use for six-months; and

WHEREAS, as provided in RCW 35A.63.220 and RCW 36.70A.390, the City Council advertised and held a public hearing on February 14, 2022 to take public testimony and consider adopting further findings justifying the imposition of interim regulations; and

WHEREAS, RCW 35A.13.190 provides that an ordinance may be made effective upon adoption if passed by a majority plus one of the whole membership of the council, and if designated as a public emergency ordinance necessary for the protection of the public health, public safety, public property or public peace; and

WHEREAS, pursuant to RCW 35A.13.190, the City Council finds that this ordinance is a public emergency ordinance necessary for the protection of public health, public safety, public property, or public peace for the reasons set forth herein;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF KENMORE, WASHINGTON ORDAINS AS FOLLOWS:

Section 1. Findings. The City Council adopts the recitals set forth above, which are incorporated by reference, as findings in support of the interim regulations and declaration of this ordinance as a public emergency ordinance.

Section 2. Repeal of the Moratorium. The City Council hereby repeals Ordinance Nos. 21-0533 and Ordinance 21-0535, which established and amended the six-month moratorium.

Section 3. Interim Regulations.

A. Adoption. Pursuant to the City's police powers under Article XI, Section 11 of the Washington State Constitution, RCW 35A.63.220, and RCW 36.70A.390, interim regulations are hereby adopted and imposed on the application for, intake of, review of, or issuance of any approval and/or development permit, including, but not limited to, building permits, site plan review, etc., for the establishment, location and/or construction of any development within the Transit Oriented Development (TOD) District Overlay area, as shown and depicted in KMC 18.29.020. The term "development" means the same as defined in KMC 18.20.715. The term "development permit" means the same as defined in KMC 18.20.735.

B. Exemptions. The interim regulations adopted by this Ordinance only apply to new development permit applications.

C. Adopted Interim Regulations: Interim regulations for the TOD District Overlay adopted and imposed pursuant to Section 3.A are set forth in Exhibit A, attached hereto and incorporated by reference.

Section 4. Duration. The interim regulations established in Section 3 above shall be in effect for a period of six (6) months from the effective date of this Ordinance (to and through September 14, 2022) and shall automatically expire at the end of that day unless repealed, modified, or extended (after subsequent public hearing if extended), and entry of appropriate findings of fact as provided in RCW 35A.63.220 and RCW 36.70A.390.

Section 5. Authorization of City Manager. The City Manager is hereby authorized and directed to move forward with the Planning Commission's review of appropriate development regulations relating to the TOD District Overlay area, and to bring its recommendation to the City Council for consideration and potential adoption.

Section 6. Transmittal of Ordinance. The City Manager is directed to transmit this ordinance to the Washington State Department of Commerce as required by law.

Section 7. Severability. If any provision of this ordinance or its application to any person or circumstance is held invalid or unconstitutional by a court of competent jurisdiction, the remainder of the ordinance, or the application of the provision to other persons or circumstances, is not affected.

Section 8. Designation of Emergency Ordinance; Immediate Effective Date. Pursuant to RCW 35A.13.190, the City Council declares and designates this ordinance as a public emergency ordinance necessary for the protection of the public health, public safety, public property, or the public peace. Upon adoption of this ordinance by a majority plus one of the whole membership of the council, this ordinance shall take effect and be in full force immediately upon its adoption. Pursuant to Matson v. Clark County Board of Commissioners, 79 Wn. App. 641, 904 P.2d 317 (1995), underlying facts necessary to support this emergency declaration are included in the recitals set forth above, which are adopted by reference.

PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 14th DAY OF FEBRUARY 2022.

CITY OF KENMORE



Mayor Nigel Herbig

ATTEST/AUTHENTICATED:


Anastasiya Warhol (Feb 16, 2022 15:56 PST)

Anastasiya Warhol, City Clerk

Approved as to form:


Dawn Reitan (Feb 15, 2022 13:29 PST)

Dawn Reitan, City Attorney

FILED WITH THE CITY CLERK: 2/10/22
PASSED BY THE CITY COUNCIL: 2/14/22
ORDINANCE NO.: 22-0543
DATE OF PUBLICATION: 2/18/22
EFFECTIVE DATE: 2/14/22

Chapter 18.29

TRANSIT ORIENTED DEVELOPMENT (TOD) DISTRICT OVERLAY

Sections:

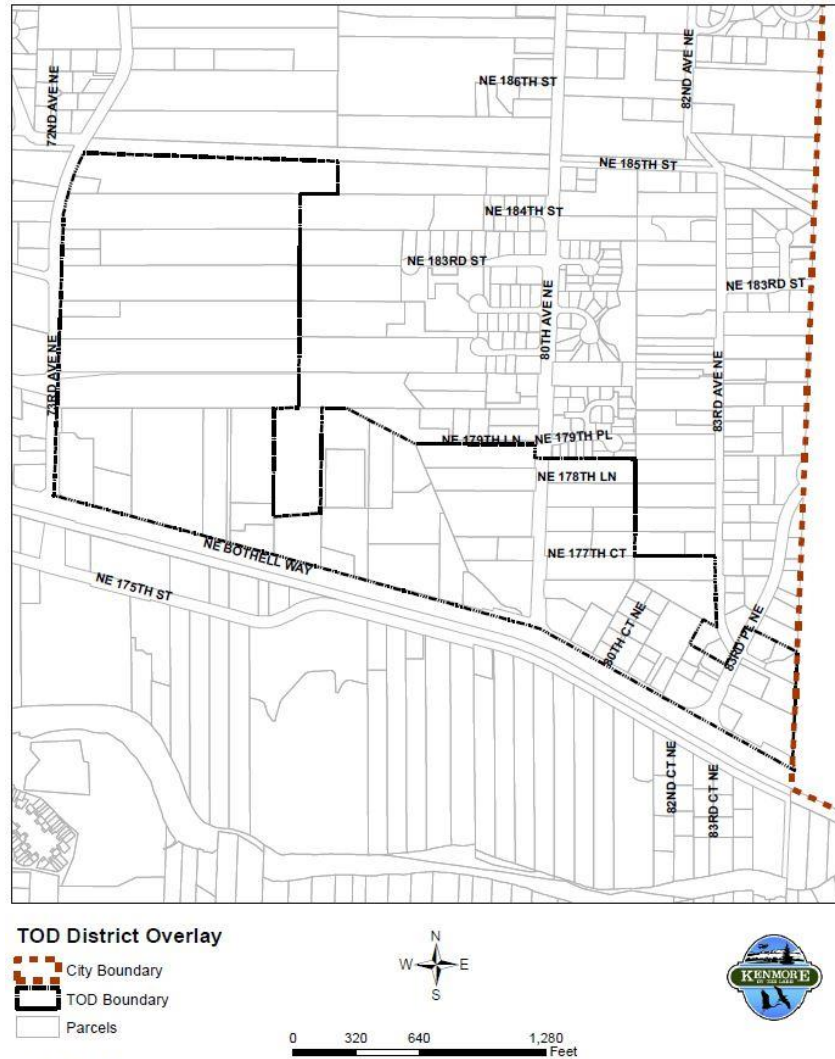
[18.29.010 Intent.](#)
[18.29.020 Area.](#)
[18.29.030 Applicability.](#)
[18.29.040 Use allowances.](#)
[18.29.050 Zoning standards.](#)
[18.29.055 Wireless communication facilities.](#)
[18.29.060 Affordable housing requirements.](#)
[18.29.070 Parking.](#)
[18.29.080 Design requirements.](#)
[18.29.090 Connectivity requirements.](#)
[18.29.100 Significant tree grove retention.](#)

18.29.010 Intent.

The purpose of the transit oriented development (TOD) district overlay is to reinforce the City's planned concentration of pedestrian-oriented mixed use development at intensities that support and are supported by multi-modal transportation options, including high capacity transit. The TOD district overlay revitalizes the City's core by creating incentives and opportunities for a mix of jobs and residences, cultivates a respectful relationship among development within the district, the natural environment, and nearby traditional neighborhoods, and provides a framework for future infrastructure and service decisions. The TOD district overlay provides public benefits in the form of encouraging housing affordable to all economic groups, increased pedestrian connectivity, quality design, and incentive to preserve significant tree groves where they exist. [Ord. 15-0406 § 1 (Att. A).]

18.29.020 Area.

The area of the TOD district overlay is shown on Figure 18.29.020.1. In order to develop under the TOD district overlay, at least 50 percent of a parcel shown on Figure 18.29.020.1 shall be located within the TOD district overlay.



[Ord. 19-0481 § 2 (Att. A); Ord. 15-0406 § 1 (Att. A).]

18.29.030 Applicability.

A. The TOD district overlay is an incentive-based zoning overlay. Applicants who elect to develop under the provisions of the TOD district overlay shall adhere to all development standards set forth in this chapter; except that development standards not addressed in this chapter shall be governed by provisions of the underlying zone.

B. In order to be eligible to develop under the TOD district overlay regulations, a development application shall meet the following criteria:

1. The property must be located within the TOD district overlay area as described in KMC [18.29.020](#);
2. The proposed development must either:

- a. Be considered a mixed use development as defined in KMC [18.20.1740](#); or
- b. Be a residential-only development or mixed use development with commercial permitted only on the ground floor if located in the R-12, R-18, or R-24 underlying zones, which are areas designated as primarily residential.

C. Eligible properties within the TOD district overlay that do not choose to develop under the provisions of this chapter shall comply with the provisions of the underlying zone in their entirety **with the following exceptions:-**

1. In the R-12, R-18, R-24, UC East, and DC zones in the TOD district overlay area, the minimum density for residential development shall be no less than the base density for the underlying zone:

2. Except in the R-1 zone, townhouse development shall be prohibited.

3. At least twenty five percent of the total number of units in the development shall be *low- or very low-income affordable housing units* subject to the standards in KMC Chapter 18.77.

18.29.040 Use allowances.

The following uses listed in Table A are identified as *permitted*, conditionally permitted or *prohibited uses* for properties electing to develop under provisions of the TOD district overlay.

All uses not specifically listed in this section shall be prohibited.

**Table A – TOD District Overlay
Use Allowances**

Permitted	Conditionally Permitted	Prohibited
Arts, entertainment, indoor ^{1,3}	Ambulatory surgery center ²	Adult entertainment business
Business service, standard ^{1,3}	Animal kennel/ shelter ^{2,5}	Air transportation service
Day care	College/ university ²	Arts, entertainment, outdoor
Eating and drinking place ¹	Fire or police facility ²	Auction house
Educational service ¹	Laboratory ²	Automotive sales and service, marine
Health care and social assistance ^{1,3}	Park	Automotive sales and service, nonmarine

**Table A – TOD District Overlay
Use Allowances**

Permitted	Conditionally Permitted	Prohibited
Manufacturing, light ^{1,3,5}	Regional land use	Business service, intensive
Mobile food service ⁴	Religious institution ²	Cemetery, columbarium or mausoleum
Multiple-family dwelling ⁵	Supportive living facility ²	Community residential facility
Office ¹		Construction and trade
Personal service ^{1,3}		Family child-care home
Recreational facility, indoor ^{1,3}		Funeral home/crematory
Retail sales ^{1,3,5}		Hospital
Temporary lodging ^{1,3}		Manufactured housing community
		Manufacturing, heavy
		Marijuana business
		Recreational facility, outdoor
		Resource land use
		Retail sales, bulk
		Secure facility
		Single detached dwelling unit
		Standalone parking
		Transportation
		Utility facility
		Vehicle or equipment rental
		Vehicle refueling station
		Warehousing
		Wholesale trade

- ¹ Commercial use limitations in residentially oriented underlying zones: If these uses are proposed for property with underlying zoning of R-12, R-18, or R-24, then each use is limited to maximum 5,000 square feet per use and 15,000 square feet total contiguous nonresidential area within the development.
- ² Conditional use permit required in underlying urban corridor, downtown commercial, and public/semi-public zones. Prohibited in all other underlying zones within the TOD district overlay area.
- ³ Conditional use permit required in underlying R-12, R-18, R-24 zones. Permitted in underlying urban corridor, downtown commercial, and public/semi-public zones within the TOD district overlay area.
- ⁴ *Mobile food service* is permitted subject to the following requirements:
 - a. For a stand, location shall be on a sidewalk or near a storefront consistent with barrier-free regulations;
 - b. For a stand, location on the sidewalk or near a storefront shall provide for at least four feet of unobstructed sidewalk between the stand and the sidewalk edge for pedestrian movement;
 - c. No permanent fencing, walls, or other structures are installed which hinder removal of the structure from the site;
 - d. No required parking stall shall be blocked or rendered unusable as a result of the mobile *food service*;
 - e. Safe ingress and egress to the site shall be maintained. Visibility for transportation and pedestrian access shall be maintained;
 - f. The limited duration of the *mobile food service* shall be established as a condition of approval of any applicable permits; if accessory to a use, such operation is removed daily at the time of or prior to the close of business hours;
 - g. A sign permit is required for exterior signage in accordance with the sign code, Chapter [18.42](#) KMC.
- ⁵ No *outdoor storage* of materials shall be permitted.

⁶ Townhouse development shall be prohibited.

[Ord. 19-0481 § 2 (Exh. A); Ord. 17-0438 § 2 (Att. A); Ord. 16-0426 § 5 (Att. C); Ord. 15-0406 § 1 (Att. A).]

18.29.050 Zoning standards.

The following development standards in Table B apply to properties electing to develop under provisions of the TOD district overlay:

Table B – TOD Overlay District Development Standards

STANDARD	REQUIREMENT
Minimum Density: Dwelling Units/Gross Acre	60 ¹
Maximum Density: Dwelling Units/Gross Acre	150 ¹
Maximum Height	65' ²

¹ Portions of any property developing under the TOD district overlay regulations with an underlying zoning of R-1 shall cluster development away from critical areas or corridors such as urban separators or the wildlife habitat network to the extent possible and the open space shall be placed in a separate tract that includes at least 50 percent of the site. The open space tract shall be permanent and meet the provisions of KMC [17.20.130](#)(B).

² Portions of any property developing under the TOD district overlay regulations that are within 50 feet of a single-family zone (R-1, R-4, R-6) shall have a maximum height of 35 feet within that area to provide a transition in height to the lower intensity uses.

[Ord. 15-0406 § 1 (Att. A).]

18.29.055 Wireless communication facilities.

Use allowances and development regulations for *wireless communication facilities* in the TOD district overlay shall be as specified in Chapter [18.60](#) KMC for the underlying zoning district. [Ord. 16-0426 § 6 (Att. D).]

18.29.060 Affordable housing requirements.

For properties choosing to develop under the TOD district overlay, *development* shall provide affordable housing as described in Chapter [18.77](#) KMC. *Development* choosing to develop under the TOD district overlay shall not utilize the provisions of residential density incentives found in Chapter [18.80](#) KMC to achieve maximum densities. [Ord. 19-0481 § 2 (Exh. A); Ord. 15-0406 § 1 (Att. A).]

18.29.070 Parking.

Parking in the TOD district overlay should be sufficient to support local businesses and residential development, while at the same time promoting transit ridership, walkable streets, and efficient use of land. Proposed development choosing to develop under the TOD district overlay shall provide parking as follows:

A. Minimum parking requirements for nonresidential uses may be reduced to 75 percent of the minimum requirement computed according to the provisions of KMC [18.40.030](#).

B. Minimum residential parking shall be supplied at the following ratios:

1. 1.0 parking spaces per market-rate dwelling unit, except as follows:

a. Pioneer Project Incentive. For purposes of this section, a pioneer project consists of the first 100 bonus housing units provided in the city under the TOD district overlay regulations. The first 100 bonus housing units in a pioneer project(s) may elect to provide parking spaces for market rate bonus units at 0.6 parking spaces per dwelling unit.

2. 1.0 additional parking space per every five market rate dwelling units shall be provided and designated as guest parking for use by all guests.

3. 0.6 parking spaces per dwelling unit for affordable or senior dwelling units.

4. Affordable housing shall be as defined under KMC [18.29.060](#). Senior housing shall be defined as housing restricted to those meeting the definition of “senior citizen” as found in KMC [18.20.2500](#).

C. The following factors shall count towards minimum parking standards for residential and nonresidential development:

1. On-street parking immediately adjoining a property proposed for development or provided as part of the proposed development may be counted toward the minimum parking requirement.

2. Minimum on-site parking may be reduced further by provisions of KMC [18.40.090](#)(B) for properties within the TOD district overlay that meet the requirements of KMC [18.40.090](#)(B) for accessibility to high frequency transit service.

3. Shared parking among uses is encouraged within the TOD district overlay. Developments that propose shared parking arrangements shall submit a parking management plan as defined in KMC [18.20.1995](#) that describes the terms and conditions of shared parking arrangements on site.

D. Parking Provided in Excess of Minimum. Provision of parking in excess of the minimum parking requirements outlined in subsections A and B of this section shall require the excess parking be included in a structured parking garage, or under building and screened from the street frontage, unless the additional parking is associated with a phased, mixed use development, is interim in nature, and is temporarily located on land reserved for future phases not yet built.

E. Maximum parking within the TOD district overlay shall not exceed the minimum requirement calculated under the provisions of KMC [18.40.030](#).

1. Applicants may be allowed to exceed the maximum parking if the applicant can produce a parking study that demonstrates probable on-site parking needs that are significantly higher than similar uses. This traffic study shall be subject to review by the city manager before approval for additional parking is granted. All parking granted in excess of the maximum shall be provided in a structured parking garage or under building and screened from the street frontage.

F. All other parking requirements shall be as provided in Chapter [18.40](#) KMC. [Ord. 16-0428 § 13 (Att. I); Ord. 15-0406 § 1 (Att. A).]

18.29.080 Design requirements.

Development within the TOD district overlay shall comply with Standard 1 provisions of the downtown design standards, as set forth in Chapter [18.52](#) KMC.

In addition, the following design requirements shall apply:

A. Relational Setback Requirements. Any proposed development within the TOD district overlay adjacent to an existing single-family zone (R-1, R-4, or R-6) shall be required to provide an interior ground-level setback of 15 feet on the side of the property facing the single-family zone, unless a larger setback is required in the underlying zone. In that event, the larger of the two setback requirements shall govern. The setback required by this subsection shall be landscaped with Type II landscaping as defined in KMC [18.35.040](#)(B) to provide a visual buffer. [Ord. 15-0406 § 1 (Att. A).]

18.29.090 Connectivity requirements.

The TOD district overlay should remove impediments to pedestrian use of the district and the downtown area by fostering the creation of an extensive network of sidewalks and pedestrian walkways.

Development proposals within the boundaries of the TOD district overlay that elect to develop under the provisions of this chapter shall:

A. Provide any direct pedestrian connections between proposed development and transit facilities, or arterials providing transit access in order to minimize walking distances to transit.

B. Comply with the downtown design standards pertaining to pedestrian walkways, as set forth in KMC [18.52.100](#).

C. Properties abutting water bodies (i.e., wetlands, rivers, lakes, or streams) shall provide a public access trail paralleling the water body from one property line to the next with setbacks that are consistent with the requirements of KMC Title [16](#) and Chapter [18.55](#) KMC. The public access trail shall connect to a public right-of-way.

1. Where a development proposal abuts a property with a public access trail segment, the public access segment on the subject property shall connect to abutting property public access segment(s).

2. The public access easement for public access trails shall be documented on the face of the plat or plan and recorded with the King County Department of Records and Elections. Public access easements shall run with the land in perpetuity. [Ord. 15-0406 § 1 (Att. A).]

18.29.100 Significant tree grove retention.

A. Definitions.

1. Significant Tree Grove Definition. A “significant tree grove” shall consist of two or more trees with a minimum of five and one-half tree units total. A qualifying tree has two tree units minimum. The maximum distance measured in feet between qualifying trees shall be equal to

two times the critical root zone in order to be defined as a significant tree grove. For example a 24-inch d.b.h. tree must be within 24 feet of another tree in the grove to be included in the significant tree grove. A tree of any size that is topped or considered a “hazard tree” as defined in KMC [18.20.3084](#) may not qualify as part of a significant tree grove as herein defined. For purposes of this chapter, a significant tree grove may not contain trees that are located within a critical area or critical area buffer protected under Chapter [18.55](#) KMC. A significant tree grove is not the same as a “grove,” as defined in KMC [18.20.1273](#).

2. Tree Units. See KMC [18.57.060](#)(A) for translation of diameter at breast height (d.b.h.) to tree units.

B. Applicability.

1. If the underlying zone within the TOD district overlay requires tree retention as provided in Chapter [18.57](#) KMC, then the provisions of Chapter [18.57](#) KMC shall be retained. If Chapter [18.57](#) KMC exempts a property from tree retention then it shall remain exempt.

2. Development proposals within the boundaries of the TOD district overlay that elect to develop under the provisions of this chapter shall be eligible to benefit from providing less parking or more dwelling units or any combination of the two if the development retains one or more significant tree grove(s) as defined in this section in perpetuity. A development may be able to benefit from both reduced parking and additional dwelling units by preserving a significant tree grove so long as the same tree credits are not counted towards both reductions in parking and additional bonus dwellings. Trees or groves retained through the provision of Chapter [18.57](#) KMC may count towards the significant tree grove retention if they meet the definitions found in subsection A of this section.

3. Tree on Property Line. In instances where one or more trees that would qualify as part of a significant tree grove is located on a property line such that the tree is on more than one property, and the properties are in separate ownerships, the tree shall qualify to be counted as part of a separate tree grove by each property owner.

C. Reduced Parking. In order to retain qualifying significant tree groves, required parking may be reduced at the maximum rate of one stall per each five and one-half tree units. Parking quantities may be reduced up to a maximum of 20 percent from the parking requirement after other reductions are applied, if any.

D. Residential Bonus Units. In order to retain qualifying significant tree groves, residential units are offered at the rate of one bonus unit per each 11 tree units preserved. Grove bonus units are not included in maximum unit density calculations. Grove bonus units are not subject to the affordability requirements of KMC [18.29.060](#).

E. Significant Tree Grove Preservation Requirements.

1. Tree Protection Plan Required. A tree protection plan as identified in KMC [18.57.050](#) shall be required for any development application proposing to protect one or more significant tree groves through this section.

2. Recorded on Title. The map of significant tree groves preserved through this section, along with a covenant preventing removal, shall be recorded and shown on the property title.

3. Subject to Tree Protection Measures of Chapter [18.57](#) KMC. Significant tree groves protected under this section shall be subject to the tree protection measures during construction found in KMC [18.57.090](#), the post-construction replacement, financial guarantee, and maintenance requirements of KMC [18.57.100](#), and the penalties and enforcement of KMC [18.57.110](#). [Ord. 15-0406 § 1 (Att. A).]



City Of Kenmore, Washington

Memorandum

TO: City Council

FROM: Debbie Bent, Community Development Director
Todd Hall, Principal Planner

DATE: January 13, 2025

SUBJECT: Review of 2025 Annual Docket

Summary

Each year the City Council approves the annual docket for the Planning Commission, which includes amendments to the Comprehensive Plan and related development regulations.

The City received three-privately initiated amendments, one of which is recommended to be reviewed by the Planning Commission. See Attachment 1 for a list of all docket items, including Planning Commission and City Council reviewed items.

Background

The annual docket review process, outlined in Chapter 19.20 of the KMC, determines which amendments to the City's Comprehensive Plan and related development regulations will be forwarded to the Planning Commission for their review and recommendation during the year. Private applicants have the opportunity to submit requests for amendments during an open docket application period, which, for 2025, occurred in November of 2024.

A number of projects have been identified by staff, the City Manager, the Planning Commission, the City Council, and others as work program or potential docket items. See Attachment 2 for an analysis of the docket items.

Threshold criteria for inclusion on the annual Planning Commission docket are established in KMC19.20.080. The criteria are:

- The City has the resources, including staff and budget, necessary to review the proposal; and
- 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
- The proposal would correct an inconsistency within or make a clarification to a provision of the comprehensive plan; or
- All of the following:
- The proposal demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the comprehensive plan; and,

- The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later subarea plan review or plan amendment process.

Once the City Council sets the 2025 annual docket work program, the Planning Commission will spend the year reviewing and discussing the proposed docket amendments before making their recommendations to the City Council.

Attachments:

1. Preliminary 2025 Planning Commission & City Council Docket
2. Docket Analysis
3. Schedule

PRELIMINARY

2025 DOCKET/WORK PROGRAM PRIORITIZATION

The “docket” is the Planning Commission’s annual work program. Zoning Code Section 19.20.080 provides threshold review criteria for selecting projects to be placed on the docket. Criteria include how long it has been since the issue was last considered (more than two years unless there’s a compelling reason for taking something up again), correction of inconsistencies or clarifications, and serving the public interest. Another criterion is availability of city resources—whether staffing levels and budget allow review of the proposal.

The attached prioritization chart identifies possible work program items recommended by the staff, the Planning Commission, the City Council, or other entities. Amendments are grouped by department. The proposed year of consideration and lead department are shown. A more complete description of each project follows the chart.

Along with assigning the docket to the Planning Commission, the City Council may directly review projects that are already consistent with the Comprehensive Plan. Work program items from several departments targeted for direct City Council review in 2025 are identified on the following pages. Once Council has approved the docket, staff develops a schedule for Planning Commission and Council.

2025 Planning Commission Docket

The recommended 2025 Planning Commission docket is as follows (the number assigned to each project corresponds to its number in the prioritization chart).

1. Middle housing (MH), ADUs, cottage housing regulations, including Land Use/Zoning Map amendments and small houses on small lots (due by June 30, 2025)
2. Land Use Element/Housing Element amendments related to MH regulations (due by 6/30/25)
3. PROS Plan/Parks & Recreation Element/Parks CFP (Plan due 2/2026; P&R Element/Parks CFP due 12/25)
4. Bastyr Master Plan Update (Comp Plan Update/zoning update/master plan update) (docket request submitted 2025)

2025 Amendments Directly to City Council

Community Development

5. Park Impact Fee Rate Study (adopt 3/26)
6. STEP Regulations/Cold Weather Shelters - emergency shelters, transitional housing, emergency housing, and permanent supportive housing (STEP) regulations (HB 1220); cold weather shelters (adopt 2025)
7. Unit Lot Subdivisions & Impact Fees (adopt 2025)
8. Co-Living Requirements (adopt 2025)
9. Residential Parking Requirements (adopt 2025)
10. Super majority approval of development agreements for certain code deviations (2025-26)
11. TOD "carve-out" regulations (2025-26)
12. Critical area regulations/BAS (per WDFW checklist sent 6/2024) (adopt 2025)

Development Services

13. Conversion of Existing Buildings to Residential Use (promote commercial & MU to residential)
14. Exempt buildings under 12 units, no more than 2 stories from definition of multifamily residential
15. Hosting the homeless by religious organizations – When authorized – Requirements – Prohibitions on local actions; Increasing flexibility for homeless encampments
16. Building/Energy Code Updates
17. Streamlined design review; design guidelines may not reduce density, height, bulk, or scale beyond the underlying zone

Engineering

18. Title 10 vehicles and traffic code revision
19. Title 12 vegetation and maintenance/road standards
20. CTR Ordinance (2025-26)

Public Works

21. Park rules update

Environmental Services

22. Surface Water Master Plan

City Manager

23. Political Sign regulation review

Prioritization Chart

Item	Source	Need PC Review?	Recommend PC Review?	Amendment scope	Could it be grouped?	Year
COMMUNITY DEVELOPMENT						
1. Middle housing (MH) and ADU regulations, including Land Use/Zoning Map amendments and small houses on small lots	State	Yes	Yes	Large	Yes	2025
2. Land Use Element/Housing Element amendments related to MH regulations	State	Yes	Yes	Medium	Yes	2025
3. PROS Plan/Parks & Recreation Element/Parks CFP	Staff	Yes	Yes	Large	No	2025-26
4. Bastyr Master Plan (Comp Plan Update, zoning update and master plan update)	Bastyr	Yes	Yes	Large	No	2025
5. Park Impact Fee Rate Study	Staff	No	No	No	No	2025
6. STEP Regulations/Cold Weather Shelters	Staff	No	No	Medium	No	2025
7. Unit Lot Subdivisions & Impact Fees	State	No	No	Medium	Yes	2025
8. Co-Living Requirements	State	No	No	Medium	Yes	2025
9. Residential Parking Requirements	State	No	No	Medium	No	2025
10. Super majority approval of development agreements for certain code deviations	Council	No	No	Medium	No	2025-26
11. TOD "carve-out" regulations	Council	No	No	Medium	No	2025-26

Item	Source	Need PC Review?	Recommend PC Review?	Amendment scope	Could it be grouped?	Year
12. Critical area regulations limited update to comply with WDFW requirements, mandate by December 2025.	State	Yes	Yes	Medium	No	December 2025
DEVELOPMENT SERVICES						
13. HB 1042 – Conversion of existing buildings to residential use (2023) (promote commercial and mixed-use to residential)	State	No	No	Medium	Yes	2025
14. SB 5058 – Exempt buildings under 12 units, no more than 2 stories from definition of multifamily residential	State	No	No	Medium	Yes	2025
15. RCW 35A.21.360 – Homeless by religious organizations	State	No	No	Medium	No	2025
16. Initiative 2066 – Building/Energy Code Update	State	No	No	Medium	Yes	2025
17. HB 1293 – Streamlined design review	State	No	No	Medium	Yes	2025
PUBLIC WORKS						
18. Title 10 Vehicles and Traffic Code Revision	Staff	No	No	Medium	Yes	2025-26
19. Title 12 Vegetation and Maintenance/Road Standards	Staff	No	No	Medium	Yes	2025-26
20. CTR ordinance	State	No	Yes	Medium	Yes	2025+

Item	Source	Need PC Review?	Recommend PC Review?	Amendment scope	Could it be grouped?	Year
PARKS						
21. Park rules update	Staff	No	No	Medium	No	2025-26
ENVIRONMENTAL SERVICES						
22. Surface Water Master Plan	State	No	No	Large	No	2025-26
CITY MANAGER						
23. Political Signs	Staff	No	No	Small	No	2025-26
PRIVATELY INITIATED ITEMS SUBMITTED IN 2025						
Bastyr University (see item #4 above)						
Updates to Downtown Element/Chapter 18.52 KMC, Design Standards (Howard))	Private citizen	No	No	Medium	No	Recommend review in 2026-27
Updates to Chapter 18.35 KMC, Landscaping (Mooney)	Private citizen	No	No	Medium	No	Recommend review in 2026-27
FOR FUTURE CONSIDERATION						
Housing Strategy Plan Update	Staff	No	No	Large	No	2026-27
Expansion of MFTE area	Staff	No	No	Large	No	2026-27
Downtown Subarea Plan/Regulations	Staff	Yes	Yes	Large	No	2026-27
Manufactured Home Park Regulations	Staff	Yes	Yes	Medium	No	2026-27
Economic Development Strategy Update	Staff	No	No	Medium	No	2027-28
Updates to Downtown Element/Chapter 18.52 KMC, Design Standards (Howard)	Private citizen	No	No	Medium	No	2026-27

Item	Source	Need PC Review?	Recommend PC Review?	Amendment scope	Could it be grouped?	Year
Updates to Chapter 18.35 KMC, Landscaping (Mooney)	Private citizen	No	No	Medium	No	2026-27
Update of Shoreline Master Program/Shoreline Element/Critical Area Regulations	Staff	Yes	Yes	Large	No	2027-29
Potential Lakepointe Subarea Plan/Regulations/Elimination of P-Suffix regulations	Staff	Yes	Yes	Large	No	2027-28
Placeholder: Updates to regulations to comply with State legislation passed in 2025-26	State	Possibly	Possibly	Large	Yes	2026-28

Explanation of Prioritization Chart Items

Following are more complete descriptions of each item in the docket prioritization chart:

COMMUNITY DEVELOPMENT

1. Middle Housing and ADU regulations, including Land Use/Zoning Map Amendments & small houses on small lots. Complete middle housing and ADU regulations as required by HB 1110 and HB 1337, passed by State in 2023. This also includes related amendments to other regulations (e.g. utilities, landscaping, driveways etc.) to accommodate MH and ADUs. Adoption required by Council no later than June 30.
2. Land Use Element/Housing Element amendments related to MH regulations. Additional amendments to elements, as necessary, per changes to MH regulations (e.g. description of new land use designations). Adopt by EOY 2025.
3. PROS Plan/Parks & Recreation Element/Parks CFP. Update to Parks, Recreation, and Open Space Plan, as required, in order to receive grants by Washington Recreation and Conservation Office. Also update Parks & Rec Element, and Parks CFP of the Comprehensive Plan. PROS must be adopted by February 26, 2026, to remain eligible for RCO grants; P&R Element/Parks CFP adopt by EOY 2025 along with other comp plan docket items.
4. Bastyr Comp Plan Update, Zoning Code Update, and Master Plan Update. Bastyr University submitted a docket application with the intent to sell underutilized land on the campus for development of market-rate housing. Bastyr is proposing to amend the "Special Study Area" description in Policy LU-2.1.2; Land Use Element, amend the PSP zoning regulations in KMC 18.27.010 to allow multi-family, market rate housing, and also update the original Bastyr University Master Plan, which was approved in 2009 and extended through 2025 through a Development Agreement minor amendment process.
5. Park Impact Fee Rate Study. Update the Park Impact Fee Rate Study last adopted in 2020. This will be a part of the PROS Plan update. Adopt in 2026.
6. STEP Regulations/Cold Weather Shelters - Per HB 1220 passed by State in 2021, adopt regulations that address moderate, low, very low, and extremely low-income housing in the housing element of the comprehensive plan. Need to address emergency housing, such that it does not restrict permanent supportive housing, transitional housing, indoor emergency housing or indoor emergency shelters. Also updating Chapter 18.100.210 KMC, Cold Weather Shelters, allowing for extreme weather (low barrier) shelters. Adopt in 2025.

7. Unit Lot Subdivisions & Impact Fees (SB5258). Both passed by State in 2023. ULS allows for subdivisions of parcels into small fee simple lots. This is subdivision of a parent lot into separately owned condominium/townhomes. Also included in the bill, an amendment to RCW 82.02 that requires local jurisdictions that apply impact fees to adopt impact fees that produce proportionately lower impact fees for smaller housing units. Adopt in 2025.
8. Co-Living Units. Passed by State in 2024, allows for co-living in zones that permit multi-family housing. Co-living offers residents private, lockable sleeping units with shared kitchen and restroom facilities. Adopt in 2025.
9. Residential Parking Requirements. Passed by State in 2024, requires cities to adopt new residential parking requirements (e.g. space dimensions, parking enclosures, tandem spaces, surfacing materials). Adopt in 2025.
10. Super majority approval of development agreements for certain code amendments. Council-initiated amendment to require super majority for development agreements depending on type of code amendments
11. Review of the Transit-Oriented Development (TOD) "carve-out" regulations. A "carve-out" of the City's updated TOD regulations was made in 2022 pending a Swamp Creek corridor assessment (#21). In the "carve-out" the pre-existing interim zoning rules were retained. The corridor assessment was completed, in 2024 and so the "carve-out" regulations will be revisited in 2025.
12. Critical area regulations (per WDFW checklist sent 6/2024). Limited update to Chapter 18.55 KMC to address items from WDFW and comply with best available science. Amendments due by December 2025. Staff anticipates a complete review of critical area regulations and shoreline regulations in 2027-2029. The State mandates that the Shoreline Master Program is updated every ten years, next due June 30, 2029.

DEVELOPMENT SERVICES

13. HB 1042 – Conversion of existing buildings to residential use. Passed by State in 2023, promote commercial and mixed-use to residential. Some provisions include allowing a 50% density increase above what is permitted in the underlying zone if the housing is constructed entirely within the envelope of an existing building; prohibiting the imposition of parking standards on the additional dwelling units; prohibiting imposing additional permitting requirements on use of existing buildings beyond those applicable to all residential development in the zone, with the exception of emergency and transitional housing; prohibiting the imposition of additional design standards; prohibiting requiring that unchanged portions of an existing building used for residential purposes meet the current energy code (however, if any portion of an existing building is converted to new dwelling units, the new units must meet the current code); and prohibiting denial of a building permit based on certain

existing nonconformities unless a city official with decision-making authority makes findings that the nonconformity is causing a significant detriment to the surrounding area.

14. SB 5058. Passed by State in 2023, exempt buildings under 12 units, no more than 2 stories from definition of multifamily residential. This ends requirements for developers of such buildings to submit a building enclosure design document to the building authority before obtaining a building permit; obtain a building enclosure inspection by a qualified building inspector during construction or rehabilitative construction, and; obtain a building enclosure inspection by a qualified building inspector before conveyance of a condominium unit. The effect this is to encourage the development of 2-12 unit condominium buildings, including middle housing buildings, and therefore increasing homeownership opportunities.
15. RCW 35A.21.360 Hosting the homeless by religious organizations. Passed by State in 2023, amend zoning code relating to temporary homeless encampments. Any conditions imposed by cities and counties must be necessary to protect public health and safety and must not substantially burden the decisions or actions of a religious organization regarding the location of housing or shelter for homeless persons on property owned by the religious organization. Also addressing length of stay at shelters (currently 125 days).
16. Initiative 2066 – Building & Energy Code Update. Effective 12/5/24, in response to HB 1589 passed by State in 2024. I-2066 bans the Washington state energy code from “prohibiting, penalizing, or discouraging the use of gas in any form of heating, or for uses related to any appliance or equipment, in any building.
17. HB 1293 – Passed by State in 2023, minor change to define streamlined design review process. Minor change to reflect that design guidelines may not reduce density, height, bulk, or scale beyond the underlying zone.

PUBLIC WORKS

18. Title 10 Vehicles and Traffic Code Revision. The City’s traffic safety and traffic management policies are maintained by EN. This project would include review of potential amendments related to on-street parking and new regulations related to alternative modes of travel (e-bikes, scooters, bike share, etc.), along with other potential amendments to update Title 10.
19. Title 12 Vegetation and Maintenance/Road Standards. Update to vegetation and maintenance standards for streets, sidewalks and public spaces. Responsibilities for adjacent property owners.
20. CTR ordinance. State law requires that cities have a commute trip reduction (CTR) ordinance applicable to businesses which have more than 100 full-time employees. State CTR funds are not available to jurisdictions without an ordinance. Kenmore’s largest employer, Bastyr University, already has its own CTR plan, required through the Bastyr University Master Plan.

PARKS

21. Park rules update. Titles 8 and 9 address a number of park-related issues, including how to handle park use and reservations.

ENVIRONMENTAL SERVICES

22. Surface Water Master Plan (SWMP). Update of the SWMP which guides projects and strategies that manage the City's surface water and stormwater that protects the environments, meets the needs of the community, and follows state, federal, and local regulations. Also stream naming.

CITY MANAGER

23. Political Signs. Review political sign regulations to ensure compliance with state law.

PRIVATELY SUBMITTED ITEMS SUBMITTED IN 2025

The following items were submitted by private applicants.

Bastyr Comp Plan Update, Zoning Code Update, and Master Plan Update – See Item 4 above for description.

Updates to Downtown Element/Chapter 18.52 KMC, Design Standards (Howard) – See description below.

Updates to Chapter 18.35 KMC, Landscaping – See description below.

FOR FUTURE CONSIDERATION

Housing Strategy Plan Update - Review and re-prioritizing of the projects within the Housing Strategy Plan adopted in 2017.

Expansion of MFTE Area – The MFTE can be used in some parts of the downtown and in the TOD District but is not available in other areas of the City. The City may wish to expand the MFTE to remaining parts of the City's downtown, including Lakepointe. MFTE is an important incentive to affordable housing development.

Downtown Subarea Plan/Regulations – Update to the Downtown Plan (2003) and development regulations. Downtown Kenmore is identified as a Countywide Growth Center by King County.

Manufactured Home Park Regulations – Rezoning and new regulations for MHP properties north of SR-522.

Economic Development Strategy Update – Review of priority items from the Economic Development Strategy that was adopted in 2018. In 2023 a new “three prong” approach was adopted for economic development, aligned with the adopted Economic Development Strategy: 1. Be a well run city; 2. Seize strategic opportunities; 3. Focus on key partnerships.

Updates to Downtown Element/Chapter 18.52 KMC, Design Standards – Update Downtown Element figures and Chapter 18.52, Design Standards to align with City’s Climate Action Plan. ** Due to a large number of state-required items to be adopted in the 2025 workplan, staff is recommending postponing this item until a future date (2026-27).

Updates to Chapter 18.35 KMC, Landscaping – Update Chapter 18.35, Landscaping, to align with the City’s Climate Action Plan and City’s Exceptional Tree Ordinance. ** Due to a large number of state-required items to be adopted in the 2025 workplan, staff is recommending postponing this item until a future date (2026-27).

Update of Shoreline Master Program/Shoreline Element/Critical Area Regulations – Update to the Shoreline Master Program, Shoreline Element of the Comprehensive Plan, and update of Title 18.55 KMC, Critical Area Regulations to be in compliance with Best Management Practices. Last adopted in 2020.

Potential Lakepointe Subarea Plan/Regulations/Elimination of P-Suffix regulations – The planned future of the Lakepointe site could be considered if talks with a private developer are stalled and/or based on other development options. Review and elimination of P-suffix conditions could be considered as part of a future Lakepointe development plan.

Placeholder: Updates to regulations to comply with State legislation passed in 2025-26 – Updates to applicable KMC titles based on any new legislation passed by State legislature.

Staff Analysis and Recommendations for 2025 Planning Commission Docket

	2025 Docket Item	Source	Recommendation	Analysis
1.	Middle Housing and Accessory Dwelling Unit (ADU) Regulations, including Land Use/Zoning Map Amendments, cottage housing, small houses on small lots.	State-mandated update per HB 1110 and 1337	Add to 2025 docket	<u>Docket Criteria</u> <i>The City has the resources, including staff and budget, necessary to review the proposal.</i> Yes. Community Development staff and the consulting team of Kimley-Horn (hired in 2024 to help with the middle housing project) are working collaboratively on this project. This project, including consultant assistance, was funded by a grant from the Department of Commerce awarded in 2023. <i>It has been more than two years since the proposed amendment was considered.</i> Yes. The regulations are required by State-mandates passed by the Legislature in 2023. <i>This proposal has strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan.</i> The proposed regulations will allow for a variety of new housing options in the City. The project supports multiple goals and policies of the recently adopted Comprehensive Plan. These include, but are not limited to: - Land Use Goal 1: Enhance Kenmore’s quality of life as a place for a diverse range of residents to live, raise children, recreate, work, shop and socialize. - Policy LU-1.5.1: Ensure that zoning regulations provide for a range of housing types and densities, such as lower density neighborhoods, and medium density neighborhoods that combine lower density housing such as single-family, duplexes, triplexes and cottage housing, and neighborhoods with larger-scale multifamily developments. - Policy LU-1.9.5: Promote middle housing through city policies and codes to allow for broader housing types identified in

				residential zones, reduce climate-related displacement, and increase access to City transit systems. ○ Housing Goal 1: Promote and maintain strong, diverse equitable, and inclusive residential neighborhoods. ○ Policy H-4.3.2: Allow and accommodate accessory dwelling units in low and medium density residential districts. • <i>The public interest would best be served by considering the proposal in the current year.</i> The State requires jurisdictions to adopt new middle housing and ADU regulations no later than June 30, 2025.
2.	Land Use Element/Housing Element amendments related to middle housing regulations	Related to Item 1 above.	Add to 2025 docket	<u>Docket Criteria</u> • <i>The City has the resources, including staff and budget, necessary to review the proposal.</i> Yes. Community Development updated the Housing and Land Use Elements in 2024 as part of the periodic update of the Comprehensive Plan. • <i>It has been more than two years since the proposed amendment was considered.</i> Yes. The regulations are required by State-mandates passed by the Legislature in 2023. • <i>This proposal has strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan.</i> These two elements will need adjustments due to newly adopted State legislation regarding middle housing and accessory dwelling units (ADUs). The proposed regulations will allow for a variety of new housing options in the City. The project supports multiple goals and policies of the recently adopted Comprehensive Plan. These include, but are not limited to:

				- Land Use Goal 1: Enhance Kenmore's quality of life as a place for a diverse range of residents to live, raise children, recreate, work, shop and socialize. - Policy LU-1.5.1: Ensure that zoning regulations provide for a range of housing types and densities, such as lower density neighborhoods, and medium density neighborhoods that combine lower density housing such as single-family, duplexes, triplexes and cottage housing, and neighborhoods with larger-scale multifamily developments. - Policy LU-1.9.5: Promote middle housing through city policies and codes to allow for broader housing types identified in residential zones, reduce climate-related displacement, and increase access to City transit systems. - Housing Goal 1: Promote and maintain strong, diverse equitable, and inclusive residential neighborhoods. - Policy H-4.3.2: Allow and accommodate accessory dwelling units in low and medium density residential districts. <i>The public interest would best be served by considering the proposal in the current year.</i> The State requires Comprehensive Plans and development regulations to be consistent with each other. These amendments are necessary to ensure their consistency.
3.	KMC updates needed per middle housing regulations (e.g., parking, road/fire access, utilities, landscaping, stormwater, easements)	Related to Item 1 above.	Add to 2025 Docket	<u>Docket Criteria</u> <i>The City has the resources, including staff and budget, necessary to review the proposal.</i> Yes. Community Development staff and the consulting team of Kimley-Horn are working collaboratively to update Title 18 to include middle housing regulations. <i>It has been more than two years since the proposed amendment was considered.</i> Yes. These regulations are new updates and are related to required State-mandated regulations (middle housing) passed by the Legislature in 2023.

			<i>This proposal has strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan.</i> This project is necessary in order to ensure consistency with the new housing regulations. The proposed regulations will allow for a variety of new housing options in the City. The project supports multiple goals and policies of the recently adopted Comprehensive Plan. These include, but are not limited to: - Land Use Goal 1: Enhance Kenmore’s quality of life as a place for a diverse range of residents to live, raise children, recreate, work, shop and socialize. - Policy LU-1.5.1: Ensure that zoning regulations provide for a range of housing types and densities, such as lower density neighborhoods, and medium density neighborhoods that combine lower density housing such as single-family, duplexes, triplexes and cottage housing, and neighborhoods with larger-scale multifamily developments. - Policy LU-1.9.5: Promote middle housing through city policies and codes to allow for broader housing types identified in residential zones, reduce climate-related displacement, and increase access to City transit systems. - Housing Goal 1: Promote and maintain strong, diverse equitable, and inclusive residential neighborhoods. - Policy H-4.3.2: Allow and accommodate accessory dwelling units in low and medium density residential districts. <i>The public interest would best be served by considering the proposal in the current year.</i> The State requires jurisdictions to adopt new middle housing and ADU regulations no later than June 30, 2025. These regulations are related to the new middle housing regulations.
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4.	PROS Plan/Parks & Recreation Element/Parks CFP	City- and State-mandated	Add to 2025 Docket	<u>Docket Criteria</u> • <i>The City has the resources, including staff and budget, necessary to review the proposal.</i> Yes. Community Development staff and a consulting team (TBD) will work collaboratively to update the Parks, Recreation and Open Space (PROS) Plan, Parks & Recreation Element of the Comprehensive Plan, Parks Capital Facilities Plan, and update to the park impact fee rate study. • <i>It has been more than two years since the proposed amendment was considered.</i> Yes. The last update to each of these items was in 2020. • <i>This proposal has strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan.</i> This project is necessary in order to ensure consistency within the Comprehensive Plan, as also ensure that the City remains eligible for recreation and conservation grants managed by the Recreation and Conservation Office (RCO). The project supports multiple goals and policies of the current Parks & Recreation Element of the Comprehensive Plan. These include, but are not limited to: ○ Objective P-6.1 and Policies P-6.1.1 – 6.1.13: Maintain and update the city Parks, Recreation and Open Space (PROS) plan and conduct other appropriate master planning for Kenmore parks and recreation service delivery. ○ Parks & Recreation Goal P-7: Create a financially sustainable park and recreation system through partnerships and stewardships. ○ Policy P-7.1.2: Develop and prepare six-year capital improvement program projects identifying priorities, specific projects, and capital costs.
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				○ Policy P-7.1.5: Identify and actively seek potential grant funding assistance from public and private sources for habitat restoration, acquisition, development, and renovation. • <i>The public interest would best be served by considering the proposal in the current year.</i> The State requires jurisdictions to adopt an updated PROS Plan to remain eligible for RCO grants. The updated Plan, Parks & Rec element and Parks CFP would ensure the City remains eligible.
5.	Bastyr Master Plan (Comp Plan, Zoning Code Update, Master Plan Update)	Bastyr University	Add to 2025 docket	<u>Docket Criteria</u> • <i>The City has the resources, including staff and budget, necessary to review the proposal.</i> Yes. • <i>It has been more than two years since the proposed amendment was considered.</i> Yes. This is a new request. • <i>This proposal has strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan.</i> Bastyr has responded in their application: "The proposal would serve the public interest by providing a revenue source necessary to ensure Bastyr's long-term financial viability. In addition, it would provide additional market rate housing opportunities for the Bastyr community and the citizens of Kenmore. Any specific housing proposal would have to be approved through a Master Plan process, which would incorporate mitigation measures necessary to protect health, safety, and welfare of the environment." The Comprehensive Plan designates the Bastyr University 50-acre Property as the following: "Special Study Area – Bastyr University. The City has designated the St. Thomas Seminary property, owned by Bastyr University as a Special Study Area recognizing the Bastyr University Master Plan approved in December 2009 that will guide the development of the property. The land use designation for the

				Campus is Public and Private Facilities and development activities on the Campus will be limited to activities and levels of use as specified in the approved Master Plan and implementing zone of Public and Semi – Public". The Comprehensive Plan also references Figure LU-4 which references the Master Plan concept approved in the original master plan. The Comprehensive Plan states "The Bastyr University Campus Master Plan is adopted for the approximately 50-acre property in the City and is illustrated in Figure LU-4. The Bastyr University Master Plan and the applied zoning provide for a coordinated multi-use higher education center meeting the vision of the University and the City to support diverse and continuing education opportunities, strengthen the City's economic base, and protect natural features. Figure LU-4 is considered a conceptual graphic, and minor modifications (KMC 19.23.050.A) to site development consistent with City master plan and zoning regulations are considered consistent with the Comprehensive Plan. The City's long-term interest in the property is to have continued use of the site by Bastyr University or a similar institution with public access/use maintained through the use of a purchase of development rights, out-right purchase of portions of the property, off-site density transfers or joint use agreements". The only housing type referenced in the approved master plan is student dormitory housing. The docket request for market rate housing requires amendments to the comprehensive plan, zoning regulations and master plan. The proposal is consistent with, and advances, the following GMA goals (RCW 36.70A.020): <u>Housing</u>. The GMA requires cities and counties to "plan for and accommodate housing affordable to all economic segments of the population of this state, promote a variety of residential densities and housing types." This proposal will bring new market-rate housing opportunities to Kenmore, invigorating the Bastyr campus
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				and locating employees, patients and students closer to the institution that serves them. <u>Economic Development.</u> The GMA requires cities and counties to “encourage economic development . . . , 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.” This proposal will promote the retention of Bastyr, an existing business/institution, by providing a necessary revenue stream and invigorating its campus by adding high-quality housing for the Bastyr community and Kenmore residents. • <i>The public interest would best be served by considering the proposal in the current year.</i> Yes. Bastyr is requesting this application be reviewed in 2025 due to the need for a financially sustainable path forward now and so that its future in Kenmore is secure. Per the University, this effort cannot be delayed to a future subarea or plan amendment process.
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	Updates to Downtown Element/Chapter 18.52 KMC, Design Standards – Update Downtown Element figures and Chapter 18.52, Design Standards to align with City’s Climate Action Plan.	Jim Howard		<u>Docket Criteria</u> • <i>The City has the resources, including staff and budget, necessary to review the proposal.</i> No. Due to a large number of state-required items to be adopted in the 2025 workplan and lack of staff resources to accommodate this in the workplan, staff is recommending postponing this item until a future date (2026-27). • <i>It has been more than two years since the proposed amendment was considered.</i> No. Downtown Element was just adopted as part of the Comprehensive Plan update, adopted December 9, 2024. • <i>This proposal has strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan.</i> Yes. The proposed amendments would assist in updating the KMC relating to the Downtown Plan, as well as design standards for the downtown area. The regulations would also assist in alignment with the recently adopted Climate Action Plan, adopted in 2024. • <i>The public interest would best be served by considering the proposal in the current year.</i> Yes. While the current Downtown Plan and development regulations are over 20 years old and need to be updated to be in alignment with new Comprehensive Plan policies, staff does not have the resources to complete this update in the calendar year.
	Updates to Chapter 18.35 KMC, Landscaping – Update Chapter 18.35, Landscaping, to align with the City’s Climate Action Plan and City’s Exceptional Tree Ordinance.	Elizabeth Mooney		<u>Docket Criteria</u> • <i>The City has the resources, including staff and budget, necessary to review the proposal.</i> No. Due to a large number of state-required items to be adopted in the 2025 workplan and lack of staff resources to accommodate this in the workplan, staff is recommending postponing this item until a future date (2026-27).

				• <i>It has been more than two years since the proposed amendment was considered.</i> Yes. • <i>This proposal has strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan.</i> Yes. The proposed amendments would assist in updating the KMC relating to landscaping and making them consistent with the recently adopted Climate Action Plan and exception tree ordinance. • <i>The public interest would best be served by considering the proposal in the current year.</i> Yes. While the proposal would eliminate some inconsistencies between the Comprehensive Plan and development regulations and the recently adopted Climate Action Plan, staff does not have the resources to complete this update in the calendar year.
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		MIDDLE HOUSING	COMP PLAN AMENDMENTS		BASTYR	OTHER REGULATIONS/ITEMS											
	Meetings and Key Dates	Middle Housing/ADUs/Cottage Housing/Small House Regulations (Staff/Consultant)	Housing & Land Use Element (Middle Hsg) (Todd)	PROS/CF Elements (Todd)	Bastyr (CPA/Zoning/Master Plan (Todd/Debbie)	Unit Lot Subdivision & Impact Fees (Sr. Plnr)	Co-Living (Sr. Plnr)	Residential Parking (Sr. Plnr)	Critical Area Regs (Consultant)	Park Impact Fee Rate Study (2026) (Consultant)	DA Super Majority (Sr. Plnr)	STEP/ Shelters (Sr. Planner/Tambi)	TOD Carve-Out Regs (Sr. Plnr)				
2025		PLANNING COMMISSION REVIEW															
	January 7 - PC	PRA/OPMA															
	January 13 - CC	2025 Preliminary Docket Review												Interim extension			
	January 21 - PC	Briefing/Introdcution															
	January 27 - CC	Docket Adoption & Joint Meeting with Planning Commission (LCA/middle housing approach)															
	February 4 - PC	Discussion															
	February 18 - PC	Discussion															
	March 4 - PC	Discussion															
	March 18 - PC	Hearing															
	March 24 - CC		Introduction			Introduction											
	April 1 - PC																
	April 7 - CC	PC Recommendations										Introduction					
	April 15 - PC					Discussion											
	April 21 - CC	Discussion															
	May 6 - PC							Discussion									
	May 19 - CC	Discussion															
	May 20 - PC																
	June 3 - PC		Hearing (if substantive changes from PC)														
	June 2 - CC																
	June 9 - CC		Discussion														
	June 17 - PC																
	June 23 - CC	Dicussion (TBD)								Introduction			Discussion				
	June 30 - CC	Council adoption								Council adoption							
	July 1 - PC Cancel																
	July 7 - CC												Discussion				
	July 8 - PC																
	July 14 - CC																
	July 15 - PC																
	August 5 - PC												Discussion				
	August 19 - PC																
	September 2 - PC																
	September 8 - CC																
	September 15 - CC												Discussion				
	September 16 - PC																
	October 6 - CC																
	October 7 - PC																
	October 21 - PC												Hearing				
	October 28 - CC																
	November 4 - PC												PC Recommendation				
	November 17 - CC																
	November 18 - PC																
	December 2 - PC																
	December 8 - CC												Council adoption				
	December 16 - PC Cancel																



City of Kenmore, Washington

Memorandum

Date: 1/2/25

To: Rob Karlinsey, City Manager

From: Debbie Bent, Community Development Director

Regarding: STEP Housing Work Program for 2025

Purpose: This memo provides an overview of the STEP Housing 2025 work program (**S**helter Housing, **T**ransitional Housing, **E**mergency Housing and **P**ermanent Supportive Housing). The timeline, scope and engagement plan are preliminary and may change as the project develops. The Limited Term Senior Planner will be the project lead for the project. Applications for the Senior Planner position are currently being accepted.

The City's zoning regulations allow these housing types. However, staff recommends updating the regulations to provide additional clarity and consistency based on HB 1220. Staff have also included a Community Member Advisory Group for STEP Housing in the project scope.

1. Project Timeline:

- **January-March Background Research:** Compiling background information such as: the Department of Commerce STEP model ordinance and guidance materials; regulations from other jurisdictions; analysis of Kenmore's regulations.
- **March-April Establish the Six-Member Advisory Group:** Solicit applications (website, social media, Top 4, quarterly newsletter etc.) from community members (who live in Kenmore or own a business in Kenmore). The City Council would conduct interviews and select community members with a broad range of opinions/interests regarding STEP Housing.
- **April -September Advisory Group Meetings:** Anticipate six Advisory Group meetings to provide guidance on code amendments. Staff will also prepare a "draft" charter for the Advisory Group. The Advisory Group would work and conduct meetings in a comparable way to the Financial Sustainability Plan Task Force.

Potential Advisory Group meeting topics:

- **April:** Approve the charter. Review compiled background research. Review potential questions for the panel discussion.

- **May:** Discussion with panel of STEP housing experts (e.g. housing providers, ARCH staff, staff from other jurisdictions) to provide feedback on STEP housing regulations.
- **June:** Debrief from the panel discussion, including key takeaways. Review and discuss code amendment options.
- **July:** Continue review and discussion of code amendment options. Potential community open house.
- **August:** Identify a preferred set of code amendments.
- **September:** Present recommendations to the City Council.

September-December City Council Public Hearing and Ordinance Adoption:

- **September:** Council discuss code amendment regulations presented by the Advisory Group and provide direction.
- **October:** Public Hearing on draft code amendments.
- **November:** Council discussion.
- **December:** Ordinance adoption.

2. Community Engagement:

A community engagement plan will be developed. Here are anticipated ways the community would be kept up to date on the process and have input.

- The Advisory Group meetings would be open to the community.
- Public Hearing before the City Council (required).
- Create a project webpage: where the community could also provide comments/questions; links to information and background materials etc.
- Updates through the City's social media platforms, Top 4, Newsletters.
- A town hall for community feedback on code amendments.

3. Project Budget:

Consultant assistance (estimate \$30,000-40,000) may be needed if a Limited Term Senior Planner is not hired. Potential for facilitator assistance for the Advisory Group (estimate \$4,000-\$5,000). Publication costs \$4,000-\$5,000 (e.g. legal advertisements, community mailer). City Attorney costs for ordinance and code review (estimate \$1,000-\$2,000). Staff time from other departments, Development Services and City Manager Department.

Background:

At the 3/25/24 City Council meeting, staff provided an update on Permanent Supportive Housing and Other Affordable Housing Topics. Link to 3/25/24 City Council Agenda: [Kenmore - Document Center](#).

Community Development 2024 Work Plan													
Project	Team	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
Comp Plan/Development Regs (docket)													
Update Housing Element to be consistent with State legislation on middle	TH/DB	council approves docket	PC review Feb-Apr		joint PC/CC mtg	CC review						CC Ordinance adoption	
Update Land Use Element to be consistent with State legislation on middl	TH/DB	council approves docket	PC review Feb-Apr		joint PC/CC mtg	CC review						CC Ordinance adoption	
"Middle housing" regulations to be consistent with 2023 state legislation	TH/DB	council approves docket	prepare info for PC			PC review				Joint PC/CC	CC Ordinance adoption		
Cottage Housing regulations (2024 PC docket)	TH/DB	council approves docket	prepare info for PC			PC review				joint PC/CC	CC Ordinance adoption		
ADU regulations to be consistent with 2023 state legislation (2024 Council	TH/DB	council approves docket	prepare info for CC			CC review						CC Ordinance adoption	
Regs for small houses on small lots (2024 Council)	TH/DB	council approves docket	prepare info for CC			CC review						CC Ordinance adoption	
Regs for unit lot subdivisions (2024 Council)	TH/DB	council approves docket	prepare info for CC			CC review						CC Ordinance adoption	
Update the Downtown Element (2024 PC docket)	TH/DB	council approves docket	prepare info for PC		PC review Apr-Jun		joint PC/CC	CC review				CC Ordinance adoption	
Update the Community Design Element (2024 PC docket)	TH/DB	council approves docket	prepare info for PC		PC review Apr-Jun		joint PC/CC	CC review				CC Ordinance adoption	
Downtown Floor Area Ratio (2024 council)	TH/DB	council approves docket	prepare info for CC			CC review						CC Ordinance adoption	
Update the Economic Development Element (2024 PC docket)	TH/DB	council approves docket	joint PC/CC	CC review								CC Ordinance adoption	
Update the Surface Water Element (2024 PC docket)	TH/DB	council approves docket	prepare info for PC				PC review Jun-Sept			Joint PC/CC	CC review	CC Ordinance adoption	
Update the Capital Facilities Element (PC docket)	TH/DB	council approves docket	prepare info for PC				PC review Jun-Sept			Joint PC/CC	CC review	CC Ordinance adoption	
Update the Natural Environment (PC docket)	TH/DB	council approves docket	prepare info for PC				PC review Jun-Sept			Joint PC/CC	CC review	CC Ordinance adoption	
Policy and Strategy													
Aquatic Center Feasibility Study next steps	GO/DB	1/9/24 present results to council. council direction on gauging interest in purusing one or both sites											
Housing Affordability Internal Staff Team	DB	provide assistance on strategy, policy and projects											
Lakepointe Internal Staff Team	DB	provide assistance on strategy, policy and projects											
ST3 Stride BRT Internal Staff Team	DB	provide assistance on strategy, policy and projects											
Leadership Team Thematic Goal	DB	provide assistance on strategy, policy and projects											
Public Art Policy continued from 2023	GO/DB	develop policy		CC review and adoption									
Develop Internal Policy for Property Acquisition	MC/DB					policy development							
Park Capital Projects/Other Projects													
P 28 W&W Log Boom Park: Waterfront Improvement Project	MC	RFP/contract award for mitigation/monitoring/stewardship			admin	prepare and submit report			admin	prepare and submit report		admin	
P 27 W&W Squires Landing Park, TI' awh-ah-dees (Ā' a Xw a d i s) : Waterf	MC	RFP/contract award for mitigation/monitoring/stewardship			admin	prepare and submit report			admin	prepare and submit report		admin	
P1 Twin Springs Phase 1 minimal construction for park opening (continued	MC	working with King County on agreements/easements			permit review		Bid process/contract award/construction			project close out			
Rhododendron Park Signage (replace two park signs)	MC				Bid process/contract award/sign fabrication and install								
Park Recreation and Open Space Plan (needs to be updated and adopted b	MC	develop scope of work for PROS plan and RFP as needed											
Lease for Log Boom Park Pier	MC	contract for survey and work with DNR on lease terms											
Art for the Sammamish River Bridge (assisting Engineering Dept)	MC				solicit proposals from artists/contract/install								
Other Work Program Items													
Emergency Management	DB	Quarterly NEMCo board meetings; coordinating staff training											
Budget Development	DB					dept budget and park capital budget							
CEMP Adoption (continued from 2023)	DB	respond to state comments; council adoption											
King County Regional Hazard Mitigation Plan (Update due 2025)	DB	attend meetings; prepare Kenmore information											
Urban Land Institute workshop, next steps for Downtown	TH/DB	preparing contract and briefing materials											
Grants													
2023-2024 State Dept of Commerce Grant for comp plan update (\$125k to	TH/DB												
2023 Dept Commerce middle housing grant \$40k	TH/DB												
2019 State Appropriation Award (\$151,900) for Twin Springs Phase 1 Proj	TH/DB												
Working with Other Agencies	TH/DB					assess what actions needed to respond to legislation							
ARCH: Staff committees. Attending ARCH Board Meetings.		provide input/review/ represent Kenmore on the ARCH board and committees											
PSRC: Review/Comment on Regional Plan Updates		provide input/review as needed											
King County: Review/Comment on Regional Plan Updates. Staff Committee supporting		provide input/review as needed											
State Legislature: Review/Comment on Proposed Legislation		provide input/review as needed on proposed legislation											
Highest peak workload													
Substantial workload													
Less steady workload													

Project	Team	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
DB: Debbie Bent, Community Development Director													
TH: Todd Hall Principal Planner													
MC: Maureen Colaizzi, Parks Project Manager													
CC: City Council													
PC: Planning Commission													
GO: Garrett Oppenheim, Assistant to the City Manager													

Community Development 2025 Work Plan													
Project	Team	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
Comp Plan/Development Regs (docket)													
Update Housing Element to be consistent with Middle Housing (1)(3)	TH/DB	docket approval	Prepare info for PC			PC review Apr-Aug.			Hearing Sept.		Joint PC/CC	CC review	Ordinance adoption
Update Land Use Element to be consistent with Middle Housing (1)(3)	TH/DB	docket approval	Prepare info for PC			PC review Apr-Aug.			Hearing Sept.		Joint PC/CC	CC review	Ordinance adoption
Update Park, Recreation, Open Space Element (1)(3)	TH/DB	docket approval	Prepare info for PC			PC review Apr-Aug.			Hearing Sept.		Joint PC/CC	CC review	Ordinance adoption
Update Capital Facilites Element (1)(3)	TH/DB	docket approval	Prepare info for PC			PC review Apr-Aug.			Hearing Sept.		joint PC/CC	CC review	Ordinance adoption
"Middle housing" regs (State Requirement). includes cottage housing, ADU's, small house small lots (1)(3)	TH/DB	docket approval	PC review. Hearing March			Joint PC/CC	CC review. Ordinance June						
Bastyr University (Comp Plan, zoning, master plan amendments (1)	TH/DB	docket approval	Prepare info for PC			PC review Apr-Aug.			Hearing Sept.		Joint PC/CC	CC review	Ordinance adoption
Park, Recreation and Open Space (PROS) Plan (1)	TH/DB	docket approval	Prepare info for PC			PC review Apr-Aug.			Hearing Sept.		Joint PC/CC	Ordinance adoption	
STEP (Shelter, Transitional, Emergency and Permanent Supportive Housing) Housing Regulations (2)(3)	TH/DB	docket approval	Prepare info for CC			CC review Apr.-Aug.			Hearing Sept.		Ordinance adoption		
Unit lot subdivision regulations (2)(3)	TH/DB	docket approval	Prepare info for CC		CC review Mar-May			Hearing	Ordinance				
Co-Living regulations (2)(3)	TH/DB	docket approval	prepare info for CC		CC review Mar-May			Hearing	Ordinance				
Residential Parking regulations (2)(3)	TH/DB	docket approval	Prepare info for CC		CC review Mar-May			Hearing	Ordinance				
Park Impact Fee Rate Study (2)	TH/DB	docket approval									Prepare background info		
Amend development agreement consider changing super majority approval (2)	TH/DB	docket approval			Prepare info for CC	CC review Apr-Jun					Hearing	CC Ordinance adoption	
Regulations for the "carve out" area of the TOD (2)	TH/DB	docket approval			Prepare info for CC	CC review Apr-Jun					Hearing	CC Ordinance adoption	
Ltd Update to Critical Area Regulations to comply with WDFW requirements (2)(3)	TH/DB	docket approval				Prepare info for CC	CC Review May-July				Hearing	CC Ordinance adoption	
Policy and Strategy													
Public Art Policy	DB/GO	review draft			CC review Mar-Apr		CC policy adoption						
Leadership team thematic goal	DB	provide input as needed											
Grant Strategy and Ballot Measure Strategy (Lakepointe Project)	DB/RK	developing grant strategy and ballot measure strategy to support Lakepointe acquisition											
Park Capital Projects/Other Projects													
P 28 W&W Log Boom Park: Waterfront Improvement Project (mitigation/monitoring)	DB	managing contract for ongoing mitigation/monitoring/stewardship to comply with p permit requirements											
P 27 TI' awh-ah-dees (A' a Xw a d i s) Park: Waterfront Improvement Project (mitigation/monitoring)	DB	managing contract for ongoing mitigation/monitoring/stewardship to comply with p permit requirements											
P30 Rhododendron Park Boathouse (mitigation/monitoring)	DB	managing contract for ongoing mitigation/monitoring/stewardship to comply with permit requirements											
Art for the 61st Ave Retaining Wall	STL/DB	artist selection	contract oversight, mural complete by August					Artist(s) begin work		Mural complete			
City Hall Art Gallery/Arts of Kenmore Contract	STL/DB	contract renewal	five gallery displays throughout year										
Lakepointe Project (acquisition)	DB/RK	LOI approval	due diligence										
Other Work Program Items													
Emergency Management: Evaluate Options	DB	Hiring consultant and evaluating options for Emergency Management									CC select and implement option		
King County Regional Hazard Mitigation Plan (Update due 2025)	DB	coordination with Emergency manager											
Hiring/Onboarding Ltd Term Senior Planner, and Manager Lakepointe Project	DB	hiring/onboarding											
Grants													
2024 Brownfield Grant: Lakepointe Project	DB/TH							Grant award?		contract authorization/admin			
2025 Grant Applications/Legislative Appropriations (Lakepointe Project)	DB/TH	provide input/review as needed											
Working with Other Agencies													
ARCH: Staff committees. ARCH Board Meetings. Work Program. Trust Fund Recommendations	DB/TH	provide input/review as needed											
PSRC: Review/Comment on Regional Plan Updates	DB/TH	provide input/review as needed											
King County: Review/Comment on Plan Updates	DB/TH	provide input/review as needed											
State Legislature: Review/Comment on Proposed Legislation	DB/TH	provide input/review as needed											
Highest peak workload													
Substantial workload													
Less steady workload													
DB: Debbie Bent, Community Development Director													
TH: Todd Hall Principal Planner													
CC: City Council													
PC: Planning Commission													
GO: Garrett Oppenheim, Assistant to the City Manager													
STL: Shannon Tipple Lean, Adminstrative Assistant													
RK: Rob Karlinsey, City Manager													
(1) Tentative Planning Commission Docket (work program) Item													
(2) Tentative City Council work program item													
(3) State Law Requirement													
Bold text denotes council action needed													

Development Services
2025 Work Plan

	Team	January	February	March	April	May	June	July	August	September	October	November	December
Core Services													
Permitting Inquiries	All												
Permit Processing and Project Management	All												
Plan Review - Building	BH, LL												
Plan Review - Engineering	DvG												
Plan Review - Planning	RR												
Inspections - Building	BH, LL					Peak Construction Season							
Inspections - Engineering	CI, DvG					Peak Construction Season							
Inspections - Planning	RR					Peak Construction Season							
Land Use Notices and Public Engagement	RR, MQ												
Development Review Team Meetings (pre-application meetings, complex review meetings, pre-construction meetings, etc.)	All												
Bonded Projects: Financial guarantees, monitoring, and reporting	DvG, RR, MQ												
Public Records Requests	MQ												
Regulatory Business Licenses	AT, DS, MQ												
Pet Licenses	MQ												
Reporting Requirements: Puget Sound Regional Council, U.S. Census, State, and County	AT, DS, MQ												
Code Enforcement													
Correction Notices, Violations, and Abatement	BB												
Service Requests and Complaints	BB												
Code Enforcement Litigation and City Attorney Coordination	BB												
Air Quality and Odor Complaints	BB												
Noise Compliance Verification	BB												
Development Projects (Private Property)													
Larus Senior Housing – Affordable Housing, 175 units	RR, SL	Land Use & SEPA Review											
The Approach Apartments – Affordable Housing, 121 units	RR, SL			Land Use & SEPA Review									
Saint Edward Maintenance Facility, new building (1325 SF footprint) and 1370 SF yard	RR, SL	Pre-Application											
Inglewood Golf Club Maintenance Building Replacement	RR, SL	Permit Review			Inspections								
Bend in The Road Apartments, 67 units	RR	Pre-Application				Land Use & SEPA Review							
Kenmore Apartments (80th Ave NE), 63 units	RR		Land Use & SEPA Review										
Burke 38 Townhomes (previously “Kenmore Urban”), 38 units	BH, LL	Site Development Inspections						Building Inspections					
25 Degrees Condominiums, 276 units	BH, LL	Site Development and Building Inspections											
Development Projects (Public)													
Inglemoor High School, Phase I Campus Replacement	RR, AT, SL	Land Use Review				Engineering and Building Permit Review						Inspections	
Kenmore Elementary Monderization Project (new admin/commons building, and TI work)	BH, LL	Building Inspections											
Public Works Operations Center	BH, DvG, SL			Engineering Permit Review				Site Development Inspections; Building Permit Review					
Muck Creek Restoration	RR	Land Use & SEPA Review											
ST3 Park and Ride/TOD, planning phase (still early)	RR, SL												
Bastyr University Clinic	RR, SL		Pre-Application			Building Permit Review				Building Inspections			
Development Code Amendments													
HB 1042: Conversion of Existing Buildings to Residential Use (State Requirement)	BH, LL		SEPA	City Council									
SB 5058: Exempt buildings under 12 units and less than 2 stories from multifamily definition (State Requirement)	BH, LL		SEPA	City Council									
RCW 35A.21.360: Hosting the homeless by religious organizations; increasing flexibility for homeless encampments (State Requirement)	RR, SL			SEPA	City Council								
Initiative 2066: Energy code updates (State Requirement)	BH, LL	State Building Code Council (SBCC) Coordination									City Council		
HB 1293: Streamlined design review; design guidelines may not reduce density, height, bulk or scale beyond the underlying zone (State Requirement)	RR, SL					SEPA	City Council						

Interdepartmental Coordination													
Community Development: Middle Housing and Trees	RR, SL												
Community Development: Lakepointe	SL, DB												
Public Works, Environmental Services Division: Forest Management Plan	RR, SL												
Public Works, Environmental Services Division: Climate Action Plan	RR, SL												
Public Works, Operations Division: Special Event Permits	AT, SL												
City Manager's Office: Affordable Housing	TC, SL												
City Manager's Office: Economic Development Support (KBA)	SL												
City Manager's Office: Business Registration Program	AT, SL												
Finance: Electronic Payment Processing System (Paypal, Echeck)	MQ												
Police: Code Enforcement Actions	BB												
Customer Service and Streamlining Permitting Processes													
SB 5290 Implementation and Reporting (Permit Processing Timelines)	AT, DS												
Franchise Utility Right-of-Way Permit Process	DvG, CI												
Standard Operating Procedures (SOPs)	All												
Permit Applications, Checklists, and Handouts	MQ												
Website Improvements	All												
Technology													
Permit Tracking Software (TRAKIT) Management	AT, SL												
Mybuildingpermit.com Management	AT, SL												
System Fix: OTC Permit Fees	AT, SL												
System Fix: OTC Permit Processing Automation	AT, DS, MQ												
System Enhancement: Code Compliance Integration with Mybuildingpermit.com	AT, DS, MQ												
System Enhancement: Echeck electronic payment	AT, DS, MQ												
Mybuildingpermit.com Backend System & Website Updates	AT, DS, MQ												
Construction Recycling Program (Greenhalo)	AT, DS												
Other Work Program Items													
Fee Study	AT, MQ, SL		Consultant RFP		Consultant selection				Fee study complete		City Council Review		
Contracting out building plan reviews during high-peak permit volumes	BH, SL			City Council									
2025 Fee Resolution Updates (minor edits)	AT, SL												
2026 Fee Resolution (Annual Update)	AT, SL										City Council Fee Resolution Adoption		
Department Budget	SL												
Contract Management	SL												
Records Management Project (filing, scanning, expired permits, finaled permits, etc.)	MQ												
Hiring and Onboarding Construction/Building Inspector Position	DvG, BH, SL												
Working with Other Agencies													
Shoreline Fire Department: Fire and life safety	BH, SL												
Northshore Utility District: Water and sewer	AT, SL												
Northshore School District: Safe walking pathways to school	RR, SL												
King County Historic Preservation: Historic building plan review	RR												
United States Postal Services, Bothell Postmaster: Address assignment	AT												
Puget Sound Energy (PSE)	DvG												
Republic Services: Garbage and recyclables	DvG												
Washington State Labor & Industries (L&I): Mobile home permits and electrical permits	BH, LL												
Washington State Department of Ecology (DOE): SEPA and the environment	RR, SL												
Washington State Department of Transportation (WSDOT): SR 522	DvG												

Highest peak workload	
Substantial workload	
Less steady workload	

- AT
- Bridgit Baker, Code Compliance Officer
- BB
- Bryan Hampson, Building Official
- BH
- Construction/Building Inspector (vacant position)
- CI
- Doug van Gelder, Senior Development Review Engineer
- DvG
- Daniel Saunders, Permit Coordinator
- DS
- Lukasz Lisowski, Building Plans Examiner/Inspector
- LL
- Maura Query, Administrative Specialist
- MQ
- Reilly Rosbotham, Planner
- RR
- Samantha Loyuk, Development Services Director
- SL

January 8, 2025

			2025											
Project	Lead	Support	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec
PAVEMENT MANAGEMENT														
Pavement Management Update (Update ratings every other year)	TJ	JV/TBG												
Pavement Maintenance (Annual Slurry Seal)	TJ	ENG												
TRAFFIC SAFETY AND OPERATIONS														
Traffic Operations Management	TJ	JV												
Service Requests - Traffic	TBG/ENG	Intern												
Traffic Calming Program	TBG	Intern												
Annual Counts program	TBG	Intern												
Crash Data Maintenance & Analysis	TBG	Intern												
Local Road Safety Plan	TBG	Intern/JV												
Photo Enforcement Program	TBG	JV												
Traffic Sign and Striping Modifications	TBG	Intern/ENG												
TRANSPORTATION PLANNING														
Alternate Modes of Transportation Analysis (Bike share and the like)	TBG	JV												
Parking Study (downtown)	TBG	JV												
Pedestrian Facilities Plan	JV													
Climate Action Plan	JV	All												
Transportation Improvement Plan	JV													
ADA Transition Plan - Phase 2	JV													
ADA Transition Plan Management (ROW)	JV	KV												
Interagency Coordination (Sound Transit 3, TIB, WSDOT, etc)	JV	TBG/KV												
Lakepointe Development	JV	TBG												
RIGHT OF WAY MANAGEMENT														
Franchise Right of Way Permit Review	JS	JV/INSP												
Franchise Right of Way Permit Inspection	JS	INSP												
Franchise Right of Way Permit Coordination	AC	JS												
Right of Way Code Compliance	JS	AC/INSP												
Municipal Code Update - Title 12	JV													
Municipal Code Update - Title 10 Vehicles and Traffic	JV	TBG												
Road Standards Management (revisions/updates to standards)	JV	AC												
ROW Permit Review and Inspection (private development)	JS	INSP												
TRANSPORTATION CAPITAL IMPROVEMENT PROGRAM														
Capital Projects Management (see separate tab for details)	TB, KV, TJ	JV												
Capital Projects Inspection	INSP	JS, ENG												
Project Management Toolkits (SOPs and forms)	JV	AC												
Oversight of CIP	JV													
Capital Improvement Program Update	JV	KV/TLB/TJ												
Grant Writing	JV	KV												
Transition Projects to PW Operations for Maintenance	TB, KV, TJ	JV												
GENERAL DEPARTMENT ACTIVITIES														
Department Budget Oversight and Updates	JV													
Department Policies and Procedures	AC/JS/JV	All												
Contracting/Invoicing	AC	All												
General Administrative support	AC													
Website Management	AC	All												
Public Outreach	AC	All												
Records Management	AC	All												
City Committees	All													
Emergency Management Support	All													

[illegible]

2025 Work Plan

Updated 4/7/2025

Less Steady Workload
Substantial Workload
Highest Peak Workload

BC Brenda Chamness
CS Carla Schnee
JY Julie Yinger
MM Melinda Merrell
BM Budget Manager (to be hired)

			2025											
	Lead	Support	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec
Recruit & Hire Budget person	MM		Open	Interviews/Offer	Onboarding									
Human Resources/Payroll														
Payroll & Benefits Administration	CS	BC												
Payroll & Benefits Processing	BC	CS												
Hiring/Onboarding	CS	BC												
Seasonal Hiring/Onboarding	CS	BC												
Leave Administration	CS	BC												
Personnel Policy Administration/Compliance/Updates	CS	BC												
Payroll W-2s/1099s/ACAs	BC	CS												
Payroll related reporting (fed/state)	BC	CS												
Wellness Committee, executive sponsor	MM													
Customer Service Handbook Committee		CS												
DEIA implementation	ALL													
Accounting/Treasury Management														
Financial Accounting, reconciliations, reporting	JY	All												
AR Invoices/Revenue/Grant Reimbursements	JY	BC												
Quarterly & Annual Financial Reports (to Council)	JY	MM			Council (Q4)		Council (Q1)				Council (Q2)		Council (Q3)	
Accounts Payable Invoices	BC													
Accounting Policy Administration/Compliance/Updates	JY													
Cash and Investment Management	MM	JY												
Investment Advisory Committee	MM													
Council Agenda Preparation & Bill Review	MM	BM												
Review internal controls & financial processes	ALL													
Oyster Committee meetings (Police contract)	MM													
Bank Deposits & Transfers	BC/CS													
Financial Info Online (training/moving files/updating)	JY													
Tyler Software Administration	All													
Annual Report/Audit/Financial Statements														
Update Cost Allocation/Overhead Plan	JY/BM	MM												
Close 2024 Fiscal Year	JY	All	close Dec	Budget & YE entries										
2024 Annual Report, filed with State	JY	MM					Due 5/31							
2024 Financial Audit	JY	MM												
Parks Levy Annual Report	JY	MM					Due 5/31							
File Annual Report on EMMA (Electronic Municipal Market Access)	JY	MM												
Budget 2025-2026														
6 Year Forecast and Plan Update/review/update/	BM	MM												
Service Level Budgeting	BM	MM								Update/revise as time allows				
Mid-Biennium budget update	BM	MM											Council	
Budget Training in Incode??	BM	MM			After budget position is hired									
Financial Sustainability implementation	MM	BM												
Monitor 2025-2026 budget, meet with directors	BM	All												
CIP														
CIP Management	BM	MM												
CIP review revisions, update, presentation, ordinance	BM	MM					Begin update, presentation							
CIP review, presentation, ordinance	BM	MM										Council: Update & amendment 2026-2031		
Property Tax Levy 2026														
Property Tax Levy 2025 - Regular & Excess-PH/ord.	MM												Council	
Information Technology														
Lighthouse IT Consultant Contract Management	MM/JY													
IT Liaison Work: direct staff support from Finance staff	JY													
IT Advisory Committee, quarterly meetings	MM/JY		Finance is chair of committee											
Review current IT strategy with Committee	MM/JY					Bring forward recommendations to LT					Work w/Committee on next steps			
Kennect Internal Intranet (Sharepoint) Committee	JY													
IT Assessment	MM	All	Develop RFP, complete assessment									Prep for COUNCIL		
IT-Review controls, risk, exposure (software/recrds presrvtn)	JY	MM												
Risk Management														
Risk Management - claims/misc.	MM													
Annual Risk Management Audit	MM											WCIA Audit		
Board Meeting - required 1x/year	MM													
WCIA - Required 3 trainings/year	MM													
LAKEPOINTE ACTIVITIES														
Bond anticipation note, deposit on property, etc	MM	BM												
KAPE budget														
Monitor new revenue sources and expenses	JY	MM	*****Monitor revenues vs expenses*****											

Public Works Operations: Facilities& Fleet Maintenance, CIP - Facilities, Parks & Streetscape Maintenance, Streets & Surface Water Maintenance, Events & Volunteer Programs, and Recreation Programs

Less Steady Workload

Substantial Workload

Highest Peak Workload

PW OPS PARKS

PW OPS STS/SW

PW OPS FACILITIES

EVENTS & VOLUNTEERS

RECREATION

ALL DEPT/NON DEPT

2025 Workplan		PW OPS GENERAL								
		2025								
Project	Lead	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept
Facilities CIP - Public Works Operations Center Development	JG/CW	Site Work Final Design	Site Work Permitting			Site Work Advertise Bid		Site Work Construction		
Division Administration and Support/Leadership Team	JG									
CAP - Climate Action Plan for Operations	JG/AF									
DEIA - Diversity, Equity, Inclusion, & Accessibility Program Implementation	ALL									
Employee Evaluations	JG/AF/QP/CW			AA	QP, AF	BD, CW	CR		NS	JaG, MC, DS
Standard Operating Procedures Development	JG/NS/QP/AF/CW									
Department Annual Workplan Management	JG									
Department Budget Management	JG									
Emergency Operations - Operations Section/NEMCO Board	JG									
PSERN Emergency Manangement Radios	JG									
Asset Management - Parks, Streets, Facilities & Fleet	JG/QP/CW/AF									
Summer Seasonal Positions (advertising, hiring and managing)	JE/QP/CW/AF	Position Recruitment, Hiring & Training: Events & Volunteer Coordinator and Maintenance Worker		Position Recruitment, Hiring & Training - STS & SW, PARKS, FACILITIES, EVENTS						
Customer Service Online Portal Administration (Centricity)	NS									
Cityworks 23 Update	NS/JG									
Service Request & Work Order Management	NS									
PW OPS Staff Administrative Support - Department records manangement and organization, accounts payable/invoice management, provide staff training, department training & certification tracking, etc.	NS									
PW OPS Website Management	NS	PWOPS Website Overhaul								
City property damage claims reimbursements	NS									
Senior Center Programs Promotion & Coordination	MC									
Park & Facilities Reservations Administration and Management - Moorlands Park Athletic Field, Picnic Shelters (Rhododendron, Moorlands, Log Boom, & TI'), City Hall, & the Hangar	MC	Online Reservation Portal Implementation								
CivicRec - Software Implementation and Management (Online reservation software).	MC/NS	Picnic Shelter and Facility Rental Online Reservation Transition		Software Management & Maintenance						
Picnic Shelter Rental Policy	JG/MC	Policy Adoption	Fee Schedule Amendment	Implement the new policy						
Parks Concession Agreements (WhatsSup, etc.)	MC									
2025 Updated Recreation Guide - Online and Printed	MC	2025 Recreation Guide Updates				Recreation Guide to Print				
Recreation Programs/Contracts/Agreements -Contract Development and Management of (Skyhawks, Skate Like a Girl, etc.)	MC	Planning & Scheduling for 2025 Summer Programs					Manage active programming			

		2025								
Project	Lead	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept
Step It Up Nonprofit Youth Program Support	MC									
Boathouse Operations/Contract/Agreements - Kenmore Community Rowing Club (KCRC)& Other	MC/JG									
Boathouse Programming Negotions & Agreement (NSD Parent Group/KCRC)	JG/MG									
Kenmore Waterfront Activities Center (KWAC) Contract Management	MC	KWAC Contract Amendment								
Nortshore Parks & Recreation Service Area (NPRSA) Liason	MC									
YMCA Swim Lesson Program	MC	Develop Programming Plan Options					Implement Programs			
Recreation Program/Facility Rentals - City Website Content Management	MC/NS									
CH & Hangar Monitor - Schedule Management	MC									
Recreation Programs Coordination with Operations Staff	MC									
City Supported Community Projects Program	MC	Moratorium is still in place. Need to develop policy before moratorium can be lifted.								
Love Notes Program	MC									
Free Life Jacket Stations - Supplies/Maintenance	MC/QP									
WSU Master Gardner Programs - Rhododenron Park & City Hall	MC									
Parks Daily Operations and Maintenance (ParkMaintenance performed at - park opening, restroom cleaning, playground inspections & audits, contract management, landscape maintenance intergrated pest management, irrigation, parks trail maintenence, hardscape maintenance, Senior Center exterior grounds maintenance, parks/facilities snow & ice control.	QP									
Park Site Amenities/Furnishings Maintenance & Manangement (benches, memorial/donation benches, picnic tables, picnic shelters, artwork, signage, dog poop stations,	QP									
Parks Irrigation Systems Manangement - Programming, daily maintenance, troubleshooting, and winterization/spring startup (Rhododendron, Log Boom, TI', City Hall/Skate Park, Town Square, Moorlands, & Northshore Summit)	QP									
Park Contracts Manangement - Landscape Maintenance, Pest Manangement, Small Works/Repairs Plumbing, Electrical, Fence installation/repair.	QP									
Park Volunuteer Project Manangement - Develop Scopes of Work for volunteer groups and projects; coordinate with consultants and Volunteer Coordinator.	QP									
Event Support & Coordination in Parks (City Sponsored Events & Non-City Special Events)	QP				Earth Day	Farmers Markets, Summer Concerts, 4th of July, National Night Out, Play Day, 5K, Kenmore Quad				
City CIP Mitigation Maintenance Contracts - Managing ongoing maintenance contracts for mitigation site maintenance; coordinating with consultants & staff to ensure required maintenance is performed.	QP									

		2025								
Project	Lead	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept
Holiday Lighting	QP/AF	Holiday Light Take-down								
City Hall Operations & Maintenance	AF									
City Hall Access Control & Security Upgrades Project	AF/JG									
Hangar & Town Square Building Maintenance	AF									
New Hangar Kiosk Installation & Coordination (KBA)	AF									
Public Works Office Building Maintenance	AF									
Property Management: Post Office & Diva Espresso	JG/AF									
Senior Center Building Maintenance	AF									
Rhododendron Park Boathouse Building Maintenance	AF									
Facility Reservations Support (City Hall & Hangar)	AF									
Special Event Support/Love Notes Support	AF				For the Love of Kenmore		Pride Flag Raising, Juneteenth, Farmers Markets,National Night Out & Movies @ the Square			
Building Systems Asset Manangement & Maintenance/Repair Contracts (Electrical, Plumbing, Access Control, Security Cameras, HVAC, Fire Systems, Fire Extinguishers)	AF									
Furniture Manganement - Relocations/Storage/Repair & Maintenance	JG/AF									
Facilities Janitorial Services Contract - Admin. & Mgmt.	AF									
Facilities Landscape Maintenance Contract	QP/AF									
Fleet/Equipment Acquisition and Maintenance	JG/AF									
2025 Fleet Purchases/Replacements: KEN 309 - Engineering Replacement; KEN 316 Street Sweeper Replacement	JG/AF									
Equipment Surplus & Electronics Recycling	JG/AF									
Streets Maintenance (Contract management, ROW Vegetation, integrated pest management, roads maintenance and repair, temporary traffic control, bridge cleaning and repair, bullseye maintenance, sidewalk repair, guardrail/fence/ railing maintenance & repair, small project management done internally or by small works contracts, management and oversight to Maintenance Workers, plans,schedules, and implements weekly & monthly workplans	CW									
Temproary Traffic Control - Planning, TCP Signage inventory manangement, coordination, and Implementation	CW									
Inclement Weather - Snow & Ice, Storm/Floord Response	CW									Inclement Weatl
Street Sweeping (In-house & Contracted)	CW	RFP - New Contract								
Surface Water Facility - M&O (vegetation manangment and removal, pond dredging, perimeter fence maintenance and facility repairs)	CW									
Surface Water Systems - M&O (installation, repair, and maintenance of culverts, ditches, catchbasins, drainage swales, etc.)	CW									
Special Events Support	CW				Summer Event Planning & Prep		Summer Concerts, Farmers Markets, 4th of July, National Night Out, Movies @ the Square,			

		2025								
Project	Lead	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept
King County Roads Services Contract (street sign installation and maintenance of sign inventory, signal operations and maintneance, banner installation/removal, thermoplastic markings & striping, and coordination with traffic engineering)	JG									
WSDOT - Signals Maintenance	JG									
PW Ops On-Call Schedule & Rotation Manangment	CW/QP									
Tool & Equipment Management & Maintenance	CW/QP/AF									
Community Recycling Events	JG	Grant Submissions/Contracts/Consultant Contract				Spring Event		Grant Reporting		Fal
City Events & Volunteer Programs Website Content Management	JG/TBD									
City Organized Events	JG/TBD	Finalize special event schedule & sponsorship for 2025		Develop event marketing plan and update the website	Final event preparations for the summer, send out sponsorship contracts. Earth Day Celebration Activities	Final event preparations for the summer, send out sponsorship contracts.	Juneteenth; Pride Flag Raising	4th of July, Concert Series, Outdoor Movie	Concert Series, Outdoor Movie, National Night Out, Play Day	
For the Love of Kenmore Event	JG/TBD				Event					
Special Events & Volunteer Summer Intern	JG/TBD			Position Recruitment, Hiring & Training						
Non City Event Support	JG/TBD				Hydroplane Cup				Kenmore Quad	5K Fly Away with the Chamber
Northshore Farmers Market Coordination & Support	JG/TBD	Monthly NFM Board Meeting	Monthly NFM Board Meeting	Monthly NFM Board Meeting	Monthly NFM Board Meeting	Monthly NFM Board Meeting	Monthly NFM Board Meeting	Monthly NFM Board Meeting	Monthly NFM Board Meeting	Monthly NFM Board Meeting
Volunteer Program	JG/TBD									
Community Court Volunteers	TBD									
Events & Volunteer Programs Coordination with Operations Staff	JG/TBD									
61st Ave Mural Project - Coordination & Planning	JG									
Committees										
Wellness Committee	AA									
Customer Service Committee	JG/NS									
Safety Committee	JG/AF/CW/MC									
GIS Committee	JG									
IT Committee	JG									
Website Workgroup	NS/MC									
STORE Workgroups	NS									
Expanded Leadership Team	QP									
Hank Heron	MC/QP									
Emergency Communications	NS									
CIP Project Support										
Walkways and Waterways Parks Project - X' a Xw a d i s	JG/QP	Mitigation Maintenance								
Walkways and Waterways Parks Project - Log Boom Park	JG/QP	Mitigation Maintenance								
Juanita Drive Improvements	JG/QP	Additional tree plantings, plant replacement along corridor.								
West Samm Bridge	JG/QP	Transition from Construction to Operations (Warranty Period Ending) Mitigation Maintenance								
NE 190th St Culvert Replacement	JG/QP	Transition from Construction to Operations (Warranty Period Ending) Mitigation Maintenance								

		2025								
Project	Lead	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept
Twin Springs	JG/QP	King County 10-year Mitigaition Maitnenance Transition to City		Site Improvements - South Parking Lot/Trail Access						

Jennifer Gordon - JG	Public Works Operations Director
NEW	Public Works Operations Mananger
Nicki Sawyer - NS	Administrative Specialist
Chuck Worek - CW	Capital Project Manager - PWOC
Chase Walker - CW	Streets & Surface Water Maintenance Supervisor
Paul Halalilo - PH	Senior Maintenance Worker STS/SW
Reggie Bautista - RB	Maintenance Worker STS & SW
VACANT	Maintenance Worker STS & SW
(4) Summer Interns	Streets & Surface Water Maintenance
Quinn Proffitt - QP	Parks & Streetscapes Supervisor
Anna Arnott - AA	Senior Maintenance Worker PARKS
Case Rogers - CR	Maintenance Worker PARKS
David Samolyuk	Maintenance Worker PARKS
Brian Dykoff	PT Maintenance Worker PARKS
(2) Summer Interns	Parks & Streetscapes Maintenance
Aleks Firsov - AF	Facilties & Fleet Supervisor
Bill Garza - BG	Senior Facility Maintenance Technician
James (Jim) Garrity - JaG	PT Facility Maintenance Technician
Summer Intern	Facility Maintenance
Maurita Colburn - MC	Recreation Program Supervisor
VACANT	Events & Volunteer Coordinator
Summer Intern	Events Intern

[illegible]

[illegible]

Oct	Nov	Dec
Domestic Violence Month - Purple Lights	Holiday Light Installation & Maintenance	
	Dia De Los Muertos	Winterfest
Her Equipment Prep		
Events Debrief & Future Planning		

Oct	Nov	Dec
I Event	Grant Reporting	Contracts
Jack Crawford Day, planning for Winterfest	Finalize plans for Winterfest	Winterfest
Monthly NFM Board Meeting	Monthly NFM Board Meeting	Monthly NFM Board Meeting

Oct	Nov	Dec

Department: **Police**

2025 Work Plan

	Team Lead	January	February	March	April	May	June	July	August	September	October	November	December
Police Administration	Chief	2024 Crime Stats Review Police Services Report WASPC Data Review Evaluations (ongoing)											
Patrol	Chief												
Investigations	Detective												
Crime Prevention Programs	Chief	Block watch presentations and business consultations year-round 4th of July NNO Prep. NNO Event											
Home & Business Security Checks	Chief												
Automated Photo Enforcement Program	Patrol												
School Outreach Efforts	Chief	Problem Solving Project MS Drug Presentations Problem Solving Project											
Marine Services	Marine Sgt												
Community Giveaways/Prescription Drop-Bo	Chief												
Interdepartment Training	Chief												
RCR Program	Chief												
DEIA Strategy Implementation	Chief	Language Access Program Support Listening Sessions											
Community Court Support	Chief												
Community Outreach	Chief	Nurturing Trust Workshops Social Media management throughout the year											

Legend:

= Highest Peak Workload

= Substantial Workload

= Less but Steady Workload

NNO = National Night Out
RCR = Regional Crisis Response



City of Kenmore, Washington

Memorandum

Date: 12/31/2024

To: Rob Karlinsey, City Manager

From: Elly Gallo, Executive Assistant

Regarding: Council Retreat Research

The following data presents research on how other cities conduct their council retreats, along with any key takeaways or insights drawn from these practices. The intended goal is to provide information for consideration.

Council Retreat Research

Information has been gathered from eight cities that provided insights into their council retreat processes, which have been categorized into five relevant sections.

1. Timing & Frequency

- **Woodinville:** No regular retreats; as needed and typically joint with other commissions (planning and public spaces). Oct 2023 at City Hall was the most recent.
- **Bothell:** Retreats as needed; focus on budget, long-term vision, and team development.
- **Shoreline:** Annual retreat in early March, lasting 1.5 days (Friday all-day, Saturday half-day).
- **Mountlake Terrace:** Annual retreat, sometimes on-site (e.g., 2023 at City Hall, 2024 off-site).
- **Kirkland:** Two retreats per year; one for policy in Q1 (January-March), another for budget in May.
- **Covington:** Annual summit held on the last Saturday of January (8 a.m. - 2 p.m. or 3 p.m.).
- **Mercer Island:** Annual retreat, usually the first week of February, focused on aligning leadership and setting goals.
- **Mill Creek:** Annual retreat for goal creation and direction setting; date varies.

2. Location

- **Woodinville:** Past retreats off-campus, currently in Council Chambers with catering.

- **Bothell:** Prefer off-site locations but varies by retreat.
- **Shoreline:** Held at St. Edwards Lodge (no overnight accommodations).
- **Mountlake Terrace:** Retreats are hosted both on-site (City Hall) and at rented venues.
- **Kirkland:** Retreats are held at off-site venues like the Lodge at St. Edward State Park.
- **Covington:** Retreats to a local golf course in the past; now held in City Hall Council Chambers with Costco catering.
- **Mercer Island:** Location varies; generally held in an off-site location with hybrid options for remote participation.
- **Mill Creek:** Typically held on-site, though off-site is possible if necessary.

3. Goals & Priorities

- **Woodinville:** Focus on planning and budgeting in joint meetings with other commissions.
- **Bothell:** Focuses on budgeting, strategic priorities, and team development.
- **Shoreline:** Annual strategic planning and setting goals for the city.
- **Mountlake Terrace:** Focus on reviewing goals, performance, accomplishments, and strategic planning.
- **Kirkland:** Policy retreat, community outreach, and council operations; focus on efficiency and long-term vision.
- **Covington:** Strategic planning, setting priorities, and team alignment.
- **Mercer Island:** Aligning leadership and Council on priorities for the upcoming year and biennium.
- **Mill Creek:** Goal creation and direction setting, often with the help of a facilitator or consultant.

4. Team Building Activities

- **Bothell:** One retreat focused on interpersonal skills and team development.
- **Shoreline:** No specific mention of team-building activities, though the retreat is collaborative.
- **Mountlake Terrace:** No specific team-building activities noted but focused on strategic planning.
- **Kirkland:** Includes ice-breaker activities and group discussions on community engagement.
- **Covington:** Facilitator-led sessions with team members contributing to agenda items.
- **Mercer Island:** Focus on leadership alignment but not necessarily team-building.
- **Mill Creek:** Council and staff align on priorities, facilitated brainstorming sessions.
- **Woodinville, Shoreline, Covington, Mercer Island, and Mill Creek:** Team-building is either a secondary focus or embedded within the discussion on city goals and priorities.

5. Budget & Expenses

- **Woodinville:** Historically off-site, no specific budget mentioned; current budget is lower as meetings are held in Council Chambers with catering.
- **Bothell:** Costs for off-site venues and catering; budget not specified.
- **Shoreline:** Uses St. Edward Lodge (not the cheapest option); specific costs for venue and catering not mentioned.
- **Mountlake Terrace:** Costs for consultants/facilitators, venue rental; specific budget details not provided.
- **Kirkland:** Venue costs (e.g., Lodge at St. Edward State Park) and facilitator fees; facilitator cost for retreat \$5,000 - \$5,500.
- **Covington:** Cost-effective options at City Hall with Costco catering; facilitator fee of about \$5,000 - \$5,500.
- **Mercer Island:** Budget includes venue rental, catering, and hybrid meeting needs; facilitator and planning costs also included.
- **Mill Creek:** Some costs for facilitators, venue, and possibly catering; specific budget details not provided.

Sample Agendas Received:

- **Mill Creek (2024):** Focus on guiding principles, SWOT analysis, and setting priorities for the upcoming year.
- **Kirkland (2024):** Community engagement, pool survey discussions, council operations, and good-of-the-order items.
- **Mountlake Terrace (2024):** Strategic planning review, city department overviews, and budget discussions for upcoming periods.

General Takeaways:

- **Retreat Frequency & Timing:** Most cities hold one or two annual retreats, with timing depending on the city's budget and strategic cycles.
- **Locations:** Retreats seem to be commonly held off-site to foster a different environment, though cost considerations seemed to shift these to in-house settings like City Hall.
- **Agenda:** Agendas vary, with common themes around setting strategic priorities, reviewing goals and performance, and aligning leadership.
- **Team Building:** Team-building is often a secondary focus, except in Bothell, where retreats specifically focus on interpersonal skills.
- **Budgeting & Expenses:** Costs for retreats vary widely, with venues and facilitators representing the largest expenses. Some cities focus on cost-effective solutions (e.g., Costco catering), while others choose more expensive venues.

**CITY OF KENMORE, WASHINGTON
RESOLUTION NO. 17-292**

**A RESOLUTION REAFFIRMING THE CITY OF
KENMORE AS A SAFE, INCLUSIVE AND WELCOMING CITY
FOR ALL PEOPLE**

WHEREAS, Kenmore's vision statement describes the City as a place that residents, business and visitors find welcoming and inclusive with courteous people, that offers a high quality of life to live, raise children, shop, work, recreate and socialize; and

WHEREAS, Kenmore budgets and allocates significant resources to ensure a safe and secure community that fosters a feeling of personal safety and facilitates a culture that values and supports a diverse population; and

WHEREAS, the City of Kenmore reaffirms that it has been and will continue to be committed to supporting the safety, health and welfare of all who reside, work, or visit Kenmore without discrimination; and

WHEREAS, Kenmore believes in the dignity, equality and constitutional and civil rights of all people, and will not tolerate discrimination, harassment or any behavior that creates fear, isolation or intimidation; and,

WHEREAS, Kenmore vibrancy and sense of community are stronger for our diversity and shared values of acceptance and respect; and

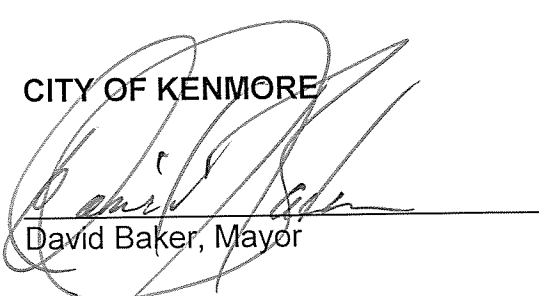
WHEREAS, the Kenmore City Council supports these principles and strives to reflect them in their actions as Kenmore's elected leaders;

THE CITY COUNCIL OF THE CITY OF KENMORE, WASHINGTON, DOES RESOLVE
AS FOLLOWS:

Section 1. Recitals. The City Council adopts the recitals set forth above, which reaffirm Kenmore as a safe, inclusive and welcoming City for all people.

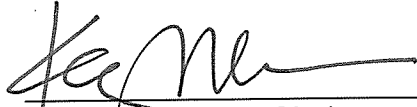
PASSED by the City Council of the City of Kenmore this 6th day of March, 2017.

CITY OF KENMORE



David Baker, Mayor

ATTEST/AUTHENTICATED:



Kelly Chelin, City Clerk

Approved as to form:



Rod Kaseguma, City Attorney

Category	Strategy	Brief description	Actions
MO	1.1	Require new bldgs to be energy efficient and carbon neutral	Require new gov't bldgs to meet high efficiency and net carbon neutral standards by determined date
MO	1.2	Retrofit existing bldgs to be more energy efficient	Make energy efficiency improvement in existing bldgs to upgrad appliances... LED bulbs
MO	1.3		
MO	1.4		
MO	2.1		
MO	2.2		
	2.3		
	...		
MO	5.1		
BE	1.1		
	1.2		
	2.1		
	...		
	2.5		
TL	1.1		
	1.2		
	...		
	3.2		
CM	1.1		
	...		
	2.3		
NS	1.1		
	...		
	2.3		
CR	1.1		
	...		
	2.3		

Steps/actions that will be needed to accomplish	Expected completion date?	No longer working on
		Y/N
		Y/N

If deprioritized, why?