



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

**Planning Commission Meeting
ON-SITE**

Tuesday, March 18, 2025 - 7:00 PM

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

ZOOM LINK: <https://kenmorewa-gov.zoom.us/j/88250812422>

Or Telephone: Dial US: +1 253 205 0468 US

Callers please dial *9 to Raise/Lower Hand

Webinar ID: 882 5081 2422

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.

If you have technical difficulties accessing the meeting virtually, please contact Co-Clerk Elly Gallo at egallo@kenmorewa.gov.

[Planning Commission Virtual Public Comment Request Form](#)

[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.

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. LAND ACKNOWLEDGEMENT**
- 4. FLAG SALUTE**
- 5. PUBLIC COMMENTS**

We welcome our community members to the Planning Commission meeting. In this forum, the Commission does not engage or dialogue with the public; the primary role is to listen. We will hear from our on-site guests first, followed by our pre-registered virtual guests. All guests must address comments to the Commission. The Clerk will acknowledge your request and call your name when it is your turn. Your time will start when we confirm that we can hear you. Please state your name and city of residence for the record and keep your comments to 3 minutes. We will not split your time with others or reset your time except by express approval of the Chair. You can submit materials to the Clerk in advance. This meeting is being recorded. Thank you for taking the time to express your

comments.

VIRTUAL PARTICIPATION PROCESS: To provide public comments virtually, please fill out the [Virtual Public Comment Request Form](#) in advance of the meeting. The form closes at 12:00 Noon on the day of the meeting. You will be confirmed by the Clerk. If you are having difficulty, please reach out to the Clerk at stippleleen@kenmorewa.gov.

6. CONSENT AGENDA

Approval of Previous Meeting Minutes

[03.04 Planning Commission Meeting Minutes](#)

Planning Commissioner Excusals

- Commissioner Edouard Lasalle - March 4th meeting.

7. AGENDA ITEMS

Continued Review of draft Middle Housing Regulations

[Staff Memo](#)

[Attachment 1 - Kimley-Horn Memo](#)

[Attachment 2 - Draft Code](#)

[Attachment 3 - A Regional Coalition for Housing \(ARCH\) Memo](#)

[Kenmore Middle Housing Development Scenarios Draft](#)

8. ADJOURNMENT

UPCOMING MEETINGS:

April 1, 2025 at 7:00 PM - Potential Public Hearing for Middle Housing Regulations

April 15, 2025 at 7:00 PM

**City of Kenmore
Planning Commission Meeting Minutes
March 4, 2025 @ 7:00 PM**

Planning Commission Members – In Attendance (the meeting was held onsite and virtually using the Zoom online platform)

Tracy Banaszynski, Chair
Dwight Thompson, Vice Chair (virtual)
Mike Vanderlinde
Chris Olson
David Dorrian
Kara Macias

Staff

Debbie Bent, Community Development Director
Todd Hall, Principal Planner
Shannon Tipple-Leen, Planning Commission Clerk
Michelle Kang, Co-Clerk

1. CALL TO ORDER

The meeting was called to order by Chair Banaszynski at 7:00 PM.

2. ROLL CALL

Commissioner Lassalle was excused from the meeting.

3. LAND ACKNOWLEDGEMENT

The Land Acknowledgement was read.

4. FLAG SALUTE

The Flag Salute was done.

5. PUBLIC COMMENTS

Public comment was made by Caitlin Sullivan and Dakota Rash.

6. CONSENT AGENDA - APPROVAL OF MINUTES

The Planning Commission Meeting Minutes from February 18, 2025, were approved by unanimous consent.

7. AGENDA ITEMS

Continued Review of Draft Middle Housing Regulations

Todd Hall presented the changes made to the code by consultants Kimley-Horn.

Questions/Comments:

Discussion for Pg. 116, 18.21.035

Commissioner Olson - 18.21.035.H.3, remove "generally" and "substantially."

Chair Banaszynski - Exterior finishes should have the same look.

Commissioners Olson and Vanderlinde - Discussion on design components of buildings.

Staff response: Refer to 18.77.015 Affordability section, Design. Refer to this section regarding location of units, comparable design, etc.

Vice Chair Thompson - Either refer to section/codes or add a clause regarding energy efficiency standards in 18.21.035.

Commissioner Olson - 50 year restriction, how is that managed or redeveloped.

Staff response: The deed restriction runs with the land. We can work with ARCH to monitor it.

Commissioner Dorrian - Confirm that affordable units only refers to the option in area that is outside the transit area, correct?

Staff response: Yes.

Vice Chair Thompson – With regard to enforcement. Once there is a covenant on the deed the escrow will have to reach out to city.

Discussion for Pg. 117, 18.21.035, Neighborhood benefits

Commissioner Vanderlinde - What is really the benefit? Neighborhood benefits are subjective, benefiting the developer; e.g., reducing setbacks has a significant impact on the neighborhood; impervious surfaces good, is the building height

raise a benefit; if we want to absorb density, understand it's better to build up rather than out.

Chair Banaszynski - Can't speak to if what is proposed is a good thing in terms of reductions, but reducing impervious surfaces isn't good for habitat, going up is better.

Commissioner Vanderlind - We have sufficient land capacity, why do we need additional density?

Commissioner Olson - Why are we not decreasing the maximum impervious surface area? Not opposed to 45 feet height. Should decrease base impervious surface area across the board to these numbers and then have incentive for lots that meet lower threshold in max impervious surface instead.

Commissioner Machias - Not comfortable with increasing building height, not consistent with "gentle density" in neighborhoods; the objective to push heights in downtown corridor; don't see 45 feet anywhere in Kenmore, not comfortable going up.

Commissioner Olson - Could see it being useful for having larger development, would rather go up than building out.

Commissioner Vanderlinde - Building up is smart, but problem is the density, don't see a trade-off to missing middle to increased height.
Staff response: Not talking about higher density neighborhoods, how to flex to allow housing choice in neighborhoods.

Chair Banaszynski - Who is in favor of decrease in impervious surface for height? Discussion and whether Commission in favor in reduction of impervious surface for greater height.

3 in favor and 3 not of increasing height for the purpose of reducing impervious surfaces. Ask Kimley-Horn to bring back other options and what it means to the community/further explanation of the impacts either way

Commissioner Dorrian - Possibly easier trade off with parking vs. height; explore other parking options other than height.

We want other housing types than townhomes so support reduction in setbacks. If you reduce to 27 feet can have reduced setbacks because you can configure buildings in different way to achieve. Ok with density bonus.

Commissioner Vanderlinde - Are there other ways to reduce impact on neighborhood? Concern about redevelopment of existing single-family into four units. Need a visual to describe it.

Commissioner Vanderlinde - 27 feet ok but need to add in landscape buffer or other design requirements.

Commissioner Olson- 27 feet, interested in rear setback down to 5 feet instead of 10 feet, but a landscape buffer; there's already is a 15 foot building separation in building code.

Commissioner Dorrian - Need Kimley-Horn to explain how last one (cottage housing), density bonus of cottage housing, having 4 smaller homes on a lot is a neighborhood benefit (how is this messaged to community?), overall community benefit having more housing options (e.g. seniors) but concern from residents on density.

Commissioner Olson - Kimley-Horn explain what is meant by the density bonus of up to 50%, is that up to the maximum acre density? explain further.

Chair Banaszynski - these neighborhood benefits would not apply to existing but to new development?
Staff response: Yes.

Commissioner Olson - Kimley-Horn, what is the intent of allowances for redevelopment of a single family residence and how relates to DADU?

Assume this would mean you couldn't have two ADUs; why are we limiting DADUs...would like to make code consistent to allow same number of DADUs on lot.

Commissioner Machias - I.2 "Development incentives are applicable only....." and #3 Neighborhood benefit on page 117 seem like they conflict with one another. Need Kimley-Horn to clarify.

Commissioner Vanderlinde - Need to have a second look at this from consultants, not sure what is going on here, looks like there is inconsistency; how do you have a 4-unit duplex at 35 feet, e.g. "redevelop existing single family unit with duplex or stacked flat and maintain the base floor footprint of existing home?" Is the existing home being retained, is the existing home being demolished; if trying to create an incentive to maintain existing single family and

turning into Middle Housing, then it's not clear.

Chair Banaszynski - Want to empower people to do the things allowed in code, want to make sure we're allowing and not creating hurdles where we're saying we're allowing it, but then the code creates issues.

18.75.030, Cottage Housing Site Design Standards (OK with these).

18.75.040 Building Design Standards

Commissioner Dorrian - Question for Kimley-Horn - Are any of these more restrictive than single family homes? Make sure we're not being more restrictive (cottage housing section).

Commissioner Olson - have same standards as single-family, change "shall" or can change to detached. Kimley-Horn question - Are the garage requirements more restrictive than requirements for single family residence? Is parking considered as part of the footprint?

Commissioner Olson- Kimley-Horn question - Why is there 'up to four garages', what's the intent, where is this requirement from? Are there issues?

Discussion on Pg. 111, Table B.

Commissioner Dorrian - Kimley-Horn question - 18.21.030 Table B. review this table, looks like something was omitted on based density per acre; base density/max density allowances. How does this relate to ADU allowances?

Commissioner Dorrian - Kimley-Horn question - If exempting R-1, do we still need to have a base of 2 DUs per lot, not exempting ADUs on these lots, correct?

Commissioner Dorrian - pg. 113-14, 18a. (5) "Single family dwellings do not count as units for the purposes of this section." This relates back to Table B, when we're saying this is two DUs per lot, does that not include a single family unit? Statement is confusing as why weren't counting single family DUs as units?

Vice Chair Thompson - If the ADU can be considered a separate housing unit, could that be sold separately, and if they can be then need to find a new term for it. If these are counted toward density (units), then we need to go about ADU code differently, waving impact fees, don't have to be compliant with environmental rules?

Staff response: Kimley/staff need to fact check: Does code waive fees and not

require some permits and other codes. And in terms of being able to sell lots separately, when does it go from a DADU to something else?

Commissioner Vanderlinde - what really is an ADU? The definition over the years has really changed. If ADU is sold separately, and ADU is defined as being ancillary to primary single family unit, what is this ancillary to?

Commissioner Dorrian - Need to facilitate ADUs but not give them carte blanche for developer, need to dig in more into the ADU code.

Commissioner Olson – Let's not make ADU and DADU so restrictive to keep developers away that we make it impossible for single family owners to build. We need to view them as a condo where they don't own the land but own the dwelling.

Chair Banaszynski - Kimley-Horn look at this. Reducing parking to reduce impervious surfaces

8. ADJOURNMENT

Chair Banaszynski adjourned the meeting at 9:11PM.

Planning Commission Clerk

Approved by Planning Commission on: _____



City Of Kenmore, Washington

Memorandum

Date: March 12, 2025

To: Planning Commission

From: Debbie Bent, Community Development Director
Todd Hall, Principal Planner

Regarding: Middle Housing Code Amendments

At your March 4, 2025 meeting, staff will present revisions to the draft code amendments requested by the Planning Commission at their March 4th meeting. These revisions have been noted on Attachment 1 and all documents include page and line numbers for reference.

Also included in the packet is a memo from ARCH with options regarding affordability. Staff would like the Commission to provide direction as this conversation continues on with City Council.

At the conclusion of the discussion, staff will request that the Planning Commission consider scheduling a public hearing on the draft amendments at their April 1 meeting.

Attachment 1: Memo from Kimley-Horn
Attachment 2: Draft Middle Housing Code Amendments
Attachment 3: Memo from ARCH

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TO: Debbie Bent, Community Development Director
Todd Hall, Principal Planner

FROM: Clay White, Director of Planning and Nick Chen, AICP

DATE: March 11, 2025

RE: March 18, 2025, Kenmore Planning Commission – Middle Housing Policy and Code Update

On behalf of the Kimley-Horn team, we look forward to the opportunity to provide an update to the Kenmore Planning Commission on March 18th, regarding the initial draft of the Middle Housing Policy and Code update project. This provides City staff an opportunity to brief the Planning Commission through a follow up to the March 4th, 2025, Planning Commission meeting, including revisions incorporated based on Planning Commission feedback during the previous meeting. Revisions made since the March 4th meeting include:

- Address PC comments from March 4th meeting and subsequent follow up emails
- Address minor comments from Development Services staff
- Page and line numbers added

Respond to PC Comments

At the March 4th meeting, Planning Commission requested clarification on several topics relating to draft code language or implementation of the code once completed. This section contains responses to those topics.

1. **Pg. 118, remove “generally” and “substantially” from KMC 18.21.035(H)(3).**
 - a. Completed.
2. **Pg. 113, Table B. Remove 2 du/lot standard for R-1.**
 - a. This was removed as middle housing is not permitted in the R-1 zone and 2 ADUs would still be permitted per HB 1337 regardless of whether the standard existed or not.
3. **Pg. 118, add reference to design of affordable units to KMC 18.21.035.**
 - a. Language added to subsection (H)(4): *“Exterior finishes for affordable units shall be comparable to units within the entire development.”*
 - b. Language added as subsection (H)(5) relating to design of affordable housing units: *“Comply with the requirements of KMC 18.77.015, unless otherwise stated in this section.”*

4. Pg. 118, address energy efficiency standards in KMC 18.21.035.

- a. Language added as subsection (I) which is references existing code language for building design, with sustainability-related requirements: *“Consistent with all residential uses, building design standards for middle housing shall meet the requirements of KMC 18.52 Article III and Article V.”*

5. Provide an explanation of proposed neighborhood benefits relating to increasing height for the purpose of reducing impervious surface.

- a. The intent of this neighborhood benefit is to address the Planning Commission’s request to have less impervious surface when additional units are developed. The table below shows how this could work in a hypothetical scenario on a 10,000 square foot lot which gives developers additional square footage by building vertically, rather than horizontally. The City could consider requiring buildings that receive additional height to be further setback from the property line to lessen the impact to surrounding properties, however this is likely to make projects less feasible depending on lot shape and size. Potential impact is shade/view issues related to taller buildings in R-4 and R-6 areas.

b.

Development Scenario	Square footage achieved
10,000 square foot R-6 lot with 35’ height requirement (2 stories) and 60% base impervious surface requirement	12,000 SF
10,000 square foot R-6 lot with 45’ height requirement (3 stories) and 45% base impervious surface requirement	13,500 SF

- c. The City could consider requiring buildings that qualify for additional height to be further setback from the property line to lessen the impact to surrounding properties, however this is likely to make projects less feasible depending on lot shape and size.
- d. One alternative could be to require less off-street parking spaces which would decrease the amount of driveway area and decrease impervious surface. Potential impacts are more street parking needed.

6. Provide a visual on development scenarios.

- a. To be provided prior to the March 18th Planning Commission study session.

7. Require a landscape buffer or other design requirement when setback requirement is decreased.

- a. Landscape buffers can be added if desired, however it is difficult for the City to enforce in practice. Additionally, they are effective for screening but would not incentivize different types of development. Another option may be to allow some of the incentives discussed and create language which limits window size and placement, pursuant to staff or Director discretion, for walls which directly abut another residential property, and which utilize the reduced setback.

8. Provide an explanation of the relationship of base/max density to unit lot density and the proposed density bonus incentive.

- a. Pg. 116, language added to KMC 18.21.030 (Footnote 18 (a)(5)) clarify when unit lot density applies in relation to the base or maximum density: *"If single-family residential uses exist or are proposed on a lot pursuant to the base or maximum density, then the unit lot density defined in this section is in addition to the that single-family residential use. Single-family dwellings do not count as units for the purposes of this section. If a duplex, triplex, fourplex, townhouse, stacked flat, courtyard apartment, or cottage housing development are proposed, those are subject to the unit lot density requirements listed in subsection (a)(1-3) of this footnote."*
- b. The City must allow two units as they relate to the approved middle housing types, with a determination that single-family detached uses are not middle housing. If an applicant wanted to take a 1-acre lot in R-4 and subdivide it into four individual lots, they could do that based on the base zoning and minimum lot size standards currently in place. Unit lot density says they could take each of those individual lots and put a single-family house and two units of middle housing (I.E. a duplex). If an applicant decided to build a duplex as the primary units, they could not then add another middle housing type or ADUs as there would already be 2 units on the lot. Per Footnote 18 (a)(4), ADUs are considered units for the purposes of calculating unit density.
- c. Under the density bonus of two additional units for duplexes, and stacked flats, the intent is to allow someone to build a duplex in addition to redeveloping the existing structure for two units, for a total of four units. This keeps the existing bulk and massing along the street frontage while incentivizing retaining

existing structures rather than removing and building to the full property extents.

- d. Under the proposed density bonus incentive for cottage housing, lots that would typically allow 2 middle housing units per the unit lot density would now be allowed 3 middle housing units and lots that would typically allow 4 middle housing units would be allowed 6 middle housing units, in addition to an existing single-family unit, provided they could meet the underlying bulk standard requirements. This would only be permitted for cottage housing.

9. Address conflict between KMC 18.21.035(I)(2) and table.

- a. Pg. 119, language added to KMC 18.21.035(J)(2) to clarify which incentives apply to specific middle housing types: *“Development incentives are applicable only to applications for middle housing types, including: duplex, triplex, fourplex, townhouse, stacked flats, courtyard apartments, and cottage housing (as specified in the last column of the table below) in the applicable areas identified in KMC 18.21.035(B). These standards are not applicable to development, redevelopment, or remodeling of an existing or new principal single-family unit.”*
- b. Note: (I)(2) is not (J)(2) to accommodate added language on consistency with City design requirements.

10. Address whether design requirements for cottage housing are more restrictive than for single-family.

- a. The City’s code is not specific to some of these requirements, however out of caution the language in this section has been softened to “recommended” and “should” to keep the intent or the guideline while avoiding being more restrictive.
- b. “Up to four garages may be attached to one another” is not more restrictive than requirements for single-family. The City does not have an existing standard for this for single-family.

11. How are ADUs regulated once they are sold separately from the primary unit through a condominium style ownership?

- a. ADUs sold separately would either be sold as solely the building like a traditional condominium, or with a portion of the lot through a unit lot subdivision (ULS). In both scenarios, there is still one parent lot which governs bulk standard development requirements. The ADU does not become a

separate legal lot, so development standards in KMC 18.73 still apply to the ADU just as they would if it was leased.

12. Provide clarification of occupancy definition for ADUs.

- a. Currently KMC 18.73.100(H) states that *"The total number of occupants in the principal dwelling unit and an accessory dwelling unit combined shall not exceed the maximum number established for a single-family dwelling as defined in KMC [18.20.1010](#)."* As ADUs may be owned separately (RCW 36.70A.680(5)(a)), this must be revised to clarify that separate families, as defined by the City of Kenmore under KMC 18.20.1010, may occupy a primary unit and an accompanying ADU.

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Chapter 17.10

DEFINITIONS

Sections:

[17.10.005 Scope of chapter.](#)

[17.10.010 Acre.](#)

[17.10.020 Alteration.](#)

[17.10.030 Applicant.](#)

[17.10.040 Binding site plan.](#)

[17.10.050 Building envelope.](#)

[17.10.060 Building site.](#)

[17.10.065 City.](#)

[17.10.067 City manager.](#)

[17.10.070 Civil engineer.](#)

[17.10.080 Condominium.](#)

[17.10.090 Dedication.](#)

[17.10.100 Department.](#)

[17.10.110 Development engineer.](#)

[17.10.130 Easement.](#)

[17.10.150 Financial guarantee.](#)

[17.10.160 General site plan.](#)

[17.10.180 Improvements.](#)

[17.10.190 Innocent purchaser.](#)

[17.10.200 Land surveyor.](#)

[17.10.210 Lot.](#)

~~[17.10.210 Lot, parent.](#)~~

~~[17.10.220 Lot, unit.](#)~~

[17.10.220 Nonbuilding lot.](#)

[17.10.230 Ownership interest.](#)

The Kenmore Municipal Code is current through Ordinance 24-0624, passed December 9, 2024.

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1 **Chapter 17.20**

2 **SUBDIVISIONS AND SHORT SUBDIVISIONS**

3 **Sections:**

4 [17.20.010 Purpose.](#)

5 [17.20.020 Preliminary subdivision – Approval time.](#)

6 [17.20.030 Revisions of preliminary subdivisions.](#)

7 [17.20.040 Preliminary short subdivision – Approval time.](#)

8 [17.20.050 Limitations for short subdivisions.](#)

9 [17.20.060 Revisions of preliminary short subdivisions.](#)

10 [17.20.070 Traffic analysis required.](#)

11 [17.20.080 Adequacy of access.](#)

12 [17.20.100 Public street rights-of-way.](#)

13 [17.20.105 Street signage.](#)

14 [17.20.107 Street lighting.](#)

15 [17.20.110 Limitations within future street corridors.](#)

16 [17.20.120 General layout standards.](#)

17 [17.20.125 Lot segregations – Zero-lot-line development.](#)

18 [17.20.130 Lot segregations – Clustered development.](#)

19 [17.20.140 Maintenance of private streets, tracts, easements and utilities required.](#)

20 [17.20.150 Preliminary subdivision and short subdivision approval.](#)

21 **17.20.010 Purpose.**

22 The purpose of this chapter is to specify additional requirements for the *segregation* of land
23 into *short subdivisions*, which are nine or fewer *lots*, and *subdivisions*, which are 10 or more *lots*, in
24 accordance with applicable Washington State and *City* laws, rules and regulations, including
25 permit processing procedures required by Chapter [19.25](#) KMC. [Ord. 11-0329 § 3 (Exh. 1).]

26 **17.20.020 Preliminary subdivision – Approval time.**

27 A. A preliminary *subdivision* approval issued on or before December 31, 2014, shall be effective for
28 a period of seven years, and a preliminary *subdivision* approval issued on or after January 1, 2015,
29 shall be effective for a period of five years; provided, that a preliminary *subdivision* approval issued
30 on or before December 31, 2007, that is not expired as of July 28, 2013, and that is not subject to
31 the Shoreline Master Program, shall be effective for a period of 10 years.

| **_____ = changes since March 4**

1 B. Preliminary *subdivision* approval shall be considered the basis upon which the *applicant* may
2 proceed toward development of the *subdivision* and preparation of the *final plat* subject to all the
3 conditions of the preliminary approval.

4 C. If the *final plat* is being developed in divisions, and *final plats* for all of the divisions have not
5 been recorded within the time limits provided in this section, preliminary *subdivision* approval for
6 all unrecorded divisions shall become void. The preliminary *subdivision* for any unrecorded
7 divisions must again be submitted to the *department* with a new application, subject to the fees
8 and regulations applicable at the time of submittal. [Ord. 14-0378 § 1 (Att. A); Ord. 12-0344 § 1 (Att.
9 A); Ord. 11-0329 § 3 (Exh. 1).]

10 **17.20.030 Revisions of preliminary subdivisions.**

11 Applications to revise *subdivisions* that have received preliminary approval shall comply with the
12 following:

13 A. *Revisions* that result in any substantial changes as determined by the *department* shall be
14 treated as a new application for purposes of vesting and shall be reviewed as a Type 3 land use
15 decision pursuant to KMC **19.25.020**. For the purpose of this section, substantial change always
16 includes the creation of additional *lots*, the elimination of open space or significant changes to
17 conditions of approval on an approved preliminary *subdivision*. Other factors to be considered by
18 the *department* when identifying substantial change include:

- 19 1. Street impacts, such as a change in access location(s) of internal streets; change from a
20 public to a private street; relocation of a street within the *subdivision*; request for a street
21 standards variance; and/or elimination of a right-of-way dedication;
- 22 2. A reorientation of *lots* that would change impacts to neighboring properties;
- 23 3. Changes in proposed housing types;
- 24 4. Changes to critical area impacts; and/or
- 25 5. Changes to utility locations that would result in new impacts on neighboring properties.

26 B. Approval of the following modifications by the *department* shall not be considered *revisions*:

- 27 1. Engineering design, unless the proposed design alters or eliminates features specifically
28 required as a condition of preliminary *subdivision* approval or that results in a
29 substantial change as described in subsection A of this section;
- 30 2. Changes in lot dimensions that are consistent with KMC Title **18**;
- 31 3. A decrease in the number of *lots* to be created so long as the decrease allows for future
32 compliance with the minimum density provisions of KMC Title **18**, if applicable. [Ord. 11-
33 0329 § 3 (Exh. 1).]

34 **17.20.040 Preliminary short subdivision – Approval time.**

35 A preliminary *short subdivision* approval issued on or before December 31, 2014, shall be effective
36 for a period of seven years, and a preliminary *short subdivision* approval issued on or after January
37 1, 2015, shall be effective for a period of five years; provided, that a preliminary *short*

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1 *subdivision* approval issued on or before December 31, 2007, that is not expired as of July 28, 2013,
2 and that is not subject to the Shoreline Master Program, shall be effective for a period of 10 years.
3 [Ord. 14-0378 § 1 (Att. A); Ord. 12-0344 § 1 (Att. A); Ord. 11-0329 § 3 (Exh. 1).]

4 **17.20.050 Limitations for short subdivisions.**

5 A. A maximum of nine *lots* may be created by a single application.

6 B. An application for further *segregation* may not be submitted within a period of five years after
7 recording, except through the filing of a *subdivision* application, or unless the short plat contains
8 fewer than four *lots*, in which case an *alteration* application may be submitted to create a
9 cumulative total of up to four *lots* within the original short plat boundary. [Ord. 11-0329 § 3 (Exh. 1).]

10 **17.20.060 Revisions of preliminary short subdivisions.**

11 Applications to revise *short subdivisions* that have received preliminary approval shall comply with
12 the following:

13 A. *Revisions* that result in any substantial changes as determined by the *department* shall be
14 treated as a new application for purposes of vesting and shall be reviewed as a Type 2 land use
15 decision pursuant to KMC 19.25.020. For the purpose of this section, substantial change always
16 includes the creation of additional *lots*, the elimination of open space or significant changes to
17 conditions of approval on an approved preliminary *short subdivision*. Other factors to be
18 considered by the *department* when identifying substantial change include:

- 19 1. Street impacts, such as a change in access location(s) of internal streets; change from a
20 public to a private street; relocation of a street within the *short subdivision*; request for a
21 street standards variance; and/or elimination of a right-of-way dedication;
- 22 2. A reorientation of *lots* that would change impacts to neighboring properties;
- 23 3. Changes in proposed housing types;
- 24 4. Changes to critical area impacts; and/or
- 25 5. Changes to utility locations that would result in new impacts on neighboring properties.

26 B. Approval of the following modifications by the *department* shall not be considered *revisions*:

- 27 1. Engineering design, unless the proposed design alters or eliminates features specifically
28 required as a condition of preliminary *short subdivision* approval or results in a
29 substantial change as described in subsection A of this section;
- 30 2. Changes in lot dimensions that are consistent with KMC Title 18;
- 31 3. A decrease in the number of *lots* to be created so long as the decrease allows for future
32 compliance with the minimum density provisions of KMC Title 18, if applicable. [Ord. 11-
33 0329 § 3 (Exh. 1).]

| **_____ = changes since March 4**

1 **17.20.070 Traffic analysis required.**

2 All subdivision applications, excluding *short subdivisions* of four *lots* or less, shall include a traffic
3 analysis in a format prescribed by the *department*. The *city manager* may, upon review of
4 the *applicant's* proposal, waive or modify this requirement. [Ord. 11-0329 § 3 (Exh. 1).]

5 **17.20.080 Adequacy of access.**

6 Each *lot* within a *subdivision* or *short subdivision* shall have acceptable access to a street
7 conforming to *City* street standards or to a different level of improvement acceptable to
8 the *development engineer*. The circulation system of a proposed *subdivision* or *short*
9 *subdivision* shall intersect with existing and anticipated streets abutting the site at safe and
10 convenient locations, as determined by the *department* and the *development engineer*.
11 Individual *lots* may be served by access panhandles established either by fee ownership
12 or *easement*, subject to approval of the *development engineer*. In order to assure safe and
13 adequate access, the *development engineer*:

14 A. May approve private streets, provided the private street requirements contained in the *City* street
15 standards of Chapter **12.50** KMC are met;

16 B. May limit direct access to certain streets and require on-site public or private streets in lieu of
17 individual driveways or access panhandles, in accordance with the *City* street standards;

18 C. Shall require off-site *improvements* to public or private streets needed to provide access from
19 the *subdivision* or *short subdivision* to an acceptable street; and

20 D. Shall assure that the number of *lots* to be served by the street system complies with the street
21 standards. [Ord. 11-0329 § 3 (Exh. 1).]

22 **17.20.100 Public street rights-of-way.**

23 As a result of the impact created by a proposed development, *dedication* or *deeding* to the *City* of
24 right-of-way or a portion thereof for public streets in accordance with *City* street standards shall be
25 required within or along the boundaries of all *subdivisions* and *short subdivisions* or of
26 any *lot* or *lots* within them:

27 A. Where the six-year capital improvement plan indicates the necessity of a new right-of-way or
28 portion thereof for street purposes;

29 B. Where necessary to extend or to complete the existing or future neighborhood street pattern as
30 shown on the *City* street map (see KMC Title **12**);

31 C. Where necessary to provide additions of right-of-way to existing *City* right-of-way;

32 D. Where necessary to conform to *City* street standards or *City* street improvement projects; or

33 E. Where necessary to provide a public transportation system that supports future development of
34 abutting property consistent with the *City* comprehensive plan. [Ord. 11-0329 § 3 (Exh. 1).]

35 **17.20.105 Street signage.**

36 Street signage is required for all new *short subdivisions* and *subdivisions* unless otherwise
37 approved by the *city manager*. The *city manager* will determine the appropriate location, size and

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1 type of motor vehicle and pedestrian traffic signs, as well as street name signs, for every public or
2 private street associated with a *short subdivision* or *subdivision*. The *City* or its designee will
3 manufacture and install such signs, at the cost and expense of the *applicant*. The *applicant* shall
4 reimburse the *City* for the cost of these signs prior to *final plat* or *final short plat* approval. [Ord. 11-
5 0329 § 3 (Exh. 1).]

6 **17.20.107 Street lighting.**

7 Street lighting is required for all new *short subdivisions* or *subdivisions* unless otherwise approved
8 by the *city manager*. The *city manager* will determine the appropriate location, size and type of
9 street lighting for every public or private street associated with a *short subdivision* or *subdivision*.
10 The *City* or its designee will design, procure materials and install such lighting, at the cost and
11 expense of the *applicant*. The *applicant* will be invoiced directly for the design, materials and
12 installation costs associated with these lights by the *City* or its designee. The *applicant* shall pay
13 the invoice(s) prior to *final plat* or *final short plat* approval. [Ord. 11-0329 § 3 (Exh. 1).]

14 **17.20.110 Limitations within future street corridors.**

15 In order to allow for the development of future street corridors that would complete the public
16 circulation system or that would provide a sole source of access for an abutting property,
17 the *City* may limit *improvements* within specific areas of a proposed *subdivision* or *short*
18 *subdivision*. These limitations may preclude the construction of buildings, driveways, drainage
19 facilities or other *improvements* within specified areas as identified in KMC [17.20.100](#)(A) through
20 (E). [Ord. 11-0329 § 3 (Exh. 1).]

21 **17.20.120 General layout standards.**

22 For residential developments in the R zones:

23 A. The maximum length of blocks shall be 1,320 feet; and

24 B. Except for corner *lots*, *lots* for single detached dwellings shall not have street frontage along two
25 sides unless one of said streets is a neighborhood collector street or an arterial street.

26 C. *Lots* shall be designed to avoid unusual configurations or narrow extensions that could make
27 use difficult or confusing for future property owners. No portion of a *lot* shall be narrower than 25
28 feet, with the exception of cul-de-sac *lots* at the street frontage or an access panhandle approved
29 by the *development engineer*. The lot width standards in KMC Title [18](#) also apply. Exceptions for
30 unusual conditions may be considered on a case-by-case basis by the *city manager*. [Ord. 11-0329
31 § 3 (Exh. 1).]

32 **17.20.125 Lot segregations – Zero-lot-line development.**

33 ~~In any R zone or in the NB zone, i~~ Interior setbacks may be modified during *subdivision* or *short*
34 *subdivision* review as follows:

35 A. If a building is proposed to be located within a normally required interior setback:

- 36 1. An *easement* shall be provided on the abutting *lot* of the subdivision that is wide enough
37 to ensure a 10-foot separation between the walls of structures on adjoining *lots*, except
38 as provided for common wall construction;

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- 1 2. The *easement* area shall be free of permanent structures and other obstructions that
2 would prevent normal repair and maintenance of the structure's exterior;
- 3 3. Buildings utilizing reduced setbacks shall not have doors that open directly onto the
4 private yard areas of abutting property. Windows in such buildings shall not be oriented
5 toward such private yard areas unless they consist of materials such as glass block,
6 textured glass, or other opaque materials, and shall not be capable of being opened,
7 except for clerestory-style windows or skylights; and
- 8 4. The *final plat* or short plat shall show the approximate location of buildings proposed to
9 be placed in a standard setback area.

10 B. In the R zones, setbacks on existing individual *lots* may be modified; provided, that the standards
11 set forth in subsection (A)(1) of this section are met. [Ord. 11-0329 § 3 (Exh. 1).]

12 **17.20.130 Lot segregations – Clustered development.**

13 When residential *lot* clustering is proposed, the following provisions shall be met:

14 A. Any open space resulting from *lot* clustering shall not be altered or disturbed except as specified
15 on recorded documents creating the open space. Such open spaces may be retained under
16 ownership by the subdivider, conveyed to residents of the development, or conveyed to a third
17 party. When access to the open space is provided, the access shall be located in a separate *tract*;

18 B. In the R-1 zone, open space *tracts* created by clustering required by KMC **18.21.030** shall be
19 located and configured to create urban separators and greenbelts as required by the
20 comprehensive plan or open space functional plans; to connect and increase protective buffers for
21 critical areas; to connect and protect wildlife habitat corridors designated by the comprehensive
22 plan; and to connect existing or planned public parks or trails. The *City* may require open
23 space *tracts* created under this subsection to be dedicated to an appropriate managing public
24 agency or qualifying private entity such as a nature conservancy;

25 C. Open spaces created through *lot* clustering are encouraged to include retained native
26 vegetation;

27 D. Landscape-based stormwater management practices may be located within open spaces
28 created through *lot* clustering, provided they are not located within critical areas. [Ord. 16-0428
29 § 12 (Att. H); Ord. 11-0329 § 3 (Exh. 1).]

30 **17.20.140 Maintenance of private streets, tracts, easements and utilities required.**

31 As a condition of *subdivision* and *short subdivision* approval, all private streets, *tracts*, *easements*,
32 community utilities and properties shall be maintained by the owners of the property served by
33 them and kept in good repair at all times. In order to ensure continued good repair, it must be
34 demonstrated to the *department* at the time of plat recording that:

35 A. There will be a workable organization to guarantee maintenance with a committee or group to
36 administer the organizational functions; and

37 B. There is a means for assessing maintenance costs equitably to property owners served by the
38 private streets, *tracts*, *easements*, community utilities and properties. [Ord. 11-0329 § 3 (Exh. 1).]

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17.20.150 Preliminary subdivision and short subdivision approval.

A proposed *subdivision* or *short subdivision* shall not be approved unless the decisionmaker makes written findings that:

A. Appropriate provisions are made for the public health, safety, and general welfare and for such open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds and all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school; and

B. The public use and interest will be served by the platting of such *subdivision* or *short subdivision*. [Ord. 11-0329 § 3 (Exh. 1).]

17.20.160 Fee Simple Unit Lot Subdivisions

A. The primary purpose of these provisions is to allow for the creation of fee simple unit lots for developments with more than one dwelling unit and ADU while applying only those site development standards applicable to the parent lot as a whole.

B. Overall development of the parent lot shall meet the bulk development and design standards of the underlying land use district applicable at the time a unit lot subdivision application is vested. As a result of the subdivision, development on individual unit lots may be nonconforming as to some or all of the development standards of this title based on analysis of the new individual unit lot, provided that development standards for the parent lot are met.

C. Unit lot subdivisions and subsequent platting actions, additions or modifications to the structure(s) may not create, increase, or intensify any nonconformity of the parent lot.

D. Private access drives are allowed to provide access to dwellings and off-street parking areas within a unit lot subdivision. Access, joint use and maintenance agreements shall be executed for use of common garage or parking areas, common open area and other similar features, as recorded with King County.

E. Within the parent lot, required parking for a dwelling unit may be provided on a different unit lot or tract separate from the parent lot, if the right to use that parking is formalized by an easement or otherwise defined on the final plat, as recorded with King County.

G. Unit lot subdivisions shall be processed as a subdivision or short plat, based upon the number of lots created through the unit lot subdivision process. The approval process and criteria for fee simple unit lot subdivisions shall be consistent with the requirements for subdivisions and short plats established in KMC 17.20.

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Chapter 18.15
ZONES, MAPS AND DESIGNATIONS

- Sections:**
- [18.15.010 Zones and map designations established.](#)
 - [18.15.020 Zone and map designation purpose.](#)
 - [18.15.040 Residential zones.](#)
 - [18.15.045 Neighborhood business zone.](#)
 - [18.15.050 Community business zone.](#)
 - [18.15.055 Downtown residential zone.](#)
 - [18.15.065 Downtown commercial zone.](#)
 - [18.15.067 Urban corridor zone.](#)
 - [18.15.069 Waterfront commercial zone.](#)
 - [18.15.070 Regional business zone.](#)
 - [18.15.080 Public and semi-public zone.](#)
 - [18.15.090 Parks zone.](#)
 - [18.15.100 Golf course zone.](#)
 - [18.15.110 Map designation – Property-specific development or P-suffix standards.](#)
 - [18.15.120 Map designation – Special district overlay.](#)
 - [18.15.150 Zoning maps and boundaries.](#)
- 18.15.010 Zones and map designations established.**
- In order to accomplish the purposes of this title, the following zoning designations and zoning map symbols are established:

ZONING DESIGNATIONS	MAP SYMBOL
Residential	R (base density in dwellings per acre)
Manufactured Housing Community	MHC
Neighborhood Business	NB
Community Business	CB
Downtown Residential	DR

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ZONING DESIGNATIONS	MAP SYMBOL
Downtown Commercial	DC
Urban Corridor	UC
Urban Residential	UR
Waterfront Commercial	WC
Regional Business	RB
Public and Semi-Public	PSP
Parks	P
Golf Course	GC
Property-Specific Development Standards	P-suffix
Special District Overlay	SO

[Ord. 23-0574 § 2 (Exh. A); Ord. 19-0481 § 2 (Exh. A); Ord. 14-0391 § 2 (Exh. 1); Ord. 11-0329 § 3 (Exh. 1).]

18.15.020 Zone and map designation purpose.

The purpose statements for each zone and map designation set forth in the following sections shall be used to guide the application of the zones and designations to all lands in Kenmore. The purpose statements also shall guide interpretation and application of land use regulations within the zones and designations, and any changes to the range of *permitted uses* within each zone through amendments to this title. [Ord. 11-0329 § 3 (Exh. 1).]

18.15.040 Residential zones.

A. The purpose of the residential zones (R and MHC) is to implement comprehensive plan goals and policies for housing quality, diversity and affordability, and to efficiently use residential land, public services and energy. These purposes are accomplished by:

1. Providing, in the R-1 through R-6 zones, for a mix of predominantly *single detached dwelling units* *and middle housing dwellings*, with a variety of densities and sizes in locations appropriate for residential use;
2. Providing, in the R-12 through R-48 zones, for a mix of predominantly *apartment* and *townhouse dwelling units*, with a variety of densities and sizes in locations appropriate for residential use;
3. Providing, in the MHC zone, for continuation of existing *manufactured housing communities*;
4. Allowing only those accessory and complementary nonresidential *uses* that are compatible with residential communities; and

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- 1 5. Establishing density designations to facilitate advanced area-wide planning for public
2 facilities and services, and to protect environmentally critical sites from
3 overdevelopment.

4 B. Use of this zone is appropriate as follows:

- 5 1. The R-1 zone on or adjacent to lands with area-wide environmental constraints where
6 *development* is required to cluster away from *critical areas*;
- 7 2. The R-4 through R-6 zones on lands that are predominantly environmentally
8 unconstrained and are served at the time of *development* by adequate public sewers,
9 water supply, *streets* and other needed public facilities and services;
- 10 3. The R-12 through R-48 zones next to commercial centers, in areas that are served at the
11 time of *development* by adequate public sewers, water supply, *streets* and other needed
12 public facilities and services; and
- 13 4. The MHC zone on existing *manufactured housing communities* planned for either short-
14 term or long-term preservation. [Ord. 19-0481 § 2 (Exh. A); Ord. 11-0329 § 3 (Exh. 1).]

15 **18.15.045 Neighborhood business zone.**

16 A. The purpose of the neighborhood business zone (NB) is to provide convenient daily retail and
17 personal services for a limited service area, to minimize impacts of commercial activities on
18 nearby properties, and to provide for limited residential *development*. These purposes are
19 accomplished by:

- 20 1. Limiting nonresidential *uses* to those *uses* which can serve the everyday needs of a
21 surrounding urban residential area;
- 22 2. Allowing for automotive service *uses*, subject to approval of a *conditional use permit*;
- 23 3. Allowing for *mixed use* (housing and retail/service) *developments* and for *townhouse*
24 *developments* as a sole *use* on properties; and
- 25 4. Excluding industrial and regional business-scaled *uses*.

26 B. Use of this zone is appropriate in neighborhood business centers on *sites* which are served at
27 the time of *development* by adequate public sewers, water supply, *streets* and other needed public
28 facilities and services. [Ord. 18-0454 § 2 (Exh. 1); Ord. 11-0329 § 3 (Exh. 1).]

29 **18.15.050 Community business zone.**

30 A. The purpose of the community business zone (CB) is to provide retail and personal services for
31 local service areas which exceed the daily convenience needs of adjacent neighborhoods but
32 which cannot be served conveniently by larger activity centers. These locations are not appropriate
33 for extensive *outdoor storage* or industrial *uses*. Automotive service businesses may be
34 appropriate in the Juanita subarea of this zone subject to approval of a *conditional use permit*. In
35 the west subarea, auto-related *uses* are not appropriate and are prohibited. These purposes of the
36 zone are accomplished by:

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- 1 1. Providing for offices as well as a wide range of small-scale retail, educational, and
- 2 personal service *uses*;
- 3 2. Allowing residential *use*, with a focus on *mixed use* (housing and
- 4 retail/service/office) *developments*; and
- 5 3. Excluding commercial *uses* with extensive *outdoor storage*, as well as automotive sales
- 6 and industrial *uses*.

7 B. Use of this zone is appropriate in areas that are designated by the comprehensive plan and that
8 are served at the time of *development* by adequate public sewers, water supply, *streets* and other
9 needed public facilities and services. [Ord. 18-0454 § 2 (Exh. 1); Ord. 11-0329 § 3 (Exh. 1).]

10 **18.15.055 Downtown residential zone.**

11 The downtown residential zone provides higher density residential *development* in support of the
12 downtown commercial zone. Limited retail and office *uses* are also allowed as part of *mixed use*
13 *developments*. The zone represents an opportunity to provide a range of housing types in the
14 community with attention to appearance and scale. [Ord. 11-0329 § 3 (Exh. 1).]

15 **18.15.065 Downtown commercial zone.**

16 A. The downtown commercial zone features a mix of *private* and public *uses* designed to create a
17 small-town feel and pedestrian-friendly environment. Public places, sidewalks,
18 extensive *landscaping*, transit orientation, shared or structured parking, protection of *critical*
19 *areas*, and high quality design and signage are key features. *Permitted uses* emphasize mixed or
20 multiple use *developments*, and include high-density housing, civic and governmental offices,
21 small-scale commercial and retail, and locally oriented professional and personal services.

22 B. *Uses* not compatible with the downtown commercial zone intent such as those which require
23 vehicle or materials storage, service bays, wide curb cuts, expanses of exterior product display or
24 storage, or produce little customer or visitor activity are not permitted. Park-and-ride/*transit*
25 *centers* are promoted along SR-522, particularly in the northwest quadrant of the 68th Avenue
26 NE/SR-522 intersection. [Ord. 11-0329 § 3 (Exh. 1).]

27 **18.15.067 Urban corridor zone.**

28 The purpose of the urban corridor zone (UC) is to convert SR-522 from a commercial strip, focused
29 on the automobile, to a more pedestrian- and transit-friendly urban corridor. West of downtown,
30 the north side of the highway would continue to be a mix of restaurant, retail and service *uses*, with
31 additional opportunities for office and mixed use multifamily development. The south side of the
32 highway in this area would convert to office and multifamily development, taking advantage of lake
33 views and proximity to transit.

34 East of downtown, an “enterprise zone” west of 80th Avenue NE would allow for a wide range of
35 commercial *uses*, including bulk retail, as well as standalone multifamily development. Farther to
36 the east, near the city limits, office and multifamily *uses* are envisioned.

37 New auto-oriented uses are not compatible with the intent of the urban corridor zone. [Ord. 14-
38 0391 § 2 (Exh. 1).]

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1 **18.15.069 Waterfront commercial zone.**

2 The purpose of the waterfront commercial zone (WC) is to support water-dependent *uses* while
3 allowing eating and drinking places, temporary lodging and other *uses* complementary to marina
4 and air harbor development. Compatible light manufacturing is appropriate. Office and mixed use
5 multifamily development are desirable for the future. [Ord. 14-0391 § 2 (Exh. 1).]

6 **18.15.070 Regional business zone.**

7 The purpose of the regional business zone (RB) is to provide for the broadest mix of retail sales,
8 office, wholesale, and service *uses*, with compatible storage and light manufacturing *uses*, serving
9 regional market areas and offering significant employment opportunities. These purposes are
10 accomplished by supporting existing businesses and encouraging compact and mixed use
11 development that is supportive of transit and pedestrian travel for the future. [Ord. 14-0391 § 2
12 (Exh. 1); Ord. 11-0329 § 3 (Exh. 1).]

13 **18.15.080 Public and semi-public zone.**

14 The public and semi-public zone (PSP) is applied to properties currently owned or operated by a
15 public entity or *private* institution. The purpose of the public and semi-public zone is to recognize
16 that public and semi-public facilities and institutions provide necessary services to the community
17 and have their own unique set of circumstances. The public and semi-public zone is applied to
18 lands designated as public and private facilities on the comprehensive plan land use map. [Ord.
19 11-0329 § 3 (Exh. 1).]

20 **18.15.090 Parks zone.**

21 The parks zone (P) provides for *parks*, recreational, *open space*, and resource *uses* within publicly
22 owned lands, and establishes standards that allow for such *uses* to continue or be established
23 while ensuring compatibility with surrounding *uses*. The parks zone is applied to lands used for
24 public *parks*, recreation, and *open space* purposes and designated as public and private facilities
25 on the comprehensive plan land use map. [Ord. 11-0329 § 3 (Exh. 1).]

26 **18.15.100 Golf course zone.**

27 The golf course zone (GC) provides for golf course activities and the protection and preservation
28 of *open space* qualities of lands that are developed for golf course *uses*. The golf course zone is
29 applied to lands used for golf course related purposes and designated as public and private
30 facilities on the comprehensive plan land use map. [Ord. 11-0329 § 3 (Exh. 1).]

31 **18.15.110 Map designation – Property-specific development or P-suffix standards.**

32 The purpose of the property-specific development standards or P-suffix designation is to indicate
33 that conditions beyond the minimum requirements of this title have been applied
34 to *development* on the property, including but not limited to increased development standards,
35 limits on *permitted uses* or special conditions of approval. Property-specific development
36 standards are maintained by the *department* and are available for public inspection and copying
37 during regular business hours. [Ord. 11-0329 § 3 (Exh. 1).]

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1 **18.15.120 Map designation – Special district overlay.**

2 The purpose of the special district overlay or SO designation is to carry out comprehensive plan
3 and subarea or neighborhood plan policies that identify special opportunities for achieving public
4 benefits by allowing or requiring alternative *uses* and development standards that differ from the
5 general provisions of this title. Special district overlays are generally applied to a group of individual
6 properties or entire subarea or neighborhood planning areas. Special district overlay development
7 standards are maintained by the *department* and are available for public inspection and copying
8 during regular business hours. [Ord. 11-0329 § 3 (Exh. 1).]

9 **18.15.150 Zoning maps and boundaries.**

10 A. The location and boundaries of the zones defined by this chapter shall be shown and delineated
11 on zoning maps adopted by ordinance.

12 B. Changes in the boundaries of the zones shall be made by ordinance adopting or amending a
13 zoning map.

14 C. The zoning map labeled “Official Zoning Map of the City of Kenmore,” dated March 2019, and as
15 subsequently amended, is hereby adopted as the official zoning map and shall be kept on file by
16 the *City* and will be on display for public review at Kenmore City Hall. [Ord. 18-0454 § 3; Ord. 14-
17 0391 § 2 (Exh. 1); Ord. 11-0329 § 3 (Exh. 1).]

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- 1 [18.20.305 Repealed.](#)
- 2 [18.20.308 Bonus unit.](#)
- 3 [18.20.310 Repealed.](#)
- 4 [18.20.320 Broadleaf tree.](#)
- 5 [18.20.330 Buffer or buffer area.](#)
- 6 [18.20.340 Building.](#)
- 7 [18.20.350 Building envelope.](#)
- 8 [18.20.360 Building facade.](#)
- 9 [18.20.370 Repealed.](#)
- 10 [18.20.380 Bulk gas storage tank.](#)
- 11 [18.20.390 Business service, intensive.](#)
- 12 [18.20.394 Business service, standard.](#)
- 13 [18.20.395 Caliper.](#)
- 14 [18.20.400 Repealed.](#)
- 15 [18.20.410 Capacity, school.](#)
- 16 [18.20.420 Capital facilities plan, school district.](#)
- 17 [18.20.422 Repealed.](#)
- 18 [18.20.425 Categorically excluded.](#)
- 19 [18.20.430 Cattery.](#)
- 20 [18.20.440 Cemetery, columbarium or mausoleum.](#)
- 21 [18.20.450 Channel relocation and stream meander areas.](#)
- 22 [18.20.453 Channel width and gradient.](#)
- 23 [18.20.460 Repealed.](#)
- 24 [18.20.465 City.](#)
- 25 [18.20.468 City manager.](#)
- 26 [18.20.470 Classrooms, school.](#)
- 27 [18.20.480 Clearing.](#)
- 28 [18.20.485 Clustered.](#)
- 29 [18.20.490 Cogeneration.](#)

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- 1 [18.20.492 College/university.](#)
- 2 [18.20.494 Collocation.](#)
- 3 [18.20.495 Commercial nursery or tree farm.](#)
- 4 [18.20.498 Repealed.](#)
- 5 [18.20.500 Repealed.](#)
- 6 [18.20.510 Repealed.](#)
- 7 [18.20.520 Community residential facility \(CRF\).](#)
- 8 [18.20.530 Commuter parking lot.](#)
- 9 [18.20.540 Compensatory storage.](#)
- 10 [18.20.550 Conditional use permit.](#)
- 11 [18.20.560 Conference center.](#)
- 12 [18.20.570 Confinement area.](#)
- 13 [18.20.580 Repealed.](#)
- 14 [18.20.590 Construction and trade.](#)
- 15 [18.20.610 Courtyard.](#)
- 16 [18.20.612 Critical areas.](#)
- 17 [18.20.614 Critical area tract.](#)
- 18 [18.20.630 Critical facility.](#)
- 19 [18.20.632 Critical root zone \(CRZ\).](#)
- 20 [18.20.633 Crown.](#)
- 21 [18.20.635 Repealed.](#)
- 22 [18.20.640 Daily care.](#)
- 23 [18.20.650 Day care.](#)
- 24 [18.20.655 Debris flow.](#)
- 25 [18.20.660 Deciduous.](#)
- 26 [18.20.665 Degraded wetland buffer.](#)
- 27 [18.20.670 Density credit, transfer of \(TDC\).](#)
- 28 [18.20.680 Department.](#)
- 29 [18.20.690 Repealed.](#)

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- 1 [18.20.695 Designated manufactured home.](#)
- 2 [18.20.697 Designation, critical area.](#)
- 3 [18.20.700 Repealed.](#)
- 4 [18.20.705 Detached accessory dwelling unit.](#)
- 5 [18.20.710 Developer.](#)
- 6 [18.20.715 Development.](#)
- 7 [18.20.730 Development agreement.](#)
- 8 [18.20.735 Development permit.](#)
- 9 [18.20.740 Development proposal.](#)
- 10 [18.20.750 Development proposal site.](#)
- 11 [18.20.752 Diameter at breast height \(d.b.h.\).](#)
- 12 [18.20.755 Differential settlement.](#)
- 13 [18.20.760 Distributed antenna system \(DAS\).](#)
- 14 [18.20.765 Disturbance.](#)
- 15 [18.20.772 Repealed.](#)
- 16 [18.20.775 Domiciliary care.](#)
- 17 [18.20.780 Repealed.](#)
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1 “Accessory living quarters” means living quarters in an accessory *building* for the use of the
2 occupant or persons employed on the premises, or for temporary use of guests of the occupant.
3 Such quarters have no *kitchen* and are not otherwise used as a separate *dwelling unit*. [Ord. 11-
4 0329 § 3 (Exh. 1).]

5 **18.20.035 Accessory use.**

6 “Accessory use” means a *use* typically subordinate in size to the principal *use*; that would not
7 contribute significantly to traffic generation, noise, or nuisance; and that supports the
8 primary *use* operation without displacing it. An accessory use may appear as an otherwise
9 permitted, conditional or prohibited use in the use allowances for a given zone. Accessory uses are
10 typically located upon the same *lot* occupied by a principal *use*. Examples of accessory uses
11 include: equipment rental (bikes or skis) at a retail bike and ski shop, a secure facility required at an
12 airport, and boat parking at a marina. [Ord. 14-0391 § 2 (Exh. 1); Ord. 11-0329 § 3 (Exh. 1).]

13 **18.20.040 Agricultural activities, existing and ongoing.**

14 Those activities conducted on lands defined in RCW [84.34.020](#)(2), and those activities involved in
15 the production of crops and livestock, including but not limited to operation, maintenance and
16 conservation measures of farm and stock ponds or drainage ditches, irrigation systems, changes
17 between agricultural activities, and normal operation, maintenance or repair of existing serviceable
18 structures, facilities or improved areas. Activities that bring an area into agricultural use are not
19 part of an ongoing activity. An operation ceases to be ongoing when the area in which it was
20 conducted is proposed for conversion to a nonagricultural use or has lain idle for a period of longer
21 than five years, unless the idle land is registered in a federal or state soils conservation program.
22 [Ord. 24-0624 § 4 (Exh. B).]

23 **18.20.045 Accessory use, parks.**

24 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

25 **18.20.050 Accessory use, residential.**

26 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

27 **18.20.060 Accessory use, resource.**

28 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

29 **18.20.090 Adult entertainment business.**

30 “Adult entertainment business” means a sexually oriented business engaging in adult
31 entertainment, such as an adult cabaret, adult retail business or an adult panoram, as those terms
32 are defined in KMC Title [5](#). [Ord. 11-0329 § 3 (Exh. 1).]

33 **18.20.095 Adult family home.**

34 “Adult family home” means a residential home in which a person or persons provide personal care,
35 special care, room, and board to more than one but not more than six adults who are not related by
36 blood or marriage to the person or persons providing the services, or as otherwise defined in
37 Chapter [70.128](#) RCW. An adult family home may provide services to up to eight adults upon

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1 “Alley” means an improved thoroughfare or right-of-way, whether public or *private*, usually
2 narrower than a *street*, that provides vehicular access to an interior boundary of one or more *lots*,
3 and is not designed for general traffic circulation. [Ord. 11-0329 § 3 (Exh. 1).]

4 **18.20.145 Alteration.**

5 “Alteration” means any human-induced change in an existing condition of a *critical area* or
6 its *buffer*. Alterations include, but are not limited to, *grading*, filling, channelizing,
7 dredging, *clearing (vegetation)*, construction, compaction, excavation or any other activity that
8 changes the character of the *critical area*. [Ord. 11-0329 § 3 (Exh. 1).]

9 **18.20.147 Alternative transmission support structure.**

10 “Alternative transmission support structure” means *structures* not specifically designed or
11 intended to support antennas and related communication equipment, but that may be used for
12 that purpose, including clock towers, bell towers, church steeples, water towers, light poles, utility
13 structures, elevated roadways, bridges, flagpoles, and buildings. [Ord. 16-0426 § 4 (Att. B); Ord. 11-
14 0329 § 3 (Exh. 1). Formerly 18.20.3065.]

15 **18.20.149 Amateur (ham) radio facility.**

16 “Amateur (ham) radio facility” means a wireless communication facility operated for personal use
17 and without pecuniary interest by an individual licensed by the FCC. Amateur (ham) radio facilities
18 use small shared frequency bands assigned by the FCC. [Ord. 16-0426 § 4 (Att. B).]

19 **18.20.150 Ambulatory surgery center.**

20 “Ambulatory surgery center” means an establishment with medical staff primarily engaged in
21 providing outpatient medical, diagnostic and surgical treatment services.

22 May include NAICS 621493 (Freestanding Ambulatory Surgical and Emergency Centers). [Ord. 14-
23 0391 § 2 (Exh. 1).]

24 **18.20.155 Amusement and recreation services.**

25 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

26 **18.20.160 Amusement arcade.**

27 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

28 **18.20.165 Anadromous fish.**

29 “Anadromous fish” means fish that spawn and rear in freshwater and mature in the marine
30 environment. While Pacific salmon die after their first spawning, adult char (bull trout) can live for
31 many years, moving in and out of saltwater and spawning each year. The life history of Pacific
32 salmon and char contains critical periods of time when these fish are more susceptible to
33 environmental and physical damage than at other times. The life history of salmon, for example,
34 contains the following stages: upstream migration of adults, spawning, intergravel incubation,
35 rearing, smoltification (the time period needed for juveniles to adjust their body functions to live in

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1 the marine environment), downstream migration, and ocean rearing to adults. [Ord. 11-0329 § 3
2 (Exh. 1).]

3 **18.20.168 Animal kennel/shelter.**

4 “Animal kennel/shelter” means any outdoor or indoor facility which houses four or more animals
5 (that number not including one unweaned litter) for periods longer than 24 hours as a commercial
6 venture, as a nonprofit organization, or for a governmental purpose. The facility may either be a
7 separate business or an accessory use. [Ord. 17-0438 § 2 (Att. A); Ord. 14-0391 § 2 (Exh. 1).]

8 **18.20.170 Animal, small.**

9 “Small animal” means any animal other than *livestock* or animals considered to be predatory or
10 wild which are kept outside a *dwelling unit* all or part of the time. Animals considered predatory or
11 wild shall be considered small animals when they are taken into captivity for the purposes of
12 breeding, domestication, training, or exhibition. [Ord. 11-0329 § 3 (Exh. 1).]

13 **18.20.180 Antenna.**

14 “Antenna” means any system of poles, panels, rods, reflecting discs or similar devices used for the
15 transmission or reception of radio frequency signals. For purposes of Chapter **18.60** KMC,
16 “antenna” does not include an *amateur (ham) radio facility*. [Ord. 16-0426 § 4 (Att. B); Ord. 11-0329
17 § 3 (Exh. 1).]

18 **18.20.190 Applicant.**

19 “Applicant” means a person who files an application for a permit under this chapter and who is
20 either the owner of the land on which that proposed activity would be located, a contract
21 purchaser, or the authorized agent of such a person. [Ord. 11-0329 § 3 (Exh. 1).]

22 **18.20.195 Arbor.**

23 “Arbor” means a shelter of vines or branches or of latticework covered with climbing shrubs or
24 vines. [Ord. 11-0329 § 3 (Exh. 1).]

25 **18.20.200 Arcade.**

26 “Arcade” means a series of arches supported by columns, piers, or pillars, often attached to a wall
27 to form a roofed passageway or gallery. [Ord. 11-0329 § 3 (Exh. 1).]

28 **18.20.205 Architectural elements.**

29 “Architectural elements” means building elements which add detail and finely scaled features to
30 a *building facade*, such as belt courses, braces, brackets, brick coursing, columns, corbelled brick,
31 cornices, frame elements, window openings, piers, plinths, and sills. [Ord. 11-0329 § 3 (Exh. 1).]

32 **18.20.206.1 Area of special flood hazard.**

33 “Area of special flood hazard” means the land in the floodplain within a community subject to a
34 one percent or greater chance of flooding in any given year. The area may be designated as Zone A
35 on the FIRM. After detailed ratemaking has been completed in preparation for publication of the

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1 flood insurance rate map, Zone A usually is refined into Zones A, AO, AH, A1-30, AE, A99, AR,
2 AR/A1-30, AR/AE, AR/AO, AR/AH, AR/A, VO, or V1-30, VE, or V. For purposes of these regulations,
3 the term “special flood hazard area” is synonymous in meaning with the phrase “area of special
4 flood hazard.” [Ord. 19-0488 § 4 (Exh. 2).]

5 **18.20.207 Articulation.**

6 “Articulation” means shifts in wall planes such as stepbacks, reveals, overhangs, and architectural
7 elements and details which are used to create variations in a *building facade*. [Ord. 11-0329 § 3
8 (Exh. 1).]

9 **18.20.210 Artist studio.**

10 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

11 **18.20.212 Arts and crafts schools/studios.**

12 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

13 **18.20.214 Arts, entertainment, indoor.**

14 “Indoor arts, entertainment” means an establishment that provides facilities or services for
15 cultural and entertainment uses inside a building. Indoor arts, entertainment includes such uses
16 as performing arts establishments, artist studios, theaters, museums, libraries, fraternal lodges,
17 tour operators, and arcades, but specifically excludes adult entertainment facilities.

18 May include NAICS 512 (Motion Picture and Sound Recording Industries), 515 (Broadcasting), and
19 51912 (Libraries and Archives). May include 56152 (Tour Operators) and 56159 (Other Travel
20 Arrangement and Reservation Services). May include Sector 71 (Arts, Entertainment, and
21 Recreation), except the following: 711211 (Sports Teams and Clubs), 711212 (Racetracks), 713110
22 (Amusement and Theme Parks), 7132 (Gambling Industries), and 7139 (Other Amusement and
23 Recreation Industries). May include 8134 (Civic and Social Organizations). [Ord. 14-0391 § 2 (Exh.
24 1).]

25 **18.20.215 Arts, entertainment, outdoor.**

26 “Outdoor arts, entertainment” means an establishment that provides facilities or services for
27 cultural and entertainment uses outside of a building. Outdoor arts, entertainment includes such
28 uses as outdoor performance facilities, public gardens, and arboretums.

29 May include NAICS 512 (Motion Picture and Sound Recording Industries) and 515 (Broadcasting).
30 May include 56152 (Tour Operators). May include Sector 71 (Arts, Entertainment, and Recreation),
31 except the following: 711211 (Sports Teams and Clubs), 711212 (Racetracks), 713110 (Amusement
32 and Theme Parks), 7132 (Gambling Industries), and 7139 (Other Amusement and Recreation
33 Industries). [Ord. 14-0391 § 2 (Exh. 1).]

34 **18.20.216 Assisted living.**

35 “Assisted living” means an establishment which provides living quarters and *domiciliary care* to
36 individuals who are unable to live independently due to infirmity of age or physical or mental
37 handicap, but who do not need the skilled nursing care of a convalescent or nursing home. These

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1 facilities may consist of individual dwelling units of a barrier-free design, with separate bathroom
2 facilities, a full *kitchen* or no *kitchen*. The facility may provide a minimal amount of supportive
3 health care monitoring, such as assistance with medication. In addition, these facilities may have a
4 communal dining area, recreation facilities (library, lounge, game room), laundry facilities and
5 open space. Assisted living does not include adult family homes as defined in
6 Chapter **70.128** RCW. [Ord. 11-0329 § 3 (Exh. 1).]

7 **18.20.218 Attached accessory dwelling unit.**

8 “Attached accessory dwelling unit” means an *accessory dwelling unit* attached to or contained
9 within the structure of the primary dwelling. [Ord. 20-0510 § 2 (Exh. A).]

10 **18.20.220 Auction house.**

11 “Auction house” means an establishment where the property of others is sold by a broker or
12 auctioneer to persons who attend scheduled sales periods or events. [Ord. 11-0329 § 3 (Exh. 1).]

13 **18.20.224 Automotive sales and service, marine.**

14 “Automotive sales and service, marine” means an establishment engaged in the retail sale of new
15 or used boats, jet skis, boat trailers, or similar vehicles, or an establishment primarily engaged in
16 repair or service of these vehicles, including washing and the sale and installation of lubricants,
17 tires, batteries, mufflers, and similar accessories.

18 May include NAICS 4412 (Other Motor Vehicle Dealers), 44132 (Tire Dealers), and 8111
19 (Automotive Repair and Maintenance). [Ord. 14-0391 § 2 (Exh. 1).]

20 **18.20.227 Automotive sales and service, nonmarine.**

21 “Automotive sales and service, nonmarine” means an establishment engaged in the retail sale of
22 new or used cars, trucks, truck tractors, semi-trailers, buses, mobile homes, utility trailers, RVs,
23 motorcycles, ATVs, or similar vehicles, or an establishment primarily engaged in automotive repair
24 or service of these vehicles, including washing and the sale and installation of lubricants, tires,
25 batteries, mufflers, and similar accessories. Automotive sales and service, nonmarine does not
26 include tire retreading, which is classified as a manufacturing land use.

27 May include NAICS 4411 (Auto Dealers), 4412 (Other Motor Vehicle Dealers), 44132 (Tire Dealers),
28 45393 (Manufactured/Mobile Home Dealers), and 8111 (Automotive Repair and Maintenance).
29 [Ord. 14-0391 § 2 (Exh. 1).]

30 **18.20.228 Bankfull width.**

31 “Bankfull width” means:

32 A. For streams – The measurement of the lateral extent of the water surface elevation
33 perpendicular to the channel at bankfull depth. In cases where multiple channels exist, bankfull
34 width is the sum of the individual channel widths along the cross-section.

35 B. For lakes, ponds, and impoundments – Line of mean high water.

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1 C. For periodically inundated areas of associated wetlands – Line of periodic inundation, which will
2 be found by examining the edge of inundation to ascertain where the presence and action of waters
3 are so common and usual, and so long continued in all ordinary years, as to mark upon the soil a
4 character distinct from that of the abutting upland. [Ord. 19-0488 § 4 (Exh. 2).]

5 **18.20.230 Base flood.**

6 “Base flood” means the flood having a one percent chance of being equaled or exceeded in any
7 given year, often referred to as the “100-year flood.” The base flood can be the effective FEMA flow
8 or best available data as approved by the City. Designation on the FIRM always includes the letter
9 “A” or “V.” [Ord. 24-0624 § 4 (Exh. B); Ord. 19-0488 § 4 (Exh. 2); Ord. 11-0329 § 3 (Exh. 1).]

10 **18.20.240 Base flood elevation.**

11 “Base flood elevation” means the water surface elevation of the *base flood*. It shall be referenced
12 to the effective FIRM datum. [Ord. 24-0624 § 4 (Exh. B); Ord. 19-0488 § 4 (Exh. 2); Ord. 11-0329 § 3
13 (Exh. 1).]

14 **18.20.243 Base station.**

15 “Base station” means the structure or equipment at a fixed location that enables wireless
16 communications licensed or authorized by the FCC, between user equipment and a
17 communications network. The term does not encompass a tower or any equipment associated
18 with a tower. The term includes, but is not limited to:

19 A. Equipment associated with wireless communications services such as private, broadcast, and
20 public safety services, as well as unlicensed wireless services and fixed wireless services such as
21 microwave backhaul.

22 B. Radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supplies,
23 and comparable equipment, regardless of technological configuration (including distributed
24 antenna systems and small-cell networks).

25 C. Any structure other than a tower that, at the time an eligible communications facility
26 modification (ECFM) application is filed with the City, supports or houses equipment described in
27 subsections A and B of this section, and that has been reviewed and approved under the applicable
28 zoning or siting process, or under another State, county or local regulatory review process, even if
29 the structure was not built for the sole or primary purpose of providing that support.

30 D. The term does not include any structure that, at the time a completed eligible communication
31 facilities modification (ECFM) application is filed with the City, does not support or house
32 equipment described in subsections A and B of this section. [Ord. 16-0426 § 4 (Att. B).]

33 **18.20.245 Basement.**

34 “Basement” means any area of the *building* having its floor below ground level on all sides. [Ord.
35 11-0329 § 3 (Exh. 1).]

36 **18.20.250 Bed and breakfast guesthouse.**

37 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

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1 B. “Billboard face II” means a billboard face not exceeding a height of 12 feet or a width of 24 feet.
2 [Ord. 11-0329 § 3 (Exh. 1).]

3 **18.20.300 Biologist.**

4 “Biologist” means a person who has earned at least a Bachelor of Science degree in the biological
5 sciences from an accredited college or university or who has equivalent educational training and
6 experience. [Ord. 11-0329 § 3 (Exh. 1).]

7 **18.20.302 Blank walls.**

8 “Blank walls” means any *ground floor* wall over six feet in height and 15 feet or more in length
9 and/or greater than 400 square feet in total area without architectural embellishments such as
10 windows, doors, or other special wall treatment. Upper floors are not included in blank wall
11 requirements. [Ord. 11-0329 § 3 (Exh. 1).]

12 **18.20.305 Boat launch.**

13 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

14 **18.20.308 Bonus unit.**

15 “Bonus unit” means a *dwelling unit* achieved that exceeds the number of units allowed by the base
16 density of the underlying zoning district. [Ord. 19-0481 § 2 (Exh. A).]

17 **18.20.310 Book, stationery, video and art supply store.**

18 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

19 **18.20.320 Broadleaf tree.**

20 “Broadleaf tree” means a *tree* characterized by leaves that are broad in width and may include
21 both *deciduous* and *evergreen* species. [Ord. 11-0329 § 3 (Exh. 1).]

22 **18.20.330 Buffer or buffer area.**

23 For purposes of *critical areas* regulations, “buffer” or “buffer area” means an area surrounding a
24 critical area, is contiguous to a critical area, and that is required for the protection of the *critical*
25 *area* from adverse impacts to its integrity, functions, and values. The buffer shall consist of a
26 naturally vegetated and undisturbed, enhanced, or revegetated area for streams, wetlands, and
27 top of slope for landslide hazard areas. The buffer area shall require continued maintenance,
28 functioning, and/or structural stability of the *critical area*. [Ord. 24-0624 § 4 (Exh. B); Ord. 11-0329
29 § 3 (Exh. 1).]

30 **18.20.340 Building.**

31 “Building” means any *structure* having a roof. [Ord. 11-0329 § 3 (Exh. 1).]

32 **18.20.350 Building envelope.**

| **_____ = changes since March 4**

1 “Building envelope” means the area of a *lot* that delineates the limits of where a *building* may be
2 placed on the *lot*. The building envelope is determined through minimum lot size and minimum lot
3 width requirements. [Ord. 11-0329 § 3 (Exh. 1).]

4 **18.20.360 Building facade.**

5 “Building facade” means that portion of any exterior elevation of a *building* extending from the
6 grade of the *building* to the top of the parapet wall or eaves, for the entire width of the building
7 elevation. [Ord. 11-0329 § 3 (Exh. 1).]

8 **18.20.370 Building, hardware and garden materials store.**

9 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

10 **18.20.380 Bulk gas storage tank.**

11 “Bulk gas storage tank” means a tank from which illuminating, heating, or liquefied gas is
12 distributed by piping directly to individual users. [Ord. 11-0329 § 3 (Exh. 1).]

13 **18.20.390 Business service, intensive.**

14 “Intensive business service” means an establishment primarily engaged in providing supporting
15 services to business that is likely to generate levels of truck traffic, noise, pollution, vibration, dust,
16 fumes, odors, hazardous materials, or other undesirable conditions that would be injurious to
17 health or offensive to the senses, or would be an obstruction to the free use of surrounding
18 property and essentially interfere with the comfortable enjoyment of life and property. Examples
19 include industrial launderers, dry cleaning plants, and fuel dealers.

20 May include NAICS 45431 (Fuel Dealers). May include Sector 56 (Administrative and Support and
21 Waste Management and Remediation Services), except the following: 561210 (Facilities Support
22 Services for private correctional facilities), 5615 (Travel Arrangement and Reservation Services),
23 56171 (Exterminating and Pest Control Services), 56173 (Landscaping Services), 56179 (Other
24 Services to Buildings/Dwellings) and 562 (Waste Management and Remediation). May include 8113
25 (Commercial and Industrial Machinery and Equipment Repair and Maintenance) and 812332
26 (Industrial Launderers). [Ord. 14-0391 § 2 (Exh. 1).]

27 **18.20.394 Business service, standard.**

28 “Standard business service” means an establishment primarily engaged in providing supporting
29 services to business that is lower in intensity and cleaner than an intensive business service, and
30 that does not generate noise, particulate matter, vibration, smoke, dust, fumes, odors, or other
31 nuisances that would be injurious to health or offensive to the senses, or would be an obstruction
32 to the free use of surrounding property and essentially interfere with the comfortable enjoyment of
33 life and property. Examples include telephone call centers, private mail services, copy centers,
34 business incubators, and data centers.

35 May include NAICS 491 (Postal Service), 492 (Couriers and Messengers), 518 (Data Processing,
36 Hosting, and Related Services), 53242 (Office Machinery and Equipment Rental and Leasing),
37 54186 (Direct Mail Advertising), and 541922 (Commercial Photography).

| **_____ = changes since March 4**

1 May include Sector 56 (Administrative and Support and Waste Management and Remediation
2 Services), except the following: 561210 (Facilities Support Services for private correctional
3 facilities), 5615 (Travel Arrangement and Reservation Services), 56171 (Exterminating and Pest
4 Control Services), 56173 (Landscaping Services), 56179 (Other Services to Buildings/Dwellings)
5 and 562 (Waste Management and Remediation). May include 8112 (Electronic and Precision
6 Equipment Repair and Maintenance). [Ord. 14-0391 § 2 (Exh. 1).]

7 **18.20.395 Caliper.**

8 “Caliper” means the American Nursery and Landscape Association (ANLA) standards for trunk
9 measurement of nursery stock. Caliper of the trunk shall be the trunk diameter measured six
10 inches above ground for up to and including four-inch caliper size and 12 inches above the ground
11 for larger sizes. [Ord. 11-0329 § 3 (Exh. 1).]

12 **18.20.400 Campground.**

13 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

14 **18.20.410 Capacity, school.**

15 “School capacity” means the number of students a *school district’s* facilities can accommodate
16 district-wide, based on the district’s *standard of service*, as determined by the *school district*. [Ord.
17 11-0329 § 3 (Exh. 1).]

18 **18.20.420 Capital facilities plan, school district.**

19 “School district capital facilities plan” means a district’s facilities plan adopted by the school
20 board consisting of:

- 21 A. An inventory showing the location and *school capacity* of existing school facilities;
22 B. A forecast of future needs for school facilities based on the district’s enrollment projections and
23 adopted *standard of service*;
24 C. The long-range construction and capital improvement projects of the district;
25 D. The proposed locations and *school capacities* of expanded or new school facilities;
26 E. At least a six-year financing plan component, updated as necessary to maintain at least a six-
27 year forecast period, for financing needed school facilities within projected funding levels, and
28 identifying sources of financing for such purposes, including bond issues authorized by the voters
29 and projected bond issues not yet authorized by the voters; and
30 F. Any other long-range projects planned by the district. [Ord. 18-0463 § 3 (Exh. 2); Ord. 11-0329 § 3
31 (Exh. 1).]

32 **18.20.422 Car wash.**

33 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

34 **18.20.425 Categorically excluded.**

| **_____ = changes since March 4**

1 For purposes of Chapter **18.60** KMC, “categorically excluded” means as defined in 1.1306 and
2 1.1307 in the Code of Federal Regulations (CFR). [Ord. 11-0329 § 3 (Exh. 1).]

3 **18.20.430 Cattery.**

4 “Cattery” means a place where adult cats are temporarily boarded for compensation, whether or
5 not for training. An adult cat is of either sex, altered or unaltered, that has reached the age of six
6 months. [Ord. 11-0329 § 3 (Exh. 1).]

7 **18.20.440 Cemetery, columbarium or mausoleum.**

8 “Cemetery, columbarium or mausoleum” means land or *structures* used for interment of the dead
9 or their remains. For purposes of this code, pet cemeteries are considered a subclassification of
10 this *use*.

11 May include NAICS 81222 (Cemeteries and Crematories). [Ord. 14-0391 § 2 (Exh. 1); Ord. 11-0329
12 § 3 (Exh. 1).]

13 **18.20.450 Channel relocation and stream meander areas.**

14 “Channel relocation and stream meander areas” means those areas subject to risk due to stream
15 bank destabilization, rapid stream incision, stream bank *erosion*, and shifts in the location of
16 stream channels. [Ord. 11-0329 § 3 (Exh. 1).]

17 **18.20.453 Channel width and gradient.**

18 “Channel width and gradient” means a measurement over a representative section of at least 500
19 linear feet with at least 10 evenly spaced measurement points along the normal stream channel
20 but excluding unusually wide areas of negligible gradient, such as marshy or swampy areas, beaver
21 ponds and impoundments. Channel gradient may be determined utilizing stream profiles plotted
22 from United States Geological Survey topographic maps. [Ord. 19-0488 § 4 (Exh. 2).]

23 **18.20.460 Church, synagogue, mosque, temple.**

24 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

25 **18.20.465 City.**

26 “City” means the City of Kenmore. [Ord. 11-0329 § 3 (Exh. 1).]

27 **18.20.468 City manager.**

28 “City manager” means the City of Kenmore city manager or his or her designee(s). [Ord. 11-0329 § 3
29 (Exh. 1).]

30 **18.20.470 Classrooms, school.**

31 “School classrooms” means educational facilities required to house students for a basic
32 educational program. Specialized facilities, including but not limited to gymnasiums, cafeterias,
33 libraries, administrative offices, and child care centers, shall not be counted as classrooms. [Ord.
34 11-0329 § 3 (Exh. 1).]

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1 **18.20.480 Clearing.**

2 “Clearing” for the purposes of administering either Chapter [18.55](#) KMC, Critical Areas, or
3 Chapter [18.57](#) KMC, Tree Management and Protection, means the limbing, pruning, trimming,
4 topping, cutting or removal of trees or *vegetation*, such as brush, grass, ground cover or other
5 organic plant matter, which exposes the earth’s surface by physical, mechanical, chemical or
6 other means. [Ord. 24-0624 § 4 (Exh. B); Ord. 11-0329 § 3 (Exh. 1).]

7 **18.20.485 Clustered.**

8 “Clustered” means the grouping of *structures* on a portion of the available land, reserving a
9 significant amount of the *site* as *open space*. Lot segregations for clustered *development* are
10 discussed in KMC [17.20.130](#). [Ord. 11-0329 § 3 (Exh. 1).]

11 **18.20.490 Cogeneration.**

12 “Cogeneration” means the sequential generation of energy and useful heat from the same primary
13 source or fuel for industrial, commercial, or residential heating or cooling purposes. [Ord. 11-0329
14 § 3 (Exh. 1).]

15 **18.20.492 College/university.**

16 “College/university” means an establishment primarily engaged in providing academic courses
17 and granting degrees above the high school diploma, such as the associate, baccalaureate or
18 graduate degree. College/university generally means the college/university campus. Off-site
19 auxiliary facilities associated with a college or university are addressed under the appropriate land
20 use listing for their individual operation. For example, an off-site affiliated bookstore would be
21 considered retail sales. An off-site medical clinic would be considered health care and social
22 assistance.

23 May include NAICS 6112 (Junior Colleges) and 6113 (Colleges, Universities, and Professional
24 Schools). [Ord. 14-0391 § 2 (Exh. 1).]

25 **18.20.494 Collocation.**

26 “Collocation” means the placement or installation of antennas on existing structures upon which
27 antennas already exist. [Ord. 16-0426 § 4 (Att. B).]

28 **18.20.495 Commercial nursery or tree farm.**

29 “Commercial nursery” or “tree farm” means a licensed plant or *tree* nursery or farm in relation to
30 those *trees* planted and growing on the premises of the licensee, which are planted and grown for
31 sale through retail or wholesale channels in the ordinary course of the licensee’s business. [Ord.
32 11-0329 § 3 (Exh. 1).]

33 **18.20.498 Communication facility.**

34 *Repealed by Ord. 16-0426.* [Ord. 14-0391 § 2 (Exh. 1).]

35 **18.20.500 Communication facility, major.**

| **_____ = changes since March 4**

1 *Repealed by Ord. 17-0438. [Ord. 11-0329 § 3 (Exh. 1).]*

2 **18.20.510 Communication facility, minor.**

3 *Repealed by Ord. 17-0438. [Ord. 11-0329 § 3 (Exh. 1).]*

4 **18.20.520 Community residential facility (CRF).**

5 “Community residential facility (CRF)” means living quarters meeting applicable federal and State
6 standards that function as a single housekeeping unit and provide supportive services, including
7 but not limited to counseling, rehabilitation and medical supervision, excluding drug and alcohol
8 detoxification which is classified as a *hospital*. CRFs are further classified as follows:

9 A. CRF-I means nine to 10 residents and staff;

10 B. CRF-II means 11 or more residents and staff. If staffed by nonresident staff, each 24 staff hours
11 per day equals one full-time residing staff member for purposes of subclassifying CRFs.

12 Provided, however, that this definition shall not apply to *secure community transition facilities* as
13 defined in KMC [18.20.2465](#) or to *adult family homes* as defined in KMC [18.20.095](#).

14 May include NAICS 623210 (Residential Intellectual and Developmental Disability Facilities) and
15 623220 (Residential Mental Health and Substance Abuse Facilities). [Ord. 17-0438 § 2 (Att. A); Ord.
16 14-0391 § 2 (Exh. 1); Ord. 11-0329 § 3 (Exh. 1).]

17 **18.20.530 Commuter parking lot.**

18 “Commuter parking lot” means vehicle parking specifically for the purpose of access to a public
19 transit system or for users of carpools or vanpools. [Ord. 11-0329 § 3 (Exh. 1).]

20 **18.20.540 Compensatory storage.**

21 “Compensatory storage” means new, excavated storage volume equivalent to any flood storage
22 which is eliminated by building, filling or *grading* within the *floodplain*. For the purpose of this
23 definition, equivalent flood storage capacity is that which is replaced by equal volume between
24 corresponding one-foot contour intervals which are hydraulically connected to the floodway
25 through their entire depth. [Ord. 11-0329 § 3 (Exh. 1).]

26 **18.20.550 Conditional use permit.**

27 “Conditional use permit” means a permit required for *uses* due to special characteristics that may
28 not generally be appropriate within a zoning district, but may be permitted subject to review by the
29 reviewing official to establish conditions to protect public health, safety and welfare and ensure
30 compatibility with nearby land *uses*. [Ord. 11-0329 § 3 (Exh. 1).]

31 **18.20.560 Conference center.**

32 “Conference center” means an establishment developed primarily as a meeting facility, including
33 only facilities for recreation, overnight lodging, and related activities provided for conference
34 participants. [Ord. 11-0329 § 3 (Exh. 1).]

35 **18.20.570 Confinement area.**

_____ = changes since March 4

1 “Confinement area” means any open land area in which *livestock* are kept where the forage does
2 not meet the definition of a *grazing area*. [Ord. 11-0329 § 3 (Exh. 1).]

3 **18.20.580 Consolidation.**

4 *Repealed by Ord. 16-0426.* [Ord. 11-0329 § 3 (Exh. 1).]

5 **18.20.590 Construction and trade.**

6 “Construction and trade” means an establishment that provides services related to construction
7 and maintenance of *buildings* and infrastructure and improvements to property. Such
8 establishments include landscape and horticultural services. This definition excludes construction
9 and trade establishments that qualify as an *office* by virtue of having only a business office without
10 outside storage or fabrication.

11 May include NAICS Sector 23 (Construction), 54135 (Building Inspection Services), 56171
12 (Exterminating and Pest Control Services), 56173 (Landscaping Services), 56179 (Other Services to
13 Buildings and Dwellings), and 56299 (All Other Waste Management Services). [Ord. 14-0391 § 2
14 (Exh. 1); Ord. 11-0329 § 3 (Exh. 1).]

15 **18.20.610 Courtyard.**

16 “Courtyard” means a *private* open space internal to *development* which is not accessible to the
17 public and which is enclosed on at least two sides by *structure(s)* or fencing. [Ord. 11-0329 § 3 (Exh.
18 1).]

19 **18.20.612 Critical areas.**

20 “Critical areas” means any of the following areas or ecosystems: aquifer recharge areas, fish and
21 wildlife habitat areas of importance, frequently flooded areas, *geologically hazardous*
22 *areas, streams*, and *wetlands*, as defined in Chapter [36.70A](#) RCW and this chapter. [Ord. 11-0329
23 § 3 (Exh. 1).]

24 **18.20.614 Critical area tract.**

25 “Critical area tract” means land held in *private* ownership and retained in an undeveloped
26 condition in perpetuity for the protection of *critical areas*. Lands within this type of dedication may
27 include, but are not limited to, portions and combinations of forest habitats,
28 grasslands, *geologically hazardous areas*, on-site watersheds, 100-year *floodplains*, shorelines or
29 shorelines of statewide significance, *riparian* areas, and *wetlands*. [Ord. 11-0329 § 3 (Exh. 1).]

30 **18.20.630 Critical facility.**

31 “Critical facility” means a facility necessary to protect the public health, safety and welfare and
32 which is defined under the occupancy categories of “essential facilities,” “hazardous facilities”
33 and “special occupancy structures” in the International Building Code. Critical facilities also
34 include nursing homes, public roadway bridges, and sites for *hazardous substance* storage or
35 production, not including the temporary storage of consumer products containing *hazardous*
36 *substances* intended for household use or for retail sale on the *site*. [Ord. 11-0329 § 3 (Exh. 1).]

37 **18.20.632 Critical root zone (CRZ).**

| *The Kenmore Municipal Code is current through Ordinance 24-0624, passed December 9, 2024.*
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1 “Critical root zone (CRZ)” is the area where the *tree*’s essential mass of roots is located. This root
2 zone is generally the area surrounding a *tree* at a distance which is equal to one foot for every inch
3 of trunk *diameter at breast height* or the area of a circle with radius extending from a *tree*’s trunk to
4 a point no less than the end of a *tree*’s longest branch, whichever is greater. [Ord. 11-0329 § 3 (Exh.
5 1).]

6 **18.20.633 Crown.**

7 “Crown” means the area of a *tree* containing leaf- or needle-bearing branches. [Ord. 11-0329 § 3
8 (Exh. 1).]

9 **18.20.635 Cultural facilities.**

10 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

11 **18.20.640 Daily care.**

12 “Daily care” means medical procedures, monitoring and attention that are necessarily provided at
13 the residence of the patient by the primary provider of daily care on a 24-hour basis. [Ord. 11-0329
14 § 3 (Exh. 1).]

15 **18.20.650 Day care.**

16 “Day care” means an establishment for group care of nonresident adults or children.

17 A. Day care shall include only child day care services, adult day care centers and the following:

18 1. Adult day care, such as adult day health centers or social day care as defined by the Washington
19 State Department of Social and Health Services;

20 2. Nursery schools for children under minimum age for education in public schools;

21 3. Privately conducted kindergartens or prekindergartens when not a part of a public or parochial
22 school; and

23 4. Programs covering after-school care for school children.

24 B. Day care establishments are subclassified as follows:

25 1. Day care I – A maximum of 12 adults or children in any 24-hour period; and

26 2. Day care II – Over 12 adults or children in any 24-hour period.

27 Day care does not include *family child-care home*.

28 May include NAICS 6244 (Child Day Care Services). [Ord. 14-0391 § 2 (Exh. 1); Ord. 11-0329 § 3
29 (Exh. 1).]

30 **18.20.655 Debris flow.**

31 “Debris flow” means a stream-like flow of muddy water filled with mixed sizes of sediment and
32 rock. Debris flows are generated by sporadic heavy rains on steep slopes. [Ord. 11-0329 § 3 (Exh.
33 1).]

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1 **18.20.660 Deciduous.**

2 “Deciduous” means a plant species with foliage that is shed annually. [Ord. 11-0329 § 3 (Exh. 1).]

3 **18.20.665 Degraded wetland buffer.**

4 “Degraded wetland buffer” means a *buffer* area which cannot adequately protect its
5 adjacent *wetland* due to one or more of the following existing conditions:

6 A. Lack of vegetative cover or presence of bare soils (resulting from disturbance, fill, debris, or
7 trash);

8 B. Significant cover (over 50 percent) in *nonnative vegetation*;

9 C. Significant cover (over 50 percent) in invasive species or *noxious weeds*;

10 D. Presence of existing nonconforming *structures* or improvements. [Ord. 11-0329 § 3 (Exh. 1).]

11 **18.20.670 Density credit, transfer of (TDC).**

12 “Transfer of density credit (TDC)” means the ability to transfer potentially buildable *dwelling*
13 *units* from an eligible *sending site* to an eligible *receiving site* as provided in this code. [Ord. 11-
14 0329 § 3 (Exh. 1).]

15 **18.20.680 Department.**

16 “Department” means the *City* department or outside agency assigned by the *city manager* to
17 administer a portion of the *City* code. [Ord. 11-0329 § 3 (Exh. 1).]

18 **18.20.690 Department and variety store.**

19 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

20 **18.20.695 Designated manufactured home.**

21 “Designated manufactured home” means a manufactured home constructed after June 15, 1976,
22 in accordance with State and federal requirements for manufactured homes, which meets the
23 following conditions, as allowed under RCW [35A.21.312](#) and [35.63.160](#):

24 A. Is comprised of at least two fully enclosed parallel sections each of not less than 12 feet wide by
25 36 feet long;

26 B. Was originally constructed with, and now has, a composition or wood shake or shingle, coated
27 metal, or similar roof of nominal 3:12 pitch;

28 C. Has exterior siding similar in appearance to siding materials commonly used on conventional
29 site-built International Residential Code single-family residences;

30 D. Is a “new manufactured home” as defined in RCW [35.63.160](#), meaning any manufactured home
31 required to be titled under RCW Title [46](#), which has not been previously titled to a retail purchaser,
32 and is not a “used mobile home” as defined in RCW [82.45.032](#)(2);

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1 E. Is set upon a permanent foundation, as specified by the manufacturer, and that the space from
2 the bottom of the home to the ground be enclosed by concrete or an approved concrete product
3 which can be either load-bearing or decorative;

4 F. Complies with all local design standards applicable to all other homes within the neighborhood
5 in which the manufactured home is to be located;

6 G. Is thermally equivalent to the State Energy Code; and

7 H. This section does not override any legally recorded covenants or deed restrictions of record.
8 [Ord. 11-0329 § 3 (Exh. 1).]

9 **18.20.697 Designation, critical area.**

10 “Designation, critical area” means assigning critical areas into established categories and
11 specifying their general distribution, location, and extent. Designation can be made by maps
12 (which are useful for public awareness and for identifying if a proposal may affect a critical area)
13 and by performance standards or definitions (which allow for specific identification and site-scale
14 delineation during permit review). WDFW’s Priority Habitats and Species (PHS) program provides
15 the agency’s recommended designation maps and performance standards/definitions for fish and
16 wildlife habitat conservation areas. Designation occurs after classification in counties’ and cities’
17 efforts to protect critical areas. See WAC [365-190-040](#)(5). [Ord. 24-0624 § 4 (Exh. B).]

18 **18.20.700 Destination resort.**

19 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

20 **18.20.705 Detached accessory dwelling unit.**

21 “Detached accessory dwelling unit” means an *accessory dwelling unit* contained within a
22 separate *structure* that is accessory to the primary *dwelling unit* on the premises. A detached
23 accessory dwelling unit shall be separated from the primary *dwelling unit* by a minimum of five feet,
24 measured between the eaves or other projections beyond the walls of the two structures. [Ord. 20-
25 0510 § 2 (Exh. A).]

26 **18.20.710 Developer.**

27 “Developer” means the person or entity that owns or holds purchase options or other development
28 control over property for which *development* is proposed. (Also see “*Applicant*,” KMC [18.20.190](#).)
29 [Ord. 11-0329 § 3 (Exh. 1).]

30 **18.20.715 Development.**

31 “Development” means any activity upon the land consisting of construction or alteration
32 of *structures*, earth movement, dredging, dumping, *grading*, filling, mining, removal of any sand,
33 gravel, or minerals, driving of piles, drilling operations, bulkheading, *clearing of vegetation*, or other
34 land disturbance. Development includes the storage or use of equipment or materials inconsistent
35 with the existing *use*. Development also includes approvals issued by the *City* that bind land to
36 specific patterns of use, including, but not limited to, subdivisions, short subdivisions, zone

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1 changes, *conditional use permits*, and binding site plans. Development does not include the
2 following activities:

3 A. Interior *building* improvements;

4 B. Exterior *structure* maintenance activities, including painting and roofing;

5 C. Routine landscape maintenance of established, ornamental landscaping, such as lawn mowing,
6 pruning and weeding; or

7 D. Maintenance of the following existing facilities that does not expand the affected area: septic
8 tanks (routine cleaning); wells; individual utility service connections; and individual cemetery plots
9 in established and approved cemeteries. [Ord. 11-0329 § 3 (Exh. 1).]

10 **18.20.730 Development agreement.**

11 “Development agreement” means a recorded agreement between an *applicant* and the *City* which
12 incorporates the site plans, development standards, and other features of a *development*. [Ord.
13 11-0329 § 3 (Exh. 1).]

14 **18.20.735 Development permit.**

15 “Development permit” means any permit issued by the *City*, or other authorized agency, for
16 construction, land use, or the alteration of land. [Ord. 11-0329 § 3 (Exh. 1).]

17 **18.20.740 Development proposal.**

18 “Development proposal” means any activities requiring a permit or other approval from
19 the *City* relative to the *use* or *development* of land. [Ord. 11-0329 § 3 (Exh. 1).]

20 **18.20.750 Development proposal site.**

21 “Development proposal site” means the legal boundaries of the parcel or parcels of land for which
22 an *applicant* has or should have applied for authority from the *City* to carry out a *development*
23 *proposal*. [Ord. 11-0329 § 3 (Exh. 1).]

24 **18.20.752 Diameter at breast height (d.b.h.).**

25 “Diameter at breast height (d.b.h.)” means a *tree*’s diameter in inches at four and one-half feet
26 above the ground. On multiple stemmed or trunked *trees*, the diameter shall be the sum of
27 diameters of all individual stems or trunks. [Ord. 11-0329 § 3 (Exh. 1).]

28 **18.20.755 Differential settlement.**

29 “Differential settlement” means nonuniform or uneven ground settlement that occurs over a
30 relatively short distance, such as measured across the width of a residential *structure* (typically 25
31 feet). Differential settlement can result if a *structure* is underlain by dissimilar soils below portions
32 of the *structure* (e.g., dense fill versus loose fill below parts of the *structure*), or by uneven ground
33 settlement as could occur if the ground below a *structure* were to liquefy during strong earthquake
34 shaking. [Ord. 11-0329 § 3 (Exh. 1).]

35 **18.20.760 Distributed antenna system (DAS).**

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1 “Distributed antenna system” or “DAS” means a network consisting of transceiver equipment at a
2 central hub site to support multiple antenna locations throughout the desired coverage area. [Ord.
3 16-0426 § 4 (Att. B).]

4 **18.20.765 Disturbance.**

5 “Disturbance” means a pronounced, temporary change in environmental conditions within an
6 ecosystem. Disturbances often act quickly and can alter ecosystem composition, structure, and
7 function. [Ord. 24-0624 § 4 (Exh. B).]

8 **18.20.772 Dock.**

9 *Repealed by Ord. 17-0438. [Ord. 11-0329 § 3 (Exh. 1).]*

10 **18.20.775 Domiciliary care.**

11 “Domiciliary care” means:

12 A. Assistance with activities of daily living provided by the licensee either directly or by contract;

13 B. Assuming general responsibility for the safety and well-being of the resident; and

14 C. Limited nursing services, if provided by the licensee. [Ord. 11-0329 § 3 (Exh. 1).]

15 **18.20.780 Dormitory.**

16 *Repealed by Ord. 17-0438. [Ord. 11-0329 § 3 (Exh. 1).]*

17 **18.20.785 Drive-through service.**

18 “Drive-through service” means a business or a portion of a business where a customer is permitted
19 or encouraged, either by the design of physical facilities or by service and/or packaging
20 procedures, to carry on business in the off-street parking or paved area accessory to the business,
21 while seated in a motor vehicle. In some instances, customers may need to get out of the vehicle to
22 obtain the product or service. This definition shall include, but not be limited to, fast-food
23 restaurants, espresso stands, and drive-in services at banks and pharmacies. This definition
24 excludes automotive service and repair, gas stations, and *car washes*. [Ord. 11-0329 § 3 (Exh. 1).]

25 **18.20.790 Drop box facility.**

26 *Repealed by Ord. 17-0438. [Ord. 11-0329 § 3 (Exh. 1).]*

27 **18.20.800 Drug store.**

28 *Repealed by Ord. 17-0438. [Ord. 11-0329 § 3 (Exh. 1).]*

29 **18.20.805 Durable materials.**

30 “Durable materials” means materials capable of withstanding wear and tear with limited
31 maintenance required, long-term use, vandal resistant, and weather resistant. [Ord. 11-0329 § 3
32 (Exh. 1).]

33 **18.20.810 Dwelling unit.**

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1 “Dwelling unit” means one or more rooms designed for occupancy by a person or *family* for living
2 and sleeping purposes, containing *kitchen facilities* and rooms with internal accessibility, for use
3 solely by the dwelling’s occupants. *Microhousing dwelling units* may share *kitchen facilities* with
4 other dwelling units in place of providing *kitchen facilities* within each unit. [Ord. 16-0415 § 2 (Att.
5 B); Ord. 11-0329 § 3 (Exh. 1).]

6 **18.20.820 Dwelling unit, accessory.**

7 “Accessory dwelling unit” or “ADU” means a separate, complete *dwelling unit* attached to or
8 contained within the *structure* of the primary dwelling; or contained within a separate *structure* that
9 is accessory to the primary *dwelling unit* on the premises. [Ord. 20-0510 § 2 (Exh. A); Ord. 11-0329
10 § 3 (Exh. 1).]

11 **18.20.830 Dwelling unit, microhousing.**

12 “Microhousing dwelling unit” means an apartment with a total square footage of less than 320
13 square feet and a habitable space, as defined in the International Building Code as adopted in the
14 Kenmore Municipal Code, of at least 220 square feet. The room(s) are intended for use solely by the
15 dwelling’s occupant(s), although common kitchen or bath facilities may be provided. [Ord. 16-0415
16 § 1 (Att. A).]

17 **18.20.832 Dwelling, middle housing.**

18 “Middle housing dwelling” means buildings that are compatible in scale, form, and character with
19 single-family houses and contain two or more attached, stacked, or clustered homes including
20 duplexes, triplexes, fourplexes, townhouses, stacked flats, courtyard apartments, and cottage
21 housing

22 A. Cottage Housing. Residential units on a parent lot with a common open space that either; (a) is
23 owned in common; or (b) has units owned as condominium units with property owned in common.

24 B. Courtyard Apartments. Attached dwelling units arranged on two or three sides of a yard or court.

25 C. Duplex. A residential building with two attached dwelling units.

26 D. Fourplex. A residential building with four attached dwelling units.

27 E. Townhouse. See KMC 18.20.835(B).

28 F. Triplex. A residential building with three attached dwelling units.

29 G. Stacked Flat. Dwelling units in a residential building of no more than three stories on a
30 residential zoned lot in which each floor may be separately rented or owned.

31 **18.20.835 Dwelling, multiple-family.**

32 “Multiple-family dwelling” means a one-family dwelling attached to one or more one-family
33 dwellings by common roofs, walls, or floors. Also includes one or more dwellings attached to
34 nonresidential uses. This definition does not include *accessory dwelling units*, *community*
35 *residential facilities*, *supportive living facilities*, or nursing and personal care facilities.

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1 A. Apartment. A residential *building* containing two or more *dwelling units* or a single *dwelling*
2 *unit* and a nonresidential use, which are attached at one or more common roofs, walls, or floors.
3 Typically, the unit's habitable area is provided on a single level. Unit entrances may or may not be
4 provided from a common corridor. *Microhousing dwelling units* are considered apartments.

5 B. Townhouse. A one-family, ground-related dwelling attached to one or more such units or to a
6 nonresidential *use* in which each unit has its own exterior, ground-level access to the outside, no
7 unit is located over another unit, and each unit is separated from any other unit by one or more
8 vertical common walls. Typically the units are multi-story. [Ord. 16-0415 § 2 (Att. B); Ord. 14-0391
9 § 2 (Exh. 1); Ord. 11-0329 § 3 (Exh. 1).]

10 **18.20.840 Dwelling unit, single detached.**

11 "Single detached dwelling unit" means a detached *building* containing one *dwelling unit* or an *adult*
12 *family home*. [Ord. 11-0329 § 3 (Exh. 1).]

13 **18.20.860 Earth station.**

14 *Repealed by Ord. 16-0426.* [Ord. 11-0329 § 3 (Exh. 1).]

15 **18.20.863 Eating and drinking place.**

16 "Eating and drinking place" means an establishment that prepares meals, snacks and beverages to
17 customer order for immediate on-premises or off-premises consumption from a fixed location.

18 May include NAICS 722 (Food Services and Drinking Places), except 72233 (Mobile Food Services).
19 [Ord. 14-0391 § 2 (Exh. 1).]

20 **18.20.865 Educational institutions (public or private), K – 12.**

21 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

22 **18.20.867 Educational service.**

23 Educational service" means an institution that offers academic education, career and technical
24 instruction as well as schools or programs that offer tutoring or nonacademic or self-enrichment
25 classes, such as automobile driving and cooking instruction.

26 May include NAICS Sector 61 (Educational Services), except 6112 (Junior Colleges) and 6113
27 (Colleges, Universities, and Professional Schools). [Ord. 14-0391 § 2 (Exh. 1).]

28 **18.20.870 Effective radiated power.**

29 "Effective radiated power" means the product of the *antenna* power input and the
30 numerical *antenna* power gain. [Ord. 11-0329 § 3 (Exh. 1).]

31 **18.20.880 Electrical substation.**

32 "Electrical substation" means a *site* containing equipment for the conversion of high voltage
33 electrical power transported through transmission lines into lower voltages transported through
34 distribution lines and suitable for individual users. [Ord. 11-0329 § 3 (Exh. 1).]

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1 **18.20.885 Emergent wetland.**

2 “Emergent wetland” means a *wetland* with at least 30 percent of the surface area covered by erect,
3 rooted, herbaceous *vegetation* extending above the water surface as the uppermost vegetative
4 stratum. [Ord. 11-0329 § 3 (Exh. 1).]

5 **18.20.890 Emergency.**

6 “Emergency” means an occurrence during which there is imminent danger to the public health,
7 safety and welfare, or which poses an imminent risk to property, as a result of a natural or
8 manmade catastrophe as so declared by the *city manager*. [Ord. 11-0329 § 3 (Exh. 1).]

9 **18.20.900 Energy resource recovery facility.**

10 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

11 **18.20.910 Enhancement.**

12 “Enhancement” means actions taken to improve habitat or water quality function and/or wildlife
13 use in an existing viable wetland, stream, or habitat area or established buffers, by planting native
14 species, removing nonnative species, installing habitat *structures*, installing environmentally
15 compatible erosion controls, and any other measures approved by the City. Enhancement also
16 includes actions performed to improve the quality of an existing degraded wetland, stream, or
17 habitat area or buffer. [Ord. 24-0624 § 4 (Exh. B); Ord. 11-0329 § 3 (Exh. 1).]

18 **18.20.920 Equipment, heavy.**

19 “Heavy equipment” means high-capacity mechanical devices for moving earth or other materials,
20 and mobile power units including, but not limited to:

- 21 A. Carryalls;
22 B. Graders;
23 C. Loading and unloading devices;
24 D. Cranes;
25 E. Drag lines;
26 F. Trench diggers;
27 G. Tractors;
28 H. Augers;
29 I. Bulldozers;
30 J. Concrete mixers and conveyers;
31 K. Harvesters;
32 L. Combines; or

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1 M. Other major agricultural equipment and similar devices operated by mechanical power as
2 distinguished from manpower. [Ord. 11-0329 § 3 (Exh. 1).]

3 **18.20.930 Erosion.**

4 “Erosion” means the process by which soil particles are mobilized and transported by natural
5 agents such as wind, rainsplash, frost action or surface water flow. [Ord. 11-0329 § 3 (Exh. 1).]

6 **18.20.940 Erosion hazard areas.**

7 “Erosion hazard areas” means those areas identified by the Natural Resources Conservation
8 Service Soil Classification System, or identified by a special study, as having significant erosion
9 potential. Erosion hazard areas also include channel migration zones. [Ord. 24-0624 § 4 (Exh. B);
10 Ord. 11-0329 § 3 (Exh. 1).]

11 **18.20.950 Evergreen.**

12 “Evergreen” means a plant species with foliage that persists and remains green year round. [Ord.
13 11-0329 § 3 (Exh. 1).]

14 **18.20.965 Existing legal uses.**

15 Where the term “existing” or “existing legal” follows a listed *use* type, then those *uses* that can
16 document their legal conforming status prior to April 28, 2003, are considered to be *permitted*
17 *uses* and given all the rights of other *permitted uses* within the district, until such time as there is a
18 change of *use* or abandonment as set forth in KMC [18.100.085](#). In addition, these *uses* may be
19 rebuilt within the same footprint and floor area should they suffer damage; provided, that no
20 new *nonconformances* with standards are created (e.g., *setbacks*), if any. These *uses* may be
21 remodeled without limitation on value and may be enlarged subject to current code requirements
22 (e.g., height limits, lot coverage, density limits, *setbacks*, parking, etc.), unless otherwise
23 specifically conditioned. [Ord. 11-0329 § 3 (Exh. 1).]

24 **18.20.967 FAA.**

25 “FAA” means the Federal Aviation Administration. [Ord. 11-0329 § 3 (Exh. 1).]

26 **18.20.970 Fabric shop.**

27 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

28 **18.20.1000 Fairground.**

29 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

30 **18.20.1010 Family.**

31 “Family” means an individual; two or more persons related by blood or marriage; a group of two or
32 more disabled residents protected under the Federal Housing Act Amendments, who are not
33 related by blood or marriage, living together as a single housekeeping unit; a group of residents,
34 who are not related by blood or marriage, living together as a single housekeeping unit; or a group
35 living arrangement where eight or fewer residents receive supportive services such as counseling,

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1 foster care, or medical supervision at the *dwelling unit* by resident or nonresident staff. For
2 purposes of this definition, minors living with parent shall not be counted as part of the maximum
3 number of residents. [Ord. 24-0608 § 2 (Exh. A(II)); Ord. 11-0329 § 3 (Exh. 1).]

4 **18.20.1012 Family child-care home.**

5 “Family child-care home” means a child day care provider who regularly provides child day care
6 and early learning services for not more than 12 children in the provider’s home in the family living
7 quarters, or as otherwise defined in RCW [43.215.010](#). [Ord. 11-0329 § 3 (Exh. 1).]

8 **18.20.1015 FCC.**

9 “FCC” means the Federal Communications Commission. [Ord. 11-0329 § 3 (Exh. 1).]

10 **18.20.1020 Federal Emergency Management Agency (FEMA) floodway.**

11 *Repealed by Ord. 19-0488.* [Ord. 11-0329 § 3 (Exh. 1).]

12 **18.20.1040 Fence.**

13 “Fence” means a barrier for the purpose of enclosing space or separating *lots*, composed of:

14 A. Masonry or concrete walls, excluding *retaining walls*; or

15 B. Wood, metal or concrete posts connected by boards, rails, panels, wire or mesh. [Ord. 11-0329
16 § 3 (Exh. 1).]

17 **18.20.1050 Financial guarantee.**

18 “Financial guarantee” means a form of financial security posted to ensure timely and proper
19 completion of improvements, compliance with this code or to warrant materials, workmanship of
20 improvements, and design. Financial guarantees include assignments of funds, cash deposits,
21 surety bonds, and other forms of financial security acceptable to the *city manager*. [Ord. 11-0329
22 § 3 (Exh. 1).]

23 **18.20.1051 Fire or police facility.**

24 “Fire or police facility” means a government establishment engaged in law enforcement or fire
25 protection activities.

26 May include NAICS 92212 (Police Protection), 92215 (Parole Offices and Probation Offices), and
27 92216 (Fire Protection). [Ord. 14-0391 § 2 (Exh. 1).]

28 **18.20.1052 First floor facades.**

29 “First floor facades” means, for the purposes of determining priority design standards, the
30 following categories of regulations when applied to the *ground floor of buildings*: *ground*
31 *floor facades*, *ground floor* transparency and visibility, *blank wall* and side wall, and building
32 materials. [Ord. 11-0329 § 3 (Exh. 1).]

33 **18.20.1055 Fish habitat.**

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1 “Fish habitat” means habitat that is used by any fish at any life stage at any time of the year,
2 including potential habitat likely to be used by fish that could be recovered by *restoration* or
3 management and off-channel habitat. [Ord. 19-0488 § 4 (Exh. 2); Ord. 11-0329 § 3 (Exh. 1).]

4 **18.20.1056 Fish and wildlife habitat conservation areas.**

5 “Fish and wildlife habitat conservation areas” mean areas that serve a critical role in sustaining
6 needed habitats and species for the functional integrity of the ecosystem, and which, if altered,
7 may reduce the likelihood that the species will persist over the long term. These areas may include
8 but are not limited to rare and vulnerable ecological systems, communities, and habitat or habitat
9 elements including seasonal ranges, breeding habitat, winter range, and movement corridors, and
10 areas with high relative population density or species richness. [Ord. 24-0624 § 4 (Exh. B).]

11 **18.20.1057 Flood or flooding.**

12 “Flood” or “flooding” means:

13 A. A general and temporary condition of partial or complete inundation of normally dry land areas
14 from:

15 1. The overflow of inland waters.

16 2. The unusual and rapid accumulation or runoff of surface waters from any source.

17 3. Mudslides (i.e., mudflows) which are proximately caused by flooding as defined in subsection
18 (A)(2) of this section and are akin to a river of liquid and flowing mud on the surfaces of normally dry
19 land areas, as when earth is carried by a current of water and deposited along the path of the
20 current.

21 B. The collapse or subsidence of land along the shore of a lake or other body of water as a result of
22 erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels
23 or suddenly caused by an unusually high water level in a natural body of water, accompanied by a
24 severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal
25 surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in
26 subsection (A)(2) of this section. [Ord. 19-0488 § 4 (Exh. 2).]

27 **18.20.1059 Flood elevation study.**

28 “Flood elevation study” means an examination, evaluation and determination of flood hazards and,
29 if appropriate, corresponding water surface elevations, or an examination, evaluation and
30 determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards. [Ord. 19-0488 § 4
31 (Exh. 2).]

32 **18.20.1060 Flood fringe.**

33 *Repealed by Ord. 19-0488.* [Ord. 11-0329 § 3 (Exh. 1).]

34 **18.20.1070 Flood hazard areas.**

35 “Flood hazard areas” means those areas in the *City* subject to inundation by the *base flood* (see
36 “Area of special flood hazard”) and those areas subject to flood risks from *channel relocation* or

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1 *stream meander* including, but not limited to, *streams*, lakes, *wetlands* and closed depressions.
2 The latter flood hazard areas may extend outside of the area of special flood hazard mapped by
3 FEMA, but are defined and designated by the City. [Ord. 19-0488 § 4 (Exh. 2); Ord. 11-0329 § 3 (Exh.
4 1).]

5 **18.20.1080 Flood insurance rate map (FIRM).**

6 “Flood insurance rate map (FIRM)” means the official map on which the Federal Insurance
7 Administrator has delineated both the special *flood hazard areas* and the risk premium zones
8 applicable to the community. A FIRM that has been made available digitally is called a “digital flood
9 insurance rate map (DFIRM).” [Ord. 19-0488 § 4 (Exh. 2); Ord. 11-0329 § 3 (Exh. 1).]

10 **18.20.1090 Flood insurance study (FIS).**

11 See “Flood elevation study.” [Ord. 19-0488 § 4 (Exh. 2); Ord. 11-0329 § 3 (Exh. 1).]

12 **18.20.1100 Flood protection elevation.**

13 “Flood protection elevation” means an elevation which is one foot above the *base flood elevation*.
14 [Ord. 11-0329 § 3 (Exh. 1).]

15 **18.20.1110 Floodplain.**

16 “Floodplain” means any land area susceptible to being inundated by water from any source (see
17 definition of “Flood or flooding”). [Ord. 19-0488 § 4 (Exh. 2); Ord. 11-0329 § 3 (Exh. 1).]

18 **18.20.1120 Floodproofing.**

19 “Floodproofing” means any combination of structural and nonstructural additions, changes, or
20 adjustments to structures which reduce or eliminate flood damage to real estate or improved real
21 property, water and sanitary facilities, structures and their contents. [Ord. 19-0488 § 4 (Exh. 2);
22 Ord. 11-0329 § 3 (Exh. 1).]

23 **18.20.1125 Floodway.**

24 “Floodway” means the channel of a river or other watercourse and the adjacent land areas that
25 must be reserved in order to discharge the *base flood* without cumulatively increasing the water
26 surface elevation more than a designated height. Also known as the “regulatory floodway” or
27 “FEMA floodway.” [Ord. 19-0488 § 4 (Exh. 2).]

28 **18.20.1130 Floodway, zero-rise.**

29 *Repealed by Ord. 19-0488.* [Ord. 11-0329 § 3 (Exh. 1).]

30 **18.20.1135 Floor area ratio (FAR).**

31 “Floor area ratio (FAR)” means a measure of development intensity equal to the gross building floor
32 area, divided by the *site area*. [Ord. 11-0329 § 3 (Exh. 1).]

33 **18.20.1140 Florist shop.**

34 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

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1 **18.20.1150 Forest practice.**

2 “Forest practice” means any activity regulated by the Washington Department of Natural
3 Resources in WAC Title [222](#) or Chapter [79.06](#) RCW for which a forest practice permit is required,
4 together with:

5 A. Fire prevention, detection and suppression; and

6 B. Slash burning or removal. [Ord. 11-0329 § 3 (Exh. 1).]

7 **18.20.1160 Forest product sales.**

8 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

9 **18.20.1170 Forest research.**

10 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

11 **18.20.1180 Frequently flooded areas.**

12 “Frequently flooded areas” means lands in the floodplain subject to at least a one percent or
13 greater chance of flooding in any given year. These areas include, but are not limited to, streams,
14 rivers, lakes, coastal areas, wetlands, and areas where high groundwater forms ponds on the
15 ground surface. [Ord. 24-0624 § 4 (Exh. B).]

16 **18.20.1185 Functions and values.**

17 “Functions and values” means the beneficial roles served by *critical areas* including, but not
18 limited to, water quality protection and enhancement, fish and wildlife habitat, food chain support,
19 flood storage, conveyance and attenuation, groundwater recharge and discharge, *erosion* control,
20 wave attenuation, protection from hazards, historical and archaeological and aesthetic value
21 protection, and recreation. These beneficial roles are not listed in order of priority. [Ord. 11-0329
22 § 3 (Exh. 1).]

23 **18.20.1187 Funeral home/crematory.**

24 “Funeral home/crematory” means an establishment engaged in preparing the dead for burial or
25 interment and conducting funerals.

26 May include NAICS 8122 (Death Care Services). [Ord. 14-0391 § 2 (Exh. 1).]

27 **18.20.1190 Furniture and home furnishings store.**

28 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

29 **18.20.1200 General business service.**

30 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

31 **18.20.1202 General personal service use.**

32 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

33 **18.20.1203 General services land uses.**

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1 For purposes of Chapters [18.35](#) and [18.40](#) KMC, “general services land uses” means *ambulatory*
2 *surgery center; animal kennel/shelter; automotive service (except tire retreading); business*
3 *service, intensive; cemetery, columbarium or mausoleum; day care; educational service; funeral*
4 *home/crematory; health care and social assistance; hospital; laboratory; personal*
5 *service; religious institution; and stable.* [Ord. 17-0438 § 2 (Att. A); Ord. 11-0329 § 3 (Exh. 1).]

6 **18.20.1205 Geologically hazardous areas.**

7 “Geologically hazardous areas” means areas that may not be suited to *development* consistent
8 with public health, safety or environmental standards because of their susceptibility to *erosion*,
9 sliding, earthquake, or other geological events as designated by WAC [365-190-080](#)(4). Types of
10 geologically hazardous areas include: *erosion, landslide*, seismic, and other hazards. [Ord. 11-
11 0329 § 3 (Exh. 1).]

12 **18.20.1210 Geologist.**

13 “Geologist” means a person who has earned at least a Bachelor of Science degree in the geological
14 sciences from an accredited college or university or who has equivalent educational training and at
15 least four years of professional experience. [Ord. 11-0329 § 3 (Exh. 1).]

16 **18.20.1230 Golf course facility.**

17 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

18 **18.20.1233 Government/business services land uses.**

19 For purposes of Chapters [18.35](#) and [18.40](#) KMC, “government/business services land uses”
20 means *air transportation service; business service, standard; construction and trade; fire or police*
21 *facility; heavy equipment and truck repair; office; private stormwater management facility; public*
22 *agency archive; public agency or utility yard; standalone parking; transportation; utility*
23 *facility; vehicle or equipment rental; warehousing; and wholesale trade.* [Ord. 17-0438 § 2 (Att. A);
24 Ord. 11-0329 § 3 (Exh. 1).]

25 **18.20.1235 Government facilities, City.**

26 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

27 **18.20.1240 Grade span.**

28 “Grade span” means the categories into which a district groups its grades of students,
29 i.e., *elementary, middle or junior high school, and high school.* [Ord. 11-0329 § 3 (Exh. 1).]

30 **18.20.1250 Grading.**

31 “Grading” means any excavation, filling, removing the duff layer or any combination thereof. [Ord.
32 11-0329 § 3 (Exh. 1).]

33 **18.20.1260 Grazing area.**

34 “Grazing area” means any open land area used to pasture *livestock* in which suitable forage is
35 maintained over 80 percent of the area at all times of the year. [Ord. 11-0329 § 3 (Exh. 1).]

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1 **18.20.1270 Ground cover.**

2 “Ground cover” means living plants designed to grow low to the ground (generally one foot or less)
3 and intended to stabilize soils and protect against *erosion*. [Ord. 11-0329 § 3 (Exh. 1).]

4 **18.20.1272 Ground floor.**

5 “Ground floor” means the level of a *building* accessible from public walkways or public sidewalks
6 that is typically at grade level. Building levels below ground are not considered ground floors. [Ord.
7 11-0329 § 3 (Exh. 1).]

8 **18.20.1273 Grove.**

9 “Grove” means a contiguous grouping of *trees* standing in close proximity, which form a
10 continuous canopy and/or are mutually dependant. [Ord. 11-0329 § 3 (Exh. 1).]

11 **18.20.1275 Hazard areas.**

12 “Hazard areas” means areas designated as frequently flooded areas or *geologically hazardous*
13 *areas* due to potential for *erosion*, *landslide*, seismic activity, or other geological condition. [Ord.
14 11-0329 § 3 (Exh. 1).]

15 **18.20.1280 Hazardous household substance.**

16 “Hazardous household substance” means a substance as defined in RCW [70.105.010](#). [Ord. 11-
17 0329 § 3 (Exh. 1).]

18 **18.20.1290 Hazardous liquid and gas transmission pipelines.**

19 “Hazardous liquid and gas transmission pipelines” are as defined by RCW [81.88.040](#) and WAC [480-](#)
20 [93-005](#). [Ord. 11-0329 § 3 (Exh. 1).]

21 **18.20.1300 Hazardous substance.**

22 “Hazardous substance” means a substance as defined in RCW [70.105.010](#). [Ord. 11-0329 § 3 (Exh.
23 1).]

24 **18.20.1301 Headwater stream.**

25 “Headwater stream” means stream that is in the uppermost regions of a watershed or catchment
26 area that flows into a larger stream, main stem river, or lake. Also synonymous with “tributary to.”
27 [Ord. 24-0624 § 4 (Exh. B).]

28 **18.20.1302 Health care and social assistance.**

29 “Health care and social assistance” means an establishment or agency providing health care or
30 social assistance. For purposes of this code, veterinary offices are considered a subclassification
31 of this use.

32 May include NAICS 62 (Health Care and Social Assistance), except the following: 621493
33 (Freestanding Ambulatory Surgical and Emergency Centers), 621511 (Medical Laboratories),
34 621910 (Ambulance Services), 622 (Hospitals), 623 (Nursing and Residential Care Facilities), and

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1 6244 (Child Day Care Services). May include 54194 (Veterinary Services). [Ord. 14-0391 § 2 (Exh.
2 1).]

3 **18.20.1305 Health services, miscellaneous.**

4 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

5 **18.20.1307 Hearing examiner.**

6 “Hearing examiner” means the hearing examiner as established by Chapter [19.30](#) KMC. [Ord. 11-
7 0329 § 3 (Exh. 1).]

8 **18.20.1310 Heavy equipment and truck repair.**

9 “Heavy equipment and truck repair” means the repair and maintenance of self-powered, self-
10 propelled or towed mechanical devices, equipment and vehicles used for commercial purposes,
11 such as tandem axle trucks, graders, backhoes, tractor trailers, cranes, and lifts, but excluding
12 automobiles and pickup trucks under 10,000 pounds, *recreational vehicles*, boats and their
13 trailers. [Ord. 11-0329 § 3 (Exh. 1).]

14 **18.20.1312 Habitat management.**

15 “Habitat management” means management of land to maintain species in suitable habitats within
16 their natural geographic distribution so that isolated subpopulations are not created. This does not
17 imply maintaining all habitat or individuals of all species in all cases. [Ord. 24-0624 § 4 (Exh. B).]

18 **18.20.1314 Habitats of local importance.**

19 “Habitats of local importance” includes seasonal range or habitat element with which a given
20 species has a primary association, and which, if altered, may reduce the likelihood that the species
21 will maintain and reproduce over time. These might include areas of high relative density or species
22 richness, breeding habitats, winter range, and movement corridors. These might also include
23 habitats that are of limited availability or high vulnerability to alterations, such as cliffs, talus, and
24 wetlands. [Ord. 24-0624 § 4 (Exh. B).]

25 **18.20.1320 Helistop.**

26 “Helistop” means an area on a roof or on the ground used for the takeoff and landing of helicopters
27 for the purpose of loading or unloading passengers or cargo but not including fueling service,
28 hangars, maintenance or overhaul facilities. [Ord. 11-0329 § 3 (Exh. 1).]

29 **18.20.1330 Historic resource.**

30 “Historic resource” means a district, site, *building*, *structure* or object significant in national, State
31 or local history, architecture, archaeology, and culture. [Ord. 11-0329 § 3 (Exh. 1).]

32 **18.20.1340 Historic structure.**

33 “Historic structure” means any structure that is:

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1 A. Listed individually in the National Register of Historic Places (a listing maintained by the
2 Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the
3 requirements for individual listing on the National Register;

4 B. Certified or preliminarily determined by the Secretary of the Interior as contributing to the
5 historical significance of a registered historic district or a district preliminarily determined by the
6 Secretary to qualify as a registered historic district;

7 C. Individually listed on a state inventory of historic places in states with historic preservation
8 programs which have been approved by the Secretary of Interior; or

9 D. Individually listed on a local inventory of historic places in communities with historic
10 preservation programs that have been certified either:

11 1. By an approved state program as determined by the Secretary of the Interior; or

12 2. Directly by the Secretary of the Interior in states without approved programs. [Ord. 19-0488 § 4
13 (Exh. 2).]

14 **18.20.1350 Hobby, toy, game shop.**

15 *Repealed by Ord. 17-0438. [Ord. 11-0329 § 3 (Exh. 1).]*

16 **18.20.1360 Home industry.**

17 “Home industry” means a limited-scale sales, service or fabrication activity undertaken for
18 financial gain, which occurs in a *dwelling unit* or residential accessory *building*, or in a barn or other
19 resource accessory *building* and is subordinate to the primary use of the *site* as a residence. [Ord.
20 11-0329 § 3 (Exh. 1).]

21 **18.20.1370 Home occupation.**

22 “Home occupation” means a limited-scale service or fabrication activity undertaken for financial
23 gain, which occurs in a *dwelling unit* or accessory *building* and is subordinate to the primary use of
24 the *site* as a residence. [Ord. 11-0329 § 3 (Exh. 1).]

25 **18.20.1372 Hospital.**

26 “Hospital” means an establishment with medical staff primarily engaged in providing inpatient
27 medical, diagnostic and treatment services and/or emergency care services. Hospitals may also
28 provide outpatient services as a secondary activity.

29 May include NAICS 622 (Hospitals), including 622210 (Psychiatric and Substance Abuse
30 Hospitals). [Ord. 14-0391 § 2 (Exh. 1).]

31 **18.20.1375 Hotel.**

32 “Hotel” means a *building* or portion thereof designed or used for transient rental for sleeping
33 purposes. Hotel *structures* are at least two stories in height, with lodging space above the first
34 floor. Lodging space may also be located on the first floor. Individual rooms are typically accessed
35 from a common hallway. A central *kitchen* and dining room and accessory shops and services

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1 catering to the general public may be provided. Not included in this definition
2 are townhouses, apartments, bed and breakfasts, or motels. [Ord. 11-0329 § 3 (Exh. 1).]

3 **18.20.1380 Household pets.**

4 “Household pets” means small animals that are kept within a *dwelling unit*. [Ord. 11-0329 § 3 (Exh.
5 1).]

6 **18.20.1381 Human-scaled elements.**

7 “Human-scaled elements” means the perceived size of a *building* or space relative to the human
8 body. Human-scaled elements such as doors, windows, bays, etc., have dimensions and
9 proportions which respond to the size of a human body. [Ord. 11-0329 § 3 (Exh. 1).]

10 **18.20.1382 Hydraulic project approval (HPA).**

11 “Hydraulic project approval (HPA)” means a permit issued by the Washington State Department of
12 Fish and Wildlife for modifications to waters of the State in accordance with Chapter [75.20](#) RCW.
13 [Ord. 11-0329 § 3 (Exh. 1).]

14 **18.20.1390 Hydroelectric generation facility.**

15 “Hydroelectric generation facility” means an establishment for the generation of electricity using
16 water sources. [Ord. 11-0329 § 3 (Exh. 1).]

17 **18.20.1400 Impervious surface.**

18 “Impervious surface” means a nonvegetated surface that either prevents or retards the entry of
19 water into the soil mantle as under natural conditions prior to *development*, and/or that causes
20 water to run off the surface in greater quantities or at an increased rate of flow from the flow
21 present under natural conditions prior to *development*. Common *impervious surfaces* include, but
22 are not limited to, roofs, walkways, patios, driveways, parking lots, storage areas, areas which are
23 paved, graveled or made of packed or oiled earthen materials or other surfaces which similarly
24 impede the natural infiltration of surface and stormwater. Impervious surface shall not include
25 areas of turf, landscaping, or natural vegetation. Open uncovered flow control or water quality
26 treatment facilities shall not be considered as *impervious surfaces* under this title, but shall be
27 considered *impervious surfaces* for the purposes of runoff modeling. [Ord. 16-0428 § 13 (Att. I);
28 Ord. 11-0329 § 3 (Exh. 1).]

29 **18.20.1420 Individual transportation and taxi.**

30 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

31 **18.20.1430 Infiltration rate.**

32 “Infiltration rate” means the rate of water entry into the soil expressed in inches per hour. [Ord. 11-
33 0329 § 3 (Exh. 1).]

34 **18.20.1435 In-kind.**

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1 “In-kind” means to replace *critical areas* with substitute areas whose characteristics and functions
2 closely approximate those destroyed or degraded by a regulated activity. [Ord. 11-0329 § 3 (Exh.
3 1).]

4 **18.20.1437 Intentionally created stream.**

5 “Intentionally created stream” means streams created through purposeful human action, such as
6 irrigation and drainage ditches, grass-lined swales, and canals. [Ord. 24-0624 § 4 (Exh. B).]

7 **18.20.1438 Intermittent stream.**

8 “Intermittent stream” means a stream that flows only part of the year after precipitation events and
9 receives some water during that time from groundwater sources. [Ord. 24-0624 § 4 (Exh. B).]

10 **18.20.1440 Interim recycling facility.**

11 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

12 **18.20.1470 Jail.**

13 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

14 **18.20.1480 Jail farm.**

15 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

16 **18.20.1490 Jewelry store.**

17 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

18 **18.20.1500 Joint use driveway.**

19 “Joint use driveway” means a jointly owned and/or maintained vehicular access to two residential
20 properties. [Ord. 11-0329 § 3 (Exh. 1).]

21 **18.20.1510 Kennel.**

22 “Kennel” means a place where adult dogs are temporarily boarded for compensation, whether or
23 not for training. An adult dog is one of either sex, altered or unaltered, that has reached the age of
24 six months. [Ord. 11-0329 § 3 (Exh. 1).]

25 **18.20.1520 Kitchen or kitchen facility.**

26 “Kitchen or kitchen facility” means an area within a *building* intended for the preparation and
27 storage of food and containing:

28 A. An appliance for the refrigeration of food;

29 B. An appliance for the cooking or heating of food; and

30 C. A sink. [Ord. 11-0329 § 3 (Exh. 1).]

31 **18.20.1525 Laboratory.**

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1 “Laboratory” means a standalone facility subject to biosafety or hazardous materials containment
2 procedures in which research and experiments leading to the development of new products are
3 conducted. This use may be associated with an institutional, clinical or commercial use.

4 May include NAICS 54138 (Testing Laboratories) and 621511 (Medical Laboratories). [Ord. 14-0391
5 § 2 (Exh. 1).]

6 **18.20.1530 Landfill.**

7 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

8 **18.20.1540 Landscape water features.**

9 “Landscape water features” means a pond, pool or fountain used as a decorative component of
10 a *development*. [Ord. 11-0329 § 3 (Exh. 1).]

11 **18.20.1550 Landscaping.**

12 “Landscaping” means live vegetative materials required for a *development*. Said materials
13 provided along the boundaries of a *development site* are referred to as perimeter landscaping.
14 [Ord. 11-0329 § 3 (Exh. 1).]

15 **18.20.1560 Landslide.**

16 “Landslide” means episodic downslope movement of a mass including, but not limited to, soil,
17 rock or snow. [Ord. 11-0329 § 3 (Exh. 1).]

18 **18.20.1570 Landslide hazard areas.**

19 “Landslide hazard areas” means areas at risk of mass movement resulting from a combination of
20 geologic, topographic, and hydrologic factors including: bedrock, soil, slope gradient, slope
21 aspect, geologic structure, groundwater, or other factors. [Ord. 24-0624 § 4 (Exh. B); Ord. 11-0329
22 § 3 (Exh. 1).]

23 **18.20.1572 Large woody debris (LWD).**

24 “Large woody debris (LWD)” means dead woody material (i.e., fallen trees and branches) in various
25 stages of decomposition that has fallen into a stream or has been placed in a stream, stabilizes the
26 streambed, and provides habitat for fish and aquatic insects. “LWD” includes any piece of wood
27 that is at least four inches (10 centimeters) in diameter (midpoint) and is at least six feet (two
28 meters) in length. [Ord. 24-0624 § 4 (Exh. B).]

29 **18.20.1575 Lattice tower.**

30 “Lattice tower” means a *tower* consisting of a self-supporting, multiple-sided, open steel frame
31 structure without guy wires and ground anchors. [Ord. 16-0426 § 4 (Att. B); Ord. 11-0329 § 3 (Exh.
32 1).]

33 **18.20.1580 Level of service (LOS).**

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1 “Level of service (LOS)” means a measure of transportation system performance or completeness
2 (by mode of travel) determined in accordance with Chapter [12.80](#) KMC. [Ord. 16-0420 § 4 (Exh. 2);
3 Ord. 11-0329 § 3 (Exh. 1).]

4 **18.20.1590 Light equipment.**

5 “Light equipment” means hand-held tools and construction equipment, such as chain saws,
6 wheelbarrows and post-hole diggers. [Ord. 11-0329 § 3 (Exh. 1).]

7 **18.20.1600 Livestock.**

8 “Livestock” means grazing animals kept either in open fields or *structures* for training, boarding,
9 home use, sales, or breeding and production, including but not limited to:

10 A. Cattle;

11 B. Riding and draft horses;

12 C. Hogs, excluding pigs weighing under 120 pounds and standing 20 inches or less at the shoulder
13 which are kept as *household pets* or *small animals*;

14 D. Sheep; and

15 E. Goats. [Ord. 11-0329 § 3 (Exh. 1).]

16 **18.20.1610 Livestock, large.**

17 “Large livestock” means cattle, horses, and other *livestock* generally weighing over 500 pounds.
18 [Ord. 11-0329 § 3 (Exh. 1).]

19 **18.20.1620 Livestock, small.**

20 “Small livestock” means hogs, excluding pigs weighing under 120 pounds and standing 20 inches
21 or less at the shoulder which are kept as *household pets* or *small animals*, sheep, goats, miniature
22 horses, llamas, alpacas and other *livestock* generally weighing under 500 pounds. [Ord. 11-0329
23 § 3 (Exh. 1).]

24 **18.20.1630 Livestock sales.**

25 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

26 **18.20.1640 Loading space.**

27 “Loading space” means a space for the temporary parking of a vehicle while loading or unloading
28 cargo or passengers. [Ord. 11-0329 § 3 (Exh. 1).]

29 **18.20.1650 Log storage.**

30 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

31 **18.20.1660 Lot.**

32 “Lot” means a physically separate and distinct parcel of property, which has been created
33 pursuant to KMC Title [17](#), Land Division. [Ord. 11-0329 § 3 (Exh. 1).]

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18.20.1661 Lot, parent.

“Parent lot” means the initial lot from which unit lots are subdivided pursuant to KMC 17.20.160.

18.20.1662 Lot, unit

“Unit lot” means a lot created by the subdivision of a parent lot pursuant to KMC 17.20.160.

18.20.1670 Lot line, interior.

*“Interior lot line” means lot lines that delineate property boundaries along those portions of the property which do not abut a *street*. [Ord. 11-0329 § 3 (Exh. 1).]*

18.20.1671 Low impact development (LID).

“Low impact development (LID)” means a stormwater management and land development strategy that strives to mimic predisturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration by emphasizing conservation, use of on-site natural features, site planning, and distributed stormwater management practices that are integrated into a project design. [Ord. 16-0428 § 13 (Att. I); Ord. 11-0329 § 3 (Exh. 1).]

18.20.1673 Lowest floor.

For purposes of flood hazard area regulations, “lowest floor” means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building’s lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable nonelevation design requirements of Article XIX of Chapter 18.55 KMC. [Ord. 19-0488 § 4 (Exh. 2).]

18.20.1675 Manufactured home.

*“Manufactured home” is defined under WAC 296-150M-0020. The term “manufactured home” does not include a “*recreational vehicle*.” [Ord. 11-0329 § 3 (Exh. 1).]*

18.20.1675.1 Manufactured housing community.

*“Manufactured housing community” means a *development* with two or more improved pads or spaces designed to accommodate *mobile homes, manufactured homes, or designated manufactured homes*. [Ord. 19-0481 § 2 (Exh. A).]*

18.20.1676 Manufacturing, heavy.

“Heavy manufacturing” means an establishment engaged in the mechanical, physical, or chemical transformation of materials, substances, or components into new products that is likely to generate levels of truck traffic, noise, pollution, vibration, dust, fumes, odors, radiation, poisons, pesticides, or other hazardous materials, fire or explosion hazards, or other undesirable conditions that would be injurious to health or offensive to the senses, or would be an obstruction to the free use of surrounding property and essentially interfere with the comfortable enjoyment of life and property. Heavy manufacturing facilities use larger quantities of raw materials and may require significant outdoor storage. Examples include concrete manufacture, asphalt batch plants, mass

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1 production of commercial or recreational vehicles or large machinery, production of industrial
2 organic and inorganic chemicals, animal slaughtering, and refining, extruding, rolling, or drawing of
3 ferrous or nonferrous metals.

4 May include NAICS Sectors 31 – 33 (Manufacturing). Also may include NAICS 54171 (Research and
5 Development in the Physical, Engineering and Life Sciences). [Ord. 14-0391 § 2 (Exh. 1).]

6 **18.20.1677 Manufacturing, light.**

7 “Light manufacturing” means an establishment engaged in the mechanical, physical, or chemical
8 transformation of materials, substances, or components into new products that is of a lower
9 intensity and cleaner than heavy manufacturing establishments. Light manufacturing facilities do
10 not generate noise, particulate matter, vibration, smoke, dust, gas, fumes, odors, radiation, or
11 other nuisances that would be injurious to health or offensive to the senses, or would be an
12 obstruction to the free use of surrounding property and essentially interfere with the comfortable
13 enjoyment of life and property. Light manufacturing facilities require only a small amount of raw
14 materials, area and power to produce items of relatively high value per unit weight. Examples
15 include manufacture of clothes, jewelry, food, blown glass, furniture, computer hardware and
16 software, medical instrumentation, consumer electronics, and winery/brewery, as well as research
17 and development facilities and biotechnology.

18 May include NAICS Sectors 31 – 33 (Manufacturing). Also may include NAICS 54171 (Research and
19 Development in the Physical, Engineering and Life Sciences). [Ord. 14-0391 § 2 (Exh. 1).]

20 **18.20.1678 Manufacturing land uses.**

21 For purposes of Chapters [18.35](#) and [18.40](#) KMC, “manufacturing land uses” means *manufacturing*,
22 *heavy*; *manufacturing, light*; *cannabis processor*; and tire retreading. [Ord. 24-0607 § 2 (Exh. A(III));
23 Ord. 17-0438 § 2 (Att. A); Ord. 14-0391 § 2 (Exh. 1); Ord. 11-0329 § 3 (Exh. 1). Formerly 18.20.1677]

24 **18.20.1679.1 Cannabis.**

25 “Cannabis” means cannabis as defined in RCW [69.50.101](#). [Ord. 24-0607 § 2 (Exh. A(II)); Ord. 14-
26 0384 § 4.]

27 **18.20.1679.2 Cannabis business.**

28 “Cannabis business” means a cannabis producer, cannabis processor, cannabis researcher, or
29 cannabis retailer. “Cannabis business” does not include a cannabis cooperative as defined in KMC
30 18.20.1679.2.5. [Ord. 24-0607 § 2 (Exh. A(II)); Ord. 16-0421 § 2 (Att. A); Ord. 14-0384 § 4.]

31 **18.20.1679.2.5 Cannabis cooperative.**

32 “Cannabis cooperative” means a cooperative of no more than four qualifying patients or
33 designated providers sharing responsibility for acquiring and supplying the resources needed to
34 produce and process cannabis only for the medical use of members of the cooperative, as
35 described under Chapter [69.51A](#) RCW. [Ord. 24-0607 § 2 (Exh. A(II)); Ord. 16-0421 § 2 (Att. A).]

36 **18.20.1679.3 Cannabis processor.**

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1 “Cannabis processor” means a cannabis processor as defined in RCW [69.50.101](#). [Ord. 24-0607
2 § 2 (Exh. A(II)); Ord. 14-0384 § 4.]

3 **18.20.1679.4 Cannabis producer.**

4 “Cannabis producer” means a cannabis producer as defined in RCW [69.50.101](#). [Ord. 24-0607 § 2
5 (Exh. A(II)); Ord. 14-0384 § 4.]

6 **18.20.1679.4.5 Cannabis researcher.**

7 “Cannabis researcher” means a person licensed by the Washington State Liquor and Cannabis
8 Board to produce, process, and possess cannabis for the purposes of conducting research on
9 cannabis and cannabis-derived drug products. [Ord. 24-0607 § 2 (Exh. A(II)); Ord. 16-0421 § 2
10 (Att. A).]

11 **18.20.1679.5 Cannabis retailer.**

12 “Cannabis retailer” means a cannabis retailer as defined in RCW [69.50.101](#). [Ord. 24-0607 § 2
13 (Exh. A(II)); Ord. 14-0384 § 4.]

14 **18.20.1680 Marina.**

15 “Marina” means an establishment providing docking, moorage space and related activities limited
16 to the provisioning or minor repair of pleasure boats and yachts; and accessory facilities including,
17 but not limited to:

18 A. Showers;

19 B. Toilets; and

20 C. Self-service laundries. [Ord. 11-0329 § 3 (Exh. 1).]

21 **18.20.1683 Mass wasting.**

22 “Mass wasting” means the spontaneous downhill movement of soil and/or rock under the
23 influence of gravity. [Ord. 11-0329 § 3 (Exh. 1).]

24 **18.20.1685 Master plan.**

25 A “master plan” consists of a narrative description and map conceptually describing long-term
26 land uses, circulation and infrastructure, *open space*, and development phasing for an area or
27 property to guide future *development*. [Ord. 11-0329 § 3 (Exh. 1).]

28 **18.20.1690 Median income.**

29 “King County median income” means the median family income for the Seattle-Bellevue, WA HUD
30 Metro FMR Area as most recently determined by the Secretary of Housing and Urban Development
31 under Section 8(f)(3) of the United States Housing Act of 1937, as amended, or if programs under
32 said Section 8(f)(3) are terminated, median family income is determined under the method used by
33 the Secretary prior to such termination. In the event that HUD no longer publishes median family
34 income figures for the Seattle-Bellevue, WA HUD Metro FMR Area or King County, the *City* may use

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1 any other method for determining the King County median income, adjusted for household size.
2 [Ord. 19-0481 § 2 (Exh. A).]

3 **18.20.1695 Medical/dental office/outpatient clinic.**

4 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

5 **18.20.1700 Microwave.**

6 *Repealed by Ord. 16-0426.* [Ord. 11-0329 § 3 (Exh. 1).]

7 **18.20.1705 Miscellaneous repair.**

8 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

9 **18.20.1710 Mitigation.**

10 “Mitigation” means the use of any or all of the following actions listed in descending order of
11 preference:

12 A. Avoiding the impact by not taking a certain action;

13 B. Minimizing the impact by limiting the degree or magnitude of the action by using appropriate
14 technology or by taking affirmative steps to avoid or reduce the impact;

15 C. Rectifying the impact by repairing, rehabilitating or restoring the affected *critical area* or *buffer*;

16 D. Reducing or eliminating the impact over time by preservation or maintenance operations during
17 the life of the *development proposal*;

18 E. Compensating for the impact by replacing, enhancing or providing substitute *critical areas* and
19 environments; and

20 F. Monitoring the impact and taking appropriate corrective measures. [Ord. 11-0329 § 3 (Exh. 1).]

21 **18.20.1720 Mitigation bank.**

22 “Mitigation bank” means a property that has been protected in perpetuity, and approved by
23 appropriate county, State and federal agencies expressly for the purpose of providing
24 compensatory *mitigation* in advance of authorized impacts through *restoration*, creation,
25 and/or *enhancement* of *wetlands*, and, in exceptional circumstances, preservation of
26 adjacent *wetlands*, *wetland buffers*, and/or other aquatic resources. [Ord. 11-0329 § 3 (Exh. 1).]

27 **18.20.1730 Mitigation banking.**

28 “Mitigation banking” means a system for providing compensatory *mitigation* in advance of
29 authorized *wetland* impacts of *development* in the *City* in which credits are generated
30 through *restoration*, creation, and/or *enhancement* of *wetlands*, and, in exceptional
31 circumstances, preservation of adjacent *wetlands*, *wetland buffers*, and/or other aquatic
32 resources. [Ord. 11-0329 § 3 (Exh. 1).]

33 **18.20.1740 Mixed use development.**

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1 “Mixed use development” means a combination of residential and nonresidential *uses* within the
2 same *building* or *site* as part of an integrated *development* project with functional
3 interrelationships and coherent physical design. [Ord. 11-0329 § 3 (Exh. 1).]

4 **18.20.1745 Mobile food vendor.**

5 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

6 **18.20.1747 Mobile food service.**

7 “Mobile food service” means an establishment engaged in preparing and serving meals and snacks
8 for immediate consumption from motorized vehicles or nonmotorized carts.

9 May include NAICS Sector 72233 (Mobile Food Services). [Ord. 14-0391 § 2 (Exh. 1).]

10 **18.20.1750 Mobile home.**

11 “Mobile home” is defined under WAC [296-150M-0020](#). [Ord. 11-0329 § 3 (Exh. 1).]

12 **18.20.1760 Mobile home park.**

13 *Repealed by Ord. 19-0481.* [Ord. 11-0329 § 3 (Exh. 1).]

14 **18.20.1761 Mobility unit.**

15 A “mobility unit” means one PM peak hour person trip end. Each person trip has two trip ends, one
16 each at the origin and destination. [Ord. 16-0420 § 4 (Exh. 2).]

17 **18.20.1762 Modification.**

18 *Repealed by Ord. 16-0426.* [Ord. 11-0329 § 3 (Exh. 1).]

19 **18.20.1765 Modulation.**

20 “Modulation” means variations in a *building facade* through the use of setbacks, upper level
21 stepbacks, and/or projections from the *building* which serve to break up the apparent mass and
22 bulk of a *building*. [Ord. 11-0329 § 3 (Exh. 1).]

23 **18.20.1770 Monitoring.**

24 For purposes of Chapter [18.55](#) KMC, “monitoring” means evaluating the impacts of *development*
25 *proposals* on the biological, hydrological, and geological elements of *critical areas* and assessing
26 the performance of required *mitigation* measures throughout the collection and analysis of data by
27 various methods. Monitoring serves the purpose of understanding and documenting changes in
28 natural ecosystems and features, and includes gathering baseline data. [Ord. 11-0329 § 3 (Exh. 1).]

29 **18.20.1775 Monopole tower.**

30 *Repealed by Ord. 16-0426.* [Ord. 11-0329 § 3 (Exh. 1).]

31 **18.20.1785 Motel.**

32 “Motel” means a *building* or group of detached or connected *buildings* designed or used primarily
33 for providing sleeping accommodations for automobile travelers and typically having a *parking*

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1 space adjacent to a sleeping accommodation. This definition
2 excludes townhouses, apartments, bed and breakfast guesthouses, and hotels. [Ord. 11-0329 § 3
3 (Exh. 1).]

4 **18.20.1790 Motor vehicle and boat dealers.**

5 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

6 **18.20.1800 Motor vehicle and bicycle manufacturing.**

7 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

8 **18.20.1810 Mulch.**

9 “Mulch” means any material such as leaves, bark, or straw left loose and applied to the soil
10 surface to reduce evaporation. [Ord. 11-0329 § 3 (Exh. 1).]

11 **18.20.1820 Municipal water production.**

12 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

13 **18.20.1830 Native vegetation.**

14 “Native vegetation” means *vegetation* comprised of plant species, other than *noxious weeds*,
15 which are indigenous to the coastal region of the Pacific Northwest and which reasonably could
16 have been expected to naturally occur on the *site*. [Ord. 11-0329 § 3 (Exh. 1).]

17 **18.20.1835 Natural waters.**

18 “Natural waters” means all surface waters of the State, only excluding water conveyance systems
19 which are artificially constructed and actively maintained for irrigation. [Ord. 19-0488 § 4 (Exh. 2).]

20 **18.20.1840 Negative externality.**

21 “Negative externality” means a cost, burden, or undesirable physical impact on persons or
22 property outside the property from which the negative externality is generated. Negative
23 externalities shall include, without limitation, noise, odors, pollution, dust, fumes, vibration, and
24 hazardous substances. [Ord. 14-0391 § 2 (Exh. 1).]

25 **18.20.1850 Net buildable area.**

26 “Net buildable area” means the “*site area*” less the following areas:

27 A. Areas within or on the perimeter of a project *site* which are required to be dedicated for public
28 rights-of-way;

29 B. *Critical areas* and their *buffers* to the extent they are required by the *City* to remain undeveloped;

30 C. Areas required for stormwater control facilities other than facilities which are completely
31 underground, including, but not limited to, retention/detention ponds, biofiltration swales and
32 setbacks from such ponds and swales;

33 D. Areas required by the *City* to be dedicated or reserved as on-site recreation areas;

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1 E. *Regional utility corridors*;

2 F. Other areas, excluding *setbacks*, required by the *City* to remain undeveloped. [Ord. 11-0329 § 3
3 (Exh. 1).]

4 **18.20.1860 Nonconformance.**

5 “Nonconformance” means any *use*, improvement or *structure* established in conformance with
6 the *City* rules and regulations in effect at the time of establishment that no longer conforms to the
7 range of *uses* permitted in the *site’s* current zone or to the current development standards of the
8 code due to changes in the code or its application to the subject property. [Ord. 11-0329 § 3 (Exh.
9 1).]

10 **18.20.1870 Nonhydroelectric generation facility.**

11 “Nonhydroelectric generation facility” means an establishment for the generation of electricity by
12 nuclear reaction, burning fossil fuels, or other electricity generation methods. [Ord. 11-0329 § 3
13 (Exh. 1).]

14 **18.20.1875 Nonindigenous.**

15 “Nonindigenous” means any species of plants or animals not native to the Puget Sound region.
16 [Ord. 11-0329 § 3 (Exh. 1).]

17 **18.20.1880 Nonionizing electromagnetic radiation (NIER).**

18 “Nonionizing electromagnetic radiation (NIER)” means electromagnetic radiation of low photon
19 energy unable to cause ionization. [Ord. 11-0329 § 3 (Exh. 1).]

20 **18.20.1890 Noxious weed.**

21 “Noxious weed” means any plant which is highly destructive, competitive or difficult to control by
22 cultural or chemical practices, limited to those plants on the State noxious weed list contained in
23 Chapter [16-750](#) WAC. [Ord. 11-0329 § 3 (Exh. 1).]

24 **18.20.1900 Off-street required parking lot.**

25 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

26 **18.20.1905 Office.**

27 “Office” means a place of employment for professional or administrative staff which does not
28 include outside storage, or fabrication or on-site sale or transfer of commodities. Types of offices
29 include, but are not limited to, accounting; architectural; engineering; banking; consulting;
30 management; administrative; secretarial; marketing or advertising; personnel; sales offices where
31 no inventories or goods are available on the premises; real estate; insurance; travel agent;
32 brokerage; computer programming; or other similar services. Office does not include medical
33 offices which are classified as a health care and social assistance land use.

34 May include NAICS Sector 51 (Information), except the following: 512 (Motion Picture and Sound
35 Recording Industries), 515 (Broadcasting), 517 (Telecommunications), 518 (Data Processing,

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1 Hosting and Related Services), and 51912 (Libraries and Archives). May include Sectors 52
2 (Finance and Insurance) and 53 (Real Estate Rental and Leasing), except the following: 53113
3 (Lessors of Miniwarehouses and Self-Storage Units), 5321 (Automotive Equipment Rental and
4 Leasing), 5322 (Consumer Goods Rental), 5323 (General Rental Centers), and 5324 (Commercial
5 and Industrial Machinery and Equipment Rental and Leasing). May include Sector 54 (Professional,
6 Scientific and Technical Services), except the following: 54135 (Building Inspection Services),
7 54138 (Testing Laboratories), 54171 (Research and Development in the Physical, Engineering and
8 Life Sciences), 54186 (Direct Mail Advertising), 54192 (Photographic Services), and 54194
9 (Veterinary Services). May include Sector 55 (Management of Companies and Enterprises) and
10 56151 (Travel Agencies). May include 8132 (Grantmaking and Giving Services), 8133 (Social
11 Advocacy Organizations), 8139 (Business, Professional, Labor, Political, and Similar
12 Organizations), and Sector 92 (Public Administration), except the following: 92212 (Police
13 Protection), 92214 (Correctional Institutions), 92215 (Parole Offices and Probation Offices), and
14 92216 (Fire Protection). [Ord. 14-0391 § 2 (Exh. 1).]

15 **18.20.1910 Open space.**

16 “Open space” means areas left predominately in a natural state to create urban separators and
17 greenbelts, sustain native ecosystems, connect and increase protective *buffers for critical areas*,
18 provide a visual contrast to continuous *development*, reinforce community identity and aesthetics,
19 or provide links between important environmental or recreational resources. [Ord. 11-0329 § 3
20 (Exh. 1).]

21 **18.20.1920 Open-work fence.**

22 “Open-work fence” means a *fence* in which the solid portions are evenly distributed and constitute
23 no more than 50 percent of the total surface area. [Ord. 11-0329 § 3 (Exh. 1).]

24 **18.20.1930 Ordinary high water mark.**

25 “Ordinary high water mark” means the mark found by examining the bed and banks of a *stream* or
26 lake and ascertaining where the presence and action of waters are so common and long
27 maintained in ordinary years as to mark upon the soil a vegetative character distinct from that of
28 the abutting upland. In any area where the ordinary high water mark cannot be found, the line of
29 mean high water shall substitute. In any area where neither can be found, the top of the channel
30 bank shall substitute. In braided channels and alluvial fans, the ordinary high water mark or line of
31 mean high water shall be measured so as to include the entire stream feature. [Ord. 11-0329 § 3
32 (Exh. 1).]

33 **18.20.1940 Outdoor performance center.**

34 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

35 **18.20.1945 Outdoor retail display/sidewalk sale.**

36 “Outdoor retail display/sidewalk sale” means exhibit of goods which are directly accessible to the
37 public for retail sale. These display areas are accessory to the principal indoor retail use. [Ord. 11-
38 0329 § 3 (Exh. 1).]

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1 **18.20.1960 Park.**

2 “Park” means a *site* designed or developed for recreational use by the public including, but not
3 limited to:

4 A. Indoor facilities, such as:

5 1. Gymnasiums;

6 2. Swimming pools; or

7 3. Activity centers;

8 B. Outdoor facilities, such as:

9 1. Playfields;

10 2. Fishing areas;

11 3. Picnic and related outdoor activity areas;

12 C. Areas and *trails* for:

13 1. Hikers;

14 2. Equestrians;

15 3. Bicyclists;

16 D. Areas provided under KMC [18.30.130](#) or Chapter [20.47](#) KMC;

17 E. Facilities for on-site maintenance. [Ord. 18-0463 § 3 (Exh. 2); Ord. 14-0391 § 2 (Exh. 1); Ord. 11-
18 0329 § 3 (Exh. 1).]

19 **18.20.1995 Parking management plan.**

20 “Parking management plan” means a plan developed by a property owner or applicant that clearly
21 identifies the short- and long-term parking management methods used to ensure that on-site
22 parking provided on a property is adequate to meet anticipated parking demands. Parking
23 management methods can include but are not limited to transportation demand methods that
24 include on-site parking enforcement, signage, and parking fees. [Ord. 15-0406 § 1 (Att. A).]

25 **18.20.2000 Parking space.**

26 “Parking space” means an area accessible to vehicles, improved, maintained and used for the sole
27 purpose of parking a motor vehicle. [Ord. 11-0329 § 3 (Exh. 1).]

28 **18.20.2030 Peak hour.**

29 “Peak hour” means the hour during the morning or afternoon when the most critical *level of*
30 *service* occurs for a particular roadway or intersection. [Ord. 11-0329 § 3 (Exh. 1).]

31 **18.20.2035 Pedestrian walkway.**

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1 “Pedestrian walkway” means a public walkway that connects public streets to other streets,
2 walkways, *public spaces*, or drives. Public walkways should be lit for nighttime use and be aligned
3 for maximum nighttime visibility. [Ord. 11-0329 § 3 (Exh. 1).]

4 **18.20.2040 Permanent school facilities.**

5 “Permanent school facilities” means facilities of a *school district* with a fixed foundation which are
6 not *relocatable facilities*. [Ord. 11-0329 § 3 (Exh. 1).]

7 **18.20.2050 Personal medical supply store.**

8 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

9 **18.20.2055 Personal service.**

10 “Personal service” means an establishment primarily engaged in providing services to individuals,
11 such as beauty and barber shops, retail laundry and drycleaning including coin-operated, clothing
12 alterations and repair, diaper services, carpet and upholstery cleaning services, photo studios,
13 shoe repair, pet grooming, and repair of personal or household items. This definition excludes
14 automotive repair and service.

15 May include NAICS 5322 (Consumer Goods Rental), 5323 (General Rental Center), 541921 (Photo
16 Studios), 811211 (Consumer Electronics Repair and Maintenance), and 8114 (Personal and
17 Household Goods Repair and Maintenance). May include 812 (Personal and Laundry Services)
18 except the following: 8122 (Death Care Services), 812332 (Industrial Launderers), and 81293
19 (Parking Lots and Garages). [Ord. 14-0391 § 2 (Exh. 1).]

20 **18.20.2060 Pet shop.**

21 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

22 **18.20.2070 Photographic and electronic shop.**

23 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

24 **18.20.2102 Practical alternative.**

25 “Practical alternative” means an alternative that is available and capable of being carried out after
26 taking into consideration effectiveness, engineering feasibility, cost, safety, existing technology,
27 and logistics in light of overall project needs, purposes and objectives, and has less impacts
28 to *critical areas*. For example, a practical alternative to a proposal to place a sidewalk through
29 a *wetland* might be to place an elevated boardwalk through the *wetland*. [Ord. 19-0488 § 4 (Exh. 2);
30 Ord. 11-0329 § 3 (Exh. 1).]

31 **18.20.2104 Priority habitat/species or priority wildlife habitat/species.**

32 “Priority habitat/species” or “priority wildlife habitat/species” means a habitat type of elements
33 with unique significant value to one or more *species* or habitats of local importance and concern in
34 urban areas as classified by the Washington State Department of Fish and Wildlife Priority Habitat
35 and Species (PHS) program. “Priority species” are wildlife species of concern due to their
36 population status and their sensitivity to habitat alteration. “Priority habitats” are areas with one or

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1 more of the following attributes: comparatively high wildlife density, high wildlife species richness,
2 significant wildlife breeding habitat, significant wildlife seasonal ranges, significant movement
3 corridors for wildlife, limited availability, or high vulnerability. General types of priority habitat
4 identified in the PHS program potentially found in Kenmore include meadows, oak woodlands, old-
5 growth/mature forests, riparian areas, snag-rich areas, urban natural open space, and wetlands.
6 [Ord. 24-0624 § 4 (Exh. B); Ord. 11-0329 § 3 (Exh. 1).]

7 **18.20.2110 Private.**

8 “Private” means solely or primarily for the use of residents or occupants of the premises; e.g., a
9 noncommercial garage used solely by residents or their guests is a private garage. [Ord. 11-0329
10 § 3 (Exh. 1).]

11 **18.20.2120 Private stormwater management facility.**

12 “Private stormwater management facility” means a surface water control *structure* installed by a
13 project proponent to retain, detain or otherwise limit runoff from an individual or group of
14 developed sites specifically served by such *structure*. [Ord. 11-0329 § 3 (Exh. 1).]

15 **18.20.2130 Professional office.**

16 “Professional office” means an office used as a place of business by licensed professionals, or
17 persons in other generally recognized professions, which use training or knowledge of a technical,
18 scientific or other academic discipline as opposed to manual skills, and which does not involve
19 outside storage or fabrication, or on-site sale or transfer of commodities. [Ord. 11-0329 § 3 (Exh.
20 1).]

21 **18.20.2135 Pro shop.**

22 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

23 **18.20.2140 Public agency.**

24 “Public agency” means any agency, political subdivision or unit of government including, but not
25 limited to, municipal corporations, special purpose districts and local service districts, any agency
26 of the State of Washington, the United States or any state thereof or any Indian tribe recognized as
27 such by the federal government. [Ord. 11-0329 § 3 (Exh. 1).]

28 **18.20.2150 Public agency animal control facility.**

29 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

30 **18.20.2160 Public agency archive.**

31 “Public agency archive” means a facility for the enclosed storage of *public agency* documents or
32 related materials, excluding storage of vehicles, equipment, or similar materials. [Ord. 11-0329 § 3
33 (Exh. 1).]

34 **18.20.2170 Public agency or utility office.**

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1 “Public agency or utility office” means an office for the administration of any governmental or utility
2 activity or program, with no *outdoor storage*. [Ord. 11-0329 § 3 (Exh. 1).]

3 **18.20.2180 Public agency or utility yard.**

4 “Public agency or utility yard” means a facility for open or enclosed storage, repair, and
5 maintenance of vehicles, equipment, or related materials, excluding document storage. [Ord. 11-
6 0329 § 3 (Exh. 1).]

7 **18.20.2190 Public agency training facility.**

8 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

9 **18.20.2195 Public space/public open space.**

10 “Public space/public open space” means an open space or plaza in an area between
11 a *building* and a *street* or *pedestrian walkway* where people gather or sit. Public spaces are open for
12 public use during the daytime and evening and are visible from adjacent *streets*. Public spaces
13 contain site furnishings, artwork, landscaping, pedestrian lighting, and other amenities which make
14 the space comfortable and inviting. Public spaces may be government owned or dedicated
15 property or areas open to all persons by design or intent. [Ord. 11-0329 § 3 (Exh. 1).]

16 **18.20.2202 Public view.**

17 “Public view” means areas which are visible from adjacent public *streets*, walkways, or *public*
18 *spaces*. [Ord. 11-0329 § 3 (Exh. 1).]

19 **18.20.2205 Qualified professional.**

20 “Qualified professional” means a person with experience and training in the pertinent scientific
21 discipline, and who is a qualified scientific expert with expertise appropriate for the relevant *critical*
22 *area* subject in accordance with WAC [365-195-905\(4\)](#). A qualified professional must have obtained
23 a B.S. or B.A. or equivalent degree in biology, engineering, environmental studies, fisheries,
24 geology, hydrogeology, geomorphology, or a related field, and have two years of related work
25 experience.

26 A. A qualified professional for habitats or *wetlands* must have a degree in biology and professional
27 experience related to the subject *species*;

28 B. A qualified professional for a geological hazard must be a professional engineer
29 or *geologist* licensed in the state of Washington. [Ord. 24-0624 § 4 (Exh. B); Ord. 11-0329 § 3 (Exh.
30 1).]

31 **18.20.2207 Qualified tree protection professional.**

32 “Qualified tree protection professional” means a licensed professional with academic and/or field
33 experience that makes her or him a recognized expert in *tree* preservation and management. The
34 tree protection professional shall be an arborist certified by the International Society of
35 Arboriculture or be an arborist registered with the American Society of Consulting Arborists, and
36 shall have specific experience with *tree* management in the State of Washington. A qualified tree
37 protection professional must possess the ability to evaluate the health and hazard potential of

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1 existing *trees*, and the ability to prescribe appropriate measures necessary for the preservation
2 of *trees* during *development*. [Ord. 15-0409 § 1 (Att. A); Ord. 11-0329 § 3 (Exh. 1).]

3 **18.20.2208 Quality habitat areas.**

4 “Quality habitat areas” means areas that provide significant wildlife value by virtue of their
5 characteristics. These characteristics include several parameters indicative of quality habitat,
6 including size, community diversity, interspersions (spatial patterns), continuity, forest vegetation
7 layers, forest age, and lack of invasive plants. Also referred to as a “primary habitat.” [Ord. 24-0624
8 § 4 (Exh. B).]

9 **18.20.2210 Radio frequency.**

10 “Radio frequency” means the number of times the current from a given source
11 of *nonionizing electromagnetic radiation* changes from a maximum positive level through a
12 maximum negative level and back to a maximum positive level in one second; measured in cycles
13 per second or Hertz (Hz). [Ord. 11-0329 § 3 (Exh. 1).]

14 **18.20.2220 Reasonable use.**

15 “Reasonable use” means a legal concept articulated by federal and State courts in regulatory
16 taking cases. [Ord. 11-0329 § 3 (Exh. 1).]

17 **18.20.2230 Receiving site.**

18 “Receiving site” means land for which allowable residential density is increased over the base
19 density permitted by the underlying zone, by virtue of permanently securing and dedicating to
20 the *City*, or another qualifying agency, the development potential of an associated *sending site*.
21 [Ord. 11-0329 § 3 (Exh. 1).]

22 **18.20.2231 Reclassification.**

23 “Reclassification” means a change in the zone classification on the zoning map pursuant to a Type
24 4 land use permit decision, where the reclassification is not related to a comprehensive plan land
25 use map amendment. [Ord. 11-0329 § 3 (Exh. 1).]

26 **18.20.2232 Reconstruction.**

27 “Reconstruction” means to build, repair, or restore a structure to its original form after it has been
28 damaged or destroyed. [Ord. 24-0624 § 4 (Exh. B).]

29 **18.20.2233 Recreational/cultural land uses.**

30 For purposes of Chapters [18.35](#) and [18.40](#) KMC, “recreational/cultural land uses” means adult
31 entertainment business, arts, entertainment, indoor; arts, entertainment, outdoor; park;
32 recreational facility, indoor; recreational facility, outdoor; and trail. [Ord. 24-0624 § 4 (Exh. B); Ord.
33 17-0438 § 2 (Att. A); Ord. 11-0329 § 3 (Exh. 1). Formerly 18.20.2232.]

34 **18.20.2234 Recreational facility, indoor.**

| = changes since March 4

1 “Indoor recreational facility” means an establishment that provides facilities or services for
2 recreational uses inside a building. Indoor recreational facility includes such uses as clubhouses,
3 gyms, indoor swimming pools, and fitness and bowling centers.

4 May include NAICS 61162 (Sports and Recreation Instruction), 711211 (Sports Teams and Clubs),
5 71312 (Amusement Arcades), and 7139 (Other Amusement and Recreation Industries). [Ord. 14-
6 0391 § 2 (Exh. 1); Ord. 11-0329 § 3 (Exh. 1).]

7 **18.20.2237 Recreational facility, outdoor.**

8 “Outdoor recreational facility” means an establishment that provides facilities or services for
9 recreational uses outside a building. Outdoor recreational facility includes such uses as outdoor
10 tennis courts, outdoor swimming pools, batting cages, miniature golf courses, golf driving ranges,
11 marinas, boat launches, campgrounds, and RV parks.

12 May include NAICS 61162 (Sports and Recreation Instruction), 711211 (Sports Teams and Clubs),
13 7139 (Other Amusement and Recreation Industries), and 7212 (RV/Recreational Vehicle Parks and
14 Recreational Camps). [Ord. 14-0391 § 2 (Exh. 1); Ord. 11-0329 § 3 (Exh. 1).]

15 **18.20.2240 Recreational vehicle (RV).**

16 “Recreational vehicle (RV)” means a vehicle designed primarily for recreational camping, travel or
17 seasonal use which has its own motive power or is mounted on or towed by another vehicle,
18 including but not limited to:

19 A. Travel trailer;

20 B. Folding camping trailer;

21 C. Park trailer;

22 D. Truck camper;

23 E. Park trailer;

24 F. Motor home; and

25 G. Multi-use vehicle. [Ord. 11-0329 § 3 (Exh. 1).]

26 **18.20.2250 Recreational vehicle parks.**

27 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

28 **18.20.2260 Recyclable material.**

29 “Recyclable material” means a nontoxic, recoverable substance that can be reprocessed for the
30 manufacture of new products. [Ord. 11-0329 § 3 (Exh. 1).]

31 **18.20.2265 Regional land use.**

32 “Regional land use” means an airport, ferry terminal, park and ride lot, transfer station, racetrack,
33 stadium/arena, or other land use of a regional nature that may be difficult to site. Regional land use

| **= changes since March 4**

1 includes essential public facilities, as defined in RCW [36.70A.200](#), if not otherwise defined in this
2 title.

3 May include NAICS Sector 22 (Utilities), 411 (Air Transportation), and 4881 (Support Activities for Air
4 Transportation). May include 562 (Waste Management Remediation Service) except 56299 (All
5 Other Waste Management Services). May include 7112 (Spectator Sports) except 711211 (Sports
6 Teams and Clubs). May include 713110 (Amusement and Theme Parks) and 71391 (Golf Courses
7 and Country Clubs). [Ord. 14-0391 § 2 (Exh. 1).]

8 **18.20.2275 Regional land uses.**

9 For purposes of Chapter [18.40](#) KMC, “regional land uses” means *college/university; conference*
10 *center; hydroelectric generation facility; nonhydroelectric generation facility; regional land*
11 *use; resource land use; secure facility; transit bus base; school bus base; and wireless*
12 *communication facility*. [Ord. 17-0438 § 2 (Att. A); Ord. 11-0329 § 3 (Exh. 1).]

13 **18.20.2280 Regional stormwater management facility.**

14 *Repealed by Ord. 17-0438*. [Ord. 11-0329 § 3 (Exh. 1).]

15 **18.20.2290 Regional utility corridor.**

16 “Regional utility corridor” means a right-of-way tract or easement other than a *street* right-of-way
17 which contains transmission lines or pipelines for utility companies. Right-of-way tracts or
18 easements containing lines serving individual *lots* or *developments* are not regional utility
19 corridors. [Ord. 11-0329 § 3 (Exh. 1).]

20 **18.20.2292 Rehabilitation.**

21 “Rehabilitation” means the manipulation of the physical, chemical, or biological characteristics of
22 a site with the goal of repairing natural or historic functions of a degraded critical area.
23 Rehabilitation is a type of restoration. For wetlands, rehabilitation results in a gain in wetland
24 function but does not result in a gain in wetland acres. Activities could involve breaching a dike to
25 reconnect wetlands to a floodplain. [Ord. 24-0624 § 4 (Exh. B).]

26 **18.20.2295 Religious institution.**

27 “Religious institution” means a place where religious services are conducted, including *accessory*
28 *uses* in the primary or accessory buildings such as religious education, reading rooms, assembly
29 rooms, and residences for nuns and clergy. This definition does not include facilities for training of
30 religious orders.

31 May include NAICS 8131 (Religious Organizations). [Ord. 14-0391 § 2 (Exh. 1).]

32 **18.20.2310 Relocatable facility.**

33 “Relocatable facility” means any factory-built *structure*, transportable in one or more sections,
34 that is designed to be used as an education space and is needed to prevent the overbuilding of
35 school facilities, to meet the needs of service areas within a district or to cover the gap between the
36 time that families move into new residential *developments* and the date that construction is
37 completed on *permanent school facilities*. [Ord. 11-0329 § 3 (Exh. 1).]

| **_____ = changes since March 4**

1 **18.20.2320 Relocation facilities.**

2 “Relocation facilities” means housing units within the *City* that provide housing to persons who
3 have been involuntarily displaced from other housing units within the *City* as a result of conversion
4 of their housing unit to other land uses. [Ord. 11-0329 § 3 (Exh. 1).]

5 **18.20.2325 Residential land uses.**

6 For purposes of Chapters [18.35](#) and [18.40](#) KMC, “residential land uses” means *community*
7 *residential facility; family child-care home; manufactured home; mobile home; manufactured*
8 *housing community; multiple-family dwelling; single detached dwelling unit; supportive living*
9 *facility; and temporary lodging.* [Ord. 19-0481 § 2 (Exh. A); Ord. 17-0438 § 2 (Att. A); Ord. 11-0329 § 3
10 (Exh. 1).]

11 **18.20.2326 Resource land use.**

12 “Resource land use” means a production use on agricultural, forest, aquatic, or mineral lands,
13 including farming, timber production, and mining.

14 May include NAICS Sectors 11 (Agriculture, Forestry, Fishing and Hunting) and 21 (Mining). [Ord.
15 14-0391 § 2 (Exh. 1).]

16 **18.20.2327 Resource land uses.**

17 For purposes of Chapter [18.40](#) KMC, “resource land uses” means *resource land use* and *cannabis*
18 *producer.* [Ord. 24-0607 § 2 (Exh. A(III)); Ord. 17-0438 § 2 (Att. A); Ord. 11-0329 § 3 (Exh. 1).]

19 **18.20.2330 Restoration.**

20 “Restoration” means measures taken to restore an altered or damaged natural feature including:

21 A. Active steps taken to restore damaged *wetlands, streams*, protected habitat, or their *buffers* to
22 the functioning condition that existed prior to an unauthorized *alteration*; and

23 B. Actions performed to reestablish structural and functional characteristics of the *critical*
24 *area* that have been lost by *alteration*, past management activities, or catastrophic events. [Ord.
25 11-0329 § 3 (Exh. 1).]

26 **18.20.2350 Retail, comparison.**

27 *Repealed by Ord. 14-0391.* [Ord. 11-0329 § 3 (Exh. 1).]

28 **18.20.2362 Retail land uses.**

29 For purposes of Chapters [18.35](#) and [18.40](#) KMC, “retail land uses” means *auction house;*
30 *automotive sales; eating and drinking place; cannabis retailer; mobile food service; retail*
31 *sales; retail sales, bulk; and vehicle refueling station.* [Ord. 24-0607 § 2 (Exh. A(IV)); Ord. 17-0438
32 § 2 (Att. A); Ord. 11-0329 § 3 (Exh. 1).]

33 **18.20.2364 Retail sales.**

| **= changes since March 4**

1 “Retail sales” means an establishment within a permanent *structure* of less than 65,000 square
2 feet engaged in selling goods or merchandise to the general public for personal or household
3 consumption and rendering services incidental to the sale of such goods. This definition
4 excludes *auction houses, automotive sales and service*, sales of automotive parts if service, repair
5 or installation are provided on site, *bulk retail sales*, and *eating and drinking places*.

6 May include NAICS Sectors 44 – 45 (Retail Trade), except the following: 4411 (Automobile Dealers),
7 4412 (Other Motor Vehicle Dealers), 44132 (Tire Dealers), 447 (Gasoline Stations), 45291
8 (Warehouse Clubs and Superstores), 45393 (Manufactured/Mobile Home Dealers), and 45431
9 (Fuel Dealers). [Ord. 17-0438 § 2 (Att. A); Ord. 14-0391 § 2 (Exh. 1); Ord. 11-0329 § 3 (Exh. 1).]

10 **18.20.2365 Retail sales, bulk.**

11 “Bulk retail sales” means a singular indoor “big box” retail business that occupies more than
12 65,000 square feet of gross floor area, typically requires high parking to building area ratios, and
13 has a regional sales market. Bulk retail sales can include, but is not limited to, membership
14 warehouse clubs that emphasize bulk sales, discount stores and department stores.

15 May include NAICS 45291 (Warehouse Clubs and Superstores). [Ord. 14-0391 § 2 (Exh. 1).]

16 **18.20.2367 Retail sales, outdoor.**

17 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

18 **18.20.2370 Retaining wall.**

19 “Retaining wall” means any wall used to resist the lateral displacement of any material. [Ord. 11-
20 0329 § 3 (Exh. 1).]

21 **18.20.2375 Riparian stream corridor.**

22 “Riparian stream corridor” means areas adjacent to aquatic systems with flowing water that
23 contain both aquatic and terrestrial ecosystems that mutually influence each other. The width of
24 these areas extends to that portion of the terrestrial landscape that directly influences the aquatic
25 ecosystem by providing shade, fine or large woody material, nutrients, organic and inorganic
26 debris, terrestrial insects, or habitat for riparian-associated wildlife. Widths shall be measured
27 from the *ordinary high water mark* or from the top of bank if the ordinary high water mark cannot be
28 identified. It includes the entire extent of the *floodplain* and the extent of *vegetation* adapted to wet
29 conditions as well as adjacent upland plant communities that directly influence the aquatic
30 system. Riparian habitat areas include those riparian areas severely altered or damaged due to
31 human development activities. [Ord. 24-0624 § 4 (Exh. B); Ord. 11-0329 § 3 (Exh. 1).]

32 **18.20.2380 Riparian management zone (RMZ).**

33 “Riparian management zone (RMZ)” means an area often synonymous with riparian buffer. The
34 RMZ is the area that has the potential to provide full riparian functions. [Ord. 24-0624 § 4 (Exh. B).]

35 **18.20.2385 Riparian zone.**

_____ = changes since March 4

1 “Riparian zone” means the area of vegetation adjacent to a body of water that influences (and is
2 influenced by) the water; an area typically used by more species of wildlife than other land areas.
3 [Ord. 24-0624 § 4 (Exh. B).]

4 **18.20.2410 Salmonid.**

5 “Salmonid” means a member of the fish family Salmonidae, such as Chinook, coho, chum,
6 sockeye salmon, bull trout and cutthroat trout. [Ord. 11-0329 § 3 (Exh. 1).]

7 **18.20.2415 Satellite dish.**

8 “Satellite dish” means a type of antenna, typically in the shape of a shallow dish or cone, that
9 transmits to and/or receives signals from an orbiting satellite. [Ord. 16-0426 § 4 (Att. B).]

10 **18.20.2420 School bus base.**

11 “School bus base” means an establishment for the storage, dispatch, repair and maintenance of
12 coaches and other vehicles of a school transit system. [Ord. 11-0329 § 3 (Exh. 1).]

13 **18.20.2430 School district.**

14 “School district” means any school district in Kenmore. [Ord. 11-0329 § 3 (Exh. 1).]

15 **18.20.2440 School district support facility.**

16 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

17 **18.20.2450 Schools, elementary and middle/junior high.**

18 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

19 **18.20.2460 Schools, secondary or high school.**

20 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

21 **18.20.2461 Seasonal low flow and seasonal low water.**

22 “Seasonal low flow” and “seasonal low water” mean the conditions of the seven-day, two-year low
23 water situation, as measured or estimated by accepted hydrologic techniques. [Ord. 19-0488 § 4
24 (Exh. 2).]

25 **18.20.2462 Section 404 permit.**

26 “Section 404 permit” means a permit issued by the Corps of Engineers for the placement of dredge
27 or fill material or *clearing* in waters of the U.S., including *wetlands*, in accordance with [33](#) USC
28 Section [1344](#). [Ord. 11-0329 § 3 (Exh. 1).]

29 **18.20.2465 Secure community transition facilities (SCTF).**

30 “Secure community transition facility (SCTF)” means a residential facility for persons civilly
31 committed and conditionally released to a less restrictive alternative under this chapter. A secure
32 community transition facility has supervision and security, and either provides or ensures the
33 provision of sex offender treatment services. Secure community transition facilities include but are

| **_____ = changes since March 4**

1 not limited to the facilities established pursuant to RCW [71.09.250](#) and any community-based
2 facilities established under this chapter and operated by the Secretary or under contract with the
3 Secretary. [Ord. 11-0329 § 3 (Exh. 1).]

4 **18.20.2468 Secure facility.**

5 “Secure facility” means a jail, prison, secure community transition facility, or other similar facility
6 for the confinement, correction, and rehabilitation of offenders. This definition includes facilities
7 managed and operated by the government as well as those operated by nongovernmental entities
8 under contract with the government.

9 May include NAICS 92214 (Correctional Institutions). [Ord. 14-0391 § 2 (Exh. 1).]

10 **18.20.2470 Seismic hazard areas.**

11 “Seismic hazard areas” means areas in the *City* that are subject to severe risk of damage as a
12 result of earthquake-induced ground shaking, slope failure, settlement, or soil liquefaction. [Ord.
13 11-0329 § 3 (Exh. 1).]

14 **18.20.2480 Self-service storage.**

15 “Self-service storage” means an establishment containing separate storage spaces that are leased
16 or rented as individual units. [Ord. 11-0329 § 3 (Exh. 1).]

17 **18.20.2490 Sending site.**

18 “Sending site” means land capable of providing a public benefit if permanently protected by virtue
19 of having its zoned development potential transferred to another property. [Ord. 11-0329 § 3 (Exh.
20 1).]

21 **18.20.2500 Senior citizen.**

22 “Senior citizen” means a person aged 62 or older. [Ord. 11-0329 § 3 (Exh. 1).]

23 **18.20.2524 Services, off-site.**

24 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

25 **18.20.2527 Services, on-site.**

26 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

27 **18.20.2530 Setback.**

28 “Setback” means the required distance between a *structure* and a specified line such as a lot,
29 easement or *buffer* line that is required to remain free of *structures*. [Ord. 11-0329 § 3 (Exh. 1).]

30 **18.20.2540 Shelters for temporary placement.**

31 “Shelters for temporary placement” means housing units within the *City* that provide housing to
32 persons on a temporary basis for a duration not to exceed four weeks. [Ord. 11-0329 § 3 (Exh. 1).]

33 **18.20.2550 Shooting range.**

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1 D. Property ownership or management;

2 E. Phone booths; and

3 F. Recycling containers. [Ord. 11-0329 § 3 (Exh. 1).]

4 **18.20.2640 Sign, indirectly illuminated.**

5 “Indirectly illuminated sign” means a *sign* that is illuminated entirely from an external artificial
6 source. [Ord. 11-0329 § 3 (Exh. 1).]

7 **18.20.2650 Sign, monument.**

8 “Monument sign” means a *freestanding sign* that is above ground level and is anchored to the
9 ground by a solid base, with no open space between the *sign* and the ground. [Ord. 11-0329 § 3
10 (Exh. 1).]

11 **18.20.2660 Sign, off-premises directional.**

12 “Off-premises directional sign” means a *sign* which contains no advertising of a commercial nature
13 which is used to direct pedestrian or vehicular traffic circulation to a facility, service or business
14 located on other premises within 660 feet of the *sign*. [Ord. 11-0329 § 3 (Exh. 1).]

15 **18.20.2670 Sign, on-premises.**

16 “On-premises sign” means a *sign* which displays a message which is incidental to and directly
17 associated with the *use* of the property on which it is located. [Ord. 11-0329 § 3 (Exh. 1).]

18 **18.20.2680 Sign, permanent residential development identification.**

19 “Permanent residential development identification sign” means a permanent *sign* identifying the
20 residential *development* upon which the *sign* is located. [Ord. 11-0329 § 3 (Exh. 1).]

21 **18.20.2690 Sign, portable.**

22 “Portable sign” means a *sign* which is capable of being moved and is not permanently affixed to the
23 ground, a *structure* or a *building*. [Ord. 11-0329 § 3 (Exh. 1).]

24 **18.20.2700 Sign, projecting.**

25 “Projecting sign” means any *sign* which is attached to and supported by the exterior wall of
26 a *building* with the exposed face of the *sign* on a plane perpendicular to the wall of the *building*;
27 projecting more than one foot from the wall of a *building* and vertical to the ground. [Ord. 11-0329
28 § 3 (Exh. 1).]

29 **18.20.2710 Sign, time and temperature.**

30 “Time and temperature sign” means an electrically controlled *sign* that contains messages for
31 date, time, and temperature, which changes at intervals of one minute or less. [Ord. 11-0329 § 3
32 (Exh. 1).]

33 **18.20.2720 Sign, wall.**

| **_____ = changes since March 4**

1 “Wall sign” means any *sign* painted on, or attached directly to and supported by,
2 a *building* or *structure*; with the exposed face of the *sign* on a plane parallel to the portion of
3 the *building* or *structure* to which it is attached; projecting no more than one foot from
4 the *building* or *structure*; including window *signs* which are permanently attached. [Ord. 11-0329
5 § 3 (Exh. 1).]

6 **18.20.2730 Significant tree.**

7 “Significant tree” means an existing healthy *tree* that is not a *hazard tree* and that is at least six
8 inches in diameter at breast height (d.b.h.) as measured at four and one-half feet (54 inches) above
9 the ground. For *trees* with multiple leaders at four and one-half feet above the ground, the d.b.h.
10 shall be the combined cumulative total of branches greater than six inches diameter at four and
11 one-half feet above the ground. For *trees* that have been removed and whereas only the stump
12 remains, the size of the *tree* shall be measured from the diameter of the top of the stump.
13 Replacement trees required as mitigation for removed *exceptional trees* are considered *significant*
14 *trees*, regardless of size. [Ord. 23-0593 § 3 (Exh. B); Ord. 22-0547 § 3 (Exh. B(l)); Ord. 11-0329 § 3
15 (Exh. 1).]

16 **18.20.2740 Site.**

17 “Site” means a single *lot*, or two or more contiguous *lots* that are under common ownership or
18 documented legal control, used as a single parcel for a *development proposal* in order to calculate
19 compliance with the standards and regulations of this title. [Ord. 11-0329 § 3 (Exh. 1).]

20 **18.20.2750 Site area.**

21 “Site area” means the total horizontal area of a project *site*, less areas below the *ordinary high*
22 *water mark*. [Ord. 11-0329 § 3 (Exh. 1).]

23 **18.20.2765 Small cell.**

24 “Small cell” means a wireless communication facility that meets both of the following
25 qualifications:

26 A. Each antenna is located inside an antenna enclosure of no more than three cubic feet in volume
27 or, in the case of an antenna that has exposed elements, the antenna and all of its exposed
28 elements could fit within an imaginary enclosure of no more than three cubic feet; and

29 B. Primary equipment enclosures are no larger than 17 cubic feet in volume. The following
30 associated equipment may be located outside the primary equipment enclosure and if so located,
31 is not included in the calculation of equipment volume: electric meter, concealment, telecomm
32 demarcation box, ground-based enclosures, battery back-up power systems, grounding
33 equipment, power transfer switch, and cut-off switch. [Ord. 17-0446 § 2 (Att. A); Ord. 16-0426 § 4
34 (Att. B).]

35 **18.20.2782 Social card game.**

36 “Social card game” is defined as set forth in RCW [9.46.0282](#), as now in effect or as may be
37 subsequently amended or recodified. [Ord. 11-0329 § 3 (Exh. 1).]

| **_____ = changes since March 4**

1 **18.20.2784 Social services.**

2 “Social services” means establishments or agencies offering social or rehabilitation services.
3 Subcategories include:

4 “Social services, correctional” that offer offender rehabilitation, offender self-help, parole or
5 probation services; and

6 “Social services, noncorrectional” that provide services including, but not limited to, individual and
7 family counseling, welfare, relief, referral, job training, or vocational services. “Social services,
8 noncorrectional” includes social advocacy organizations. [Ord. 11-0329 § 3 (Exh. 1).]

9 **18.20.2790 Soil recycling facility.**

10 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

11 **18.20.2810 Special use permit.**

12 “Special use permit” means a permit granted by the *City* to locate a *regional land use* at a
13 particular location, subject to conditions placed on the proposed *use* to ensure compatibility with
14 adjacent land uses. [Ord. 11-0329 § 3 (Exh. 1).]

15 **18.20.2820 Specialized instruction school.**

16 “Specialized instruction school” means establishments engaged in providing specialized
17 instruction in a designated field of study, rather than a full range of courses in unrelated areas;
18 including, but not limited to:

19 A. Art;

20 B. Dance;

21 C. Music;

22 D. Cooking;

23 E. Driving; and

24 F. Pet obedience training. [Ord. 11-0329 § 3 (Exh. 1).]

25 **18.20.2822 Species.**

26 “Species” means any group of animals classified as a species or subspecies as commonly
27 accepted by the scientific community. [Ord. 11-0329 § 3 (Exh. 1).]

28 **18.20.2823 Species, candidate.**

29 “Species, candidate” means fish and wildlife species that the Washington State Department of
30 Fish and Wildlife will review for possible listing as endangered, threatened, or sensitive. [Ord. 24-
31 0624 § 4 (Exh. B).]

32 **18.20.2824 Species, endangered.**

| **_____ = changes since March 4**

1 “Species, endangered” means any fish or wildlife *species* that is threatened with extinction
2 throughout all or a significant portion of its range and is listed by the State or federal government as
3 an endangered species. [Ord. 11-0329 § 3 (Exh. 1).]

4 **18.20.2825 Species of concern.**

5 “Species of concern” means those species listed an endangered, state threatened, state sensitive,
6 or state candidate, as well as species listed or proposed for listing by the U.S. Fish and Wildlife
7 Service or the National Marine Fisheries Service. [Ord. 24-0624 § 4 (Exh. B).]

8 **18.20.2826 Species, threatened.**

9 “Species, threatened” means any fish or wildlife *species* that is likely to become an *endangered*
10 *species* within the foreseeable future throughout a significant portion of its range without
11 cooperative management or removal of threats, and is listed by the State or federal government as
12 a threatened species. [Ord. 11-0329 § 3 (Exh. 1).]

13 **18.20.2840 Sporting goods store.**

14 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

15 **18.20.2850 Sports club.**

16 “Sports club” means an establishment engaged in operating physical fitness facilities and sports
17 and recreation clubs. [Ord. 11-0329 § 3 (Exh. 1).]

18 **18.20.2860 Stable.**

19 “Stable” means a *structure* or facility in which horses or other *livestock* are kept for:

20 A. Boarding;

21 B. Training;

22 C. Riding lessons;

23 D. Breeding;

24 E. Rental; or

25 F. Personal use. [Ord. 11-0329 § 3 (Exh. 1).]

26 **18.20.2865 Standalone parking.**

27 “Standalone parking” means an establishment engaged in providing parking space for motor
28 vehicles or boats, usually on an hourly, daily or monthly basis. Parking may be provided on a
29 surface lot, in a garage or, in the case of boats, on a storage rack. Standalone parking does not
30 include required parking associated with a use, authorized through a development application.

31 May include NAICS 81293 (Parking Lots and Garages). [Ord. 14-0391 § 2 (Exh. 1).]

32 **18.20.2870 Standard of service, school districts.**

| **= changes since March 4**

1 “School districts standard of service” means the standard adopted by each *school district* which
2 identifies the program year, the class size by *grade span* and taking into account the requirements
3 of students with special needs, the number of *school classrooms*, the types of facilities the district
4 believes will best serve its student population, and other factors as identified by the *school district*.
5 The district’s standard of service shall not be adjusted for any portion of the classrooms housed
6 in *relocatable facilities* which are used as transitional facilities or for any specialized facilities
7 housed in *relocatable facilities*. Except as otherwise defined by the school board pursuant to a
8 board resolution, transitional facilities shall mean those facilities that are used to cover the time
9 required for the construction of permanent facilities; provided, that the “necessary financial
10 commitments” as defined in Chapter 18.45 KMC are in place to complete the permanent facilities
11 called for in the capital plan. [Ord. 11-0329 § 3 (Exh. 1).]

12 **18.20.2875 Start of construction.**

13 For purposes of flood hazard area regulations, “start of construction” includes substantial
14 improvement, and means the date the building permit was issued, provided the actual start of
15 construction, repair, reconstruction, placement or other improvement was within 180 days of the
16 permit date. The “actual start” means either the first placement of permanent construction of a
17 structure on a site, such as the pouring of slab or footings, the installation of piles, the construction
18 of columns, or any work beyond the stage of excavation; or the placement of a manufactured home
19 on a foundation. Permanent construction does not include land preparation, such as clearing,
20 grading and filling; nor does it include the installation of streets and/or walkways; nor does it
21 include excavation for a basement, footings, piers, or foundations or the erection of temporary
22 forms; nor does it include the installation on the property of accessory buildings, such as garages
23 or sheds not occupied as dwelling units or not part of the main structure. For a substantial
24 improvement, the “actual start of construction” means the first alteration of any wall, ceiling, floor,
25 or other structural part of a building, whether or not that alteration affects the external dimensions
26 of the building. [Ord. 19-0488 § 4 (Exh. 2).]

27 **18.20.2884 Storage, indoor.**

28 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

29 **18.20.2887 Storage, outdoor.**

30 “Outdoor storage” means the storage of materials outside of a completely enclosed building for
31 more than 24 hours, including items for sale, lease, shipment, processing, maintenance or repair
32 (including vehicles and equipment), and items used in business operations. [Ord. 14-0391 § 2 (Exh.
33 1); Ord. 11-0329 § 3 (Exh. 1).]

34 **18.20.2890 Stream functions.**

35 “Stream functions” means natural processes performed by *streams* including functions which are
36 important in facilitating food chain production, providing habitat for nesting, rearing and resting
37 sites for aquatic, terrestrial and avian *species*, maintaining the availability and quality of water,
38 such as purifying water, acting as recharge and discharge areas for groundwater aquifers,
39 moderating surface and stormwater flows and maintaining the free flowing conveyance of water,
40 sediments and other organic matter. [Ord. 11-0329 § 3 (Exh. 1).]

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1 **18.20.2900 Stream.**

2 “Stream” means an area where open surface water produces a defined channel or bed. A defined
3 channel or bed is an area which demonstrates clear evidence of the passage of water and includes,
4 but is not limited to, bedrock, channels, gravel beds, sand and silt beds, and defined-channel
5 swales. This includes watercourses where there is some component of natural flow (groundwater,
6 spring, etc.) or when an artificial stormwater system is incorporated within a natural stream. A
7 watercourse also includes all surface water connected wetlands that provide or maintain habitat
8 that supports fish. This definition is not meant to include artificially created irrigation ditches,
9 canals, storm or surface water runoff facilities or other wholly artificial watercourses unless they
10 are used by salmonids, created for the purposes of stream mitigation, or are used to convey a
11 watercourse naturally occurring prior to construction. A channel or bed need not contain water
12 year-round, provided there is evidence of at least intermittent flow during years of normal rainfall.
13 [Ord. 24-0624 § 4 (Exh. B); Ord. 19-0488 § 4 (Exh. 2); Ord. 11-0329 § 3 (Exh. 1).]

14 **18.20.2905 Stream reconnaissance report.**

15 “Stream reconnaissance report” means a report prepared by an applicant’s qualified consultant to
16 describe a stream and to characterize its conditions, wildlife, habitat values, and water quality.
17 [Ord. 24-0624 § 4 (Exh. B).]

18 **18.20.2910 Street.**

19 “Street” means a public or recorded *private* thoroughfare providing pedestrian and vehicular
20 access through neighborhoods and communities and to abutting property. [Ord. 11-0329 § 3 (Exh.
21 1).]

22 **18.20.2920 Street frontage.**

23 “Street frontage” means any portion of a *lot* or combination of *lots* which directly abut a *street*.
24 [Ord. 11-0329 § 3 (Exh. 1).]

25 **18.20.2925 Street tree.**

26 “Street tree” means *trees* located within the *street* right-of-way, adjacent to public or *private*
27 *streets*, including undeveloped areas. [Ord. 11-0329 § 3 (Exh. 1).]

28 **18.20.2930 Structure.**

29 “Structure” means anything permanently constructed in or on the ground, or over the water;
30 excluding *fences* eight feet or less in height, decks less than 18 inches above grade, paved areas,
31 and structural or nonstructural fill. [Ord. 11-0329 § 3 (Exh. 1).]

32 **18.20.2935 Structural diversity.**

33 “Structural diversity” means the relative degree of diversity or complexity of vegetation in a wildlife
34 habitat area as indicated by the stratification or layering of different plan communities (e.g., ground
35 cover, shrub layer, and tree canopy), the variety of plant species, and the spacing or pattern of
36 vegetation. [Ord. 24-0624 § 4 (Exh. B).]

37 **18.20.2945 Subdrainage basin or sub-basin.**

| *The Kenmore Municipal Code is current through Ordinance 24-0624, passed December 9, 2024.*
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1 “Subdrainage basin” or “sub-basin” means the drainage area of the highest
2 order *stream* containing the subject property impact area. “Stream order” is the term used to
3 define the position of a *stream* in the hierarchy of tributaries in the watershed. The
4 smallest *streams* are the highest order (first order) tributaries. These are the upper
5 watershed *streams* and have no tributaries of their own. When two first order *streams* meet, they
6 form a second order *stream*, and when two second order *streams* meet they become a third
7 order *stream*, and so on. [Ord. 11-0329 § 3 (Exh. 1).]

8 **18.20.2955 Substantial damage.**

9 For purposes of flood hazard area regulations, “substantial damage” means damage of any origin
10 sustained by a structure whereby the cost of restoring the structure to its before-damaged
11 condition would equal or exceed 50 percent of the market value of the structure before the damage
12 occurred. [Ord. 19-0488 § 4 (Exh. 2).]

13 **18.20.2960 Substantial improvement.**

14 “Substantial improvement” means any maintenance, repair, structural modification, addition or
15 other improvement of a *structure*, the cost of which equals or exceeds 50 percent of the market
16 value of the *structure* either before the maintenance, repair, modification or addition is started or
17 before the damage occurred, if the *structure* has been damaged and is being restored. [Ord. 11-
18 0329 § 3 (Exh. 1).]

19 **18.20.2963 Supportive living facility.**

20 “Supportive living facility” means an assisted living facility, continuing care facility, convalescent
21 center, or nursing home. Supportive living facility does not include an adult family home,
22 community residential facility, hospital, or secure facility.

23 May include NAICS 6231 (Nursing Care Facilities) and 6233 (Community Care Facilities for the
24 Elderly). [Ord. 14-0391 § 2 (Exh. 1).]

25 **18.20.2965 Taxi stand.**

26 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

27 **18.20.2968 Temporary lodging.**

28 “Temporary lodging” means a hotel, motel, bed and breakfast guesthouse, or other facility
29 providing temporary accommodations for travelers for compensation.

30 May include NAICS 721 (Accommodation), except 72112 (Casino Hotels) and 7212
31 (RV/Recreational Vehicle Parks and Recreational Camps). [Ord. 14-0391 § 2 (Exh. 1).]

32 **18.20.2970 Theater.**

33 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

34 **18.20.2980 Theatrical production services.**

35 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

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18.20.2990 Tower.

“Tower” means any wireless communications structure that is designed and constructed primarily for the purpose of supporting one or more antennas. “Tower” includes a lattice tower or monopole. “Tower” does not include a replacement utility pole or an amateur (ham) radio facility. [Ord. 16-0426 § 4 (Att. B).]

18.20.3000 Trails.

“Trails” means manmade pathways designed and intended for use by pedestrians, bicyclists, equestrians, and/or recreational users. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.3010 Transfer station.

Repealed by Ord. 17-0438. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.3020 Transit bus base.

“Transit bus base” means an establishment for the storage, dispatch, repair and maintenance of coaches and other vehicles of a public transit system. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.3022 Transit, high capacity.

“High capacity transit” means a transit stop that receives transit services from at least one route that provides service at least four times per hour for 12 or more hours per day. [Ord. 24-0621 § 2 (Exh. A).]

18.20.3023 Transit center.

“Transit center” means any facility designed for accommodating large numbers of public transportation passengers to wait, board, and disembark at the intersection of multiple transit routes. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.3025 Transit stop, major.

“Major transit stop” means:

A. A stop on a high capacity transportation system funded or expanded under the provisions of chapter 81.104 RCW;

B. Commuter rail stops;

C. Stops on rail or fixed guideway systems; or

D. Stops on bus rapid transit routes, including those stops that are under construction.

18.20.3030 Transitional housing facilities.

“Transitional housing facilities” means housing units within the *City* owned by public housing authorities, nonprofit organizations or other public interest groups that provide housing to persons on a temporary basis for a duration not to exceed 24 months in conjunction with job training, self sufficiency training, and human services counseling; the purpose of which is to help persons make the transition from homelessness to placement in permanent housing. [Ord. 11-0329 § 3 (Exh. 1).]

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18.20.3040 Transmission equipment.

Repealed by Ord. 16-0426. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.3060 Transmission support structure.

Repealed by Ord. 16-0426. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.3065 Transmission support structure, alternative.

Recodified to KMC [18.20.147](#) by Ord. 16-0426. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.3067 Transmission support structure, guyed.

Repealed by Ord. 16-0426. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.3070 Transmitter building.

Repealed by Ord. 16-0426. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.3075 Transportation.

“Transportation” means establishments providing transportation of passengers or cargo, such as taxi and limousine services, scenic and sightseeing transportation businesses, motor vehicle towing, trucking, shipping, or freight hauling businesses. This use includes related support activities, such as cargo handling and packing and crating of cargo. Transportation does not include *air transportation service* or *airport* (classified as a *regional land use*).

May include NAICS Sector 48 (Transportation and Warehousing), except the following: 481 (Air Transportation), 486 (Pipeline Transportation), 4881 (Support Activities for Air Transportation), and 493 (Warehousing and Storage). May include 62191 (Ambulance Services). [Ord. 17-0438 § 2 (Att. A); Ord. 14-0391 § 2 (Exh. 1).]

18.20.3077 Transportation concurrency.

“Transportation concurrency” means the transportation improvements or strategies to accommodate the impacts of development are made concurrent with the development, as described in KMC [12.80.010\(A\)](#). Transportation concurrency shall be measured by mobility units, comparing the amount of transportation capital facilities constructed or programmed in the next six years (mobility unit capacity) to the amount of mobility units that would be generated by new development (mobility unit demand). If the City’s mobility unit capacity is larger than the mobility units that would be generated by new development, then the transportation system will be deemed concurrent. [Ord. 16-0420 § 4 (Exh. 2).]

18.20.3082 Tree.

“Tree” means a self-supporting woody perennial plant characterized by one main stem or trunk of at least six inches d.b.h., or a multiple stemmed or trunk system with a definite *crown*, maturing at a height of at least 12 feet above ground level. The *department* shall determine whether any specific woody plant shall be considered a tree. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.3083 Tree, exceptional.

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1 “Exceptional tree” means a tree which because of its unique combination of size, species, and age
2 is worthy of long-term retention for the purposes and values set forth in KMC 18.57.015, and that
3 has been determined to constitute an important community resource and may not be *removed* or
4 damaged.

5 A. All healthy specimens of *tree* species in Table 1 are *exceptional trees* if they have a diameter at
6 breast height (d.b.h.) equal to or greater than that listed for the respective species. For *trees* with
7 multiple leaders at four and one-half feet above the ground, the d.b.h. shall be the combined
8 cumulative total of branches greater than six inches diameter at four and one-half feet above the
9 ground. For *trees* that have been removed and whereas only the stump remains, the size of
10 the *tree* shall be measured from the diameter of the top of the stump.

11 B. Any healthy *tree* with a d.b.h. of 48 inches or greater is an *exceptional tree* except those in Table
12 2 that are never considered exceptional.

13
Table 1: Exceptional Tree Species and Required Diameters at Breast Height

Tree Species (Common Name)	Scientific Name	Threshold d.b.h. (in inches)
American Elm	<i>Ulmus americana</i>	30"
Bigleaf Maple	<i>Acer macrophyllum</i>	42"
Douglas Fir	<i>Pseudotsuga menziesii</i>	30"
Giant Sequoia	<i>Sequoiadendron giganteu</i>	30"
Grand Fir	<i>Abies grandis</i>	24"
Madrona	<i>Arbutus menziesii</i>	12"
Oregon Ash	<i>Fraxinus latifolia</i>	24"
Oregon White Oak	<i>Quercus garryana</i>	24"
Pacific Dogwood	<i>Cornus nuttallii</i>	24"
Pacific Yew	<i>Taxus brevifolia</i>	Determined by the city manager
Pine (any species)	<i>Pinus</i> family	30"
Shore Pine	<i>Pinus contorta</i>	12"

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Table 1: Exceptional Tree Species and Required Diameters at Breast Height

Tree Species (Common Name)	Scientific Name	Threshold d.b.h. (in inches)
Sitka Spruce	<i>Picea sitchensis</i>	24"
Western Hemlock	<i>Tsuga heterophylla</i>	24"
Western Red Cedar	<i>Thuja plicata</i>	30"
Willow (any species)	<i>Salix</i> family	24"

Table 2: Tree Species That Are Not Exceptional Trees

Tree Species (Common Name)	Scientific Name
Alder (any species)	<i>Alnus</i> family
Black Cottonwood	<i>Populus trichocarpa</i>
English Holly	<i>Ilex aquifolium</i>
Leyland Cypress	<i>Cupressus x leylandii</i>

[Ord. 24-0621 § 2 (Exh. A); Ord. 23-0593 § 3 (Exh. B).]

18.20.3084 Tree, hazard.

“Hazard tree” means any tree with any structural defect, disease, damage, or combinations of these which make it subject to a high probability of failure which might cause damage to persons or property. A “hazard tree” includes, but is not limited to, any isolated tree(s) that have a high probability of failure due to low wind-firmness in post-construction conditions as determined by a qualified tree protection professional. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.3088 Tree, remove or removal.

“Remove” or “removal” with regard to trees means the act of removing a tree by digging up, cutting down, or any act which causes a tree to die within a period of three years from such act. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.3090 Tree windthrow.

“Tree windthrow” means the process of uprooting, breaking, and overthrowing of a tree by force of wind during a storm event. [Ord. 15-0409 § 2 (Att. B).]

18.20.3095 Unavoidable impact.

“Unavoidable impact” means adverse impacts to a critical area that remain after all appropriate and practicable avoidance and minimization have been achieved. [Ord. 11-0329 § 3 (Exh. 1).]

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18.20.3100 Unit Density.

“Unit density” means the number of dwelling units allowed on a lot, regardless of lot size.

18.20.3110 Use.

“Use” means activity or function carried out on an area of land, or in a *building or structure* located thereon. Any use subordinate or incidental to the primary use on a *site* is considered an *accessory use*. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.3111 Uses, classified.

“Uses, classified” means a use which appears in any list of permitted, conditional, accessory or prohibited *uses* in this title. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.3112 Uses, permitted.

“Uses, permitted” means land *uses* allowed outright within a zone. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.3114 Uses, prohibited.

“Uses, prohibited” means any land *use* not specifically enumerated or permitted as allowable in that district. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.3117 Uses, unclassified.

“Uses, unclassified” means a *use* which does not appear in any list of permitted, conditional, accessory, or prohibited *uses* in this title, but which is interpreted by the *city manager* as similar to a listed permitted, conditional, accessory, or prohibited *use*. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.3118 Utility.

“Utility” means an enterprise or facility serving the public by means of an integrated system of collection, transmission, distribution, and processing facilities through more or less permanent physical connections between the plant of the serving entity and the premises of the customer. Included are systems for the delivery of natural gas, electricity, telecommunications services, and water, and for the disposal of sewage. [Ord. 19-0488 § 4 (Exh. 2).]

18.20.3120 Utility facility.

“Utility facility” means a smaller-scale facility for the distribution or transmission of services to a limited area, including, but not limited to:

- A. Telephone exchanges (not including communication facilities);
- B. Water pumping or treatment stations or distribution systems;
- C. *Electrical substations*;
- D. Water storage reservoirs or tanks;
- E. Stormwater management facilities;
- F. *Repealed by Ord. 14-0391.*

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- 1 G. Natural gas gate stations and limiting stations;
- 2 H. Propane, compressed natural gas and liquefied natural gas storage tanks serving
3 multiple *lots* or *uses* from which fuel is distributed directly to individual users;
- 4 I. Sewer lift stations and wastewater treatment or distribution systems; and
- 5 J. Pipes, electrical wires and associated structural supports.
- 6 Utility facility does not include larger-scale regional facilities that are classified as a regional land
7 use.
- 8 May include NAICS Sector 22 (Utilities). [Ord. 14-0391 § 2 (Exh. 1); Ord. 11-0329 § 3 (Exh. 1).]
- 9 **18.20.3130 Vector waste.**
- 10 “Vector waste” means liquid or solid waste material collected from catch basins,
11 retention/detention facilities or drainage pipes. [Ord. 11-0329 § 3 (Exh. 1).]
- 12 **18.20.3140 Vector waste receiving facility.**
- 13 “Vector waste receiving facility” means a facility where *vector waste* is brought for treatment and
14 storage prior to final disposal. [Ord. 11-0329 § 3 (Exh. 1).]
- 15 **18.20.3150 Variance.**
- 16 “Variance” means an adjustment in the application of standards of a zoning code to a particular
17 property. [Ord. 11-0329 § 3 (Exh. 1).]
- 18 **18.20.3155 Variety store.**
- 19 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]
- 20 **18.20.3160 Vegetation.**
- 21 “Vegetation” means any and all plant life growing at, below or above the soil surface. [Ord. 11-0329
22 § 3 (Exh. 1).]
- 23 **18.20.3165 Vehicle or equipment rental.**
- 24 “Vehicle or equipment rental” means an establishment that provides vehicles, machinery or
25 equipment to customers in return for a rental payment.
- 26 May include NAICS Sectors 5321 (Automotive Equipment Rental and Leasing), 5323 (General
27 Rental Centers), and 5324 (Commercial and Industrial Machinery and Equipment Rental and
28 Leasing). [Ord. 14-0391 § 2 (Exh. 1).]
- 29 **18.20.3168 Vehicle refueling station.**
- 30 “Vehicle refueling station” means an establishment retailing automotive fuels, sometimes in
31 combination with convenience store items.
- 32 May include NAICS 447 (Gasoline Stations). [Ord. 14-0391 § 2 (Exh. 1).]

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1 **18.20.3170 Vocational school.**

2 “Vocational school” means establishments offering training in a skill or trade to be pursued as a
3 career. [Ord. 11-0329 § 3 (Exh. 1).]

4 **18.20.3180 Warehousing.**

5 “Warehousing” means establishments providing warehousing and storage of goods, including
6 standalone outdoor storage. Warehouses are distinguished from wholesale trade as warehouses
7 do not sell goods.

8 May include NAICS Sector 49 (Transportation and Warehousing), except 491 (Postal Service) and
9 492 (Couriers and Messengers). May include 53113 (Lessors of Miniwarehouses and Self-Storage
10 Units). [Ord. 14-0391 § 2 (Exh. 1).]

11 **18.20.3190 Warehousing and wholesale trade.**

12 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

13 **18.20.3200 Wastewater treatment facility.**

14 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

15 **18.20.3220 Water-dependent use.**

16 “Water-dependent use” means a *use* or portion of a *use* that cannot exist in a location that is not
17 adjacent to the water, but is dependent on the water by reason of the intrinsic nature of its
18 operations. A *use* that can be carried out only on, in, or adjacent to water. Examples of water-
19 dependent uses include ship cargo terminal loading areas; fishing; ferry and passenger terminals;
20 barge loading, ship building, and dry docking facilities; *marinas*, moorage, and *boat launching*
21 facilities; aquaculture; float plane operations; surface water intake; and sanitary sewer and storm
22 drain outfalls. [Ord. 11-0329 § 3 (Exh. 1).]

23 **18.20.3225 Water resource inventory area (WRIA).**

24 “Water resource inventory area (WRIA)” means one of 62 watersheds in the State of Washington,
25 each composed of the drainage areas of a *stream* or *streams*, as established in Chapter [173-](#)
26 [500](#) WAC as it existed on January 1, 1997. Kenmore is located in WRIA 8, Lake
27 Washington/Cedar/Sammamish River. [Ord. 11-0329 § 3 (Exh. 1).]

28 **18.20.3227 Weather protection.**

29 “Weather protection” means awnings, canopies, *arcades* or marquees which are permanently
30 fixed to *buildings* and which cover the public sidewalks to provide protection from the weather for
31 pedestrians. Weather protection should allow light and transparency into *ground floor uses*. [Ord.
32 11-0329 § 3 (Exh. 1).]

33 **18.20.3240 Wetland edge.**

34 “Wetland edge” means the line delineating the outer edge of a *wetland*, consistent with the 1987
35 U.S. Army Corps of Engineers Wetlands Delineation Manual in use on January 1, 1995, by the

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1 United States Army Corps of Engineers and the United States Environmental Protection Agency as
2 implemented through and consistent with the May 23, 1994, "Washington Regional Guidance on
3 the 1987 Wetland Delineation Manual" document issued by the Corps of Engineers and the
4 Environmental Protection Agency. When the State of Washington, Department of Ecology, adopts a
5 manual as required pursuant to a new Section 11 of Engrossed Senate Bill
6 5776, *wetlands* regulated under development regulations shall be delineated pursuant to said
7 manual. [Ord. 11-0329 § 3 (Exh. 1).]

8 **18.20.3245 Wetland, establishment (creation).**

9 "Establishment" or "creation" of a wetland means the manipulation of the physical, chemical, or
10 biological characteristics present to develop a wetland on an upland or deepwater site, where a
11 wetland did not previously exist. Activities typically involve excavation of upland soils to elevations
12 that will produce a wetland hydroperiod, create hydric soils, and support the growth of hydrophytic
13 plant species. [Ord. 24-0624 § 4 (Exh. B).]

14 **18.20.3250 Wetland, forested.**

15 "Forested wetland" means a *wetland* which is characterized by woody *vegetation* at least 20 feet
16 tall. [Ord. 11-0329 § 3 (Exh. 1).]

17 **18.20.3260 Wetland functions.**

18 "Wetland functions" means natural processes performed by *wetlands* including functions which
19 are important in facilitating food chain production, providing habitat for nesting, rearing and resting
20 sites for aquatic, terrestrial and avian *species*, maintaining the availability and quality of water,
21 acting as recharge and discharge areas for groundwater aquifers and moderating surface and
22 stormwater flows, as well as performing other functions including, but not limited to, those set
23 forth in [33 CFR 320.4\(b\)\(2\)](#), 1988. [Ord. 11-0329 § 3 (Exh. 1).]

24 **18.20.3280 Wetlands.**

25 "Wetlands" means those areas that are inundated or saturated by surface or groundwater at a
26 frequency and duration sufficient to support, and that under normal circumstances do support, a
27 prevalence of *vegetation* adapted for life in saturated soil conditions. Wetlands generally include
28 swamps, marshes, bogs and similar areas. Wetlands do not include those artificial wetlands
29 intentionally created from nonwetland sites, including, but not limited to, irrigation and drainage
30 ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm
31 ponds, and landscape amenities, or those wetlands created after July 1, 1990, that were
32 unintentionally created as a result of the construction of a road, *street*, or highway. Wetlands may
33 include those artificial wetlands intentionally created from nonwetland areas to mitigate the
34 conversion of wetlands. For identifying and delineating a wetland, local governments shall use the
35 most recently adopted Wetland Rating System for Western Washington. [Ord. 24-0624 § 4 (Exh. B);
36 Ord. 11-0329 § 3 (Exh. 1).]

37 **18.20.3282 Wetland class.**

38 "Wetland class" means a hierarchy of systems, subsystems, classes, and subclasses used by the
39 U.S. Fish and Wildlife Service wetland classification scheme to describe wetland types (refer to

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1 USFWS, December 1979, Classification of Wetlands and Deepwater Habitats of the United States,
2 for a complete explanation of the wetland classification scheme). Eleven class names are used to
3 describe wetland and deepwater habitat types. These include the following examples which may
4 be found in Kenmore: forested wetland, scrub-shrub wetland, emergent wetland, moss-lichen
5 wetland, unconsolidated shore, and aquatic bed. [Ord. 24-0624 § 4 (Exh. B).]

6 **18.20.3284 Wetland determination.**

7 “Wetland determination” means a report prepared by a qualified consultant that identifies,
8 characterizes, and analyzes potential impacts to wetlands consistent with applicable provisions of
9 these regulations. [Ord. 24-0624 § 4 (Exh. B).]

10 **18.20.3286 Wetland delineation manual.**

11 “Wetland delineation manual” means a guideline document used to identify and delineate wetland
12 boundaries. This is the approved federal wetland delineation manual and applicable regional
13 supplements. [Ord. 24-0624 § 4 (Exh. B).]

14 **18.20.3288 Wetland mitigation banking.**

15 “Wetland mitigation banking” means the act of restoring, establishing, or enhancing a wetland,
16 stream, or other aquatic resource for the purpose of providing compensation in advance for
17 unavoidable impacts to similar aquatic resources. [Ord. 24-0624 § 4 (Exh. B).]

18 **18.20.3290 Wholesale trade.**

19 “Wholesale trade” means an establishment that sell goods for resale by other wholesalers or
20 retailers, capital or durable nonconsumer goods, or raw and intermediate material and supplies
21 used in production. Wholesalers normally operate from a warehouse characterized by little or no
22 display of merchandise. Neither the design nor the location of the premises is intended to solicit
23 walk-in traffic.

24 May include NAICS Sector 42 (Wholesale Trade). [Ord. 14-0391 § 2 (Exh. 1).]

25 **18.20.3295 Wildlife report.**

26 “Wildlife report” means a report, prepared by a qualified consultant, that evaluates plan
27 communities and wildlife functions and values on a site. [Ord. 24-0624 § 4 (Exh. B).]

28 **18.20.3300 Wildlife shelter.**

29 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

30 **18.20.3305 Wind-firm.**

31 “Wind-firm” means a *tree* which is capable of withstanding windstorms. [Ord. 11-0329 § 3 (Exh. 1).]

32 **18.20.3306 Wireless communication facility (WCF).**

33 “Wireless communication facility” or “WCF” generally means an unmanned facility for the
34 transmission and/or reception of radio frequency (RF) signals or other wireless communications,
35 typically consisting of one or more antennas, a transmission or alternative transmission support

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1 structure, cables and other transmission equipment, and an equipment enclosure or cabinets.
2 Wireless communication facility shall not include equipment intended solely for internal
3 household or business use such as wireless modems, cellular signal boosters, or personal cellular
4 cellspots. [Ord. 16-0426 § 4 (Att. B).]

5 **18.20.3307 Wireless services.**

6 *Repealed by Ord. 16-0426.* [Ord. 11-0329 § 3 (Exh. 1).]

7 **18.20.3310 Work release facility.**

8 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

9 **18.20.3320 Wrecked, dismantled or inoperative vehicle.**

10 “Wrecked, dismantled or inoperative vehicle” means a motor vehicle or the remains or remnant
11 parts of a motor vehicle which is mechanically inoperative and cannot be made operative without
12 the addition of vital parts or mechanisms or the application of a substantial amount of labor and is
13 certified by the *department* as meeting at least three of the following requirements:

14 A. Is three years old or older;

15 B. Is extensively damaged, such damage including but not limited to any of the following: missing
16 wheels, tires, motor, or transmission;

17 C. Is apparently inoperable;

18 D. Has an approximate fair market value equal only to the approximate value of the scrap in it. [Ord.
19 11-0329 § 3 (Exh. 1).]

20 **18.20.3330 Yard or organic waste processing.**

21 *Repealed by Ord. 17-0438.* [Ord. 11-0329 § 3 (Exh. 1).]

22 **18.20.3340 Zero-lot-line development.**

23 “Zero-lot-line development” means a *development* that sites a *building* so that a wall is on the
24 property boundary. Lot segregations for zero-lot-line development are discussed in
25 KMC [17.20.125](#). [Ord. 11-0329 § 3 (Exh. 1).]

26 **18.20.3350 Zero-rise floodway.**

27 “Zero-rise floodway” means the channel of the stream and that portion of the adjoining floodplain
28 which is necessary to contain and discharge the base flood flow without increasing the base flood
29 elevation. The zero-rise floodway will always include the FEMA floodway. [Ord. 24-0624 § 4 (Exh.
30 B).]

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Chapter 18.21
RESIDENTIAL ZONES

Sections:

[18.21.020 Residential zones R-1, R-4 and R-6 – Use allowances.](#)

[18.21.030 Residential zones R-1, R-4 and R-6 – Development standards.](#)

[18.21.035 R-4 and R-6 – Middle Housing](#)

[18.21.040 Residential zones R-12, R-18 and R-24 – Use allowances.](#)

[18.21.045 Residential zone MHC – Use allowances.](#)

[18.21.050 Residential zones R-12, R-18, R-24, R-48, and MHC – Development standards.](#)

[18.21.055 MHC zoning exception.](#)

[18.21.060 Nonresidential land uses in residential zones.](#)

[18.21.070 Personal service, eating and drinking place and retail sales uses in R-4 through R-24 zones.](#)

[18.21.073 Accessory uses.](#)

[18.21.075 Drive-through service.](#)

[18.21.078 Outdoor storage.](#)

[18.21.080 Wireless communication facilities.](#)

18.21.020 Residential zones R-1, R-4 and R-6 – Use allowances.

The following uses listed in Table A are identified as *permitted*, conditionally permitted, or *prohibited* uses in residential zones R-1, R-4 and R-6:

Table A. R-1, R-4 and R-6 Zones Use Allowances

PERMITTED	CONDITIONALLY PERMITTED	PROHIBITED
Air transportation service ¹	Ambulatory surgery center ²⁵	Adult entertainment business
Arts, entertainment, indoor ^{2,3}	Arts, entertainment, outdoor ²⁶	Animal kennel/shelter
Cottage housing^{38, 39}	Cemetery, columbarium or mausoleum ²⁷	Auction house
Courtyard apartments³⁸	College/university ²⁵	Automotive sales and service, marine
Day care ⁴	Community residential facility ²⁸	Automotive sales and service, non-marine
Duplex³⁸	Eating and drinking place ^{3,29}	Business service, intensive

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Table A. R-1, R-4 and R-6 Zones Use Allowances

PERMITTED	CONDITIONALLY PERMITTED	PROHIBITED
<i>Educational service</i> ⁵	<i>Hospital</i> ²⁵	<i>Business service, standard</i>
<i>Family child-care home</i> ⁶	<i>Manufactured housing community</i> ³⁰	<i>Cannabis business</i>
<i>Fire or police facility</i> ^{7,8}	<i>Personal service</i> ³¹	<i>Cannabis cooperative</i>
<i>Fourplex</i> ³⁸	<i>Recreational facility, indoor</i> ^{3,16,32}	<i>Construction and trade</i>
<i>Health care and social assistance</i> ^{9,10}	<i>Regional land use</i> ^{33,34,35}	<i>Funeral home/crematory</i>
<i>Multiple-family dwelling</i> ⁴¹	<i>Retail sales</i> ^{31,36}	<i>Laboratory</i>
<i>Office</i> ¹²	<i>Temporary lodging</i> ³⁷	<i>Manufacturing, heavy</i>
<i>Park</i> ¹³		<i>Manufacturing, light</i>
<i>Recreational facility, outdoor</i> ^{14,15,16}		<i>Mobile food service</i>
<i>Religious institution</i> ¹⁷		
<i>Resource land use</i> ¹⁸		<i>Retail sales, bulk</i>
<i>Single detached dwelling unit</i> ^{19,20}		<i>Secure facility</i>
<i>Stacked flats</i> ³⁸		<i>Transportation</i>
<i>Standalone parking</i> ²¹		<i>Vehicle or equipment rental</i>
<i>Supportive living facility</i> ²²		<i>Vehicle refueling station</i>
<i>Triplex</i> ³⁸		<i>Warehousing</i>
<i>Townhouse</i> ^{11, 38}		<i>Wholesale trade</i>
<i>Utility facility</i> ^{23,24}		

- 1 1. One single-engine, noncommercial seaplane shall be permitted only on *lots* that abut a
- 2 waterbody, provided there are (a) no aircraft sales, service, repair, charter, or rental; and (b) no
- 3 storage of aviation fuel except that contained in the tank or tanks of the aircraft. A *helistop* at
- 4 an *emergency* medical evacuation site in conjunction with a police, fire or health service facility is a
- 5 conditional use. All other *air transportation service uses* are prohibited.
- 6 2. Only (a) in a *building* listed on the National Register as a historic site or designated as
- 7 a *City* landmark; (b) as a re-use of a surplus nonresidential facility; or (c) as a joint use of an existing
- 8 public school facility. All subject to Chapter [18.50](#) KMC. Otherwise, a conditional use.
- 9 3. *Social card games* are prohibited.

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1 4. Permitted only as a re-use of a public school facility subject to Chapter [18.50](#) KMC, or
2 an *accessory use* to a school, *religious institution*, *park*, *sports club* or public housing administered
3 by a *public agency*, and:

- 4 a. Outdoor play areas shall be completely enclosed by a solid wall or *fence*, with no openings
5 except for gates and have a minimum height of six feet;
6 b. Outdoor play equipment shall maintain a minimum distance of 20 feet from property lines
7 adjoining residential zones;
8 c. Direct access to a developed arterial *street* shall be required in any residential zone; and
9 d. Hours of operation may be restricted to assure compatibility with surrounding development.

10 All other *day care uses* require a *conditional use permit*.

11 5. K-12 facilities only. All other *educational service uses* require a *conditional use permit*.

12 6. A *family child-care home* is subject to the requirements established by the Washington State
13 Department of Early Learning (DEL) in WAC Title [170](#). The *family child-care home* shall meet the
14 following requirements:

- 15 a. The family child-care provider shall be licensed by DEL to operate a *family child-care home*;
16 b. A safe passenger loading area shall be provided;
17 c. The *family child-care home* shall comply with all applicable building, fire, safety, and health
18 codes enforced by the *City*;
19 d. The *family child-care home* shall comply with all applicable development standards of
20 the *City*, unless determined to be legally nonconforming;
21 e. All signage shall conform to the applicable requirements of Chapter [18.42](#) KMC;
22 f. The *City* has the authority to limit the hours of operation to facilitate neighborhood
23 compatibility; and
24 g. Prior to receiving State licensing, the family child-care provider shall provide the *City* with
25 proof of written notification informing immediately adjoining property owners of the intent to
26 locate and maintain the *family child-care home*. The notification shall inform the notified
27 parties that comments may be submitted to the DEL and provide contact information for
28 submitting such comments to the DEL. The proof of notification shall be in the form of a
29 written affidavit containing (1) the date and means of notification; (2) a copy of the
30 notification; and (3) a list of the parties to whom the notification was distributed.

31 7. Limited to “storefront” police offices. Such offices shall not have:

- 32 a. Holding cells;
33 b. Suspect interview rooms; or
34 c. Long-term storage of stolen properties.

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1 All other *fire or police facility uses* require a *conditional use permit*, except police or fire training
2 facilities, such as shooting ranges, auto test tracks, and fire suppression simulations, which are
3 prohibited.

4 8. For conditionally permitted fire facilities:

- 5 a. All *buildings and structures* shall maintain a minimum distance of 20 feet from property
6 lines adjoining residential zones;
- 7 b. Any *buildings* from which firefighting equipment emerges onto a street shall maintain a
8 distance of 35 feet from such *street*; and
- 9 c. No *outdoor storage*.

10 9. Only as a re-use of a public school facility. May be permitted as a conditional *use* if proposed as
11 re-use of a surplus nonresidential facility. All subject to Chapter [18.50](#) KMC.

12 10. Veterinary clinics are prohibited.

13 ~~11. *Townhouse units only permitted and only on lots in a subdivision or short subdivision designed*~~
14 ~~*for townhouse units. Other townhouse units require a conditional use permit. Apartments are*~~
15 ~~*prohibited. Reserved*~~

16 12. *Public agency or utility office* permitted only as a re-use of a public school facility or a surplus
17 nonresidential facility subject to the provisions of Chapter [18.50](#) KMC. Otherwise, *public agency or*
18 *utility office* is a conditional *use*. All other office *uses* are prohibited.

19 13. The following conditions and limitations shall apply, where appropriate:

- 20 a. Lighting for *structures* and fields shall be directed away from residential areas;
- 21 b. *Structures* or service yards shall maintain a minimum distance of 50 feet from property lines
22 adjoining residential zones, except for *structures* in on-site recreation areas provided under
23 KMC [18.30.130](#) or Chapter [20.47](#) KMC. Setback requirements for *structures* in these on-site
24 required recreation areas shall be maintained in accordance with the zoning standards for
25 the underlying residential zone.

26 14. Limited to *stable* and covered riding arena. All other *outdoor recreational facility uses* require
27 a *conditional use permit* except campground, RV park, and shooting range which are prohibited.

28 15. Covered riding arenas are subject to KMC [18.70.030](#) and shall not exceed 20,000 square feet
29 unless a *conditional use permit* is obtained. Stabling areas, whether attached or detached, shall
30 not be counted in this calculation.

31 16. Conditionally permitted recreational facilities are subject to the following conditions and
32 limitations:

- 33 a. The bulk and scale shall be compatible with residential character of the area;

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b. The gross floor area shall not exceed 10,000 square feet unless the *building* is on the same *site* or adjacent to a *site* where a public facility is located or unless the *building* is a nonprofit facility; and

c. Use is limited to residents of a specified residential *development* or to *sports clubs* providing supervised instructional or athletic programs.

17. Only as a re-use of a public school facility subject to Chapter [18.50](#) KMC. Otherwise, a *conditional use permit* is required.

18. Farming is permitted. All other *resource land uses* require a *conditional use permit*, except mineral extraction, which is prohibited.

19. More than one *single detached dwelling unit* may be allowed on an individual *lot* through the *conditional use permit* process. A *conditional use permit* is not required for *lots* in subdivisions, short subdivisions, *unit lot subdivisions*, or binding site plans approved as multiple unit *lots* or for *accessory dwelling units*.

20. *Manufactured homes* and *mobile homes* are allowed only in *manufactured housing communities*. *Designated manufactured homes* are not restricted to *manufactured housing communities*.

21. Limited to *commuter parking lots* for users of transit, carpools or ride-share programs, provided:

a. They are located on existing parking lots for *religious institutions*, schools, or other permitted nonresidential *uses* which have excess capacity available during commuting hours; and

b. The *site* is adjacent to a designated arterial that has been improved to a standard acceptable to the *department*.

Other *commuter parking lots* require a *conditional use permit*. All other *standalone parking uses* are prohibited.

22. Only in a *building* listed on the National Register as an historic site or designated as a King County landmark subject to the provisions of Chapter [2.20](#) KMC. Otherwise, a *conditional use permit* is required.

23. Excluding utilities using *bulk gas storage tanks*, which are a conditional use. Liquefied natural gas storage tanks are prohibited.

24. *Private stormwater management facilities* permitted except when participating in an approved shared facility drainage plan. *Private stormwater management facilities* shall be located on the same *lot* that they are designed to serve except in subdivisions or short subdivisions that set aside a separate tract for such facilities. For shared facilities, such facilities which are not located on the *lot* they are designed to serve shall be located on a *lot* with the same or more intensive zoning designation.

25. Only as a re-use of a public school facility or a surplus nonresidential facility subject to Chapter [18.50](#) KMC.

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- 1 26. Outdoor performance center and drive-in theater are prohibited.
- 2 27. *Structures* shall maintain a minimum distance of 100 feet from property lines adjoining
3 residential zones.
- 4 28. *Community residential facility I* only. *Community residential facility II* is prohibited.
- 5 29. Not permitted in R-1 and excluding drinking places, and limited to a maximum of 5,000 square
6 feet of gross floor area and subject to KMC [18.21.070](#).
- 7 30. *Manufactured housing communities* are not permitted in the R-1 zone.
- 8 31. Not permitted in R-1 and limited to a maximum of 5,000 square feet of gross floor area and
9 subject to KMC [18.21.070](#).
- 10 32. Bowling center and shooting range are prohibited.
- 11 33. *Hydroelectric generation facilities* limited to those that comply with the following:
- 12 a. Any new diversion structure shall not: (1) exceed a height of eight feet as measured from the
13 streambed; or (2) impound more than three surface acres of water at the normal maximum
14 surface level;
- 15 b. There shall be no active storage;
- 16 c. The maximum water surface area at any existing dam or diversion shall not be increased;
- 17 d. An exceedance flow of no greater than 50 percent in mainstream reach shall be maintained;
- 18 e. Any transmission line shall be limited to a: (1) right-of-way of five miles or less; and (2)
19 capacity of 230 kV or less;
- 20 f. Any new, permanent access road shall be limited to five miles or less; and
- 21 g. The facility shall only be located above any portion of the *stream* used by *anadromous fish*.
- 22 34. *Nonhydroelectric generation facilities* limited to *cogeneration* facilities for on-site use only.
- 23 35. Fairground, amusement park, and stadium/arena are prohibited.
- 24 36. Pet shops and auto supply stores are prohibited.
- 25 37. Bed and breakfast guesthouse only, subject to the following conditions:
- 26 a. The guesthouse shall be owner-occupied;
- 27 b. Meals shall be served to paying guests only (no restaurant use permitted);
- 28 c. The number of guestrooms shall not be greater than that authorized by the International
29 Building and Fire Codes;
- 30 d. Parking shall be provided as required by this title; and

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e. The guesthouse shall be compatible with the neighborhood character as determined by the city manager, and shall not create significant adverse neighborhood effects that cannot be mitigated.

38. Reference KMC 18.21.035 for specific provisions relating to Middle Housing. These uses are permitted in specific R-4 and R-6 areas as defined in KMC 18.21.035(B).

39. Cottage housing permitted pursuant to the standards defined in KMC 18.75.

[Ord. 24-0607 § 2 (Exh. A(V)); Ord. 19-0481 § 2 (Exh. A); Ord. 18-0463 § 3 (Exh. 2); Ord. 17-0438 § 2 (Att. A); Ord. 16-0433 § 2 (Att. A); Ord. 16-0426 § 5 (Att. C); Ord. 16-0421 § 2 (Att. A); Ord. 14-0384 § 5; Ord. 11-0329 § 3 (Exh. 1).]

18.21.030 Residential zones R-1, R-4 and R-6 – Development standards.

The following zone-specific development standards in Table B apply in the R-1, R-4 and R-6 residential zones:

Table B. R-1, R-4 and R-6 Residential Zones Development Standards

STANDARDS	Z O N E S			
		R-1 ¹	R-4	R-6
Base Density: <i>Dwelling Unit/Acre</i> ²		1 du/ac	4 du/ac ³	6 du/ac
Maximum Density: <i>Dwelling Unit/Acre</i> ⁴			6 du/ac	9 du/ac
Minimum Density				
<i>Base Unit Density: Dwelling Unit/Lot</i>			<i>2 du/lot¹⁸</i>	<i>2 du/lot¹⁸</i>
Minimum Lot Width ⁶		35 ft. ⁷	30 ft.	30 ft.
Minimum <i>Street Setback</i>		20 ft. ⁷	15 ft. ^{8,9}	15 ft. ^{8,9}
Minimum Side <i>Setback</i> ^{5,10}		5 ft. ⁷	15 ft. total ¹¹	15 ft. total ¹¹
Minimum Rear <i>Setback</i> ^{5,10}		5 ft. ⁷	20 ft.	20 ft.
Maximum Height ¹²		35 ft.	35 ft.	35 ft. 45 ft. ¹³
Base <i>Impervious Surface</i> : Percentage		30%	45%	60%
Maximum <i>Impervious Surface</i> : Percentage ¹⁴		30% ¹⁵	55%	70%
Minimum Lot Size		2,500 sq. ft.	7,200 sq. ft. ^{16,17}	5,400 sq. ft. ^{16,17}

1.

- a. All subdivisions and short subdivisions in the R-1 zone shall be required to be *clustered* when the property is located within or contains:

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- 1 (1) A *floodplain*;
- 2 (2) A regionally or locally significant resource area;
- 3 (3) Existing or planned public *parks* or *trails*, or connections to such facilities;
- 4 (4) A Category I or II *wetland* or Type S or F *stream*;
- 5 (5) A “greenbelt/urban separator” or “wildlife corridor” area designated by the
- 6 comprehensive plan.
- 7 b. The *development* shall be *clustered* away from *critical areas* or corridors such as urban
- 8 separators or the wildlife habitat network to the extent possible and the *open space* shall be
- 9 placed in a separate tract that includes at least 50 percent of the *site*. *Open space* tracts
- 10 shall be permanent and meet the provisions of KMC [17.20.130](#).
- 11 2. Density applies only to *dwelling units* and not to sleeping units.
- 12 3. *Manufactured housing communities* shall be allowed a base density of six *dwelling units* per
- 13 acre.
- 14 4. This maximum density may be achieved only through the application of residential density
- 15 incentives pursuant to Chapter [18.80](#) KMC or *transfers of density credits*, or any combination of
- 16 density incentive or density transfer. Maximum density may only be exceeded pursuant to
- 17 KMC [18.80.040](#)(E)(1)(f).
- 18 5. These standards may be modified under the provisions for *zero-lot-line developments*.
- 19 6. The *building envelope* is determined through meeting minimum lot size and minimum lot width
- 20 measurement requirements (KMC [18.30.110](#)).
- 21 7. The standards of the R-4 zone shall apply if a *lot* is less than 15,000 square feet in area.
- 22 8. If *development* provides *alleys* or consists of *townhouses*, then the *street setback* may equal 10
- 23 feet.
- 24 9. At least 20 linear feet of driveway shall be provided between any garage, carport or other fenced
- 25 parking area and the *street* property line. The linear distance shall be measured along the
- 26 centerline of the driveway from the access point to such garage, carport or fenced area to
- 27 the *street* property line.
- 28 10. Vehicle access points from garages, carports or fenced parking areas shall be set back from the
- 29 property line on which a *joint use driveway* is located to provide a straight line length of at least 26
- 30 feet as measured from the centerline of the garage, carport or fenced parking area, from the access
- 31 point to the opposite side of the *joint use driveway*.
- 32 11. Any side yard shall equal a minimum of five feet but the two side yards combined must equal a
- 33 minimum of 15 feet.
- 34 12. Reserved.
- 35 13. The maximum height of 45 feet to be used only for projects as follows:

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- a. In R-6 zones, a *building* with a footprint built on slopes exceeding a 15 percent finished grade.

14. Applies to each individual *lot*. *Impervious surface* area standards for:

- a. Regional *uses* shall be established at the time of permit review;
- b. Nonresidential *uses* in residential zones shall comply with KMC [18.21.060](#) and [18.30.170](#);
- c. Individual *lots* in the R-4 through R-6 zones which are less than 9,076 square feet in area shall be subject to the applicable provisions of the nearest comparable R-6 zone;
- d. *Lots* may be increased beyond the total amount permitted in this chapter subject to approval of a *conditional use permit*;
- e. The base *impervious surface* percentage may be exceeded, up to the maximum *impervious surface* percentage, provided low impact development strategies are implemented subject to approval by the *city manager*.

15 *Lots* smaller than one-half acre in area shall comply with standards of the nearest comparable R-4 through R-6 zone. For *lots* that are one-half acre in area or larger, the maximum *impervious surface* area allowed shall be at least 10,000 square feet. On any *lot* over one acre in area, an additional five percent of the lot area may be used for *buildings* related to agricultural or forestry practices. For *lots* smaller than two acres but larger than one-half acre, an additional 10 percent of the lot area may be used for *structures* which are determined to be medically necessary, provided the *applicant* submits with the permit application a notarized affidavit, conforming with the requirements of KMC [18.100.170](#)(A)(2).

16 For properties with *critical areas* or topographic constraints, up to 20 percent of the number of *lots* in a subdivision or a short subdivision of more than four *lots*, and one of the *lots* in a short plat of four *lots* or less, may contain an area less than the prescribed minimum for this zoning district. In no case shall any *lots* be created which contain an area more than 10 percent less than the prescribed minimum for this zoning district. These smaller *lots* shall be located so as to have the least impact on surrounding properties in terms of consistency of *street frontages* and privacy of abutting properties.

17 This excludes any area required for public or *private streets*, access easements, access tracts, and access panhandles.

~~18. Unit lot density applies to all lots within the R-4 and R-6 zones, excluding those identified in KMC 18.21.035(B). The following provisions are applicable when determining permitted unit density:~~

~~a. The permitted base unit density is:~~

~~(1) Two units per parent lot.~~

~~(2) Four units per lot on all lots within one-quarter mile walking distance of a major transit stop.~~

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(3) Four units per lot if at least one unit on the lot is affordable housing meeting the requirements of KMC 18.21.035(C).

(4) Accessory dwelling units are considered units for the purposes of calculating unit density, subject to the provisions of KMC 18.73.100.

(5) If single-family residential uses exist or are proposed on a lot pursuant to the base or maximum density, then the unit lot density defined in this section is in addition to the that single-family residential use. Single-family dwellings do not count as units for the purposes of this section. If a duplex, triplex, fourplex, townhouse, stacked flat, courtyard apartment, or cottage housing development are proposed, those are subject to the unit lot density requirements listed in subsection (a)(1-3) of this footnote.

b. The standards of footnote 18 do not apply to lots after subdivision below 1,000 square feet unless the city has enacted an allowable lot size below 1,000 square feet in the zone.

c. The lot lines applicable to a parent lot shall be used to determine dimensional standards that relate to lot dimensions, including but not limited to: minimum lot size, setbacks, maximum gross floor area, maximum hardscape area and maximum lot coverage any created unit lot. These dimensional standards shall not be measured off individual unit lots.

d. Unit density applies to lots created through the fee simple unit lot subdivision process pursuant to KMC 18.20.160 that cannot be further subdivided based on the minimum lot size listed in Table B for the applicable zone.

[Ord. 19-0481 § 2 (Exh. A); Ord. 16-0433 § 2 (Att. A); Ord. 16-0428 § 13 (Att. I); Ord. 11-0329 § 3 (Exh. 1).]

18.21.035 Residential zones R-4 and R-6 - Middle Housing

A. Middle housing shall be subject to the same development regulations as detached single family homes for the purpose of review for consistency with this chapter.

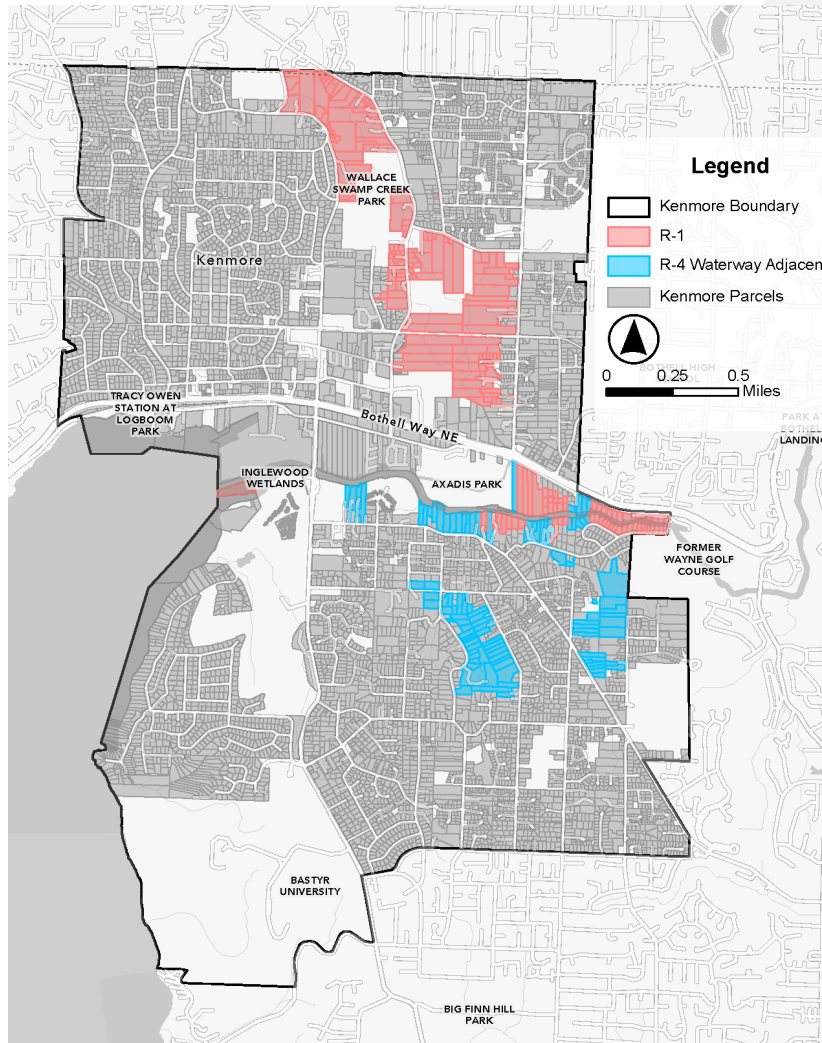
B. The provisions of this section shall apply to all lots in the R-4 and R-6 zones, except:

1. Specific R-4 lots directly as identified in the exhibit within this subsection.

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1

Applicable Middle Housing Development Areas



2

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- 1
- 2 C. To qualify for additional units under the affordable housing provisions of KMC 18.21.030,
3 Footnote 18(A), an applicant shall commit to renting or selling the required number of units as
4 affordable housing and meeting the standards of subsections (D) through (H) below.
- 5 D. Dwelling units that qualify as affordable housing shall have costs, including utilities other than
6 telephone, that do not exceed 30 percent of the monthly income of a household whose income
7 does not exceed the following percentages of median household income adjusted for household
8 size, for the county where the household is located, as reported by the United States Department
9 of Housing and Urban Development:
- 10 1. Rental housing: 60 percent.
- 11 2. Owner-occupied housing: 80 percent.
- 12 E. The units shall be maintained as affordable for a term of at least 50 years, and the property shall
13 satisfy that commitment and all required affordability and income eligibility conditions.
- 14 F. The applicant shall record a covenant or deed restriction that ensures the continuing rental or
15 ownership of units subject to these affordability requirements consistent with the conditions in
16 chapter 84.14 RCW for a period of no less than 50 years.
- 17 G. The covenant or deed restriction shall address criteria and policies to maintain public benefit if
18 the property is converted to a use other than that which continues to provide for permanently
19 affordable housing.
- 20 H. The units dedicated as affordable housing shall:
- 21 1. Be provided in a range of sizes comparable to other units in the development.
- 22 2. The number of bedrooms in affordable units shall be in the same proportion as the
23 number of bedrooms in units within the entire development.
- 24 3. Be distributed throughout the development and have the same functionality as the other
25 units in the development.
- 26 4. Exterior finishes for affordable units shall be comparable to units within the entire
27 development.
- 28 5. Comply with the requirements of KMC 18.77.015, unless otherwise stated in this
29 section.
- 30 I. Consistent with all residential uses, building design standards for middle housing shall meet the
31 requirements of KMC 18.52 Article III and Article V.
- 32 J. Public Benefits and Development Incentives
- 33 1. The purpose of this section is to:
- 34 a. Promote development of a variety of middle housing types by providing a method for
35 flexibility in development standards;

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b. Provide development incentives to *developers* of residential property, in exchange for public benefits to help achieve comprehensive plan goals of a variety of housing types and *open space* protection;

c. Provide a review process to allow evaluation of proposed development standard modifications per the table in subsection (l)(4).

2. Development incentives are applicable only to applications for middle housing types, including: duplex, triplex, fourplex, townhouse, stacked flats, courtyard apartments, and cottage housing (as specified in the last column of the table below) in the applicable areas identified in KMC 18.21.035(B). These standards are not applicable to development, redevelopment, or remodeling of an existing or new principal single-family unit.

3. The following are the development incentives available to applicants if all requirements are met as specified below. Applicants are limited to one development incentive per neighborhood benefit.

NEIGHBORHOOD BENEFIT	DEVELOPMENT INCENTIVE	APPLICABLE MIDDLE HOUSING TYPE
Decrease base impervious surface requirement to 35% in R-4 and 50% in R-6. Decrease max impervious surface requirement to 45% in R-4 and 60% in R-6.	Increase building height to 45 ft with a maximum of three stories.	All middle housing types listed in KMC 18.21.035(J)(2), except cottage housing.
	One off-street parking space required per two cottage housing units	Cottage Housing
Building height limited to 27' with a maximum of two stories.	Reduce rear and street setbacks to 10'.	Duplex, Triplex, Cottage Housing
Redevelop an existing single-family unit with a duplex or stacked flat and maintain the base floor footprint of the existing home.	Density bonus of two additional units totaling up to four units per lot	Duplex, Stacked Flat
Gross floor area for an individual cottage reduced to a maximum of 1,200 square feet.	Density bonus of up to 50% of the base density	Cottage housing

18.21.040 Residential zones R-12, R-18 and R-24 – Use allowances.

The following uses listed in Table C are identified as *permitted*, conditionally permitted, or *prohibited* uses in residential zones R-12, R-18 and R-24:

Table C. R-12, R-18, and R-24 Zones Use Allowances

PERMITTED	CONDITIONALLY PERMITTED	PROHIBITED
Air transportation service ¹	Ambulatory surgery center ²⁵	Adult entertainment business
Arts, entertainment, indoor ^{2,3}	Arts, entertainment, outdoor ²⁶	Animal kennel/shelter

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Table C. R-12, R-18, and R-24 Zones Use Allowances

PERMITTED	CONDITIONALLY PERMITTED	PROHIBITED
College/university ^{4,5}	Cemetery, columbarium or mausoleum ²⁷	Auction house
Community residential facility	Eating and drinking place ^{3,28}	Automotive sales and service, marine
Construction and trade ⁶	Hospital ⁶	Automotive sales and service, non-marine
Day care ⁷	Personal service ²⁹	Business service, intensive
Educational service ⁸	Recreational facility, indoor ^{3,30,31}	Business service, standard
Family child-care home ⁹	Regional land use ³²	Cannabis business
Fire or police facility ^{10,11,12}	Retail sales ^{29,33}	Cannabis cooperative
Health care and social assistance ^{4,5,13}	Temporary lodging ³⁴	Funeral home/crematory
Manufactured housing community	Warehousing ³⁵	Laboratory
Multiple-family dwelling		Manufacturing, heavy
Office ¹⁴		Manufacturing, light
Park ¹⁵		Mobile food service
Recreational facility, outdoor ^{16,17}		Resource land use
Religious institution ¹⁸		Retail sales, bulk
Single detached dwelling unit ^{19,20}		Secure facility
Standalone parking ²¹		Transportation
Supportive living facility		Vehicle or equipment rental
Utility facility ^{22,23,24}		Vehicle refueling station
		Wholesale trade

- 1 One single-engine, noncommercial seaplane shall be permitted only on lots that abut a
- 2 waterbody, provided there are (a) no aircraft sales, service, repair, charter, or rental; and (b) no
- 3 storage of aviation fuel except that contained in the tank or tanks of the aircraft. A *helistop* at
- 4 an *emergency* medical evacuation site in conjunction with a police, fire or health service facility is a
- 5 conditional use. All other *air transportation service uses* are prohibited.
- 6 2. Museums and libraries permitted only as accessory to a *park* or in a *building* listed on the
- 7 National Register as an historic site or designated as a *City* landmark subject to

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- 1 Chapter [18.50](#) KMC; otherwise, a *conditional use permit* is required. Artist studios permitted only
2 as a re-use of a surplus nonresidential facility subject to Chapter [18.50](#) KMC or as a joint use of an
3 existing public school facility; otherwise a *conditional use permit* is required. For all
4 other *arts, entertainment, indoor uses*, a *conditional use permit* is required, except theater, which
5 is prohibited.
- 6 3. *Social card games* are prohibited.
- 7 4. Permitted only as a re-use of a public school facility subject to Chapter [18.50](#) KMC.
- 8 5. Conditionally permitted only as a re-use of a surplus nonresidential facility subject to
9 Chapter [18.50](#) KMC.
- 10 6. Permitted when:
- 11 a. Located in the R-24 zone; and
- 12 b. On a *site in office or construction and trade office uses* as of May 8, 2003; and
- 13 c. Part of a *mixed use development*; and
- 14 d. Limited to 15,000 square feet; and
- 15 e. No *outdoor storage* of equipment occurs.
- 16 Otherwise, prohibited.
- 17 7. *Day care II* permitted only as a re-use of a public school facility subject to Chapter [18.50](#) KMC, or
18 an *accessory use* to a school, *religious institution, park, sports club* or public housing administered
19 by a *public agency*, and:
- 20 a. Outdoor play areas shall be completely enclosed by a solid wall or *fence*, with no openings
21 except for gates and have a minimum height of six feet;
- 22 b. Outdoor play equipment shall maintain a minimum distance of 20 feet from property lines
23 adjoining residential zones;
- 24 c. Direct access to a developed arterial *street* shall be required in any residential zone; and
- 25 d. Hours of operation may be restricted to assure compatibility with surrounding development.
- 26 Otherwise, *day care II* requires a *conditional use permit*.
- 27 8. K-12 facilities only, except vocational school which is permitted only as a re-use of a surplus
28 nonresidential facility subject to Chapter [18.50](#) KMC unless a *conditional use permit* is obtained.
29 All other *educational service uses* require a *conditional use permit*.
- 30 9. A *family child-care home* is subject to the requirements established by the Washington State
31 Department of Early Learning (DEL) in WAC Title [170](#). The *family child-care home* shall meet the
32 following requirements:
- 33 a. The family child-care provider shall be licensed by DEL to operate a *family child-care home*;

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- 1 b. A safe passenger loading area shall be provided;
- 2 c. The *family child-care home* shall comply with all applicable building, fire, safety, and health
3 codes enforced by the *City*;
- 4 d. The *family child-care home* shall comply with all applicable development standards of the *City*,
5 unless determined to be legally nonconforming;
- 6 e. All signage shall conform to the applicable requirements of Chapter [18.42](#) KMC; and
- 7 f. The *City* has the authority to limit the hours of operation to facilitate neighborhood compatibility.
- 8 10. Limited to “storefront” police offices. Such offices shall not have:
- 9 a. Holding cells;
- 10 b. Suspect interview rooms; or
- 11 c. Long-term storage of stolen properties.
- 12 All other police facilities require a *conditional use permit*.
- 13 11. Fire facilities require a *conditional use permit*, subject to the following:
- 14 a. All *buildings* and *structures* shall maintain a minimum distance of 20 feet from property lines
15 adjoining residential zones;
- 16 b. Any *buildings* from which fire-fighting equipment emerges onto a *street* shall maintain a distance
17 of 35 feet from such *street*; and
- 18 c. No *outdoor storage*.
- 19 12. Fire or police training facilities such as shooting ranges, auto test tracks, and fire suppression
20 simulations are prohibited.
- 21 13. Veterinary clinics are prohibited.
- 22 14. *Public agency* or *utility office* is permitted only as a re-use of a public school facility or a surplus
23 nonresidential facility subject to the provisions of Chapter [18.50](#) KMC. All other *office uses* require
24 a *conditional use permit*.
- 25 15. The following conditions and limitations shall apply, where appropriate:
- 26 a. Lighting for *structures* and fields shall be directed away from residential areas;
- 27 b. *Structures* or service yards shall maintain a minimum distance of 50 feet from property lines
28 adjoining residential zones, except for *structures* in on-site recreation areas provided under
29 KMC [18.30.130](#) or Chapter [20.47](#) KMC. Setback requirements for *structures* in these on-site
30 required recreation areas shall be maintained in accordance with the zoning standards for the
31 underlying residential zone.
- 32 16. Golf course facility only permitted. Clubhouses, maintenance *buildings*, equipment storage
33 areas and driving range tees shall be at least 50 feet from residential property lines. Lighting for

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1 practice greens and driving range ball impact areas shall be directed away from adjoining
2 residential zones. Applications shall comply with adopted best management practices for golf
3 course development. All other *outdoor recreational facility uses* are conditional uses,
4 except *stable*, RV park, and shooting range, which are prohibited.

5 17. Conditional uses are subject to the following conditions and limitations:

6 a. The bulk and scale shall be compatible with residential character of the area;

7 b. Use is limited to residents of a specified residential *development* or to *sports clubs* providing
8 supervised instructional or athletic programs.

9 18. Permitted only as a re-use of a public school facility subject to Chapter 18.50 KMC.

10 Other *religious institutions* require a *conditional use permit*.

11 19. More than one *single detached dwelling unit* may be allowed on an individual lot through
12 the *conditional use permit* process. A *conditional use permit* is not required for lots in subdivisions,
13 short subdivisions or binding site plans approved as multiple unit lots or for *accessory dwelling*
14 *units*.

15 20. *Manufactured homes* and *mobile homes* are allowed only in *manufactured housing*
16 *communities*. *Designated manufactured homes* are not restricted to *manufactured housing*
17 *communities*.

18 21. Limited to commuter parking facilities for users of transit, carpools or ride-share programs,
19 provided:

20 a. They are located on existing parking lots for *religious institutions*, schools, or other permitted
21 nonresidential uses which have excess capacity available during commuting hours; and

22 b. The *site* is adjacent to a designated arterial that has been improved to a standard acceptable to
23 the *department*.

24 Otherwise a *conditional use permit* is required.

25 22. *Bulk gas storage tanks* which pipe to individual residences require a *conditional use permit*. All
26 other *bulk gas storage tanks*, including liquefied natural gas storage tanks, are prohibited.

27 23. *Private stormwater management facilities* permitted except when participating in an approved
28 shared facility drainage plan. *Private stormwater management facilities* shall be located on the
29 same lot that they are designed to serve except in subdivisions or short subdivisions that set aside
30 a separate tract for such facilities. For shared facilities, such facilities which are not located on
31 the lot they are designed to serve shall be located on a lot with the same or more intensive zoning
32 designation.

33 24. *Hydroelectric generation facilities* are prohibited. A *nonhydroelectric generation facility* may be
34 conditionally permitted as a *cogeneration* facility for on-site use only.

35 25. Conditionally permitted only as a re-use of a surplus nonresidential facility subject to
36 Chapter 18.50 KMC.

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- 1 26. Arboretum only.
- 2 27. *Structures* shall maintain a minimum distance of 100 feet from property lines adjoining
3 residential zones.
- 4 28. Excluding drinking places, and limited to a maximum of 5,000 square feet of gross floor area
5 and subject to KMC [18.21.070](#).
- 6 29. Limited to a maximum of 5,000 square feet of gross floor area and subject to the additional
7 requirements in KMC [18.21.070](#).
- 8 30. Conditional *uses* are subject to the following conditions and limitations:
- 9 a. The bulk and scale shall be compatible with residential character of the area;
- 10 b. For *sports clubs*, the gross floor area shall not exceed 10,000 square feet unless the *building* is
11 on the same *site* or adjacent to a *site* where a public facility is located or unless the *building* is a
12 nonprofit facility; and
- 13 c. Use is limited to residents of a specified residential *development* or to *sports clubs* providing
14 supervised instructional or athletic programs.
- 15 31. Bowling center and shooting range are prohibited.
- 16 32. Amusement park, fairground, and stadium/arena are prohibited.
- 17 33. Auto supply stores and pet shops are prohibited.
- 18 34. Bed and breakfast guesthouse only, subject to the following conditions:
- 19 a. The guesthouse shall be owner-occupied;
- 20 b. Meals shall be served to paying guests only (no restaurant *use* permitted);
- 21 c. The number of guestrooms shall not be greater than that authorized by the International Building
22 and Fire Codes;
- 23 d. Parking shall be provided as required by this title; and
- 24 e. The guesthouse shall be compatible with the neighborhood character as determined by the *city*
25 *manager*, and shall not create significant adverse neighborhood effects that cannot be mitigated.
- 26 35. *Self-service storage* only permitted and only if accessory to an *apartment development* of at
27 least 12 units, provided:
- 28 a. The gross floor area in *self-service storage* shall not exceed the total gross floor area of
29 the *apartment* dwellings on the *site*;
- 30 b. All outdoor lights shall be deflected, shaded and focused away from all adjoining property;
- 31 c. The use of the facility shall be limited to dead storage of household goods;
- 32 d. No servicing or repair of motor vehicles, boats, trailers, lawn mowers or similar equipment;

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- e. No *outdoor storage* or storage of flammable liquids, highly combustible or explosive materials or hazardous chemicals;
- f. No residential occupancy of the storage units;
- g. No business activity other than the rental of storage units; and
- h. A resident director shall be required on the *site* and shall be responsible for maintaining the operation of the facility in conformance with the conditions of approval.
- [Ord. 24-0607 § 2 (Exh. A(VI)); Ord. 19-0481 § 2 (Exh. A); Ord. 18-0463 § 3 (Exh. 2); Ord. 17-0438 § 2 (Att. A); Ord. 16-0426 § 5 (Att. C); Ord. 16-0421 § 2 (Att. A); Ord. 14-0384 § 5; Ord. 11-0329 § 3 (Exh. 1).]

18.21.045 Residential zone MHC – Use allowances.

The following *uses* listed in Table D are identified as *permitted*, conditionally permitted, or *prohibited* uses in residential zone MHC:

Table D. MHC Zone Use Allowances

PERMITTED	CONDITIONALLY PERMITTED	PROHIBITED
<i>Day care</i> ¹	<i>Community residential facility</i>	<i>Adult entertainment business</i>
<i>Family child-care home</i> ²	<i>Cemetery, columbarium or mausoleum</i>	<i>Air transportation service</i>
<i>Manufactured housing community</i> ³	<i>Educational service</i> ⁶	<i>Ambulatory surgery center</i>
<i>Park</i> ³	<i>Religious institution</i>	<i>Animal kennel/shelter</i>
<i>Single detached dwelling unit</i> ^{4,5}	<i>Supportive living facility</i>	<i>Arts, entertainment, indoor</i>
	<i>Temporary lodging</i> ⁷	<i>Arts, entertainment, outdoor</i>
		<i>Auction house</i>
		<i>Automotive sales and service, marine</i>
		<i>Automotive sales and service, nonmarine</i>
		<i>Business service, intensive</i>
		<i>Business service, standard</i>
		<i>Cannabis business</i>
		<i>Cannabis cooperative</i>
		<i>College/university</i>

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Table D. MHC Zone Use Allowances

PERMITTED	CONDITIONALLY PERMITTED	PROHIBITED
		<i>Construction and trade</i>
		<i>Eating and drinking place</i>
		<i>Fire or police facility</i>
		<i>Funeral home/crematory</i>
		<i>Health care and social assistance</i>
		<i>Hospital</i>
		<i>Laboratory</i>
		<i>Manufacturing, heavy</i>
		<i>Manufacturing, light</i>
		<i>Mobile food service</i>
		<i>Multiple-family dwelling</i>
		<i>Office</i>
		<i>Personal service</i>
		<i>Recreational facility, indoor</i>
		<i>Recreational facility, outdoor</i>
		<i>Regional land use</i>
		<i>Resource land use</i>
		<i>Retail sales</i>
		<i>Retail sales, bulk</i>
		<i>Secure facility</i>
		<i>Standalone parking</i>
		<i>Transportation</i>
		<i>Utility facility</i>
		<i>Vehicle or equipment rental</i>
		<i>Vehicle refueling station</i>
		<i>Warehousing</i>
		<i>Wholesale trade</i>

1. *Day care I* is permitted. *Day care II* is permitted only as an accessory use to a religious institution, park or public housing administered by a public agency, and:
- 2.

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- 1 a. Outdoor play areas shall be completely enclosed by a solid wall or *fence* with no openings
2 except for gates and have a minimum height of six feet;
- 3 b. Outdoor play equipment shall maintain a minimum distance of 20 feet from property lines
4 adjoining residential zones;
- 5 c. Direct access to a developed arterial *street* shall be required in any residential zone; and
- 6 d. Hours of operation may be restricted to assure compatibility with surrounding *development*.
7 Otherwise, *day care II* requires a *conditional use permit*.
- 8 2. A *family child-care home* is subject to the requirements established by the Washington State
9 Department of Early Learning (DEL) in WAC Title [170](#). The *family child-care home* shall meet the
10 following requirements:
- 11 a. The family child-care provider shall be licensed by DEL to operate a *family child-care home*;
- 12 b. A safe passenger loading area shall be provided;
- 13 c. The *family child-care home* shall comply with all applicable building, fire, safety, and health
14 codes enforced by the *City*;
- 15 d. The *family child-care home* shall comply with all applicable development standards of the *City*,
16 unless determined to be legally nonconforming;
- 17 e. All signage shall conform to the applicable requirements of Chapter [18.42](#) KMC; and
- 18 f. The *City* has the authority to limit the hours of operation to facilitate neighborhood compatibility.
- 19 3. The following conditions and limitations shall apply, where appropriate:
- 20 a. Lighting for *structures* and fields shall be directed away from residential areas;
- 21 b. *Structures* or service yards shall maintain a minimum distance of 50 feet from property lines
22 adjoining residential zones.
- 23 4. One *single detached dwelling unit* only per existing legal lot as of April 23, 2019.
- 24 5. *Manufactured homes* and *mobile homes* are allowed only in *manufactured housing*
25 *communities*. *Designated manufactured homes* are not restricted to *manufactured housing*
26 *communities*.
- 27 6. K-12 facilities only. All other *educational service uses* are prohibited.
- 28 7. Bed and breakfast guesthouse only, subject to the following conditions:
- 29 a. The guesthouse shall be owner-occupied;
- 30 b. Meals shall be served to paying guests only (no restaurant use permitted);
- 31 c. The number of guestrooms shall not be greater than that authorized by the International Building
32 and Fire Codes;

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- d. Parking shall be provided as required by this title; and
- e. The guesthouse shall be compatible with the neighborhood character as determined by the *city manager*, and shall not create significant adverse neighborhood effects that cannot be mitigated.
8. For properties continuing in an existing *manufactured housing community use* after April 23, 2019, a *transfer of density credits* shall be permitted. See Chapter [18.80](#) KMC.
- [Ord. 24-0607 § 2 (Exh. A(VII)); Ord. 19-0481 § 2 (Exh. A).]
- 18.21.050 Residential zones R-12, R-18, R-24, R-48, and MHC – Development standards.**
- The following zone-specific development standards in Table E apply in the R-12, R-18, R-24, R-48, and MHC residential zones:

Table E. R-12, R-18, R-24, R-48, and MHC Residential Zones Development Standards

STANDARDS	Z O N E S					
		R-12	R-18	R-24	R-48	MHC ¹²
Base Density: <i>Dwelling Unit/Acre</i> ¹		12 du/ac	18 du/ac	24 du/ac	48 du/ac	12 du/ac
Maximum Density: <i>Dwelling Unit/Acre</i> ²		18 du/ac	27 du/ac	36 du/ac	72 du/ac	18 du/ac
Minimum Density ¹¹		80%	75%	70%	65%	80%
Minimum Lot Width ⁴		30 ft.	30 ft.	30 ft.	30 ft.	--
Minimum <i>Street Setback</i>		10 ft. ⁶	10 ft. ⁶	10 ft. ⁶	10 ft. ⁶	10 ft.
Minimum <i>Side Setback</i> ^{3,5}		5 ft. ⁷	5 ft. ⁷	5 ft. ⁷	5 ft. ⁷	5 ft.
Minimum <i>Rear Setback</i> ^{3,5}		5 ft. ⁷	5 ft. ⁷	5 ft. ⁷	5 ft. ⁷	5 ft.
Base Height ⁸		60 ft.	60 ft. 80 ft. ⁹	60 ft. 80 ft. ⁹	60 ft. 80 ft. ⁹	35 ft.
Maximum <i>Impervious Surface</i> : Percentage ¹⁰		85%	85%	85%	90%	85%
Minimum Lot Size		--	--	--	--	--

¹ Density applies only to *dwelling units* and not to sleeping units.

² This maximum density may be achieved only through the application of residential density incentives pursuant to Chapter [18.80](#) KMC or *transfers of density credits*, or any combination of density incentive or density transfer. Maximum density may only be exceeded pursuant to KMC [18.80.040](#)(E)(1)(f).

³ These standards may be modified under the provisions for *zero-lot-line developments*.

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1 ⁴ The *building envelope* is determined through meeting minimum lot size and minimum lot width
2 measurement requirements (KMC [18.30.110](#)).

3 ⁵ Vehicle access points from garages, carports or fenced parking areas shall be set back from the
4 property line on which a *joint use driveway* is located to provide a straight line length of at least 26
5 feet as measured from the centerline of the garage, carport or fenced parking area, from the access
6 point to the opposite side of the *joint use driveway*.

7 ⁶ At least 20 linear feet of driveway shall be provided between any garage, carport or other fenced
8 parking area and the *street* property line. The linear distance shall be measured along the
9 centerline of the driveway from the access point to such garage, carport or fenced area to
10 the *street* property line.

11 ⁷ a. For *developments* consisting of three or more single detached dwellings located on a single
12 parcel, the *setback* shall be 10 feet along any property line abutting R-1 through R-6, except
13 for *structures* in on-site recreation areas required in KMC [18.30.130](#), which shall have a *setback* of
14 five feet.

15 b. For *townhouse* and *apartment development*, the *setback* shall be 20 feet along any property line
16 abutting R-1 through R-6, except for *structures* in on-site recreation areas required in
17 KMC [18.30.130](#), which shall have a *setback* of five feet, unless the *townhouse* or *apartment*
18 *development* is adjacent to property upon which an existing *townhouse* or *apartment*
19 *development* is located.

20 ⁸ In the R-12, R-18, R-24 and R-48 zones, height limits may be increased when portions of
21 the *structure* which exceed the base height limit provide one additional foot of *street* and
22 interior *setback* for each foot above the base height limit, provided the maximum height may not
23 exceed 75 feet. Netting or fencing and support *structures* for the netting or fencing used to contain
24 golf balls in the operation of golf courses or golf driving ranges are exempt from the additional
25 interior *setback* requirements; provided, that the maximum height shall not exceed 75 feet.

26 ⁹ The base height to be used only for projects as follows:

27 a. In R-18, R-24 and R-48 zones using residential density incentives and *transfer of density*
28 *credits* pursuant to this title.

29 ¹⁰ Applies to each individual *lot*. *Impervious surface* area standards for:

30 a. Regional uses shall be established at the time of permit review;

31 b. Nonresidential uses in residential zones shall comply with KMC [18.21.060](#) and [18.30.170](#);

32 c. *Lots* may be increased beyond the total amount permitted in this chapter subject to approval of
33 a *conditional use permit*.

34 ¹¹ Minimum density is determined by multiplying the allowable number of dwelling units, as
35 calculated using KMC [18.30.020](#), by the percentage shown for each zone.

36 ¹² See also the standards in KMC [18.50.140](#).

37 [Ord. 19-0481 § 2 (Exh. A); Ord. 11-0329 § 3 (Exh. 1).]

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1 **18.21.055 MHC zoning exception.**

2 A. A *manufactured housing community* landowner may request an exception from the application
3 of the MHC zoning to their property through a Type 4 permit process as described in
4 Chapter [19.25](#) KMC.

5 B. Along with other information required by the *department*, the application shall include
6 information demonstrating that:

- 7 1. There is no *reasonable use* of the MHC property under the MHC zoning;
- 8 2. The *uses* authorized by the MHC zoning are not economically viable at the property's
9 location; and
- 10 3. The proposal meets the zone reclassification criteria in KMC [18.115.060](#).

11 If, based on the information provided, the request is granted by the city council, the property shall
12 revert to the zoning designation in place on April 23, 2019, without further action by the council. If
13 necessary, a comprehensive plan map amendment to recognize that zoning designation shall be
14 initiated by the *City*. [Ord. 19-0481 § 2 (Exh. A).]

15 **18.21.060 Nonresidential land uses in residential zones.**

16 Except for *utility facilities*, *regional land uses*, and nonresidential *uses* regulated by KMC [18.21.070](#),
17 all nonresidential *uses* located in the R zones shall be subject to the following requirements:

18 A. *Impervious surface* coverage shall not exceed:

- 19 1. Seventy percent of the *site* in the R-1 through R-6 zones.
- 20 2. Eighty percent of the *site* in the R-12 through R-48 and MHC zones.

21 B. *Buildings* and *structures*, except *fences* and wire or mesh backstops, shall not be closer than 30
22 feet to any property line, except as provided in subsection C of this section.

23 C. A single detached dwelling allowed as accessory to a church or school shall conform to
24 the *setback* requirements of the zone.

25 D. *Parking* areas are permitted within the required *setback* area from property lines, provided such
26 parking areas are located outside of the required landscape area.

27 E. *Sites* shall abut or be accessible from at least one public *street* functioning at a level consistent
28 with the *City street* design standards. New *high school sites* shall abut or be accessible from a
29 public *street* functioning as an arterial per the *City* design standards.

30 F. The base height shall conform to the zone in which the *use* is located.

31 G. *Building* illumination and lighted *signs* shall be designed so that no direct rays of light are
32 projected into neighboring residences or onto any *street* right-of-way. [Ord. 19-0481 § 2 (Exh. A);
33 Ord. 16-0428 § 13 (Att. I); Ord. 11-0329 § 3 (Exh. 1).]

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18.21.070 Personal service, eating and drinking place and retail sales uses in R-4 through R-24 zones.

Personal service uses, eating and drinking place uses, and retail sales uses which are located in the R-4 through R-24 zones shall be subject to the following requirements:

- A. Each individual establishment shall not exceed 5,000 square feet of gross floor area and the combined total of all contiguous commercial establishments shall not exceed 15,000 square feet of gross floor area;
- B. Establishments shall not be located less than one mile from another commercial establishment, unless located with other establishments meeting the criteria in subsection A of this section;
- C. Establishment *sites* shall abut an intersection of two public *streets*, each of which is designated as a neighborhood collector or arterial and which has improved pedestrian facilities for at least one-fourth mile from the *site*;
- D. The maximum on-site parking ratios for establishments and *sites* shall be two per 1,000 square feet and required parking shall not be located between the *building(s)* and the *street*;
- E. *Buildings* shall comply with the *building facade modulation* and roofline variation requirements in KMC [18.50.080](#) and at least one facade of the *building* shall be located within five feet of the sidewalk;
- F. If the *personal service, eating and drinking place, or retail sales use* is located in a *building* with multifamily uses, then the commercial use shall be on the *ground floor* and shall not exceed 25 percent of the total floor area of the *building*; and
- G. *Sign and landscaping* standards for the *use* apply. [Ord. 17-0438 § 2 (Att. A); Ord. 11-0329 § 3 (Exh. 1).]

18.21.073 Accessory uses.

Accessory uses, when consistent with the definition in Chapter [18.20](#) KMC, are allowed as determined by the *city manager*. [Ord. 17-0438 § 3 (Att. B).]

18.21.075 Drive-through service.

Drive-through service is prohibited in these zoning districts. [Ord. 19-0481 § 2 (Exh. A); Ord. 17-0438 § 3 (Att. B).]

18.21.078 Outdoor storage.

Outdoor storage is prohibited in these zoning districts. [Ord. 19-0481 § 2 (Exh. A); Ord. 17-0438 § 3 (Att. B).]

18.21.080 Wireless communication facilities.

Use allowances and development regulations for *wireless communication facilities* are located in Chapter [18.60](#) KMC. [Ord. 16-0426 § 6 (Att. D).]

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- 1 Chapter 18.30
- 2 DEVELOPMENT STANDARDS – GENERAL
- 3 Sections:
- 4 [18.30.010 Purpose.](#)
- 5 [18.30.015 Burke-Gilman Trail.](#)
- 6 [18.30.020 Density calculations – Allowable dwelling units, lots or floor area.](#)
- 7 [18.30.040 Fences.](#)
- 8 [18.30.050 Height – Measurement method.](#)
- 9 [18.30.060 Height – Exceptions to limits.](#)
- 10 [18.30.070 Light and glare.](#)
- 11 [18.30.080 Lot area – Prohibited reduction.](#)
- 12 [18.30.090 Lot area – Minimum lot area for construction.](#)
- 13 [18.30.100 Lot divided by zone boundary.](#)
- 14 [18.30.110 Lot width – Measurement method.](#)
- 15 [18.30.112 Cannabis businesses – Standards.](#)
- 16 [18.30.113 Outdoor storage for nonresidential uses.](#)
- 17 [18.30.115 Public nuisance – Prohibited activities.](#)
- 18 [18.30.130 Recreation space – On-site areas.](#)
- 19 [18.30.140 Recreation space – Maintenance.](#)
- 20 [18.30.150 Recreation space – Financial guarantees.](#)
- 21 [18.30.155 Recreational vehicles.](#)
- 22 [18.30.160 Setbacks – Measurement.](#)
- 23 [18.30.170 Setbacks – Specific building or use.](#)
- 24 [18.30.190 Setbacks – Modifications.](#)
- 25 [18.30.200 Setbacks – From regional utility corridors.](#)
- 26 [18.30.210 Setbacks – From alley.](#)
- 27 [18.30.220 Setbacks – Required modifications.](#)
- 28 [18.30.230 Setbacks – Projections and structures allowed.](#)
- 29 [18.30.240 Sight distance requirements.](#)

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18.30.250 Storage space and collection points for trash and recyclables.

18.30.260 Trail corridors – Applicability.

18.30.270 Trail corridors – Design standards.

18.30.280 Trail corridors – Maintenance of trail corridors/improvements.

18.30.290 Relocation plan for manufactured housing communities.

18.30.010 Purpose.

The purpose of this chapter is to establish basic standards for *development* relative to residential density, dimensional requirements and specific rules for general application. The standards and rules are established to provide flexibility in project design, maintain privacy between adjacent *uses* and meet the on-site recreation needs of project residents. [Ord. 11-0329 § 3 (Exh. 1).]

18.30.015 Burke-Gilman Trail.

A. RB-zoned properties which lie north of NE 175th Street shall provide 10 feet of Type II *landscaping* along the common property boundary with the Burke-Gilman public trail right-of-way. Property owners may negotiate with King County to have the Type II *landscaping* located within the Burke-Gilman public right-of-way.

B. The Burke-Gilman Trail shall be considered a public right-of-way for purposes of Sections 18.52.180, 18.52.200, 18.52.230, 18.52.240, and 18.52.310 of Chapter 18.52 KMC (Design Standards). [Ord. 23-0574 § 2 (Exh. A); Ord. 14-0391 § 2 (Exh. 1).]

18.30.020 Density calculations – Allowable dwelling units, lots or floor area.

Permitted number of *dwelling units* or *lots* or floor area shall be determined as follows:

A. The allowed number of *dwelling units* or *lots* (base density) shall be computed by multiplying the *site area* by the applicable residential base density number;

1. R-1, R-4, and R-6 zoned parcels are permitted 2 dwelling units per lot per the requirements of KMC 18.21.030. Footnote 18.

B. The maximum density (unit or *lot*) limits shall be computed by adding the bonus or transfer units authorized by Chapter 18.80 KMC to the base units computed under subsection A of this section;

C. The allowed floor area shall be computed by applying the *floor area ratio* to the project *site area*; and

D. Except for short subdivisions of four or fewer *lots*, when density calculations result in a fraction, the fraction shall be rounded to the nearest whole number as follows:

1. Fractions of 0.50 or above shall be rounded up; and

2. Fractions below 0.50 shall be rounded down.

E. When density calculations result in a fraction, the permitted number of *lots* derived from short subdivisions of four or fewer *lots* shall be rounded as follows:

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1. For a short subdivision resulting in less than two *lots* (base density) as described in subsection A of this section, fractions of 0.85 shall be rounded up to the nearest whole number and fractions below 0.85 shall be rounded down.
2. For a short subdivision resulting in more than two but less than three *lots* (base density) as described in subsection A of this section, fractions of 0.75 shall be rounded up to the nearest whole number and fractions below 0.75 shall be rounded down.
3. For a short subdivision resulting in more than three *lots* but less than four *lots* (base density) as described in subsection A of this section, fractions of 0.60 shall be rounded up to the nearest whole number and fractions below 0.60 shall be rounded down. [Ord. 11-0329 § 3 (Exh. 1).]

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1 Chapter 18.40

2 DEVELOPMENT STANDARDS – PARKING AND CIRCULATION

3 Sections:

4 [18.40.010 Purpose.](#)

5 [18.40.020 Authority and application.](#)

6 [18.40.030 Computation of required off-street parking spaces.](#)

7 [18.40.035 Parking in the urban residential zone, downtown commercial zone east of 73rd](#)
8 [Avenue NE, public and semi-public zone abutting SR-522, and the urban corridor zone, east](#)
9 [subarea.](#)

10 [18.40.038 Exceedance of minimum parking – Downtown commercial zone, downtown](#)
11 [residential zone, urban corridor zone, east subarea, and urban residential zone.](#)

12 [18.40.040 Shared parking requirements.](#)

13 [18.40.050 Exceptions for community residential facilities \(CRF\) and senior citizen assisted](#)
14 [living.](#)

15 [18.40.055 Parking for certain types of development served by transit.](#)

16 [18.40.060 Parking for the disabled.](#)

17 [18.40.070 Loading space and loading dock requirements.](#)

18 [18.40.080 Stacking spaces for drive-through facilities.](#)

19 [18.40.090 Transit and rideshare provisions.](#)

20 [18.40.100 Pedestrian and bicycle circulation and access.](#)

21 [18.40.110 Off-street parking plan design standards.](#)

22 [18.40.120 Off-street parking construction standards.](#)

23 [18.40.130 Compact car allowance requirements.](#)

24 [18.40.140 Internal circulation road standards.](#)

25 **18.40.010 Purpose.**

26 The purpose of this chapter is to provide adequate parking for all *uses* allowed in this title; to
27 reduce demand for parking by encouraging alternative means of transportation including public
28 transit, rideshare and bicycles; and to increase pedestrian mobility in urban areas by:

29 A. Setting minimum off-street parking standards for different land *uses* that assure safe,
30 convenient and adequately sized parking facilities within activity centers;

31 B. Providing incentives to rideshare through preferred parking arrangements;

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1 C. Providing for parking and storage of bicycles;

2 D. Requiring the use of permeable surfacing unless infeasible;

3 E. Providing safe, direct pedestrian access from public rights-of-way to *structures* and
4 between *developments*; and

5 F. Requiring *uses* which attract large numbers of employees or customers to provide transit stops.
6 [Ord. 16-0428 § 13 (Att. I); Ord. 11-0329 § 3 (Exh. 1).]

7 **18.40.020 Authority and application.**

8 A. Before an occupancy permit may be granted for any new or enlarged *building* or for a change
9 of *use* in any existing *building*, the *use* shall be required to meet the provisions of this chapter.

10 B. If this chapter does not specify a parking requirement for a land *use*, the *city manager* shall
11 establish the minimum requirement based on a study of anticipated parking demand.
12 Transportation demand management actions taken at the *site* shall be considered in determining
13 anticipated demand. If the *site* is located in an activity center or community business center, the
14 minimum requirement shall be set at a level less than the anticipated demand, but at no less than
15 75 percent of the anticipated demand. In the study the *applicant* shall provide sufficient
16 information to demonstrate that the parking demand for a specific land *use* will be satisfied.
17 Parking studies shall be prepared by a professional engineer with expertise in traffic and parking
18 analyses, or an equally qualified individual as authorized by the *city manager*.

19 C. If the required amount of off-street parking has been proposed to be provided off-site,
20 the *applicant* shall provide written contracts with affected landowners showing that required off-
21 street parking shall be provided in a manner consistent with the provisions of this chapter. The
22 contracts shall be reviewed by the *city manager* for compliance with this chapter, and if approved,
23 the contracts shall be recorded with the county records and elections division as a deed restriction
24 on the title to all applicable properties. These deed restrictions may not be revoked or modified
25 without authorization by the *city manager*.

26 D. Where a neighborhood or subarea plan with design guidelines that includes the subject property
27 has been adopted, the *city manager* shall base allowable waivers or modifications on the policies
28 and guidelines in such plan. [Ord. 11-0329 § 3 (Exh. 1).]

29 **18.40.030 Computation of required off-street parking spaces.**

30 A. Except as modified in KMC [18.40.035](#), [18.40.040](#), [18.40.050](#), [18.40.055](#) or [18.40.090](#), off-street
31 parking areas shall contain at a minimum the number of *parking spaces* as stipulated in the
32 following table. Off-street parking ratios expressed as number of spaces per square feet means the
33 usable or net square footage of floor area, exclusive of nonpublic areas. Nonpublic areas include
34 but are not limited to building maintenance areas, storage areas, closets, restrooms and exterior
35 walls. If the formula for determining the number of off-street *parking spaces* results in a fraction,
36 the number of off-street *parking spaces* shall be rounded to the nearest whole number with
37 fractions of 0.50 or greater rounding up and fractions below 0.50 rounding down.

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LAND USE	MINIMUM PARKING SPACES REQUIRED	MINIMUM PARKING SPACES REQUIRED
	Citywide, Except in Downtown Commercial and Downtown Residential Zones West of 68th Avenue NE	Downtown Commercial and Downtown Residential Zones West of 68th Avenue NE
RESIDENTIAL:		
Single detached dwelling unit	2.0 per dwelling unit	2.0 per dwelling unit; tandem stalls permitted
<u>Duplex, Triplex, and Fourplex</u>	<u>2.0 per dwelling unit; If located in areas specified in KMC 18.21.035(B):</u> <u>1. 1.0 per dwelling unit for lots less than 6,000 square feet; or</u> <u>2. No required parking within one- half mile walking distance of a major transit stop.</u>	<u>1.5 per dwelling unit; tandem stalls permitted</u>
Townhouse	2.0 per dwelling unit; <u>If located in areas specified in KMC 18.21.035(B):</u> <u>1. 2.0 per dwelling unit;</u> <u>2. 1.0 per dwelling unit for lots less than 6,000 square feet; or</u> <u>3. No required parking within one- half mile walking distance of a major transit stop.</u>	1.5 per dwelling unit; tandem stalls permitted
Guest parking	1 space for every 5 units	1 space for every 5 units
Apartment:		
Microhousing dwelling unit	Within 1/4 mile of SR-522: 0.75 per dwelling unit. Otherwise, 1.2 per dwelling unit	Within 1/4 mile of SR-522: 0.75:du. Otherwise, 1.0:du. Tandem stalls permitted
Studio unit	1.2 per dwelling unit	1.0:du; tandem stalls permitted
One-bedroom unit	1.5 per dwelling unit	1.0:du; tandem stalls permitted
Two-bedroom unit	1.7 per dwelling unit	1.5:du; tandem stalls permitted

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LAND USE	MINIMUM PARKING SPACES REQUIRED	MINIMUM PARKING SPACES REQUIRED
	Citywide, Except in Downtown Commercial and Downtown Residential Zones West of 68th Avenue NE	Downtown Commercial and Downtown Residential Zones West of 68th Avenue NE
Three-bedroom unit or larger	2.0 per <i>dwelling unit</i>	1.7:du; tandem stalls permitted
Guest parking	1 space for every 5 units	1 space for every 5 units
<u><i>Courtyard Apartments and Stacked Flats</i></u>	<u>Per Apartment standards listed in this table; If located in areas specified in KMC 18.21.035(B):</u> 1. <u>2.0 per dwelling unit;</u> 2. <u>1.0 per dwelling unit for lots less than 6,000 square feet; or</u> 3. <u>No required parking within one- half mile walking distance of a major transit stop.</u> 4. <u>Guest parking required per the standard in this table.</u>	<u>Per Apartment standards listed in this table.</u> <u>Guest parking required per the standard in this table.</u>
<u><i>Cottage Housing</i></u>	<u>1.0 per dwelling unit; If located in areas specified in KMC 18.21.035(B):</u> 1. <u>2.0 per dwelling unit;</u> 2. <u>1.0 per dwelling unit for lots less than 6,000 square feet; or</u> 3. <u>No required parking within one- half mile walking distance of a major transit stop.</u> 4. <u>Guest parking required per the standard in this table.</u>	<u>1.0 per dwelling unit.</u> <u>Guest parking required per the standard in this table.</u>
<i>Manufactured housing community</i>	2.0 per <i>dwelling unit</i>	2.0 per <i>dwelling unit</i>
<i>Senior citizen assisted living</i>	1 per 2 dwelling or sleeping units	1 per 2 dwelling or sleeping units
<i>Community residential facility</i>	1 per 2 bedrooms	1 per 2 bedrooms

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LAND USE	MINIMUM PARKING SPACES REQUIRED	MINIMUM PARKING SPACES REQUIRED
	Citywide, Except in Downtown Commercial and Downtown Residential Zones West of 68th Avenue NE	Downtown Commercial and Downtown Residential Zones West of 68th Avenue NE
Dormitory, including religious	1 per 2 bedrooms	1 per 2 bedrooms
Hotel/motel	1 per bedroom	1 per bedroom
Bed and breakfast guesthouse	1 per guest room, plus 2 per facility	1 per guest room, plus 2 per facility
Other residential land uses	(city manager)	(city manager)
RECREATIONAL/CULTURAL:		
Recreational/cultural land uses	1 per 300 square feet	1 per 300 square feet
Exceptions:		
Bowling center	5 per lane	5 per lane
Golf course	3 per hole, plus 1 per 300 square feet of clubhouse facilities	—
Tennis club	4 per tennis court, plus 1 per 300 square feet of clubhouse facility	—
Golf driving range	1 per tee	—
Park/playfield	(city manager)	(city manager)
Theater	1 per 3 fixed seats	1 per 3 fixed seats
Conference center	1 per 3 fixed seats, plus 1 per 50 square feet used for assembly purposes without fixed seats, or 1 per	1 per 3 fixed seats, plus 1 per 50 square feet used for assembly purposes without fixed seats, or 1 per bedroom, whichever

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LAND USE	MINIMUM PARKING SPACES REQUIRED	MINIMUM PARKING SPACES REQUIRED
	Citywide, Except in Downtown Commercial and Downtown Residential Zones West of 68th Avenue NE	Downtown Commercial and Downtown Residential Zones West of 68th Avenue NE
	bedroom, whichever results in the greater number of spaces	results in the greater number of spaces
<i>Artist studio</i>	0.9 per 1,000 square feet of area used for studios	0.9 per 1,000 square feet of area used for studios
GENERAL SERVICES:		
<i>General services land uses</i>	1 per 300 square feet	1 per 300 square feet
Exceptions:		
<i>Funeral home/crematory</i>	1 per 50 square feet of chapel area	—
<i>Day care I</i>	2 per facility	2 per facility
<i>Day care II</i>	2 per facility, plus 1 space for each 20 children	2 per facility, plus 1 space for each 20 children
<i>Religious institution</i>	1 per 5 fixed seats, plus 1 per 50 square feet of gross floor area without fixed seats used for assembly purposes	1 per 5 fixed seats, plus 1 per 50 square feet of gross floor area without fixed seats used for assembly purposes
Outpatient and veterinary clinic office	1 per 300 square feet of office, labs and examination rooms	1 per 300 square feet of office, labs and examination rooms
Nursing and personal care facility	1 per 4 beds	—
<i>Hospital</i>	1 per bed	1 per bed
Elementary school	1 per <i>school classroom</i> , plus 1 per 50 students	1 per <i>school classroom</i> , plus 1 per 50 students

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LAND USE	MINIMUM PARKING SPACES REQUIRED	MINIMUM PARKING SPACES REQUIRED
	Citywide, Except in Downtown Commercial and Downtown Residential Zones West of 68th Avenue NE	Downtown Commercial and Downtown Residential Zones West of 68th Avenue NE
Secondary schools:		
Middle/junior high school	1 per <i>school classroom</i> , plus 1 per 50 students	1 per <i>school classroom</i> , plus 1 per 50 students
High school	1 per <i>school classroom</i> , plus 1 per 10 students	1 per <i>school classroom</i> , plus 1 per 10 students
High school with stadium	Greater of 1 per <i>school classroom</i> , plus 1 per 10 students, or 1 per 3 fixed seats in stadium	Greater of 1 per <i>school classroom</i> , plus 1 per 10 students, or 1 per 3 fixed seats in stadium
Vocational school	1 per <i>school classroom</i> , plus 1 per 5 students	1 per <i>school classroom</i> , plus 1 per 5 students
Specialized instruction school	1 per <i>school classroom</i> , plus 1 per 2 students	1 per <i>school classroom</i> , plus 1 per 2 students
College/university	1 per 2 commuting students, faculty and staff	—
GOVERNMENT/BUSINESS SERVICES:		
Government/business services land uses	1 per 300 square feet	1 per 300 square feet
Exceptions:		
Public agency yard	1 per 300 square feet of offices, plus 0.9 per 1,000 square feet of indoor storage or repair areas	—
Public agency archive	0.9 per 1,000 square feet of storage area, plus 1 per 50 square feet of waiting/reviewing areas	—

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LAND USE	MINIMUM PARKING SPACES REQUIRED	MINIMUM PARKING SPACES REQUIRED
	Citywide, Except in Downtown Commercial and Downtown Residential Zones West of 68th Avenue NE	Downtown Commercial and Downtown Residential Zones West of 68th Avenue NE
Court	3 per courtroom, plus 1 per 50 square feet of fixed seat or assembly areas	3 per courtroom, plus 1 per 50 square feet of fixed seat or assembly areas
Fire or police facility	(city manager)	(city manager)
Construction and trade	1 per 300 square feet of office, plus 1 per 3,000 square feet of storage area	1 per 300 square feet of office, plus 1 per 3,000 square feet of storage area
Warehousing and storage	1 per 300 square feet of office, plus 0.9 per 1,000 square feet of storage area	1 per 300 square feet of office, plus 0.9 per 1,000 square feet of storage area
Self-service storage	1 per 3,500 square feet of storage area, plus 2 for any resident director's unit	1 per 3,500 square feet of storage area, plus 2 for any resident director's unit
Outdoor advertising services	1 per 300 square feet of office, plus 0.9 per 1,000 square feet of storage area	—
Heavy equipment repair	1 per 300 square feet of office, plus 0.9 per 1,000 square feet of indoor repair areas	—
RETAIL/WHOLESALE:		
Retail land uses	1 per 300 square feet	1 per 300 square feet
Exceptions:		
Food stores, less than 15,000 square feet	3 plus 1 per 350 square feet	3 plus 1 per 350 square feet

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LAND USE	MINIMUM PARKING SPACES REQUIRED	MINIMUM PARKING SPACES REQUIRED
	Citywide, Except in Downtown Commercial and Downtown Residential Zones West of 68th Avenue NE	Downtown Commercial and Downtown Residential Zones West of 68th Avenue NE
Vehicle refueling stations w/o grocery	3 per facility, plus 1 per service bay	3 per facility, plus 1 per service bay
Vehicle refueling stations w/grocery, no service bays	1 per facility, plus 1 per 300 square feet of store	1 per facility, plus 1 per 300 square feet of store
Restaurants	1 per 75 square feet in dining or lounge areas	1 per 75 square feet in dining or lounge areas
Wholesale trade uses	0.9 per 1,000 square feet	0.9 per 1,000 square feet
Retail sales and wholesale trade mixed use	1 per 300 square feet	1 per 300 square feet
MANUFACTURING:		
Manufacturing land uses	0.9 per 1,000 square feet	—
Exceptions:		
Winery/brewery	0.9 per 1,000 square feet, plus 1 per 50 square feet of tasting area	—
RESOURCES:		
Resource land uses	(city manager)	—
REGIONAL:		
Regional land uses	(city manager)	(city manager)

- 1 B. An *applicant* may request a modification of the minimum required number of *parking spaces* by
- 2 providing a parking demand analysis demonstrating that parking demand can be met with a
- 3 reduced parking requirement. In such cases, the *city manager* may approve a reduction of up to 50
- 4 percent of the minimum required number of spaces.

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1 C. When the *City* has received a shell building permit application, off-street parking requirements
2 shall be based on the possible tenant improvements or *uses* authorized by the zone designation
3 and compatible with the limitations of the shell permit. When the range of possible *uses* results in
4 different parking requirements, the *city manager* will establish the amount of parking based on a
5 likely range of *uses*.

6 D. Where other provisions of this code stipulate maximum parking allowed or reduced minimum
7 parking requirements, those provisions shall apply.

8 E. In any *development* required to provide six or more *parking spaces*, bicycle parking shall be
9 provided. Bicycle parking shall be bike rack or locker-type parking facilities unless otherwise
10 specified.

11 1. Off-street parking areas shall contain at least one bicycle parking space for every 12
12 spaces required for motor vehicles except as follows:

13 a. The *city manager* may reduce bike rack parking facilities for patrons when it is
14 demonstrated that bicycle activity will not occur at that location.

15 b. The *city manager* may require additional spaces when it is determined that the *use* or
16 its location will generate a high volume of bicycle activity. Such a determination will
17 include but not be limited to the following *uses*:

18 (1) *Park/playfield*;

19 (2) *Marina*;

20 (3) *Library/museum/arboretum*;

21 (4) *Elementary/secondary school*;

22 (5) *Sports club*; or

23 (6) Retail business (when located along a developed bicycle *trail* or designated
24 bicycle route).

25 2. Bicycle facilities for patrons shall be located within 100 feet of the building entrance and
26 shall be designed to allow either a bicycle frame or wheels to be locked to
27 a *structure* attached to the pavement.

28 3. All bicycle parking and storage shall be located in safe, visible areas that do not impede
29 pedestrian or vehicle traffic flow, and shall be well lit for nighttime use.

30 4. When more than 10 people are employed on site, enclosed locker-type parking facilities
31 for employees shall be provided. The *city manager* shall allocate the required number of
32 parking spaces between bike rack parking and enclosed locker-type parking facilities.

33 5. One indoor bicycle storage space shall be provided for every two *dwelling*
34 *units* in *townhouse* and *apartment* residential *uses*, unless individual garages are
35 provided for every unit. The *city manager* may reduce the number of bike rack parking
36 spaces if *indoor storage* facilities are available to all residents.

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F. Exceedance of Minimum Parking – Zones Other Than Downtown Commercial and Downtown Residential Zones West of 68th Avenue NE. Provision of parking shall not exceed 30 percent more than the minimum parking requirements unless the excess parking spaces are 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 and is interim in nature.

G. Tree Retention – DC and DR Zones. Where an applicant proposes retention of *trees* in accordance with KMC [18.35.100](#)(G) in the DC and DR zones, the *city manager* may reduce parking requirements by one *parking space* for every two *significant trees* that are saved in excess of the significant tree ordinance requirements.

H. Critical Area or Buffer Protection. When unavoidable, the *city manager* may reduce minimum parking requirements in order to maximize the protection of a *critical area* or its *buffer*. The reduction in the number of parking stalls or alternative stall or drive aisle dimensional requirements shall be in proportion to the area to be retained in the *buffer* or *critical area*. [Ord. 24-0609 § 2 (Exh. A); Ord. 23-0574 § 2 (Exh. A); Ord. 19-0488 § 5 (Exh. 3); Ord. 19-0481 § 2 (Exh. A); Ord. 17-0438 § 2 (Att. A); Ord. 16-0428 § 13 (Att. I); Ord. 16-0415 § 2 (Att. B); Ord. 14-0391 § 2 (Exh. 1); Ord. 11-0329 § 3 (Exh. 1).]

18.40.035 Parking in the urban residential zone, downtown commercial zone east of 73rd Avenue NE, public and semi-public zone abutting SR-522, and the urban corridor zone, east subarea.

Parking in the urban residential zone, the downtown commercial zone east of 73rd Avenue NE, the public and semi-public zone abutting SR-522, and the urban corridor zone, east subarea, 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 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. One-half parking space per dwelling unit.
2. One-half additional parking space per every five dwelling units shall be provided and designated as guest parking for use by all guests.
3. There are no minimum parking requirements for multifamily residential developments specifically for housing senior citizens or people with disabilities. For residential developments specifically for housing senior citizens, an applicant shall prepare a parking demand analysis to determine parking requirements for staff and visitors. Parking requirements for senior citizen assisted living facilities are addressed in KMC [18.40.030](#)(A) and [18.40.050](#).

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

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1 B. The parking facilities are designed and developed as a single on-site common parking facility, or
2 as a system of on-site and off-site facilities, if all facilities are connected with improved pedestrian
3 facilities and no *building* or *use* involved is more than 800 feet from the most remote shared facility;

4 C. The amount of the reduction shall not exceed 10 percent for each *use*, unless:

- 5 1. The normal hours of operation for each *use* are separated by at least one hour; or
6 2. A parking demand study is prepared by a professional traffic engineer and submitted by
7 the *applicant* documenting that the hours of actual parking demand for the
8 proposed *uses* will not conflict and those *uses* will be served by adequate parking if
9 shared parking reductions are authorized;
10 3. The *use* is a *mixed use development* pursuant to KMC [18.50.120](#), in which case a 25
11 percent reduction may be granted;
12 4. The *city manager* will determine the amount of reduction subject to subsection D of this
13 section;

14 D. The total number of *parking spaces* in the common parking facility is not less than the minimum
15 required spaces for any single *use*;

16 E. A covenant or other contract for shared parking between the cooperating property owners is
17 approved by the *city manager*. This covenant or contract must be recorded with the *City* as a deed
18 restriction on both properties and cannot be modified or revoked without the consent of the *city*
19 *manager*; and

20 F. If any requirements for shared parking are violated, the affected property owners must provide a
21 remedy satisfactory to the *city manager* or provide the full amount of required off-street parking for
22 each *use*, in accordance with the requirements of this chapter, unless a satisfactory alternative
23 remedy is approved by the *city manager*. [Ord. 11-0329 § 3 (Exh. 1).]

24 **18.40.050 Exceptions for community residential facilities (CRF) and senior citizen assisted living.**

25 A. The minimum requirement of one off-street *parking space* per two bedrooms for *CRFs* and one
26 off-street *parking space* per two *senior citizen assisted living* units may be reduced by up to 50
27 percent, as determined by the *city manager* based on the following considerations:

- 28 1. Availability of *private*, convenient transportation services to meet the needs of the
29 residents;
30 2. Accessibility to and frequency of public transportation; and
31 3. Pedestrian access to health, medical, and shopping facilities.

32 B. If a *CRF* facility or *senior citizen assisted living* facility is no longer used for such purposes,
33 additional off-street *parking spaces* shall be required in compliance with this chapter prior to the
34 issuance of a new certificate of occupancy.

35 C. The parking requirements of KMC [18.40.055](#), if applicable, shall apply. [Ord. 24-0609 § 2 (Exh. A);
36 Ord. 11-0329 § 3 (Exh. 1).]

| **= changes since March 4**

1 **18.40.055 Parking for certain types of development served by transit.**

2 Affordable housing shall be as defined under KMC [18.20.098](#). Housing for seniors shall be defined
3 as housing restricted to those meeting the definition of “senior citizen” as found in
4 KMC [18.20.2500](#).

5 Notwithstanding any other provision in this title, the following types of development shall have the
6 following parking requirements:

7 A. Transit Serving *Very Low-Income Affordable Housing Units* and *Extremely Low-Income*
8 *Affordable Housing Units*.

- 9 1. For *very low-income affordable housing units* or *extremely low-income affordable*
10 *housing units* that are located within one-quarter mile (1,320 feet), as measured linearly
11 along *streets* or other pedestrian pathways, of a transit stop that receives transit service
12 at least two times per hour for 12 or more hours per day, residential parking
13 requirements shall be no greater than 0.6 spaces per unit.
- 14 2. The *city manager* may require a *developer* to record a covenant that prohibits the rental
15 of units subject to this parking restriction for any purpose other than providing for *very*
16 *low-income affordable housing units* or *extremely low-income affordable housing units*.
17 The covenant must address price restrictions and household income limits and policies
18 if the property is converted to a use other than for such low-income housing, as part of
19 an affordability agreement pursuant to KMC [18.77.050](#).
- 20 3. The *city manager* may require more than 0.6 spaces per unit if the city manager
21 determines that particular *very low-income affordable housing units* or *extremely low-*
22 *income affordable housing units* are located in an area with a lack of access to street
23 parking capacity, physical space impediments, or other reasons supported by evidence
24 that would make on-street parking infeasible for such units.

25 B. Transit Serving Market Rate Multifamily *Dwelling Units*.

- 26 1. For market rate multifamily *dwelling units* that are located within one-quarter mile (1,320
27 feet), as measured linearly along *streets* or other pedestrian pathways, of a transit stop
28 that receives transit service from at least one route that provides service at least four
29 times per hour for 12 or more hours per day, residential parking requirements shall be no
30 greater than 0.75 spaces per unit.
- 31 2. The *city manager* may require a *developer* to provide more than 0.75 spaces per unit if
32 the *city manager* has determined a particular *dwelling unit* to be in an area with a lack of
33 access to street parking capacity, physical space impediments, or other reasons
34 supported by evidence that would make on-street parking infeasible for the *dwelling*
35 *unit*.

36 C. Transit Serving Multifamily Housing for Seniors or People With Disabilities.

- 37 1. For multifamily *developments* specifically for housing seniors or people with disabilities
38 that are located within one-quarter mile (1,320 feet), as measured linearly

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1 along *streets* or other pedestrian pathways, of a transit stop that receives transit service
2 at least four times per hour for 12 or more hours per day, there shall be no minimum
3 residential parking requirements for the residents of such *dwelling units*. Housing for
4 seniors shall be defined as housing restricted to those meeting the definition of *senior*
5 *citizen* as found in KMC [18.20.2500](#).

6 2. As an exception to subsection (C)(1) of this section, the *city manager* may require one or
7 more parking spaces per bedroom for housing for seniors or people with disabilities if
8 the *city manager* determines a particular unit to be in an area with a lack of access to
9 street parking capacity, physical space impediments, or other reasons supported by
10 evidence that would make on-street parking infeasible for the unit.

11 3. The *city manager* may require parking for staff and visitors of such multifamily housing
12 for seniors or people with disabilities, consistent with the requirements of this title.

13 4. The *city manager* may require a *developer* to record a covenant that prohibits the rental
14 of such units subject to the parking restriction of this section for any purpose other than
15 providing for housing for seniors or people with disabilities, as part of an affordability
16 agreement pursuant to KMC [18.77.050](#). [Ord. 24-0609 § 2 (Exh. A).]

17 **18.40.060 Parking for the disabled.**

18 Off-street parking and access for physically disabled persons shall be provided in accordance with
19 the regulations adopted pursuant to Chapter [19.27](#) RCW, State Building Code, KMC [18.40.055](#), and
20 Chapter [70.92](#) RCW, Public Buildings – Provisions for Aged and Disabled. See Chapter 11 of the
21 International Building Code as adopted by the *City*. [Ord. 24-0609 § 2 (Exh. A); Ord. 11-0329 § 3
22 (Exh. 1).]

23 **18.40.070 Loading space and loading dock requirements.**

24 A. Every nonresidential *building* engaged in retail, wholesale, manufacturing or storage activities,
25 excluding *self-service storage* facilities, shall provide *loading spaces* in accordance with the
26 standards listed below.

GROSS FLOOR AREA	REQUIRED NUMBER OF LOADING SPACES
10,000 to 16,000 square feet	1
16,001 to 40,000 square feet	2
40,001 to 64,000 square feet	3
64,001 to 96,000 square feet	4
96,001 to 128,000 square feet	5

= changes since March 4

GROSS FLOOR AREA	REQUIRED NUMBER OF LOADING SPACES
128,001 to 160,000 square feet	6
160,001 to 196,000 square feet	7
For each additional 36,000 square feet	1 additional

- 1 B. Every *building* engaged in *hotel*, *office building*, restaurant, hospital, auditorium, convention hall,
2 exhibition hall, sports arena/stadium or other similar *use* shall provide *loading spaces* in
3 accordance with the standards listed below.

GROSS FLOOR AREA	REQUIRED NUMBER OF LOADING SPACES
40,000 to 60,000 square feet	1
60,001 to 160,000 square feet	2
160,001 to 264,000 square feet	3
264,001 to 388,000 square feet	4
388,001 to 520,000 square feet	5
520,001 to 652,000 square feet	6
652,001 to 784,000 square feet	7
784,001 to 920,000 square feet	8
For each additional 140,000 square feet	1 additional

- 4 C. Each *loading space* required by this section shall be a minimum of 10 feet wide, 30 feet long,
5 and have an unobstructed vertical clearance of 14 feet, six inches, and shall be surfaced, improved
6 and maintained as required by this chapter. *Loading spaces* shall be located so that trucks shall
7 not obstruct pedestrian or vehicle traffic movement or project into any public right-of-way.

| **= changes since March 4**

1 All *loading space* areas shall be separated from parking areas and shall be designated as
2 truck *loading spaces*.

3 D. Any *loading space*, including loading docks, located within 100 feet of areas zoned for
4 residential *use* shall be screened and operated as necessary to reduce noise and visual impacts.
5 Noise mitigation measures may include architectural or structural barriers, *berms*, walls, or
6 restrictions on the hours of operation.

7 E. Multi-story *self-service storage* facilities shall provide two *loading spaces*, and single-story
8 facilities one *loading space*, adjacent to each building entrance that provides common access to
9 interior storage units. Each loading berth shall measure not less than 25 feet by 12 feet with an
10 unobstructed vertical clearance of 14 feet, six inches, and shall be surfaced, improved and
11 maintained as required by this chapter. Any floor area additions or structural alterations to
12 a *building* shall be required to provide *loading space* or spaces as set forth in this chapter.

13 F. Loading docks shall be screened from view of the public right-of-way. Screening may include
14 architectural or structural barriers, *berms*, walls or vegetation. [Ord. 14-0391 § 2 (Exh. 1); Ord. 11-
15 0329 § 3 (Exh. 1).]

16 **18.40.080 Stacking spaces for drive-through facilities.**

17 A. A stacking space shall be an area measuring eight feet by 20 feet with direct forward access to a
18 service window of a drive-through facility. A stacking space shall be located to prevent any vehicles
19 from extending onto the public right-of-way, or interfering with any pedestrian circulation, traffic
20 maneuvering, or other *parking space* areas. Stacking spaces for drive-through or drive-in *uses* may
21 not be counted as required *parking spaces*.

22 B. *Uses* providing drive-up or *drive-through services* shall provide vehicle stacking spaces as
23 follows:

- 24 1. For each drive-through lane of a bank/financial institution, business service, or other
25 drive-through *use* not listed, a minimum of five stacking spaces shall be provided; and
26 2. For each drive-through lane of a restaurant, a minimum of seven stacking spaces shall
27 be provided. [Ord. 11-0329 § 3 (Exh. 1).]

28 **18.40.090 Transit and rideshare provisions.**

29 A. *Government/business services land uses* and *manufacturing land uses*, *ambulatory surgery*
30 *center*, *hospital*, *educational service* and *college/university* shall be required to reserve one *parking*
31 *space* of every 20 required spaces for rideshare parking as follows:

- 32 1. The *parking spaces* shall be located closer to the primary employee entrance than any
33 other employee parking except disabled;
34 2. Reserved areas shall have markings and *signs* indicating that the space is reserved; and
35 3. Parking in reserved areas shall be limited to vanpools and carpools established through
36 rideshare programs by public agencies and to vehicles meeting minimum rideshare
37 qualifications set by the employer;

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1 B. The *city manager* may reduce the number of required off-street *parking spaces* when one or
2 more scheduled transit routes provide service within one-quarter mile (1,320 feet) of the *site* as
3 measured linearly along *streets* or other pedestrian pathways. The amount of reduction shall be
4 based on the number of scheduled transit runs between 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to
5 6:00 p.m. each business day up to a maximum reduction as follows:

- 6 1. Four percent for each run serving *government/business service land*
7 *uses* and *manufacturing land uses*, up to a maximum of 40 percent; and
8 2. Two percent for each run serving *recreational/cultural land uses*, *general services land*
9 *uses*, *retail land uses*, and *wholesale trade*, up to a maximum of 20 percent; and

10 C. All uses which are located on an existing transit route and are required under the computation
11 for required off-street *parking spaces* in KMC [18.40.030\(A\)](#) to provide more than 200 *parking*
12 *spaces* may be required to provide transit shelters, bus turnout lanes or other transit
13 improvements as a condition of permit approval. *Uses* which reduce required parking under
14 subsection B of this section shall provide transit shelters if transit routes adjoin the *site*. [Ord. 17-
15 0438 § 2 (Att. B); Ord. 14-0391 § 2 (Exh. 1); Ord. 11-0329 § 3 (Exh. 1).]

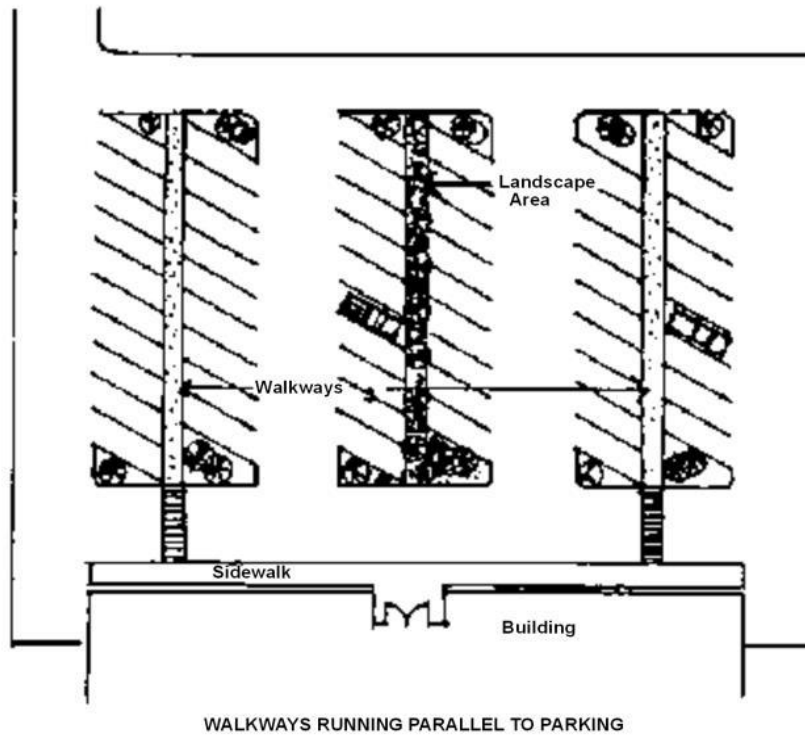
16 **18.40.100 Pedestrian and bicycle circulation and access.**

17 A. Nonresidential *Uses*. All permitted nonresidential *uses* shall provide pedestrian and bicycle
18 access within and onto the *site*. Access points onto the *site* shall be provided (1) approximately
19 every 800 to 1,000 feet along existing and proposed perimeter sidewalks and walkways, and (2) at
20 all arrival points to the *site*, including abutting *street* intersections, crosswalks, and transit stops. In
21 addition, access points to and from adjacent *lots* shall be coordinated to provide circulation
22 patterns between *developments*.

23 B. Residential *Uses*.

- 24 1. All permitted residential *uses* of five or more *dwelling units* shall provide pedestrian and
25 bicycle access within and onto the *site*. Access points onto the *site* shall be provided (a)
26 approximately every 800 to 1,000 feet along existing and proposed perimeter sidewalks
27 and walkways, and (b) at all arrival points to the *site*, including
28 abutting *street* intersections, crosswalks, and transit and school bus stops. In addition,
29 access points to and from adjacent *lots* shall be coordinated to provide circulation
30 patterns between *sites*.
31 2. Residential *uses* of five or more *dwelling units* shall provide for nonmotorized circulation
32 between cul-de-sacs or groups of *buildings* to allow pedestrian and bicycle access
33 within and through the *development* to adjacent activity centers, *parks*, common tracts,
34 dedicated open space intended for active recreation, schools or other public facilities,
35 transit and school bus stops, and public *streets*.
36 3. Access shall only be required to school bus stops that are within or adjacent to a
37 proposed residential *use* of five or more *dwelling units* and that are identified by the
38 affected *school district* in response to a notice of application.

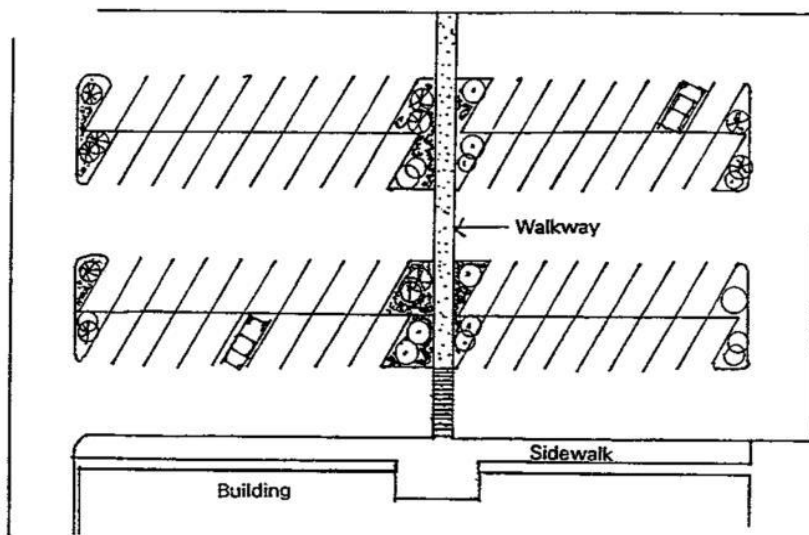
| = changes since March 4



- 1
- 2 C. Walkways shall form an on-site circulation system that minimizes the conflict between
- 3 pedestrians and traffic at all points of pedestrian access to on-site parking and building entrances.
- 4 Walkways shall be provided when the pedestrian access point onto the *site*, or any *parking space*,
- 5 is more than 75 feet from the building entrance or principal on-site destination and as follows:
- 6 1. All *developments* which contain more than one *building* shall provide walkways between
- 7 the principal entrances of the *buildings*;
- 8 2. All nonresidential *buildings* set back more than 100 feet from the public right-of-way
- 9 shall provide for direct pedestrian access from the *building* to *buildings* on adjacent *lots*;
- 10 and
- 11 3. Walkways across parking areas shall be located as follows:

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- a. Walkways running parallel to the parking rows shall be provided for every six rows. Rows without walkways shall be landscaped or contain barriers or other means to encourage pedestrians to use the walkways; and
- b. Walkways running perpendicular to the parking rows shall be no further than 20 parking spaces. Landscaping, barriers or other means shall be provided between the parking rows to encourage pedestrians to use the walkways.



WALKWAYS RUNNING PERPENDICULAR TO PARKING

- D. Pedestrian and bicycle access and walkways shall meet the following minimum design standards:
1. Access and walkways shall be well lit and physically separated from driveways and parking spaces by landscaping, berms, barriers, grade separation or other means to protect pedestrians from vehicular traffic;
 2. Access and walkways shall be a minimum of 48 inches of unobstructed width and meet the surfacing standards of the City street standards for walkways or sidewalks;
 3. The minimum standard for walkways required to be accessible for persons with disabilities shall be designed and constructed to comply with the current State Building Code regulations for barrier-free accessibility;

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- 1 4. A crosswalk shall be required when a walkway crosses a driveway or a paved area
2 accessible to vehicles.

3 E. Blocks in excess of 660 feet shall be provided with a crosswalk at the approximate midpoint of
4 the block.

5 F. The *city manager* may waive or modify the requirements of this section when:

- 6 1. Existing or proposed improvements would create an unsafe condition or security
7 concern;
8 2. There are topographical constraints, or existing or required *structures* effectively block
9 access;
10 3. The *site* is not contiguous to an activity center, *park*, common tract, dedicated *open*
11 *space*, school, transit stop or other public facility;
12 4. The land *use* would not generate the need for pedestrian or bicycle access; or
13 5. The public is not allowed access to the subject land *use*.

14 The *city manager*'s waiver may not be used to modify or waive the requirements of this
15 section relating to sidewalks and safe walking conditions for students.

16 G. The provisions of this section shall not apply on *school district* property. [Ord. 11-0329 § 3 (Exh.
17 1).]

18 **18.40.110 Off-street parking plan design standards.**

19 A. Off-street parking areas shall not be located more than 600 feet from the *building* they are
20 required to serve for all *uses* except those specified as follows; where an off-street parking area
21 does not abut the *building* it serves, the required maximum distance shall be measured from the
22 nearest building entrance that the parking area serves:

- 23 1. For all single detached dwellings the *parking spaces* shall be located on the
24 same *lot* they are required to serve;
25 2. For all other residential dwellings at least a portion of parking areas shall be located
26 within 150 feet from the *building* or *building(s)* they are required to serve;
27 3. For all nonresidential *uses* permitted in residential zones, the *parking spaces* shall be
28 located on the same *lot* they are required to serve and at least a portion of parking areas
29 shall be located within 150 feet from the nearest building entrance they are required to
30 serve;
31 4. In the community business and neighborhood business zones, parking lots shall be
32 located to the rear or sides of *buildings*. Relief from this subsection (A)(4) may be granted
33 by the *city manager* only if the *applicant* can demonstrate that there is no practical site
34 design to meet this requirement. The *city manager* may allow only the number of *parking*
35 *spaces* that cannot be accommodated to the rear or sides of *buildings* to be located to
36 the front of *buildings*;

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5. Parking lots shall be so arranged as to permit the internal circulation of vehicles between parking aisles without re-entering adjoining public streets; and

6. Parking for the disabled shall be provided in accordance with KMC [18.40.060](#).

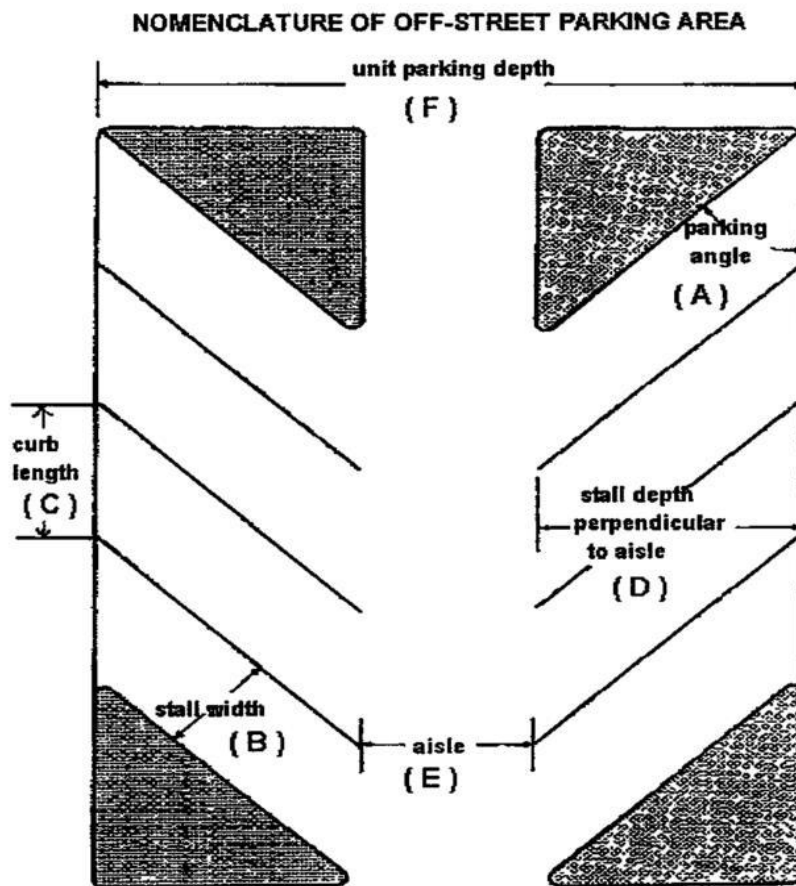
B. The minimum *parking space* and aisle dimensions for the most common parking angles are shown on the table in this subsection. For parking angles other than those shown on the chart, the minimum *parking space* and aisle dimensions shall be determined by the *city manager*. Regardless of the parking angle, one-way aisles shall be at least 10 feet wide, and two-way aisles shall be at least 20 feet wide. If dead-end aisles are used in the parking layout, they shall be constructed as two-way aisles. Parking plans for angle parking shall use space widths no less than eight feet, six inches for a standard *parking space* design and eight feet for a compact car *parking space* design.

MINIMUM PARKING STALL AND AISLE DIMENSIONS

A	B	C	D	E		F	
PARKING ANGLE	STALL WIDTH	CURB LENGTH	STALL DEPTH	AISLE WIDTH		UNIT DEPTH	
				1-WAY	2-WAY	1-WAY	2-WAY
0	8.0*	20.0*	8.0	12.0	20.0	**	**
	Min 8.5	22.5	8.5	12.0	20.0	29.0	37.0
	Desired 9.0	22.5	9.0	12.0	20.0	30.0	38.0
30	8.0*	16.0*	15.0	10.0	20.0	**	**
	Min 8.5	17.0	16.5	10.0	20.0	42.0	53.0
	Desired 9.0	18.0	17.0	10.0	20.0	44.0	54.0
45	8.0*	11.5*	17.0*	12.0	20.0	**	**
	Min 8.5	12.0		12.0	20.0	50.0	58.0
	Desired 9.0	12.5		12.0	20.0	51.0	59.0
60	8.0*	9.6*	18.0	18.0	20.0	**	**
	Min 8.5	10.0	20.0	18.0	20.0	58.0	60.0
	Desired 9.0	10.5	21.0	18.0	20.0	60.0	62.0
90	8.0*	8.0*	16.0*	24.0	24.0	**	**
	Min 8.5	8.5	18.0	24.0	24.0	60.0	60.0
	Desired 9.0	9.0	18.0	23.0	24.0	60.0	60.0

_____ = changes since March 4

- 1 * for compact stalls only
- 2 ** variable with compact and standard combinations



- 3
- 4 C. Any *parking spaces* abutting a required landscaped area on the driver or passenger side of the
- 5 vehicle shall provide an additional 18 inches above the minimum space width requirement to
- 6 provide a place to step other than in the landscaped area. The additional width shall be separated
- 7 from the adjacent *parking space* by a parking space division stripe.

| = changes since March 4

1 D. The *parking space* depth may be reduced if vehicles overhang a walkway or landscaping under
2 the following conditions:

- 3 1. Wheel stops or curbs are installed;
4 2. The remaining walkway provides a minimum of 48 inches of unimpeded passageway for
5 pedestrians;
6 3. The amount of space depth reduction is limited to a maximum of 18 inches; and
7 4. Landscaping is designed in accordance with KMC [18.35.070](#)(E).

8 E. Driveways providing ingress and egress between off-street parking areas and
9 abutting *streets* shall be designed, located and constructed in accordance with the provisions of
10 Chapter [12.50](#) KMC, Road Standards.

11 F. *Parking spaces* required under this title shall be located as follows:

- 12 1. For *single detached dwelling units* the required *parking spaces* shall be outside of any
13 required *setbacks* or *landscaping*, but driveways crossing *setbacks* and
14 required *landscaping* may be used for parking. However, if the driveway is a *joint use*
15 *driveway*, no vehicle parked on the driveway shall obstruct any joint user's access to the
16 driveway or *parking spaces*;
17 2. For all other *developments*, *parking spaces* may be permitted by the *city*
18 *manager* in *setback* areas in accordance with an approved landscape plan; and
19 3. For nonresidential *uses* in residential zones, parking is permitted in *setback* areas in
20 accordance with KMC [18.21.060](#).

21 G. Lighting shall be provided for safety of traffic and pedestrian circulation on the *site*. It shall be
22 designed to minimize direct illumination of abutting properties and adjacent *streets*. The *city*
23 *manager* shall have the authority to waive the requirement to provide lighting.

24 H. Tandem or end-to-end parking is allowed in residential *developments*. *Apartment* or *townhouse*
25 *developments* may have tandem parking areas for each *dwelling unit* but shall not combine parking
26 for separate *dwelling units* in tandem parking areas.

27 I. All vehicle parking and storage must be in a garage, carport or on an
28 approved *impervious surface*. Any *impervious surface* used for vehicle parking or storage must
29 have direct and unobstructed driveway access.

30 J. The total number of vehicles parked or stored outside of a *building* on a single-family *lot* in the R-4
31 through R-6 zones, excluding *recreational vehicles* and trailers, shall not exceed six vehicles
32 on *lots* 12,500 square feet or less and eight vehicles on *lots* greater than 12,500 square feet.

33 K. Vanpool or carpool parking areas shall meet the following minimum design standards:

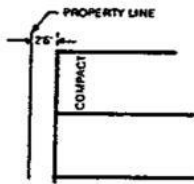
- 34 1. A minimum vertical clearance of seven feet, three inches shall be provided to
35 accommodate van vehicles if designated vanpool or carpool *parking spaces* are located
36 in a parking structure; and

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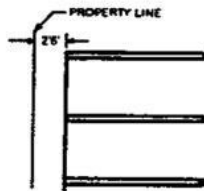
- 1 2. A minimum turning radius of 26 feet, four inches with a minimum turning diameter, curb
2 to curb, of 52 feet, five inches shall be provided from parking aisles to adjacent carpool
3 or vanpool *parking spaces*.
- 4 L. Direct access from the *street* right-of-way to off-street parking areas shall be subject to
5 KMC [18.45.070](#).
- 6 M. No dead-end *alley* may provide access to more than eight off-street *parking spaces*.
- 7 N. Any parking stalls located in enclosed *buildings* must be totally within the enclosed *building*.
8 [Ord. 24-0609 § 2 (Exh. A); Ord. 11-0329 § 3 (Exh. 1).]
- 9 **18.40.120 Off-street parking construction standards.**
- 10 A. Off-street parking areas shall be paved in accordance with *City* street standards unless
11 otherwise approved by the *city manager*.
- 12 B. *Grading* work for parking areas shall meet the requirements of KMC Title [15](#). Drainage and
13 erosion/sedimentation control facilities shall be provided in accordance with Chapter [13.35](#) KMC.
- 14 C. Paved parking areas shall have *parking spaces* marked by surface paint lines or suitable
15 substitute traffic marking material in accordance with the Washington State Department of
16 Transportation Standards. Wheel stops are required where a parked vehicle would encroach on
17 adjacent property, pedestrian access or circulation areas, right-of-way or landscaped areas.
18 Typically approved markings and wheel stop locations are illustrated below.

= changes since March 4

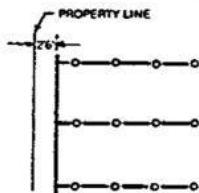
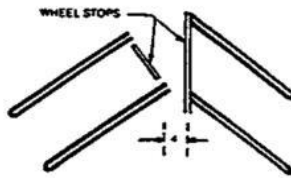
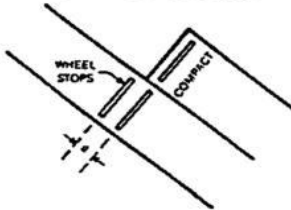
STALL MARKINGS AND WHEEL STOP LOCATIONS



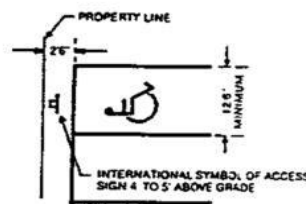
COMPACT MARKING



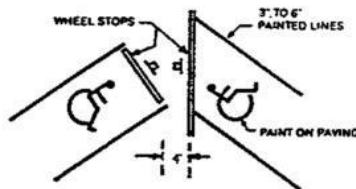
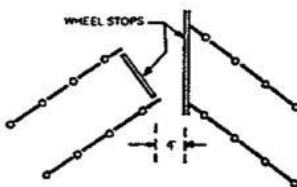
PAINTED HORSESHOE MARKING



METAL OR PLASTIC TRAFFIC MARKING



HANDICAP MARKING



1

2 [Ord. 11-0329 § 3 (Exh. 1).]

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18.40.130 Compact car allowance requirements.

In any *development* containing more than 20 *parking spaces*, up to 50 percent of the total number of spaces may be sized to accommodate compact cars, subject to the following:

A. Each space shall be clearly identified as a compact car space by painting the word "COMPACT" in capital letters, a minimum of eight inches high, on the pavement at the base of the *parking space* and centered between the striping;

B. Aisle widths shall conform to the standards set for standard size cars; and

C. *Apartment developments* with less than 20 parking spaces may designate up to 40 percent of the required parking spaces as compact spaces. [Ord. 16-0428 § 13 (Att. I); Ord. 11-0329 § 3 (Exh. 1).]

18.40.140 Internal circulation road standards.

Internal access roads to off-street parking areas shall conform to City street standards set forth in Chapter [12.50](#) KMC. [Ord. 11-0329 § 3 (Exh. 1).]

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Chapter 18.73

ACCESSORY DWELLING UNITS, HOME OCCUPATION, HOME INDUSTRY

Sections:

[18.73.100 Accessory dwelling units \(ADUs\).](#)

[18.73.110 Home occupation.](#)

[18.73.120 Home industry.](#)

18.73.100 Accessory dwelling units (ADUs).

A. ~~Only one~~Up to two accessory dwelling units, either ~~as a~~ attached or ~~a~~ detached accessory dwelling units, ~~are~~is allowed per primary single detached dwelling unit.

B. No minimum lot size is required for an ADU.

C. ~~Either the primary dwelling unit or the accessory dwelling unit shall be owner-occupied for a minimum of six consecutive months after completion of the ADU. At the end of the six-month period, the owner occupancy requirement shall be extinguished. Except as noted in this section, development standards applicable to ADUs are the same as those required for principal unit as defined in KMC 18.21.030.~~

D. Maximum ADU sizes shall be as follows:

1. *Attached ADU.* An attached accessory dwelling unit shall not exceed a floor area of 1,000 square feet unless the use of preexisting floor area on a single level of the primary single detached dwelling unit is being proposed for the ADU.
2. *Detached ADU.* The following floor area limitations shall apply to detached accessory dwelling units:

Lot Size	Maximum Floor Area for a Detached ADU
<i>Lots with an area equal to or greater than 6,000 square feet</i>	10% of the lot area up to a maximum of 1,500 square feet
<i>Lots with an area less than 6,000 square feet</i>	1,000 <u>600</u> square feet

E. The maximum height for a detached ADU shall be 35 feet; however, the detached ADU may not exceed one story over a detached garage or two stories if built at ground level.

F. No additional off-street parking spaces shall be required for an ADU.

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1 G. An *applicant* seeking to build an *accessory dwelling unit* shall file a notice approved by the
2 department with the records and elections division which identifies the dwelling unit as accessory.
3 The notice shall run with the land. The *applicant* shall submit proof that the notice was filed before
4 the *department* shall approve any permit for the construction of the *accessory dwelling unit*. The
5 required contents and form of the notice shall be set forth in administrative rules.

6 H. ~~The total number of occupants in the principal dwelling unit and the accessory dwelling~~
7 ~~unit combined shall not exceed~~ the maximum number of occupants established for a single-
8 family dwelling as defined in KMC 18.20.1010 is permitted per dwelling unit and accessory dwelling
9 unit on a lot, regardless of whether that unit is owned separately or leased. {Ord. 20-0510 § 2 (Exh.
10 A); Ord. 11-0329 § 3 (Exh. 1).}

11 I. Detached accessory dwelling units may be sited at a property line with no setback if the property
12 line abuts a public alley.

13 J. Existing structures, including legally nonconforming structures, may be converted into accessory
14 dwelling units provided they meet relevant existing building code requirements.

15 K. Public street improvements (e.g. frontage improvements) are not required as a condition of
16 permitting accessory dwelling units.

17 L. Accessory dwelling units may be sold individually from the principal unit. Condominium units
18 originally constructed as accessory dwelling units may be sold or otherwise conveyed individually
19 from the principal unit.

20 **18.73.110 Home occupation.**

21 Residents of a *dwelling unit* may conduct one or more *home occupations* as accessory activities,
22 provided:

23 A. The total area devoted to all *home occupation(s)* shall not exceed 20 percent of the floor area of
24 the *dwelling unit*. Areas with attached garages and storage *buildings* shall not be considered part of
25 the *dwelling unit* for purposes of calculating allowable *home occupation* area but may be used for
26 storage of goods associated with the *home occupation*;

27 B. In residential zones, all the activities of the *home occupation(s)* shall be conducted indoors,
28 except for those related to growing or storing of plants used by the *home occupation(s)*;

29 C. No more than one nonresident shall be employed by the *home occupation(s)*;

30 D. The following activities shall be prohibited in residential zones only:

- 31 1. Automobile, truck and *heavy equipment* repair;
- 32 2. Autobody work or painting;
- 33 3. Parking and storage of *heavy equipment*; and
- 34 4. Storage of building materials for use on other properties;

35 E. In addition to required parking for the *dwelling unit*, on-site parking shall be provided as follows:

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- 1 1. One stall for a nonresident employed by the *home occupation(s)*; and
- 2 2. One stall for patrons when services are rendered on site.
- 3 3. For *specialized instruction schools*, the number of stalls shall be as required by
- 4 Chapter [18.40](#) KMC;
- 5 F. Sales shall be limited to:
- 6 1. Mail order sales; and
- 7 2. Telephone sales with off-site delivery;
- 8 G. *Specialized instruction schools* shall be limited to:
- 9 1. Twelve students per one-hour session;
- 10 2. *Structures* used for the school shall maintain a distance of 25 feet from property lines
- 11 adjoining residential zones;
- 12 H. Services to patrons shall be arranged by appointment or provided off site;
- 13 I. The *home occupation(s)* may use or store a vehicle for pickup of materials used by the *home*
- 14 *occupation(s)* or the distribution of products from the *site*, provided:
- 15 1. No more than one such vehicle shall be allowed;
- 16 2. Such vehicle shall not park within any required *setback* areas of the *lot* or on
- 17 adjacent *streets*; and
- 18 3. Such vehicle shall not exceed a weight capacity of one ton;
- 19 J. The *home occupation(s)* shall not use electrical or mechanical equipment that results in:
- 20 1. A change to the occupancy type of the *structure(s)* used for the *home occupation(s)*;
- 21 2. Visual or audible interference in radio or television receivers, or electronic equipment
- 22 located off-premises; or
- 23 3. Fluctuations in line voltage off-premises; and
- 24 K. *Uses* not allowed as *home occupations* may be allowed as a *home industry* pursuant to this
- 25 chapter. [Ord. 17-0438 § 2 (Att. A); Ord. 11-0329 § 3 (Exh. 1).]
- 26 **18.73.120 Home industry.**
- 27 In all zones except R-12, R-18, R-24, UR, CB Juanita subarea, and NB, a resident may establish
- 28 a *home industry* as an accessory activity, provided:
- 29 A. In the R-1, R-4 and R-6 zones, a *conditional use permit* is obtained;
- 30 B. The *site area* shall be no less than one acre;
- 31 C. The area of the *home industry* shall not exceed 50 percent of the floor area of the *dwelling unit*.
- 32 Areas within attached garages and storage *buildings* shall not be considered part of

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1 the *dwelling unit* for purposes of calculating allowable *home industry* area but may be used for
2 storage of goods associated with the *home occupation*;

3 D. No more than four nonresidents shall be employed in a *home industry*;

4 E. In addition to required parking for the *dwelling unit*, on-site parking shall be provided as follows:

5 1. One stall for each nonresident employee of the *home industry*; and

6 2. One stall for customer parking;

7 F. Additional customer parking shall be calculated for areas devoted to the *home industry* at the
8 rate of one stall per:

9 1. One thousand square feet of *building floor area*; and

10 2. Two thousand square feet of outdoor work or storage area;

11 G. Sales shall be limited to items produced on site, except for items collected, traded and
12 occasionally sold by hobbyists, such as coins, stamps, and antiques;

13 H. Ten feet of Type I *landscaping* shall be provided around portions of parking and outside storage
14 areas which are otherwise visible from adjacent properties or public rights-of-way; and

15 I. The *city manager* shall ensure compatibility of the *home industry* by:

16 1. Limiting the type and size of equipment used by the *home industry* to those which are
17 compatible with the surrounding neighborhood;

18 2. Providing for *setbacks* or screening as needed to protect adjacent residential properties;

19 3. Specifying hours of operation;

20 4. Determining acceptable levels of outdoor lighting; and

21 5. Requiring sound level tests for activities determined to produce sound levels which may
22 be excessive. [Ord. 23-0574 § 2 (Exh. A); Ord. 18-0454 § 2 (Exh. 1); Ord. 17-0438 § 2 (Att.
23 A); Ord. 11-0329 § 3 (Exh. 1).]

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Chapter 18.75

COTTAGE HOUSING

Sections

18.75.010 Purpose

18.75.020 Cottage Housing Development Standards

18.75.030 Site Design Standards

18.75.040 Building Design Standards

18.75.050 Public Benefits and Development Incentives

18.75.010 Purpose

The purpose of this subchapter is to establish standards for cottage housing developments in the applicable areas within the R-4 and R-6 zones, as defined in 18.21.035(B).

18.75.020 Cottage Housing Development Standards

A. Development shall meet the bulk development and design standards for the parent lot, except as noted otherwise in this Chapter.

B. The building-to-building setback between units shall be a minimum of eight feet except for those units that area attached by common vertical walls.

C. Parking shall be provided as specified in KMC 18.40.030 and meet the following design requirements:

1. Parking shall be clustered within a common parking area that is accessible but peripheral to the units.

2. Parking shall be located to minimize visual impact on the site while limiting the amount of hardscape devoted to vehicles. Parking shall be screened from public view and shall not visually dominate the site frontage.

3. Parking shall be located in the rear of the development if accessed by an alley.

4. Parking shall be located on the side of the development if accessed by a private driveway, arterial or nonarterial street.

D. Each cottage shall be provided private open space. Private open space shall be directly contiguous to and accessed from each cottage.

1. Each cottage shall be provided with no less than 300 square feet of private open space.

2. No open space with a dimension less than six linear feet shall count towards private open space requirements.

3. Required porch areas may be counted as private open space.

4. Required perimeter landscaping shall not be counted as private open space.

*The Kenmore Municipal Code is current through Ordinance 24-0624, passed December 9, 2024.
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1 E. A cottage development shall provide a minimum of 250 square feet of common open space per
2 cottage.

3 1. A cottage development shall provide a minimum of 250 square feet of common open
4 space per cottage.

5 2. Common open spaces may be comprised of lawns, gardens, plazas, seating areas,
6 covered gazebos, trees, or similar features.

7 3. Community buildings, clubhouses, or structures are not required but can be counted as
8 common open space provided they are on site and permanently affixed.

9 4. Common open space shall be located and made accessible to all residents of the
10 cottage housing development.

11 5. Common open space shall be connected to other areas of the development through on-
12 site pedestrian pathways.

13 6. Common open space shall be designed and located to protect existing stands of trees
14 pursuant to KMC 18.57.

15 **18.75.030 Site Design Standards**

16 A. Site design standards for cottage housing shall meet the requirements of KMC 18.52 Article II,
17 except as noted otherwise in this Chapter.

18 1. Each cottage shall have a paved on-site pedestrian pathway, providing access to a
19 public sidewalk, common open space, common parking areas, common buildings and
20 common solid waste areas, if provided.

21 2. Parking outside of garages shall be screened per KMC 18.52.180.

22 3. Mechanical and utility equipment shall be located and designed to minimize visibility by
23 the public. Preferred locations are abutting alleys, access drives, within, atop, or under
24 buildings, underground, or other locations away from the public right-of-way. Equipment
25 shall not intrude into required common open space or pedestrian pathways.

26 **18.75.040 Building Design Standards**

27 A. Building design standards for cottage housing shall meet the requirements of KMC 18.52 Article
28 III and Article V, except as noted otherwise in this Chapter.

29 1. Cottage front facades shall face a common open space or a right-of-way.

30 2. Cottages may be attached or detached.

31 3. Buildings should be oriented and designed to promote privacy between detached
32 cottages, including the location of transparent features such as windows and doors.

33 4. Cottages with identical architectural designs should not be placed directly adjacent to
34 one another and should be separated by at least one other nonidentical cottage.

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Variation in materials or colors between adjacent cottages are encouraged to create distinct cottages within a development.

5. Parking provided in garages shall meet the following standards:

a. Garage elevations visible from a public street should be designed to minimize visual impact through the use of fencing, lattices, landscaping, or other screening methods.

a. Garages may be detached from cottage units. Up to four garages may be attached to one another.

18.75.050 Public Benefits and Development Incentives

A. Development incentives permitted for cottage housing development are permitted as define in KMC 18.21.035(J).

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1. Type 1 decisions are made by the *city manager*. Type 1 decisions are nonappealable administrative decisions that require the exercise of little or no administrative discretion. Public notice is not required for Type 1 decisions.
 2. Type 2 decisions are made by the *city manager*. Type 2 decisions are discretionary decisions that are subject to administrative appeal.
 3. Type 3 decisions are quasi-judicial decisions made by the *hearing examiner* following an open record hearing. Type 3 decisions may be appealed directly to King County superior court, pursuant to Chapter [36.70C](#) RCW, the Land Use Petition Act, based on the record established by the *hearing examiner*.
 4. Type 4 decisions are quasi-judicial decisions made by the city council based on the record established by the *hearing examiner*.
 5. Type 5 decisions are legislative decisions made by the city council.
- B. Except as provided in KMC [16.75.060](#) and [19.35.160](#) or unless otherwise agreed to by the *applicant*, all Type 2, 3 and 4 decisions included in consolidated permit applications that would require more than one type of land use decision process may be processed and decided together, including any administrative appeals, using the highest-numbered land use decision type applicable to the project application. KMC [16.75.060](#) sets out the combined hearing authority for shoreline exemptions, shoreline substantial development permits, shoreline variances, and shoreline conditional use permits.
- C. Certain development proposals are subject to additional procedural requirements beyond the standard procedures established in this chapter.
- D. Land use permits that are categorically exempt from review under SEPA do not require a threshold determination (determination of nonsignificance (DNS) or determination of significance (DS)). For all other projects, the SEPA review procedures in Chapter [19.35](#) KMC are supplemental to the procedures in this chapter.

Exhibit A

LAND USE DECISION TYPES

TYPE	Decision by <i>city manager</i> ; no administrative appeal	Building; demolition; moving; engineering; clearing and grading; sign; change of use and/or classification under KMC Title 15 ; accessory dwelling unit; home occupation; boundary line adjustment; right-of-way; street standards variance; adjustment under Chapter 13.35 KMC; shoreline exemption; temporary use; binding site plan; preliminary subdivision or short subdivision revision if not a substantial change; short plat alteration if not a substantial change;
1 ²		

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		affordable housing project as described in KMC 18.77.060(A) .
TYPE 2	Decision by <i>city manager</i> ; appealable to <i>hearing examiner</i> ; no further administrative appeal ^{1, 5}	Home industry; short subdivision; unit lot subdivision ; preliminary short subdivision revision; short plat alteration; zoning variance; conditional use permit; shoreline substantial development permit; shoreline variance; shoreline conditional use permit; site plan review for uses allowed by zone; wireless communication facility minor adjustment under Chapter 18.60 KMC; approval of residential density incentives under KMC 18.80.060(A)(2) or transfer of development credits under KMC 18.80.090(A) ; reuse of public schools; reasonable use exceptions under KMC 18.55.180 ; public agency and utility exceptions under KMC 18.55.160 ; other critical areas exceptions, variances and decisions to require studies or to approve, condition or deny a development proposal based on Chapter 18.55 KMC; variances to <i>exceptional tree</i> regulations as set forth in KMC 18.57.063 .
TYPE 3	Recommendation by <i>city manager</i> ; hearing and decision by <i>hearing examiner</i> ; appealable directly to King County superior court, pursuant to Chapter 36.70C RCW, the Land Use Petition Act, on the record	Preliminary subdivision; plat alteration; preliminary subdivision revision; special use; wireless communication facility major adjustment under Chapter 18.60 KMC.
TYPE 4	Recommendation by <i>city manager</i> ; hearing and recommendation by <i>hearing examiner</i> ; decision by city council on the record	Zone <i>reclassification</i> not related to a <i>site-specific comprehensive plan land use map amendment</i> ² ; shoreline environment redesignation; plat vacation; short plat vacation; site plan review for uses not allowed by zone pursuant to Chapter 18.105 KMC; master plans other than those required in order to obtain a <i>comprehensive plan</i> amendment or related zoning map or text amendment.
TYPE 5	Hearing and recommendation by planning commission or other city council-appointed advisory body ⁴ ; decision by city council on the record. Appealable to Growth	<i>Comprehensive plan</i> amendment; <i>development regulation</i> amendment; zoning map amendment related to a <i>site-specific comprehensive plan land use map amendment</i> ; master plans required in order to obtain a <i>comprehensive plan</i> amendment or

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	Management Hearings Board pursuant to Chapter 36.70A RCW	related zoning map or text amendment pursuant to Chapter 18.120 KMC.
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¹ All shoreline permits, including shoreline variances and conditional uses, are appealable to the State Shorelines Hearings Board and not to the *hearing examiner*.

² Type 1 land use decisions that are not categorically exempt from environmental review under Chapter 43.21C RCW (State Environmental Policy Act) shall provide a notice of application per KMC 19.25.060 and a notice of decision per KMC 19.25.090. The notice of decision may be a copy of the permit.

³ Approvals that are consistent with the *comprehensive plan* may be considered by the city council at any time. Zone *reclassifications* that are not consistent with the *comprehensive plan* land use map require a *site-specific comprehensive plan land use map amendment* and the city council's hearing, and consideration shall be considered a Type 5 land use decision and scheduled with the amendment to the *comprehensive plan* under Chapter 19.20 KMC.

⁴ If the proposal is being considered as part of the annual *docket* work program as described in Chapter 19.20 KMC. If the proposal is not part of the annual *docket*, the city council conducts the public participation process and makes the decision on the record.

⁵ Decisions on shoreline variance and shoreline conditional use permits require approval by the Department of Ecology.

[Ord. 23-0593 § 5 (Exh. C); Ord. 21-0521 § 3 (Exh. B); Ord. 19-0481 § 2 (Exh. A); Ord. 16-0426 § 8 (Att. F); Ord. 12-0334 § 18; Ord. 11-0329 § 3 (Exh. 1).]

...



A Regional Coalition for Housing

Together Center Campus
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Redmond, WA 98052
425-861-3677

MEMORANDUM

To: Debbie Bent, Director of Community Development, City of Kenmore
Todd Hall, Principal Planner, City of Kenmore

From: Lindsay Masters, Executive Director
Mike Stanger, Senior Planner

Subject: Middle Housing Potential for Affordability

Date: March 11, 2025

Summary

With the support of City staff, ARCH staff would recommend that the Kenmore Planning Commission consider options for incorporating housing affordability requirements into middle housing code amendments that result in increased development potential across the City's residential neighborhoods.

Background

In 2024, ARCH completed a study and published their findings with guidance on how cities might use the middle housing densities required by state law to promote housing affordability. The study and final report were performed with the expert assistance of BAE Urban Economics and Street Level Advisors and valuable guidance and feedback of staff members from various ARCH jurisdictions. The study's findings were developed based on interviews with a dozen builders, architects, or realtors of the local development community, who also generously informed the inputs to a financial model of middle housing feasibility.

Given that most of the single-family-zoned land in east King County has been developed, the study team focused the analysis on lots smaller than one acre with older homes that would be the most likely candidates for redevelopment. The financial tool was applied to each of the middle housing prototypes prescribed in state law as well as replacement by a new single-family home. Feasibility was determined by whether the prototype project was able to meet a 15 percent investor profit margin and a 4 percent developer fee.

For more information on ARCH's Middle Housing Affordability Study and a copy of the final report, please visit www.archhousing.org/middle-housing.

At the Planning Commission's meeting of February 18, ARCH staff presented recent Kenmore and Bothell sales data showing that new condominium flats and townhomes sold for prices requiring incomes of approximately 175 percent to 190 percent of the area median income

(AMI). ARCH staff believes, therefore, that new middle housing in Kenmore is not likely to provide affordable middle- or lower-income homeownership without inclusionary zoning. Inclusionary zoning is an established tool that enables cities to require affordable units on-site or a fee in lieu of providing units on-site. At the February 18th meeting, ARCH staff also demonstrated that inclusionary zoning policies in Kirkland and Redmond have produced many affordable units and in-lieu fees without any apparent impact on overall production.

Analysis

Current Middle Housing Feasibility

With respect to Kenmore, the financial model demonstrates that many middle housing prototypes are more profitable compared to construction of a new single-family home, however such prototypes do not generally become feasible until they reach a certain size in overall square footage. Using typical unit-size parameters, a 4-unit cottage housing project was feasible, as was a 4-unit townhouse project. Prototypes below this scale do not currently appear feasible, although it should be noted that the model is very sensitive to sale prices, which have generally been rising rapidly in the broader East King County region. Key inputs and outputs are shown in Attachment 1 of this memo.

ARCH staff tested scenarios with more square footage to see whether they would change the outcomes. Kenmore's present code does not limit floor area directly. Building sizes are controlled by a combination of setbacks and height and impervious surface limits. R-4 and R-6 zones have 35-foot (i.e., three-story) height limits. Estimating roughly, builders might be able to get approval for buildings with floor areas equaling the lot area. Therefore, ARCH staff have added two prototypes to model this possibility. Two duplexes of 2,200 square feet apiece and a triplex of 1,500 square-foot units added to a lot with an existing single-family home. Both scenarios are financially feasible.

Feasibility of Inclusionary Zoning

From the middle housing scenarios, an inclusionary zoning policy requiring 10 percent of new units to be affordable at 80 percent of area median income would have a value of approximately \$6.00 per square foot of the total project. ARCH staff derived this value by taking the price difference between a market-rate and affordable unit in each scenario, multiplying by 10 percent of the units in the scenario, and dividing by the total square footage of the project. For example, the price difference for townhouses is \$115,481 and 10 percent of four units in the prototype project is 0.4 units, resulting in \$46,192. With 8,000 square feet, the rate becomes \$5.77 per square foot.

The bottom-line impact of a \$6.00 per square foot fee on the feasible prototypes is less than the expected residual profits. Those scenarios remain feasible (and in fact would be feasible with fees as high as \$11.00 per square foot). The impact on infeasible prototypes is that they become less feasible.

The Planning Commission may want to consider the following policy options that address potential feasibility concerns and other issues related to an affordability requirement. In particular:

Small unit exemptions. In general, the smaller a home is, the more affordable it is and the closer it will be to helping fill Kenmore's housing needs. Exempting units below a certain size may help induce production of more modest homes compared to larger units, while also ensuring that the largest and least affordable homes help contribute to affordability through fees-in-lieu.

Project-size threshold. Builders specializing in smaller projects (fewer total units) have expressed concerns that affordability requirements have disproportionate impacts for them. Redmond used to exempt projects of fewer than ten units (but have eliminated that threshold) and Kirkland has exempted projects of fewer than four units. If Kenmore pursues a similar exemption, ARCH staff recommends adding a provision to prevent builders from breaking projects into smaller ones to avoid the requirement.

Delayed effective date. Inclusionary zoning is a challenging decision for policymakers to make, especially on the short time frame that cities have been given. ARCH staff recognize as well that affordability requirements present unexpected costs to builders who may have already purchased property and are preparing to submit permits applications. State law (RCW 36.70A.540) provides authority for local governments to enact inclusionary zoning in conjunction with increased residential development capacity through zoning changes, ... or other incentives," but not after the fact. There are examples, however, of cities adopting inclusionary zoning (along with upzones) and delaying implementation of the affordability requirement until a later date, which would give the city additional time to determine in-lieu fee rates (if any) and provide owners and builders some additional time to prepare.

Recommendations

Middle housing projects appear to be feasible in Kenmore to the degree that a builder maximizes the allowed floor area; the more square footage a builder can sell, the more profitable a project is likely to be. ARCH's modeling indicates that cottage housing, townhomes, and other types will not only benefit from the code amendments now considered by the Planning Commission, but they will be valuable enough to support an affordable housing requirement of at least 10 percent of new units affordable at 80 percent AMI.

ARCH staff suggest the Commission consider the following options:

Option 1

- All projects creating four or more units:
 - Must set aside 10 percent of the units to be affordable at 80 percent AMI for the life of the project, if renter-occupied, or at least 50 years, if owner-occupied. (Other conditions already contained in Chapter 18.77 KMC, Affordable Housing, would apply.)

- Projects between four and ten units could pay a fee in-lieu of fractional units. Projects of ten or more units would provide affordable units on-site, rounding fractions to the nearest whole number.
- This option would avoid impacts to smaller-scale middle housing projects while still capturing benefits for affordable housing in developments of greater scale. Builders would be prohibited from intentionally dividing larger projects into smaller permits to avoid compliance with the affordability requirement.

Option 2

- All projects in R-4 and R-6 zones that are (A) located within one-quarter mile of a major transit stop and include three or more new units, or (B) located more than one-quarter mile from a major transit stop, and creating more than two units:
 - Must set aside 10 percent of the units to be affordable at 80 percent AMI for the life of the project, if renter-occupied, or at least 50 years, if owner-occupied. (Other conditions already contained in Chapter 18.77 KZC, Affordable Housing, would apply.)
 - In projects of less than 10 total units, all units smaller than 2,000 square feet would be exempt from the affordability requirement.
 - Projects of fewer than ten units with larger units would pay a fee in-lieu of fractional units. Projects of ten or more units would provide affordable units on-site, rounding fractions to the nearest whole number.
- This option would also avoid impacts to most smaller-scale middle housing projects, but exceptions are more tailored to encourage builders to include units below 2,000 square feet.

Under both options, the effective date of the affordability requirement could be delayed until January 1, 2025. The City Council would, bthen, determine a beginning rate per square foot of total new housing for in-lieu fees. The beginning rate would change annually, like certain other development fees, according to changes in the Consumer Price Index.

Attachments

Attachment 1: Modeling

Attachment 1. Financial Modeling

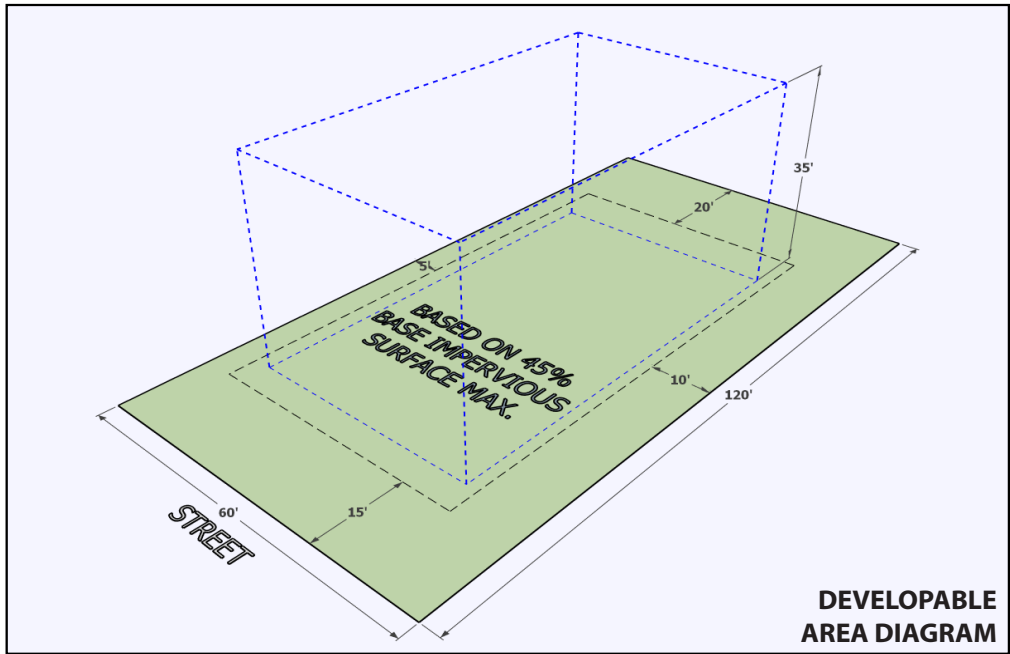
All scenarios use a 10,000 square foot lot, which costs \$803,489 to acquire (\$3.5 million per acre) and requires tear-down of an existing single-family home, except for the "Existing SFR + Detached." That scenario uses the price of a 5,000 square foot portion of the lot (\$401,745).

"Total Development Costs" include site acquisition, hard and soft costs, a developer fee of 4%, and profit of 15%.

"Residual profits" are proceeds exceeding the Total Development Costs; in other words, profits greater than needed for a feasible project.

	Detached Single-Family	Duplex	Triplex	Cottage Housing	Townhouses
No. of Units	1	2	3	4	4
Total Sq Ft	3,000	4,400	5,100	6,400	8,000
FAR	0.3	0.4	0.5	0.6	0.8
Avg Unit Sq Ft	3,000	2,200	1,700	1,600	2,000
Avg Bedrooms	4	4	3	3.5	4
Avg Market Price	\$1,680,000	\$1,034,000	\$799,000	\$896,000	\$940,000
Total Dev Costs	\$2,042,347	\$2,492,671	\$2,708,210	\$3,320,705	\$3,553,257
Net Proceeds	\$1,629,600	\$2,005,960	\$2,325,090	\$3,476,480	\$3,647,200
Residual Profit	(\$412,747)	(\$486,711)	(\$383,120)	\$155,775	\$93,943
Feasibility	Infeasible	Infeasible	Infeasible	Feasible	Feasible
Compared to Detached SFR	n/a	(\$73,964)	\$29,627	\$568,523	\$506,691
Affordable Unit Sq Ft	1,200	1,200	1,000	1,200	1,200
In-lieu Fee at \$6.00 per Sq Ft	\$18,000	\$26,400	\$30,600	\$38,400	\$48,000
Residual Profit after In-lieu Fee	(\$430,747)	(\$513,111)	(\$413,720)	\$117,375	\$45,943

	Two Duplexes	Four-plex, Stacked	Existing SFR + Triplex	New SFR + 2 ADUs
No. of Units	4	4	3	3
Total Sq Ft	8,800	6,000	4,500	4,400
FAR	0.9	0.7	0.9	0.5
Avg Unit Sq Ft	2,200	1,500	1,500	1,467
Avg Bedrooms	4	3	3	2.7
Avg Market Price	\$1,034,000	\$750,000	\$705,000	\$821,333
Total Dev Costs	\$3,782,169	\$3,988,437	\$1,934,939	\$2,619,925
Net Proceeds	\$4,011,920	\$2,910,000	\$2,051,550	\$2,390,080
Residual Profit	\$229,751	(\$1,075,437)	\$116,611	(\$229,845)
Feasibility	Feasible	Infeasible	Feasible	Infeasible
Compared to Detached SFR	\$642,499	(\$665,690)	\$539,358	\$182,902
Affordable Unit Sq Ft	1,000	1,000	1,000	1,000
In-lieu Fee at \$6.00 per Sq Ft	\$52,800	\$36,000	\$27,000	\$26,400
Residual Profit after In-lieu Fee	\$176,951	(\$1,114,437)	\$89,611	(\$256,245)



LEGEND

- SINGLE-FAMILY DETACHED
- ACCESSORY DWELLING UNIT
- MIDDLE HOUSING UNIT #1
- MIDDLE HOUSING UNIT #2
- MIDDLE HOUSING UNIT #3

DEVELOPMENT ASSUMPTIONS

1. Development examples use typical 7,200 square foot (SF) R-4 lot.
2. R-4 development standards are shown, including setbacks, lot coverage, and height standards.
3. Illustrates two parking spaces needed per unit because the lot is over 6,000 SF. Cottage housing is shown as one parking space per unit as it often needs parking reduction to be feasible.
4. Parking spaces shown as standard 10'x20' size.

NOTES: These development scenarios are illustrative and for demonstration purposes only.

These examples may work for R-6 properties, but depends on the lot characteristics. Some housing types may not be feasible for some lots.

