



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, April 1, 2025 - 7:00 PM

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

ZOOM LINK: <https://kenmorewa-gov.zoom.us/j/83093146855>

Or Telephone: Dial US: 1 253 215 8782 US (Tacoma)

Callers please dial *9 to Raise/Lower Hand

Webinar ID: 830 9314 6855

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 the Deputy City Clerk at mkang@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

[03.18 Planning Commission Meeting Minutes](#)

Planning Commissioner Excusals

7. AGENDA ITEMS

Continued Review of draft Middle Housing Regulations

[PC Staff Memo](#)

[Kimley-Horn Middle Housing Briefing Memo](#)

[KMC Middle Housing Amendments](#)

[Kenmore Middle Housing Development Scenarios](#)

[ARCH Memo](#)

[DRAFT 18.77 Affordable Housing Amendments-ARCH](#)

[Ordinance No. 23-0572 - Creating Affordable Housing Fund](#)

8. ADJOURNMENT

UPCOMING MEETINGS:

April 15, 2025 at 7:00 PM - Potential Public Hearing for Middle Housing Regulations

May 7, 2025 at 7:00 PM

**City of Kenmore
Planning Commission Meeting Minutes
March 18, 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
Mike Vanderlinde
Chris Olson (virtual)
David Dorrian
Kara Macias
Edouard Lasalle (virtual)

Staff

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

1. CALL TO ORDER

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

2. ROLL CALL

3. LAND ACKNOWLEDGEMENT

The Land Acknowledgement was read.

4. FLAG SALUTE

The Flag Salute was done.

5. PUBLIC COMMENTS

Public comment was made by:
Amir Ahmadi
Caitlin Sullivan
Dakota Rash (virtual)

6. CONSENT AGENDA - APPROVAL OF MINUTES

The Planning Commission Meeting Minutes from March 4, 2025, were approved by unanimous consent.

7. AGENDA ITEMS

Continued Review of Draft Middle Housing Regulations

Mike Stanger from ARCH presented.

Questions/Comments:

Commissioner Olson - likes the exemptions limiting impact for fewer units, in support of fee in lieu, are we proposing setting aside 10% if allow to construct more than 2 units outside?

Mike Stanger Response: Option 2, if away from major transit and want to build more than 2 units on lot, then there would have to be some affordability requirements. Option 1 would only apply if more than 4 units in the project. Option 2 - if away from transit, would have the right for 2 units so the requirement would kick in if more than 2 units, in transit area right to 4 units on a lot, then there would be a requirement.

Commissioner Lasalle - Option 1, fee of .4 units is for 10%?

Mike Stanger Response: Yes.

What are your thoughts for the second transit driven options related to the risk of affordable housing in specific areas, support affordable housing near transit but concern that this would concentrate affordable housing in the transit corridor.

Commissioner Lasalle - Will this meet the city's affordable housing target?

Mike Stanger Response: inclusionary zoning alone won't meet the affordable housing targets. It helps contribute to affordability.

Commissioner Lasalle - What are the risks of concentrating only around high transit areas.

Mike Stanger Response: Doesn't foresee a risk.

Commissioner Vanderlinde - Going from 2 to 4 units, would the square footage remain the same?

Staff response: Yes, there has been some flexing in terms of impervious surface and height.

Mike Stanger Response: Have spoken to consultant team, and asked specifically

about modelling, and they believe that the square footage of lots would be buildable within the existing framework.

Commissioner Dorrian - Which of the cities in ARCH are already doing this with regards to middle housing.

Mike Stanger Response: Only city is Sammamish, Bothell considered last year but thinking of upzoning this year. Redmond close, already had a 10% in single family areas, but thinking of increasing from 10 to 12.5%. Kirkland/Bellevue currently at Planning Commission. Issaquah, Newcastle, Mercer Island, Woodinville will not likely include.

Commissioner Dorrian - In your opinion, who ends up footing the bill on this requirement, the developer or homeowner?

Mike Stanger Response: The value the upzoning pays for the affordability. It's not going to close the gap, but in majority of cases it will.

Commissioner Dorrian - does Kenmore keep the money or does it go to the ARCH trust fund?

Mike Stanger Response: up to the city to decide whether city account or ARCH fund.

Commissioner Dorrian - would this incentivize smaller units; would the program with an affordability requirement still encourage housing choice by providing smaller units.

Mike Stanger Response: We haven't modeled for bigger projects. But in larger lots there are a fair amount of townhomes and detached condos. Becomes more profitable when you have more units and more square footage at same time. Will be relatively more affordable in Kenmore vs. Kirkland and Bellevue.

Commissioner Machias - like the small unit exemption, wonder if we're disproportionately hurting smaller builders? Maybe we want to focus on little developments?

Vice Chair Thompson - having a hard time seeing this as affordable. Even at 80% AMI. Likes the in lieu fee. Concern with developers making a profit, impacting environment, tree canopy

Chair Banaszynski - we don't have enough housing, don't have enough to support our community, inclusionary is one way to support affordable housing, ARCH modeling shows that it's feasible; acknowledge that Master Builders caution against inclusionary housing, supports option 1 or 2 by ARCH.

Commissioner Olson - with the numbers used in the modelling, the price per square foot seem higher, depending on type; taxing new residents driving up housing costs, would be more like 90% AMI, without some type of inclusionary housing, there's no way to get down to 90% or less.

Mike Stanger Response: based on sales over the last year, won't be many middle housing sold, there won't be many units at a price affordable at 90% area median income (AMI).

Commissioner Vanderlinde - don't have enough information to say yes or no, homeowner entitled to profit and increased value.

Chair Banaszynski - can you clarify how this would work for a property.

Mike Stanger Response: if project had fewer than 10 units, then the 10% would result in a fraction the builder could pay a fee in lieu, if bigger than 10 units total, then the fractions would round up and provide an affordable unit on site.

Commissioner Dorrian - currently looking at code if developer wants to build 4 units outside of transit, 1 would have to be affordable, so ARCH's analysis is saying this would not be feasible?

Mike Stanger Response: correct

Commissioner Dorrian - this is state law, and not feasible in Kenmore, just wanted to point this out

Chair Banaszynski - there's a lot of speculation, a lot we don't know; if we aren't ready, what additional information does the commission need?

Vice Chair Thompson - what is the standard lot size?

Mike Stanger Response: whatever would meet the minimum lot size in a given zone.

Staff response: Three things to consider for a decision - 1. Do you want to apply inclusionary zoning anywhere? 2. do you want to exempt certain size/small units 3. Do you want fee in lieu?

Commissioner Olson - Like idea of exempting smaller units but concern about larger development being split into smaller developments.

Mike Stanger Response: Kirkland requirement is 4 or more units, and some developers have been breaking them up into short plats of 3 units or less. City would need to make a decision on handling inclusionary zoning that applies to a project and not necessarily a lot or individual application.

Commissioner Olson - Exempting square footage and then require a fee in lieu

above that number. Have any cities tried to get a baseline of say 1500 sq ft and then have a fee in lieu of the last 100 square feet?

Mike Stanger Response: No examples of exempting square footage, only on a unit basis.

Commissioner Olson - Have any cities tried to get a baseline of 1500 per units and just have a fee in lieu of the last 100 sq feet?

Mike Stanger Response: No, only on a per unit basis.

Commissioner Lasalle - Need more affordable units in not only in Kenmore but the entire region, in favor of inclusionary affordability; how do we have a clear plan for the use of the funds.

Staff response: How the funds would be spent would depend on where the money is deposited. For now, staff needs to know what regulations to include in the land use code. And what the fee in lieu would be.

Commissioner Vanderlinde - In favor of middle housing R-4/R-6 affordable bonuses as an option, not as a requirement.

Commissioner Dorrian - Is this related only to middle housing or to any single family project or just building more than 1 lot.

Mike Stanger response: Would only be able to build certain housing types and would apply to any of those.

Vice Chair Thompson - In support of Option 1.

Staff response: This is not about deep levels of affordability; it's about housing choice.

Commissioner Olson - Concern that this will be disincentivizing costs of housing overall or disincentivizing construction of new housing stock. Likes method of basing off unit size. This is potentially a tool that encourages more construction that might not be 100 AMI or under but incentivizes smaller units. Fee in lieu could be put toward construction of smaller units in the community.

Commissioner Vanderlinde - Does the city want to use middle housing regulations and discourage conventional square foot units? Or to keep the playing field even so they all have an equal chance?

Chair Banaszynski - Implementing upzone across the city, we're adding value, considering capturing the value and investing it into affordable housing in the community.

Commissioner Vanderlinde - Want to make sure we're not creating conflicts, creating flexibility for developers, this is not a requirement, is it feasible for developer for creation of affordable housing, in favor.

MOTION: Commissioner Lasalle moved to bring back Option 1 code for consideration at next meeting. Commissioner Olson seconded. **VOTE:** 4 For, 3 Against, 0 Abstain. Motion carried.

MOTION: Commissioner Dorrian moved to add an amendment to Option 1 with exclusions for projects with smaller square footage and delayed effective date. **VOTE:** 5 For, 2 Against, 0 Abstain. Motion carried.

Development code discussion (Kimley Horn)

Table B. R-1, R-4, R-6 Dev. Standards table

Commissioner Dorrian - Question on pg. 113 on density table.
Staff response: Explained response from Kimley Horn memo.

Commissioner Machias - What differentiates a detached ADU or a SF residential in terms of unit count? Where is the line drawn?

Commissioner Vanderlinde - Does 'condoize' include primary residence and other units?

Vice Chair Thompson - How do ADUs count toward density or not as it applies to middle housing density?

Chair Banaszynski - Map on page 117, this name is confusing. Need to rename.

Commissioner Olson - maybe "Applicable exemptions to middle housing development areas".

Vice Chair Thompson - In HB1110, if you have R-1 lot, it is exempt from middle housing all together. Is that true?
Staff response: Direction from PC was to exempt R-1 from middle housing regs and only apply to R-4 and 6.

Commissioner Machias - What is definition of building height? From roofline or to interior height gutter?

There was discussion on Building height. A motion was made and voted on but

later withdrawn.

Question - Does the commission wants to allow an increase in height above the typical 35 feet and then clarify the definitions of stories and to allow 35 feet, and 3 stories.

Commissioner Vanderlinde - ask the consultant to see what the current definition/standard is, is it 3 story, 35-foot or 25 feet.

Chair Banaszynski - One of the neighborhood benefits is decreasing parking, question is whether this is a parking should be reduced.

There was discussion on which types of housing to include in parking incentives.. A motion was made and voted on but later withdrawn.

MOTION: As per Planning Commission rules, a motion was made and seconded at 10:00 PM to extend the meeting by 15 minutes. All in favor.

MOTION: Commissioner Olson moved to table move to reduce parking requirement to 1 parking space for 2 DUs for cottage housing and 1 parking space per DU as the base minimum for all other types of middle housing. Chair Banaszynski seconded. **VOTE:** 5 For, 2 Against, 0 Abstain. Motion carried.

Commissioner Machias - What triggers street frontage improvements with density increase/number of units? (K-H)

Commissioner Dorrian - Page 163 line 6, was this changed because this does change our ADU code.

Commissioner Olson - Need clarification/intent of language on Lines 17-19, pg. 163, L.

Commissioner Dorrian - Regs to discourage slot homes?

Commissioner Olson - Preapproved DADU plan interested in city adopting, and allowing the number of DADUs to be built without requiring a conditional use page 111 lines 11-13. If multiple single family homes on one lot then also allow a DADU. To discuss at next meeting.

MOTION: As per Planning Commission rules, a motion was made and seconded at 10:15 PM to extend the meeting by 5 minutes. All in favor.

Commissioner Vanderlinde - Where would fee in lieu go, if goes to affordable housing fund what are the rules on expenditure? Debbie to follow-up.

8. ADJOURNMENT

Chair Banaszynski adjourned the meeting at 10:29PM.

Planning Commission Clerk

Approved by Planning Commission on: _____



City Of Kenmore, Washington

Memorandum

Date: March 25, 2025

To: Planning Commission

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

Regarding: Middle Housing Code Amendments/Inclusionary Zoning Discussion

At your April 1, 2025, meeting, City staff, the consulting team from Kimley-Horn, and Mike Stanger from ARCH will lead the continued discussion on draft middle housing code amendments, as well as new proposed amendments for inclusionary housing. The middle housing amendments are the same version as presented at the March 18 meeting.

Items from Kimley-Horn include a memo responding to questions from March 18 meeting, and also a number of questions that the Planning Commission needs to respond to in order to finalize the drafts for the public hearing (Attachment 1). Additionally, there are graphics showing a variety of middle housing and ADU development scenarios (Attachment 3).

Items from ARCH staff include a memo responding to questions from March 18 and additional questions from the Commission after the meeting regarding inclusionary zoning. (Attachment 4). Draft amendments to Chapter 18.77 Affordable Housing are also included for discussion (Attachment 5).

Lastly, there was a question at the March 18 meeting regarding a City affordable housing fund, which is identified in Chapter 3.90 KMC, Affordable Housing Fund. This fund is where in lieu fees would be deposited and allow transfer of funds to other agencies such as ARCH to support regional housing efforts. The in lieu fees are described in Chapter 18.77 KMC, Affordable Housing (Attachment 6).

At the conclusion of the discussion, staff will request that the Planning Commission schedule a public hearing on the draft amendments at their April 15 meeting.

Attachment 1: Memo from Kimley-Horn regarding Middle Housing
Attachment 2: Draft Middle Housing Code Amendments
Attachment 3: Middle Housing Development Scenario Graphics
Attachment 4: Memo from ARCH
Attachment 5: Amendments to Chapter 18.77 KMC, Affordable Housing
Attachment 6: Ordinance 23-0572, Creating Affordable Housing Fund

18120 68th Ave NE, Kenmore, WA 98028

Office: (425) 398-8900

Fax: (425) 481-3236

cityhall@kenmorewa.gov

www.kenmorewa.gov



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

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

DATE: March 25, 2025

RE: April 1, 2025, Kenmore Planning Commission Study Session – 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 April 1st, 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 18th, 2025, Planning Commission meeting, including revisions incorporated based on Planning Commission feedback during the previous meeting.

In previous meetings leading up to a public hearing for the draft codes, members of the Planning Commission have expressed interest in promoting a mixture of middle housing types, preserving sensitive areas, maintaining existing impervious surface maximums, and promoting smaller housing units on small lots. The draft code addresses each of these through the determination of applicable areas and then draft incentives which serve to promote the qualities in future development that have been expressed as priorities. Ultimately, the City will need to adopt code language that both meets the requirements of state law and serves the community, which future revisions are likely needed once there are a few years of data to help guide adjustments.

Respond to PC Comments

At the March 18th 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. How do ADUs count toward density or not as it applies to middle housing density?**
 - a. As drafted, ADUs count as units for the purpose of meeting the net lot density standard. There is not a separate "middle housing density" as single-family units, middle housing, and ADUs can all count towards meeting the unit lot density.
- 2. Map on page 117, this name is confusing. Need to rename. CO - maybe "Applicable exemptions to middle housing development areas".**

- a. We can revise the name to state the area more clearly. City to create a finalized map that can either show all the applicable areas or all of the exempt areas, whichever is clearer.
- 3. What is definition of building height? From roofline or to interior height gutter?**
 - a. Per [KMC 18.30.050](#), "Building height shall be measured from the average finished grade to the highest point of the roof. The average finished grade shall be determined by first delineating the smallest square or rectangle which can enclose the *building* and then averaging the ground elevations taken at the midpoint of each side of the square or rectangle; provided, that the measured ground elevations do not include *berms*."
- 4. Clarity on building height standard.**
 - a. Currently, the building maximum height standard is 35 feet in R-4 and R-6, with an exception in R-6 to go to 45 feet if "a *building* with a footprint built on slopes exceeding a 15 percent finished grade." There is no standard for number of stories.
- 5. What triggers street frontage improvements with density increase/number of units?**
 - a. [KMC 18.52](#) identifies a number of requirements for design of street frontage for residential uses but does not specify when improvements are required. Per HB 1337, frontage improvements are not required as a condition of permitting an ADU.
- 6. P163 line 6, was this changed because this does change our ADU code.**
 - a. This section on the total occupants in a household did change as a result of ADUs being permitted to be owned separately through a Unit Lot Subdivision, which rendered the previous definition infeasible.
- 7. Need clarification/intent of language on Lines 17-19, pg. 163, L.**
 - a. This language states: *Accessory dwelling units may be sold individually from the principal unit. Condominium units originally constructed as accessory dwelling units may be sold or otherwise conveyed individually from the principal unit.*
 - b. This is a requirement of HB 1337 (per [RCW 36.70A.681\(1\)\(b\)](#)) that jurisdictions cannot require an ADU to be owner-occupied. Property owners must be permitted to rent out an ADU without having to live on the property themselves. If someone decides to convert an attached or detached accessory dwelling unit to a for sale condominium, it may be sold separately per the City's condominium requirements through a unit lot subdivision (ULS).

Planning Commission Questions:

In order to finalize the City's draft code to respond to HB 1110 (Middle Housing) and HB 1337 (Accessory Dwelling Units), City staff and the consultant team need responses to the following questions:

- 1. How does the planning commission want to address the allowable height for middle housing types on applicable lots? As noted, the City's current code allows 35 feet in height within R-4 and R-6, and 45 feet with special restrictions in R-6.**
 - a. Increase height to 45' (which would allow up to four stories) with a corresponding decrease to the maximum impervious surface requirement.
 - b. Decrease height standard to 27' (allowing a maximum of two stories) with a corresponding decrease in rear and side yard setbacks.
 - c. Maintain existing regulations applicable to middle housing with no incentives to alter them.
- 2. Does the Planning Commission want ADUs to count towards unit lot density?**
 - a. Yes, ADUs should count as units for the purpose of determining unit lot density. For instance, a single-family house with two ADUs would meet the maximum two units per lot standard.
 - b. No, ADUs should not count as units for the purpose of determining unit lot density. In this scenario, a property could have a single-family house, two units of middle housing types, and then also be entitled to two ADUs if it could meet bulk development standards for the parcel.
- 3. Which of the following are priorities for achieving as part of middle housing?**
 - a. Maintaining/repurposing existing single-family structures.
 - b. Promoting smaller units through a corresponding increase in density.
 - c. Decreasing off-street parking space requirements in order to have a lower impervious surface maximum.

1	Chapter 17.10
2	DEFINITIONS
3	Sections:
4	<u>17.10.005 Scope of chapter.</u>
5	<u>17.10.010 Acre.</u>
6	<u>17.10.020 Alteration.</u>
7	<u>17.10.030 Applicant.</u>
8	<u>17.10.040 Binding site plan.</u>
9	<u>17.10.050 Building envelope.</u>
10	<u>17.10.060 Building site.</u>
11	<u>17.10.065 City.</u>
12	<u>17.10.067 City manager.</u>
13	<u>17.10.070 Civil engineer.</u>
14	<u>17.10.080 Condominium.</u>
15	<u>17.10.090 Dedication.</u>
16	<u>17.10.100 Department.</u>
17	<u>17.10.110 Development engineer.</u>
18	<u>17.10.130 Easement.</u>
19	<u>17.10.150 Financial guarantee.</u>
20	<u>17.10.160 General site plan.</u>
21	<u>17.10.180 Improvements.</u>
22	<u>17.10.190 Innocent purchaser.</u>
23	<u>17.10.200 Land surveyor.</u>
24	<u>17.10.210 Lot.</u>
25	<u>17.10.210 Lot, parent.</u>
26	<u>17.10.220 Lot, unit.</u>
27	<u>17.10.220 Nonbuilding lot.</u>
28	<u>17.10.230 Ownership interest.</u>

1	<u>17.10.240 Parent parcel.</u>
2	<u>17.10.250 Plat, final.</u>
3	<u>17.10.260 Plat, preliminary.</u>
4	<u>17.10.270 Revision.</u>
5	<u>17.10.280 Segregation.</u>
6	<u>17.10.290 Short plat, final.</u>
7	<u>17.10.300 Short plat, preliminary.</u>
8	<u>17.10.310 Short subdivision.</u>
9	<u>17.10.320 Subdivision.</u>
10	<u>17.10.330 Tract.</u>
11	
12	<u>...</u>
13	<u>17.10.210 Lot, parent.</u>
14	<u>"Parent lot" means the initial lot from which unit lots are subdivided pursuant to KMC 17.20.160.</u>
15	<u>17.10.220 Lot, unit</u>
16	<u>"Unit lot" means a lot created by the subdivision of a parent lot pursuant to KMC 17.20.160.</u>
17	<u>...</u>
18	

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

Chapter 17.20
SUBDIVISIONS AND SHORT SUBDIVISIONS

Sections:

- [17.20.010 Purpose.](#)
- [17.20.020 Preliminary subdivision – Approval time.](#)
- [17.20.030 Revisions of preliminary subdivisions.](#)
- [17.20.040 Preliminary short subdivision – Approval time.](#)
- [17.20.050 Limitations for short subdivisions.](#)
- [17.20.060 Revisions of preliminary short subdivisions.](#)
- [17.20.070 Traffic analysis required.](#)
- [17.20.080 Adequacy of access.](#)
- [17.20.100 Public street rights-of-way.](#)
- [17.20.105 Street signage.](#)
- [17.20.107 Street lighting.](#)
- [17.20.110 Limitations within future street corridors.](#)
- [17.20.120 General layout standards.](#)
- [17.20.125 Lot segregations – Zero-lot-line development.](#)
- [17.20.130 Lot segregations – Clustered development.](#)
- [17.20.140 Maintenance of private streets, tracts, easements and utilities required.](#)
- [17.20.150 Preliminary subdivision and short subdivision approval.](#)

17.20.010 Purpose.

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

17.20.020 Preliminary subdivision – Approval time.

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

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
3 the 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
6 for 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
9 (Att. 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
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 3 land use
15 decision pursuant to KMC [19.25.020](#). For the purpose of this section, substantial change
16 always includes the creation of additional *lots*, the elimination of open space or significant
17 changes to conditions of approval on an approved preliminary *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
20 from a public to a private street; relocation of a street within the *subdivision*; request
21 for a 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
26 properties.

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

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

35 **17.20.040 Preliminary short subdivision – Approval time.**

36 A preliminary *short subdivision* approval issued on or before December 31, 2014, shall be
37 effective for a period of seven years, and a preliminary *short subdivision* approval issued on or

after January 1, 2015, shall be effective for a period of five years; provided, that a preliminary *short subdivision* approval issued on or before December 31, 2007, that is not expired as of July 28, 2013, and that is not subject to the Shoreline Master Program, shall be effective for a period of 10 years. [Ord. 14-0378 § 1 (Att. A); Ord. 12-0344 § 1 (Att. A); Ord. 11-0329 § 3 (Exh. 1).]

17.20.050 Limitations for short subdivisions.

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

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

17.20.060 Revisions of preliminary short subdivisions.

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

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

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

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

1. Engineering design, unless the proposed design alters or eliminates features specifically required as a condition of preliminary *short subdivision* approval or results in a substantial change as described in subsection A of this section;
2. Changes in lot dimensions that are consistent with KMC Title [18](#);

- 1 3. A decrease in the number of *lots* to be created so long as the decrease allows for
2 future compliance with the minimum density provisions of KMC Title [18](#), if applicable.
3 [Ord. 11-0329 § 3 (Exh. 1).]

4 **17.20.070 Traffic analysis required.**

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

8 **17.20.080 Adequacy of access.**

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

17 A. May approve private streets, provided the private street requirements contained in
18 the *City* street standards of Chapter [12.50](#) KMC are met;

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

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

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

25 **17.20.100 Public street rights-of-way.**

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

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

32 B. Where necessary to extend or to complete the existing or future neighborhood street pattern
33 as shown on the *City* street map (see KMC Title [12](#));

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

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

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

1 **17.20.105 Street signage.**

2 Street signage is required for all new *short subdivisions* and *subdivisions* unless otherwise
3 approved by the *city manager*. The *city manager* will determine the appropriate location, size
4 and type of motor vehicle and pedestrian traffic signs, as well as street name signs, for every
5 public or private street associated with a *short subdivision* or *subdivision*. The *City* or its
6 designee will manufacture and install such signs, at the cost and expense of the *applicant*.
7 The *applicant* shall reimburse the *City* for the cost of these signs prior to *final plat* or *final short*
8 *plat* approval. [Ord. 11-0329 § 3 (Exh. 1).]

9 **17.20.107 Street lighting.**

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

18 **17.20.110 Limitations within future street corridors.**

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

25 **17.20.120 General layout standards.**

26 For residential developments in the R zones:

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

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

30 C. *Lots* shall be designed to avoid unusual configurations or narrow extensions that could make
31 use difficult or confusing for future property owners. No portion of a *lot* shall be narrower than
32 25 feet, with the exception of cul-de-sac *lots* at the street frontage or an access panhandle
33 approved by the *development engineer*. The lot width standards in KMC Title [18](#) also apply.
34 Exceptions for unusual conditions may be considered on a case-by-case basis by the *city*
35 *manager*. [Ord. 11-0329 § 3 (Exh. 1).]

36 **17.20.125 Lot segregations – Zero-lot-line development.**

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

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

- 1 1. An *easement* shall be provided on the abutting *lot* of the subdivision that is wide
2 enough to ensure a 10-foot separation between the walls of structures on
3 adjoining *lots*, except as provided for common wall construction;
- 4 2. The *easement* area shall be free of permanent structures and other obstructions that
5 would prevent normal repair and maintenance of the structure's exterior;
- 6 3. Buildings utilizing reduced setbacks shall not have doors that open directly onto the
7 private yard areas of abutting property. Windows in such buildings shall not be
8 oriented toward such private yard areas unless they consist of materials such as
9 glass block, textured glass, or other opaque materials, and shall not be capable of
10 being opened, except for clerestory-style windows or skylights; and
- 11 4. The *final plat* or short plat shall show the approximate location of buildings proposed
12 to be placed in a standard setback area.

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

15 **17.20.130 Lot segregations – Clustered development.**

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

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

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

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

31 D. Landscape-based stormwater management practices may be located within open spaces
32 created through *lot* clustering, provided they are not located within critical areas. [Ord. 16-0428
33 § 12 (Att. H); Ord. 11-0329 § 3 (Exh. 1).]

34 **17.20.140 Maintenance of private streets, tracts, easements and utilities required.**

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

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

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

6 **17.20.150 Preliminary subdivision and short subdivision approval.**

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

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

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

16 **17.20.160 Fee Simple Unit Lot Subdivisions**

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

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

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

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

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

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

38

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

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

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

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
11 the time of *development* by adequate public sewers, water supply, *streets* and other
12 needed public facilities and services; and

13 4. The MHC zone on existing *manufactured housing communities* planned for either
14 short-term or long-term preservation. [Ord. 19-0481 § 2 (Exh. A); Ord. 11-0329 § 3
15 (Exh. 1).]

16 **18.15.045 Neighborhood business zone.**

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

21 1. Limiting nonresidential *uses* to those *uses* which can serve the everyday needs of a
22 surrounding urban residential area;

23 2. Allowing for automotive service *uses*, subject to approval of a *conditional use permit*;

24 3. Allowing for *mixed use* (housing and retail/service) *developments* and for *townhouse*
25 *developments* as a sole *use* on properties; and

26 4. Excluding industrial and regional business-scaled *uses*.

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

30 **18.15.050 Community business zone.**

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

- 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
6 sales and industrial *uses*.
- 7 B. Use of this zone is appropriate in areas that are designated by the comprehensive plan and
8 that are served at the time of *development* by adequate public sewers, water supply, *streets* and
9 other 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
12 the downtown commercial zone. Limited retail and office *uses* are also allowed as part of *mixed*
13 *use developments*. The zone represents an opportunity to provide a range of housing types in
14 the 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
17 a 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
20 or 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
24 or 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,
29 focused on the automobile, to a more pedestrian- and transit-friendly urban corridor. West of
30 downtown, the north side of the highway would continue to be a mix of restaurant, retail and
31 service *uses*, with additional opportunities for office and mixed use multifamily development.
32 The south side of the highway in this area would convert to office and multifamily development,
33 taking advantage of lake 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
36 to 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).]

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
4 marina and air harbor development. Compatible light manufacturing is appropriate. Office and
5 mixed use 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*,
9 serving regional market areas and offering significant employment opportunities. These
10 purposes are accomplished by supporting existing businesses and encouraging compact and
11 mixed use development that is supportive of transit and pedestrian travel for the future. [Ord.
12 14-0391 § 2 (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
16 recognize that public and semi-public facilities and institutions provide necessary services to
17 the community and have their own unique set of circumstances. The public and semi-public
18 zone is applied to lands designated as public and private facilities on the comprehensive plan
19 land use map. [Ord. 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
22 publicly owned lands, and establishes standards that allow for such *uses* to continue or be
23 established while ensuring compatibility with surrounding *uses*. The parks zone is applied to
24 lands used for public *parks*, recreation, and *open space* purposes and designated as public and
25 private facilities 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
28 preservation of *open space* qualities of lands that are developed for golf course *uses*. The golf
29 course zone is applied to lands used for golf course related purposes and designated as public
30 and private 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
33 indicate 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).]

38 **18.15.120 Map designation – Special district overlay.**

39 The purpose of the special district overlay or SO designation is to carry out comprehensive plan
40 and subarea or neighborhood plan policies that identify special opportunities for achieving

public benefits by allowing or requiring alternative *uses* and development standards that differ from the general provisions of this title. Special district overlays are generally applied to a group of individual properties or entire subarea or neighborhood planning areas. Special district overlay development standards are maintained by the *department* and are available for public inspection and copying during regular business hours. [Ord. 11-0329 § 3 (Exh. 1).]

18.15.150 Zoning maps and boundaries.

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

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

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

1	Chapter 18.20
2	TECHNICAL TERMS AND LAND USE DEFINITIONS
3	Sections:
4	18.20.010 Scope of chapter.
5	18.20.020 Abandoned vehicle.
6	18.20.030 Accessory living quarters.
7	18.20.035 Accessory use.
8	18.20.040 Agricultural activities, existing and ongoing.
9	18.20.045 Repealed.
10	18.20.050 Repealed.
11	18.20.060 Repealed.
12	18.20.090 Adult entertainment business.
13	18.20.095 Adult family home.
14	18.20.098 Affordable housing unit.
15	18.20.100 Repealed.
16	18.20.105 Air transportation service.
17	18.20.120 Repealed.
18	18.20.130 Repealed.
19	18.20.140 Alley.
20	18.20.145 Alteration.
21	18.20.147 Alternative transmission support structure.
22	18.20.149 Amateur (ham) radio facility.
23	18.20.150 Ambulatory surgery center.
24	18.20.155 Repealed.
25	18.20.160 Repealed.
26	18.20.165 Anadromous fish.
27	18.20.168 Animal kennel/shelter.
28	18.20.170 Animal, small.
29	18.20.180 Antenna.

1	<u>18.20.190 Applicant.</u>
2	<u>18.20.195 Arbor.</u>
3	<u>18.20.200 Arcade.</u>
4	<u>18.20.205 Architectural elements.</u>
5	<u>18.20.206.1 Area of special flood hazard.</u>
6	<u>18.20.207 Articulation.</u>
7	<u>18.20.210 Repealed.</u>
8	<u>18.20.212 Repealed.</u>
9	<u>18.20.214 Arts, entertainment, indoor.</u>
10	<u>18.20.215 Arts, entertainment, outdoor.</u>
11	<u>18.20.216 Assisted living.</u>
12	<u>18.20.218 Attached accessory dwelling unit.</u>
13	<u>18.20.220 Auction house.</u>
14	<u>18.20.224 Automotive sales and service, marine.</u>
15	<u>18.20.227 Automotive sales and service, nonmarine.</u>
16	<u>18.20.228 Bankfull width.</u>
17	<u>18.20.230 Base flood.</u>
18	<u>18.20.240 Base flood elevation.</u>
19	<u>18.20.243 Base station.</u>
20	<u>18.20.245 Basement.</u>
21	<u>18.20.250 Repealed.</u>
22	<u>18.20.260 Beehive.</u>
23	<u>18.20.270 Berm.</u>
24	<u>18.20.272 Best available science.</u>
25	<u>18.20.274 Best management practices (BMPs).</u>
26	<u>18.20.280 Billboard.</u>
27	<u>18.20.290 Billboard face.</u>
28	<u>18.20.300 Biologist.</u>
29	<u>18.20.302 Blank walls.</u>

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

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

1	<u>18.20.695 Designated manufactured home.</u>
2	<u>18.20.697 Designation, critical area.</u>
3	<u>18.20.700 <i>Repealed.</i></u>
4	<u>18.20.705 Detached accessory dwelling unit.</u>
5	<u>18.20.710 Developer.</u>
6	<u>18.20.715 Development.</u>
7	<u>18.20.730 Development agreement.</u>
8	<u>18.20.735 Development permit.</u>
9	<u>18.20.740 Development proposal.</u>
10	<u>18.20.750 Development proposal site.</u>
11	<u>18.20.752 Diameter at breast height (d.b.h.).</u>
12	<u>18.20.755 Differential settlement.</u>
13	<u>18.20.760 Distributed antenna system (DAS).</u>
14	<u>18.20.765 Disturbance.</u>
15	<u>18.20.772 <i>Repealed.</i></u>
16	<u>18.20.775 Domiciliary care.</u>
17	<u>18.20.780 <i>Repealed.</i></u>
18	<u>18.20.785 Drive-through service.</u>
19	<u>18.20.790 <i>Repealed.</i></u>
20	<u>18.20.800 <i>Repealed.</i></u>
21	<u>18.20.805 Durable materials.</u>
22	<u>18.20.810 Dwelling unit.</u>
23	<u>18.20.820 Dwelling unit, accessory.</u>
24	<u>18.20.830 Dwelling unit, microhousing.</u>
25	<u>18.20.832 <i>Dwelling, middle housing.</i></u>
26	<u>18.20.835 Dwelling, multiple-family.</u>
27	<u>18.20.840 Dwelling unit, single detached.</u>
28	<u>18.20.860 <i>Repealed.</i></u>
29	<u>18.20.863 Eating and drinking place.</u>

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

Page 21

1	<u>18.20.865 Repealed.</u>
2	<u>18.20.867 Educational service.</u>
3	<u>18.20.870 Effective radiated power.</u>
4	<u>18.20.880 Electrical substation.</u>
5	<u>18.20.885 Emergent wetland.</u>
6	<u>18.20.890 Emergency.</u>
7	<u>18.20.900 Repealed.</u>
8	<u>18.20.910 Enhancement.</u>
9	<u>18.20.920 Equipment, heavy.</u>
10	<u>18.20.930 Erosion.</u>
11	<u>18.20.940 Erosion hazard areas.</u>
12	<u>18.20.950 Evergreen.</u>
13	<u>18.20.965 Existing legal uses.</u>
14	<u>18.20.967 FAA.</u>
15	<u>18.20.970 Repealed.</u>
16	<u>18.20.1000 Repealed.</u>
17	<u>18.20.1010 Family.</u>
18	<u>18.20.1012 Family child-care home.</u>
19	<u>18.20.1015 FCC.</u>
20	<u>18.20.1020 Repealed.</u>
21	<u>18.20.1040 Fence.</u>
22	<u>18.20.1050 Financial guarantee.</u>
23	<u>18.20.1051 Fire or police facility.</u>
24	<u>18.20.1052 First floor facades.</u>
25	<u>18.20.1055 Fish habitat.</u>
26	<u>18.20.1056 Fish and wildlife habitat conservation areas.</u>
27	<u>18.20.1057 Flood or flooding.</u>
28	<u>18.20.1059 Flood elevation study.</u>
29	<u>18.20.1060 Repealed.</u>

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

Page 22

1	<u>18.20.1070 Flood hazard areas.</u>
2	<u>18.20.1080 Flood insurance rate map (FIRM).</u>
3	<u>18.20.1090 Flood insurance study (FIS).</u>
4	<u>18.20.1100 Flood protection elevation.</u>
5	<u>18.20.1110 Floodplain.</u>
6	<u>18.20.1120 Floodproofing.</u>
7	<u>18.20.1125 Floodway.</u>
8	<u>18.20.1130 Repealed.</u>
9	<u>18.20.1135 Floor area ratio (FAR).</u>
10	<u>18.20.1140 Repealed.</u>
11	<u>18.20.1150 Forest practice.</u>
12	<u>18.20.1160 Repealed.</u>
13	<u>18.20.1170 Repealed.</u>
14	<u>18.20.1180 Frequently flooded areas.</u>
15	<u>18.20.1185 Functions and values.</u>
16	<u>18.20.1187 Funeral home/crematory.</u>
17	<u>18.20.1190 Repealed.</u>
18	<u>18.20.1200 Repealed.</u>
19	<u>18.20.1202 Repealed.</u>
20	<u>18.20.1203 General services land uses.</u>
21	<u>18.20.1205 Geologically hazardous areas.</u>
22	<u>18.20.1210 Geologist.</u>
23	<u>18.20.1230 Repealed.</u>
24	<u>18.20.1233 Government/business services land uses.</u>
25	<u>18.20.1235 Repealed.</u>
26	<u>18.20.1240 Grade span.</u>
27	<u>18.20.1250 Grading.</u>
28	<u>18.20.1260 Grazing area.</u>
29	<u>18.20.1270 Ground cover.</u>

1	<u>18.20.1272 Ground floor.</u>
2	<u>18.20.1273 Grove.</u>
3	<u>18.20.1275 Hazard areas.</u>
4	<u>18.20.1280 Hazardous household substance.</u>
5	<u>18.20.1290 Hazardous liquid and gas transmission pipelines.</u>
6	<u>18.20.1300 Hazardous substance.</u>
7	<u>18.20.1301 Headwater stream.</u>
8	<u>18.20.1302 Health care and social assistance.</u>
9	<u>18.20.1305 <i>Repealed.</i></u>
10	<u>18.20.1307 Hearing examiner.</u>
11	<u>18.20.1310 Heavy equipment and truck repair.</u>
12	<u>18.20.1312 Habitat management.</u>
13	<u>18.20.1314 Habitats of local importance.</u>
14	<u>18.20.1320 Helistop.</u>
15	<u>18.20.1330 Historic resource.</u>
16	<u>18.20.1340 Historic structure.</u>
17	<u>18.20.1350 <i>Repealed.</i></u>
18	<u>18.20.1360 Home industry.</u>
19	<u>18.20.1370 Home occupation.</u>
20	<u>18.20.1372 Hospital.</u>
21	<u>18.20.1375 Hotel.</u>
22	<u>18.20.1380 Household pets.</u>
23	<u>18.20.1381 Human-scaled elements.</u>
24	<u>18.20.1382 Hydraulic project approval (HPA).</u>
25	<u>18.20.1390 Hydroelectric generation facility.</u>
26	<u>18.20.1400 Impervious surface.</u>
27	<u>18.20.1420 <i>Repealed.</i></u>
28	<u>18.20.1430 Infiltration rate.</u>
29	<u>18.20.1435 In-kind.</u>

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

Page 24

1	<u>18.20.1437 Intentionally created stream.</u>
2	<u>18.20.1438 Intermittent stream.</u>
3	<u>18.20.1440 Repealed.</u>
4	<u>18.20.1470 Repealed.</u>
5	<u>18.20.1480 Repealed.</u>
6	<u>18.20.1490 Repealed.</u>
7	<u>18.20.1500 Joint use driveway.</u>
8	<u>18.20.1510 Kennel.</u>
9	<u>18.20.1520 Kitchen or kitchen facility.</u>
10	<u>18.20.1525 Laboratory.</u>
11	<u>18.20.1530 Repealed.</u>
12	<u>18.20.1540 Landscape water features.</u>
13	<u>18.20.1550 Landscaping.</u>
14	<u>18.20.1560 Landslide.</u>
15	<u>18.20.1570 Landslide hazard areas.</u>
16	<u>18.20.1572 Large woody debris (LWD).</u>
17	<u>18.20.1575 Lattice tower.</u>
18	<u>18.20.1580 Level of service (LOS).</u>
19	<u>18.20.1590 Light equipment.</u>
20	<u>18.20.1600 Livestock.</u>
21	<u>18.20.1610 Livestock, large.</u>
22	<u>18.20.1620 Livestock, small.</u>
23	<u>18.20.1630 Repealed.</u>
24	<u>18.20.1640 Loading space.</u>
25	<u>18.20.1650 Repealed.</u>
26	<u>18.20.1660 Lot.</u>
27	<u>18.20.1661 Lot, parent.</u>
28	<u>18.20.1662 Lot, unit.</u>
29	<u>18.20.1670 Lot line, interior.</u>

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

Page 25

1	<u>18.20.1671 Low impact development (LID).</u>
2	<u>18.20.1673 Lowest floor.</u>
3	<u>18.20.1675 Manufactured home.</u>
4	<u>18.20.1675.1 Manufactured housing community.</u>
5	<u>18.20.1676 Manufacturing, heavy.</u>
6	<u>18.20.1677 Manufacturing, light.</u>
7	<u>18.20.1678 Manufacturing land uses.</u>
8	<u>18.20.1679.1 Cannabis.</u>
9	<u>18.20.1679.2 Cannabis business.</u>
10	<u>18.20.1679.2.5 Cannabis cooperative.</u>
11	<u>18.20.1679.3 Cannabis processor.</u>
12	<u>18.20.1679.4 Cannabis producer.</u>
13	<u>18.20.1679.4.5 Cannabis researcher.</u>
14	<u>18.20.1679.5 Cannabis retailer.</u>
15	<u>18.20.1680 Marina.</u>
16	<u>18.20.1683 Mass wasting.</u>
17	<u>18.20.1685 Master plan.</u>
18	<u>18.20.1690 Median income.</u>
19	<u>18.20.1695 Repealed.</u>
20	<u>18.20.1700 Repealed.</u>
21	<u>18.20.1705 Repealed.</u>
22	<u>18.20.1710 Mitigation.</u>
23	<u>18.20.1720 Mitigation bank.</u>
24	<u>18.20.1730 Mitigation banking.</u>
25	<u>18.20.1740 Mixed use development.</u>
26	<u>18.20.1745 Repealed.</u>
27	<u>18.20.1747 Mobile food service.</u>
28	<u>18.20.1750 Mobile home.</u>
29	<u>18.20.1760 Repealed.</u>

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

Page 26

1	<u>18.20.1761 Mobility unit.</u>
2	<u>18.20.1762 Repealed.</u>
3	<u>18.20.1765 Modulation.</u>
4	<u>18.20.1770 Monitoring.</u>
5	<u>18.20.1775 Repealed.</u>
6	<u>18.20.1785 Motel.</u>
7	<u>18.20.1790 Repealed.</u>
8	<u>18.20.1800 Repealed.</u>
9	<u>18.20.1810 Mulch.</u>
10	<u>18.20.1820 Repealed.</u>
11	<u>18.20.1830 Native vegetation.</u>
12	<u>18.20.1835 Natural waters.</u>
13	<u>18.20.1840 Negative externality.</u>
14	<u>18.20.1850 Net buildable area.</u>
15	<u>18.20.1860 Nonconformance.</u>
16	<u>18.20.1870 Nonhydroelectric generation facility.</u>
17	<u>18.20.1875 Nonindigenous.</u>
18	<u>18.20.1880 Nonionizing electromagnetic radiation (NIER).</u>
19	<u>18.20.1890 Noxious weed.</u>
20	<u>18.20.1900 Repealed.</u>
21	<u>18.20.1905 Office.</u>
22	<u>18.20.1910 Open space.</u>
23	<u>18.20.1920 Open-work fence.</u>
24	<u>18.20.1930 Ordinary high water mark.</u>
25	<u>18.20.1940 Repealed.</u>
26	<u>18.20.1945 Outdoor retail display/sidewalk sale.</u>
27	<u>18.20.1960 Park.</u>
28	<u>18.20.1995 Parking management plan.</u>
29	<u>18.20.2000 Parking space.</u>

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

Page 27

1	<u>18.20.2030 Peak hour.</u>
2	<u>18.20.2035 Pedestrian walkway.</u>
3	<u>18.20.2040 Permanent school facilities.</u>
4	<u>18.20.2050 Repealed.</u>
5	<u>18.20.2055 Personal service.</u>
6	<u>18.20.2060 Repealed.</u>
7	<u>18.20.2070 Repealed.</u>
8	<u>18.20.2102 Practical alternative.</u>
9	<u>18.20.2104 Priority habitat/species or priority wildlife habitat/species.</u>
10	<u>18.20.2110 Private.</u>
11	<u>18.20.2120 Private stormwater management facility.</u>
12	<u>18.20.2130 Professional office.</u>
13	<u>18.20.2135 Repealed.</u>
14	<u>18.20.2140 Public agency.</u>
15	<u>18.20.2150 Repealed.</u>
16	<u>18.20.2160 Public agency archive.</u>
17	<u>18.20.2170 Public agency or utility office.</u>
18	<u>18.20.2180 Public agency or utility yard.</u>
19	<u>18.20.2190 Repealed.</u>
20	<u>18.20.2195 Public space/public open space.</u>
21	<u>18.20.2202 Public view.</u>
22	<u>18.20.2205 Qualified professional.</u>
23	<u>18.20.2207 Qualified tree protection professional.</u>
24	<u>18.20.2208 Quality habitat areas.</u>
25	<u>18.20.2210 Radio frequency.</u>
26	<u>18.20.2220 Reasonable use.</u>
27	<u>18.20.2230 Receiving site.</u>
28	<u>18.20.2231 Reclassification.</u>
29	<u>18.20.2232 Reconstruction.</u>

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

Page 28

1	<u>18.20.2233 Recreational/cultural land uses.</u>
2	<u>18.20.2234 Recreational facility, indoor.</u>
3	<u>18.20.2237 Recreational facility, outdoor.</u>
4	<u>18.20.2240 Recreational vehicle (RV).</u>
5	<u>18.20.2250 <i>Repealed</i></u>
6	<u>18.20.2260 Recyclable material.</u>
7	<u>18.20.2265 Regional land use.</u>
8	<u>18.20.2275 Regional land uses.</u>
9	<u>18.20.2280 <i>Repealed</i></u>
10	<u>18.20.2290 Regional utility corridor.</u>
11	<u>18.20.2292 Rehabilitation.</u>
12	<u>18.20.2295 Religious institution.</u>
13	<u>18.20.2310 Relocatable facility.</u>
14	<u>18.20.2320 Relocation facilities.</u>
15	<u>18.20.2325 Residential land uses.</u>
16	<u>18.20.2326 Resource land use.</u>
17	<u>18.20.2327 Resource land uses.</u>
18	<u>18.20.2330 Restoration.</u>
19	<u>18.20.2350 <i>Repealed</i></u>
20	<u>18.20.2362 Retail land uses.</u>
21	<u>18.20.2364 Retail sales.</u>
22	<u>18.20.2365 Retail sales, bulk.</u>
23	<u>18.20.2367 <i>Repealed</i></u>
24	<u>18.20.2370 Retaining wall.</u>
25	<u>18.20.2375 Riparian stream corridor.</u>
26	<u>18.20.2380 Riparian management zone (RMZ).</u>
27	<u>18.20.2385 Riparian zone.</u>
28	<u>18.20.2410 Salmonid.</u>
29	<u>18.20.2415 Satellite dish.</u>

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

Page 29

- 1 [18.20.2420 School bus base.](#)
- 2 [18.20.2430 School district.](#)
- 3 [18.20.2440 Repealed.](#)
- 4 [18.20.2450 Repealed.](#)
- 5 [18.20.2460 Repealed.](#)
- 6 [18.20.2461 Seasonal low flow and seasonal low water.](#)
- 7 [18.20.2462 Section 404 permit.](#)
- 8 [18.20.2465 Secure community transition facilities \(SCTF\).](#)
- 9 [18.20.2468 Secure facility.](#)
- 10 [18.20.2470 Seismic hazard areas.](#)
- 11 [18.20.2480 Self-service storage.](#)
- 12 [18.20.2490 Sending site.](#)
- 13 [18.20.2500 Senior citizen.](#)
- 14 [18.20.2524 Repealed.](#)
- 15 [18.20.2527 Repealed.](#)
- 16 [18.20.2530 Setback.](#)
- 17 [18.20.2540 Shelters for temporary placement.](#)
- 18 [18.20.2550 Repealed.](#)
- 19 [18.20.2560 Sign.](#)
- 20 [18.20.2570 Sign, awning.](#)
- 21 [18.20.2580 Sign, changing message center.](#)
- 22 [18.20.2590 Sign, community bulletin board.](#)
- 23 [18.20.2600 Sign, directional.](#)
- 24 [18.20.2610 Sign, freestanding.](#)
- 25 [18.20.2620 Sign, fuel price.](#)
- 26 [18.20.2630 Sign, incidental.](#)
- 27 [18.20.2640 Sign, indirectly illuminated.](#)
- 28 [18.20.2650 Sign, monument.](#)
- 29 [18.20.2660 Sign, off-premises directional.](#)

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

1	<u>18.20.2670 Sign, on-premises.</u>
2	<u>18.20.2680 Sign, permanent residential development identification.</u>
3	<u>18.20.2690 Sign, portable.</u>
4	<u>18.20.2700 Sign, projecting.</u>
5	<u>18.20.2710 Sign, time and temperature.</u>
6	<u>18.20.2720 Sign, wall.</u>
7	<u>18.20.2730 Significant tree.</u>
8	<u>18.20.2740 Site.</u>
9	<u>18.20.2750 Site area.</u>
10	<u>18.20.2765 Small cell.</u>
11	<u>18.20.2782 Social card game.</u>
12	<u>18.20.2784 Social services.</u>
13	<u>18.20.2790 Repealed.</u>
14	<u>18.20.2810 Special use permit.</u>
15	<u>18.20.2820 Specialized instruction school.</u>
16	<u>18.20.2822 Species.</u>
17	<u>18.20.2823 Species, candidate.</u>
18	<u>18.20.2824 Species, endangered.</u>
19	<u>18.20.2825 Species of concern.</u>
20	<u>18.20.2826 Species, threatened.</u>
21	<u>18.20.2840 Repealed.</u>
22	<u>18.20.2850 Sports club.</u>
23	<u>18.20.2860 Stable.</u>
24	<u>18.20.2865 Standalone parking.</u>
25	<u>18.20.2870 Standard of service, school districts.</u>
26	<u>18.20.2875 Start of construction.</u>
27	<u>18.20.2884 Repealed.</u>
28	<u>18.20.2887 Storage, outdoor.</u>
29	<u>18.20.2890 Stream functions.</u>

1	<u>18.20.2900 Stream.</u>
2	<u>18.20.2905 Stream reconnaissance report.</u>
3	<u>18.20.2910 Street.</u>
4	<u>18.20.2920 Street frontage.</u>
5	<u>18.20.2925 Street tree.</u>
6	<u>18.20.2930 Structure.</u>
7	<u>18.20.2935 Structural diversity.</u>
8	<u>18.20.2945 Subdrainage basin or sub-basin.</u>
9	<u>18.20.2955 Substantial damage.</u>
10	<u>18.20.2960 Substantial improvement.</u>
11	<u>18.20.2963 Supportive living facility.</u>
12	<u>18.20.2965 Repealed.</u>
13	<u>18.20.2968 Temporary lodging.</u>
14	<u>18.20.2970 Repealed.</u>
15	<u>18.20.2980 Repealed.</u>
16	<u>18.20.2990 Tower.</u>
17	<u>18.20.3000 Trails.</u>
18	<u>18.20.3010 Repealed.</u>
19	<u>18.20.3020 Transit bus base.</u>
20	<u>18.20.3022 Transit, high capacity.</u>
21	<u>18.20.3023 Transit center.</u>
22	<u>18.20.3025 Transit stop, major.</u>
23	<u>18.20.3030 Transitional housing facilities.</u>
24	<u>18.20.3040 Repealed.</u>
25	<u>18.20.3060 Repealed.</u>
26	<u>18.20.3065 Recodified.</u>
27	<u>18.20.3067 Repealed.</u>
28	<u>18.20.3070 Repealed.</u>
29	<u>18.20.3075 Transportation.</u>

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

1	<u>18.20.3077 Transportation concurrency.</u>
2	<u>18.20.3082 Tree.</u>
3	<u>18.20.3083 Tree, exceptional.</u>
4	<u>18.20.3084 Tree, hazard.</u>
5	<u>18.20.3088 Tree, remove or removal.</u>
6	<u>18.20.3090 Tree windthrow.</u>
7	<u>18.20.3095 Unavoidable impact.</u>
8	<u>18.20.3100 Unit Density.</u>
9	<u>18.20.3110 Use.</u>
10	<u>18.20.3111 Uses, classified.</u>
11	<u>18.20.3112 Uses, permitted.</u>
12	<u>18.20.3114 Uses, prohibited.</u>
13	<u>18.20.3117 Uses, unclassified.</u>
14	<u>18.20.3118 Utility.</u>
15	<u>18.20.3120 Utility facility.</u>
16	<u>18.20.3130 Vector waste.</u>
17	<u>18.20.3140 Vector waste receiving facility.</u>
18	<u>18.20.3150 Variance.</u>
19	<u>18.20.3155 Repealed.</u>
20	<u>18.20.3160 Vegetation.</u>
21	<u>18.20.3165 Vehicle or equipment rental.</u>
22	<u>18.20.3168 Vehicle refueling station.</u>
23	<u>18.20.3170 Vocational school.</u>
24	<u>18.20.3180 Warehousing.</u>
25	<u>18.20.3190 Repealed.</u>
26	<u>18.20.3200 Repealed.</u>
27	<u>18.20.3220 Water-dependent use.</u>
28	<u>18.20.3225 Water resource inventory area (WRIA).</u>
29	<u>18.20.3227 Weather protection.</u>

- 1 [18.20.3240 Wetland edge.](#)
- 2 [18.20.3245 Wetland establishment \(creation\).](#)
- 3 [18.20.3250 Wetland, forested.](#)
- 4 [18.20.3260 Wetland functions.](#)
- 5 [18.20.3280 Wetlands.](#)
- 6 [18.20.3282 Wetland class.](#)
- 7 [18.20.3284 Wetland determination.](#)
- 8 [18.20.3286 Wetland delineation manual.](#)
- 9 [18.20.3288 Wetland mitigation banking.](#)
- 10 [18.20.3290 Wholesale trade.](#)
- 11 [18.20.3295 Wildlife report.](#)
- 12 [18.20.3300 *Repealed.*](#)
- 13 [18.20.3305 Wind-firm.](#)
- 14 [18.20.3306 Wireless communication facility \(WCF\).](#)
- 15 [18.20.3307 *Repealed.*](#)
- 16 [18.20.3310 *Repealed.*](#)
- 17 [18.20.3320 Wrecked, dismantled or inoperative vehicle.](#)
- 18 [18.20.3330 *Repealed.*](#)
- 19 [18.20.3340 Zero-lot-line development.](#)
- 20 [18.20.3350 Zero-rise floodway.](#)

21 **18.20.010 Scope of chapter.**

22 This chapter contains definitions of technical and procedural terms used throughout this title.
23 Defined terms are shown in italics in the text of the title. [Ord. 11-0329 § 3 (Exh. 1).]

24 **18.20.020 Abandoned vehicle.**

25 "Abandoned vehicle" means any vehicle left upon the property of another without the consent of
26 the owner of such property for a period of 24 hours or longer, except that a vehicle shall not be
27 considered abandoned if its owner or operator is unable to remove it from the place where it is
28 located and so notifies law enforcement officials and requests assistance. [Ord. 11-0329 § 3
29 (Exh. 1).]

30 **18.20.030 Accessory living quarters.**

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
10 are 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
12 an 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
15 in 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,
17 changes between agricultural activities, and normal operation, maintenance or repair of existing
18 serviceable structures, facilities or improved areas. Activities that bring an area into agricultural
19 use are not part of an ongoing activity. An operation ceases to be ongoing when the area in
20 which it was conducted is proposed for conversion to a nonagricultural use or has lain idle for a
21 period of longer than five years, unless the idle land is registered in a federal or state soils
22 conservation program. [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
32 terms 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
35 care, special care, room, and board to more than one but not more than six adults who are not
36 related by blood or marriage to the person or persons providing the services, or as otherwise
37 defined in Chapter [70.128](#) RCW. An adult family home may provide services to up to eight adults

upon approval from the Washington State Department of Social and Health Services pursuant to RCW [70.128.066](#). [Ord. 24-0608 § 2 (Exh. A(l)); Ord. 11-0329 § 3 (Exh. 1).]

18.20.098 Affordable housing unit.

“Affordable housing unit” means housing reserved for occupancy by eligible households and having monthly housing expenses less than or equal to 30 percent of the monthly household income described in the subsections below, adjusted for household size. (Housing expenses for ownership housing include mortgage and mortgage insurance, property taxes, property insurance, and homeowner’s dues. Housing expenses for rental housing include rent, utilities, expenses required by the landlord, and parking to the extent that the City requires the property or development to provide off-street parking.)

A. A “low-income affordable housing unit” is affordable at or below 80 percent of median income, adjusted for household size;

B. A “very low-income affordable housing unit” is affordable at or below 50 percent of median income, adjusted for household size;

C. An “extremely low-income affordable housing unit” is affordable at or below 30 percent of median income, adjusted for household size.

Pursuant to the authority of RCW [36.70A.540](#), the City finds that the higher income levels specified in the definition of “affordable housing” under this section, rather than those stated in the definition of “low-income households” in RCW [36.70A.540](#), are needed to address local housing market conditions in the City. [Ord. 23-0574 § 2 (Exh. A); Ord. 19-0481 § 2 (Exh. A).]

18.20.100 Agricultural product sales.

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

18.20.105 Air transportation service.

“Air transportation service” means a helipad, private landing field, or other similar facility for personal or business-related air transportation. Air transportation service does not include an airport, which is classified as a regional land use.

May include NAICS 481 (Air Transportation) and 4881 (Support Activities for Transportation). [Ord. 14-0391 § 2 (Exh. 1).]

18.20.120 Aircraft, ship and boat building.

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

18.20.130 Airport/heliport.

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

18.20.140 Alley.

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

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

1 **18.20.145 Alteration.**

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

6 **18.20.147 Alternative transmission support structure.**

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

12 **18.20.149 Amateur (ham) radio facility.**

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

16 **18.20.150 Ambulatory surgery center.**

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

19 May include NAICS 621493 (Freestanding Ambulatory Surgical and Emergency Centers). [Ord.
20 14-0391 § 2 (Exh. 1).]

21 **18.20.155 Amusement and recreation services.**

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

23 **18.20.160 Amusement arcade.**

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

25 **18.20.165 Anadromous fish.**

26 “Anadromous fish” means fish that spawn and rear in freshwater and mature in the marine
27 environment. While Pacific salmon die after their first spawning, adult char (bull trout) can live
28 for many years, moving in and out of saltwater and spawning each year. The life history of
29 Pacific salmon and char contains critical periods of time when these fish are more susceptible
30 to environmental and physical damage than at other times. The life history of salmon, for
31 example, contains the following stages: upstream migration of adults, spawning, intergravel
32 incubation, rearing, smoltification (the time period needed for juveniles to adjust their body
33 functions to live in the marine environment), downstream migration, and ocean rearing to
34 adults. [Ord. 11-0329 § 3 (Exh. 1).]

35 **18.20.168 Animal kennel/shelter.**

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

6 **18.20.170 Animal, small.**

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

11 **18.20.180 Antenna.**

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

16 **18.20.190 Applicant.**

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

20 **18.20.195 Arbor.**

21 "Arbor" means a shelter of vines or branches or of latticework covered with climbing shrubs or
22 vines. [Ord. 11-0329 § 3 (Exh. 1).]

23 **18.20.200 Arcade.**

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

26 **18.20.205 Architectural elements.**

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

31 **18.20.206.1 Area of special flood hazard.**

32 "Area of special flood hazard" means the land in the floodplain within a community subject to a
33 one percent or greater chance of flooding in any given year. The area may be designated as
34 Zone A on the FIRM. After detailed ratemaking has been completed in preparation for
35 publication of the flood insurance rate map, Zone A usually is refined into Zones A, AO, AH, A1-
36 30, AE, A99, AR, AR/A1-30, AR/AE, AR/AO, AR/AH, AR/A, VO, or V1-30, VE, or V. For purposes of

these regulations, the term “special flood hazard area” is synonymous in meaning with the phrase “area of special flood hazard.” [Ord. 19-0488 § 4 (Exh. 2).]

18.20.207 Articulation.

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

18.20.210 Artist studio.

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

18.20.212 Arts and crafts schools/studios.

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

18.20.214 Arts, entertainment, indoor.

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

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

18.20.215 Arts, entertainment, outdoor.

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

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

18.20.216 Assisted living.

“Assisted living” means an establishment which provides living quarters and *domiciliary care* to individuals who are unable to live independently due to infirmity of age or physical or mental handicap, but who do not need the skilled nursing care of a convalescent or nursing home. These facilities may consist of individual dwelling units of a barrier-free design, with separate bathroom facilities, a full *kitchen* or no *kitchen*. The facility may provide a minimal amount of

supportive health care monitoring, such as assistance with medication. In addition, these facilities may have a communal dining area, recreation facilities (library, lounge, game room), laundry facilities and open space. Assisted living does not include adult family homes as defined in Chapter [70.128](#) RCW. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.218 Attached accessory dwelling unit.

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

18.20.220 Auction house.

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

18.20.224 Automotive sales and service, marine.

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

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

18.20.227 Automotive sales and service, nonmarine.

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

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

18.20.228 Bankfull width.

“Bankfull width” means:

- A. For streams – The measurement of the lateral extent of the water surface elevation perpendicular to the channel at bankfull depth. In cases where multiple channels exist, bankfull width is the sum of the individual channel widths along the cross-section.
- B. For lakes, ponds, and impoundments – Line of mean high water.
- C. For periodically inundated areas of associated wetlands – Line of periodic inundation, which will be found by examining the edge of inundation to ascertain where the presence and action of

waters are so common and usual, and so long continued in all ordinary years, as to mark upon the soil a character distinct from that of the abutting upland. [Ord. 19-0488 § 4 (Exh. 2).]

18.20.230 Base flood.

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

18.20.240 Base flood elevation.

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

18.20.243 Base station.

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

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

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

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

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

18.20.245 Basement.

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

18.20.250 Bed and breakfast guesthouse.

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

1 **18.20.260 Beehive.**

2 "Beehive" means a *structure* designed to contain one colony of honey bees (*Apis mellifera*).
3 [Ord. 11-0329 § 3 (Exh. 1).]

4 **18.20.270 Berm.**

5 "Berm" means a constructed area of compacted earth. [Ord. 11-0329 § 3 (Exh. 1).]

6 **18.20.272 Best available science.**

7 "Best available science" means current scientific information derived from a valid scientific
8 process, including that used in the process to designate, protect, or restore *critical areas* as
9 defined by WAC [365-195-900](#) through [365-195-925](#). [Ord. 11-0329 § 3 (Exh. 1).]

10 **18.20.274 Best management practices (BMPs).**

11 "Best management practices (BMPs)" means conservation practices or systems of practices
12 and management measures that:

- 13 A. Control soil loss and reduce water quality degradation caused by high concentrations of
14 nutrients, animal waste, toxics, and sediment;
- 15 B. Minimize adverse impacts to surface water and groundwater flow, circulation patterns, and to
16 the chemical, physical, and biological characteristics of *wetlands*;
- 17 C. Protect *trees* and *vegetation* designated to be retained during and following *site* construction;
18 and
- 19 D. Provide standards for proper use of chemical herbicides within *critical areas*.

20 The *City* shall monitor the application of best management practices to ensure that the
21 standards and policies of this title are adhered to. [Ord. 11-0329 § 3 (Exh. 1).]

22 **18.20.280 Billboard.**

23 "Billboard" means a *sign*, including both the supporting structural framework and
24 attached *billboard faces*, used principally for advertising a business activity, *use*, product, or
25 service unrelated to the primary *use* or activity of the property on which the billboard is located;
26 excluding off-premises directional or temporary real estate *signs*. [Ord. 11-0329 § 3 (Exh. 1).]

27 **18.20.290 Billboard face.**

28 "Billboard face" means that portion of a *billboard*, exclusive of its structural support, on which
29 changeable advertising copy is displayed, either by affixing preprinted poster panels or by
30 painting copy on location; subclassified as follows:

- 31 A. "Billboard face I" means a billboard face not exceeding a height of 14 feet or a width of 48
32 feet, and may also include temporary and irregularly shaped extensions subject to the area and
33 duration limitations in Chapter [18.42](#) KMC; and
- 34 B. "Billboard face II" means a billboard face not exceeding a height of 12 feet or a width of 24
35 feet. [Ord. 11-0329 § 3 (Exh. 1).]

1 **18.20.300 Biologist.**

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

5 **18.20.302 Blank walls.**

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

10 **18.20.305 Boat launch.**

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

12 **18.20.308 Bonus unit.**

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

15 **18.20.310 Book, stationery, video and art supply store.**

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

17 **18.20.320 Broadleaf tree.**

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

20 **18.20.330 Buffer or buffer area.**

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

28 **18.20.340 Building.**

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

30 **18.20.350 Building envelope.**

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

34 **18.20.360 Building facade.**

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

4 **18.20.370 Building, hardware and garden materials store.**

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

6 **18.20.380 Bulk gas storage tank.**

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

9 **18.20.390 Business service, intensive.**

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

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

23 **18.20.394 Business service, standard.**

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

31 May include NAICS 491 (Postal Service), 492 (Couriers and Messengers), 518 (Data Processing,
32 Hosting, and Related Services), 53242 (Office Machinery and Equipment Rental and Leasing),
33 54186 (Direct Mail Advertising), and 541922 (Commercial Photography).

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

1 **18.20.395 Caliper.**

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

6 **18.20.400 Campground.**

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

8 **18.20.410 Capacity, school.**

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

12 **18.20.420 Capital facilities plan, school district.**

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

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

26 **18.20.422 Car wash.**

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

28 **18.20.425 Categorically excluded.**

29 For purposes of Chapter [18.60](#) KMC, “categorically excluded” means as defined in 1.1306 and
30 1.1307 in the Code of Federal Regulations (CFR). [Ord. 11-0329 § 3 (Exh. 1).]

31 **18.20.430 Cattery.**

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

1 **18.20.440 Cemetery, columbarium or mausoleum.**

2 "Cemetery, columbarium or mausoleum" means land or *structures* used for interment of the
3 dead or their remains. For purposes of this code, pet cemeteries are considered a
4 subclassification of this *use*.

5 May include NAICS 81222 (Cemeteries and Crematories). [Ord. 14-0391 § 2 (Exh. 1); Ord. 11-
6 0329 § 3 (Exh. 1).]

7 **18.20.450 Channel relocation and stream meander areas.**

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

11 **18.20.453 Channel width and gradient.**

12 "Channel width and gradient" means a measurement over a representative section of at least
13 500 linear feet with at least 10 evenly spaced measurement points along the normal stream
14 channel but excluding unusually wide areas of negligible gradient, such as marshy or swampy
15 areas, beaver ponds and impoundments. Channel gradient may be determined utilizing stream
16 profiles plotted from United States Geological Survey topographic maps. [Ord. 19-0488 § 4 (Exh.
17 2).]

18 **18.20.460 Church, synagogue, mosque, temple.**

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

20 **18.20.465 City.**

21 "City" means the City of Kenmore. [Ord. 11-0329 § 3 (Exh. 1).]

22 **18.20.468 City manager.**

23 "City manager" means the City of Kenmore city manager or his or her designee(s). [Ord. 11-0329
24 § 3 (Exh. 1).]

25 **18.20.470 Classrooms, school.**

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

30 **18.20.480 Clearing.**

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

36 **18.20.485 Clustered.**

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

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

4 **18.20.490 Cogeneration.**

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

8 **18.20.492 College/university.**

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

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

18 **18.20.494 Collocation.**

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

21 **18.20.495 Commercial nursery or tree farm.**

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

26 **18.20.498 Communication facility.**

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

28 **18.20.500 Communication facility, major.**

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

30 **18.20.510 Communication facility, minor.**

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

32 **18.20.520 Community residential facility (CRF).**

33 “Community residential facility (CRF)” means living quarters meeting applicable federal and
34 State standards that function as a single housekeeping unit and provide supportive services,
35 including but not limited to counseling, rehabilitation and medical supervision, excluding drug

1 and alcohol detoxification which is classified as a *hospital*. CRFs are further classified as
2 follows:

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

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

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

8 May include NAICS 623210 (Residential Intellectual and Developmental Disability Facilities) and
9 623220 (Residential Mental Health and Substance Abuse Facilities). [Ord. 17-0438 § 2 (Att. A);
10 Ord. 14-0391 § 2 (Exh. 1); Ord. 11-0329 § 3 (Exh. 1).]

11 **18.20.530 Commuter parking lot.**

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

14 **18.20.540 Compensatory storage.**

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

20 **18.20.550 Conditional use permit.**

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

25 **18.20.560 Conference center.**

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

29 **18.20.570 Confinement area.**

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

32 **18.20.580 Consolidation.**

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

34 **18.20.590 Construction and trade.**

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

6 May include NAICS Sector 23 (Construction), 54135 (Building Inspection Services), 56171
7 (Exterminating and Pest Control Services), 56173 (Landscaping Services), 56179 (Other
8 Services to Buildings and Dwellings), and 56299 (All Other Waste Management Services). [Ord.
9 14-0391 § 2 (Exh. 1); Ord. 11-0329 § 3 (Exh. 1).]

10 **18.20.610 Courtyard.**

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

14 **18.20.612 Critical areas.**

15 “Critical areas” means any of the following areas or ecosystems: aquifer recharge areas, fish
16 and wildlife habitat areas of importance, frequently flooded areas, *geologically hazardous*
17 *areas, streams, and wetlands*, as defined in Chapter [36.70A](#) RCW and this chapter. [Ord. 11-
18 0329 § 3 (Exh. 1).]

19 **18.20.614 Critical area tract.**

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

25 **18.20.630 Critical facility.**

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

32 **18.20.632 Critical root zone (CRZ).**

33 “Critical root zone (CRZ)” is the area where the *tree’s* essential mass of roots is located. This
34 root zone is generally the area surrounding a *tree* at a distance which is equal to one foot for
35 every inch of trunk *diameter at breast height* or the area of a circle with radius extending from
36 a *tree’s* trunk to a point no less than the end of a *tree’s* longest branch, whichever is greater.
37 [Ord. 11-0329 § 3 (Exh. 1).]

38 **18.20.633 Crown.**

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

3 **18.20.635 Cultural facilities.**

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

5 **18.20.640 Daily care.**

6 "Daily care" means medical procedures, monitoring and attention that are necessarily provided
7 at the residence of the patient by the primary provider of daily care on a 24-hour basis. [Ord. 11-
8 0329 § 3 (Exh. 1).]

9 **18.20.650 Day care.**

10 "Day care" means an establishment for group care of nonresident adults or children.

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

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

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

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

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

18 B. Day care establishments are subclassified as follows:

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

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

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

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

24 **18.20.655 Debris flow.**

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

28 **18.20.660 Deciduous.**

29 "Deciduous" means a plant species with foliage that is shed annually. [Ord. 11-0329 § 3 (Exh.
30 1).]

31 **18.20.665 Degraded wetland buffer.**

32 "Degraded wetland buffer" means a *buffer* area which cannot adequately protect its
33 adjacent *wetland* due to one or more of the following existing conditions:

- 1 A. Lack of vegetative cover or presence of bare soils (resulting from disturbance, fill, debris, or
- 2 trash);
- 3 B. Significant cover (over 50 percent) in *nonnative vegetation*;
- 4 C. Significant cover (over 50 percent) in invasive species or *noxious weeds*;
- 5 D. Presence of existing nonconforming *structures* or improvements. [Ord. 11-0329 § 3 (Exh. 1).]

6 **18.20.670 Density credit, transfer of (TDC).**

7 "Transfer of density credit (TDC)" means the ability to transfer potentially buildable *dwelling*

8 *units* from an eligible *sending site* to an eligible *receiving site* as provided in this code. [Ord. 11-

9 0329 § 3 (Exh. 1).]

10 **18.20.680 Department.**

11 "Department" means the *City* department or outside agency assigned by the *city manager* to

12 administer a portion of the *City* code. [Ord. 11-0329 § 3 (Exh. 1).]

13 **18.20.690 Department and variety store.**

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

15 **18.20.695 Designated manufactured home.**

16 "Designated manufactured home" means a manufactured home constructed after June 15,

17 1976, in accordance with State and federal requirements for manufactured homes, which meets

18 the following conditions, as allowed under RCW [35A.21.312](#) and [35.63.160](#):

- 19 A. Is comprised of at least two fully enclosed parallel sections each of not less than 12 feet
- 20 wide by 36 feet long;
- 21 B. Was originally constructed with, and now has, a composition or wood shake or shingle,
- 22 coated metal, or similar roof of nominal 3:12 pitch;
- 23 C. Has exterior siding similar in appearance to siding materials commonly used on conventional
- 24 site-built International Residential Code single-family residences;
- 25 D. Is a "new manufactured home" as defined in RCW [35.63.160](#), meaning any manufactured
- 26 home required to be titled under RCW Title [46](#), which has not been previously titled to a retail
- 27 purchaser, and is not a "used mobile home" as defined in RCW [82.45.032](#)(2);
- 28 E. Is set upon a permanent foundation, as specified by the manufacturer, and that the space
- 29 from the bottom of the home to the ground be enclosed by concrete or an approved concrete
- 30 product which can be either load-bearing or decorative;
- 31 F. Complies with all local design standards applicable to all other homes within the
- 32 neighborhood in which the manufactured home is to be located;
- 33 G. Is thermally equivalent to the State Energy Code; and

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

3 **18.20.697 Designation, critical area.**

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

13 **18.20.700 Destination resort.**

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

15 **18.20.705 Detached accessory dwelling unit.**

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

21 **18.20.710 Developer.**

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

25 **18.20.715 Development.**

26 "Development" means any activity upon the land consisting of construction or alteration
27 of *structures*, earth movement, dredging, dumping, *grading*, filling, mining, removal of any sand,
28 gravel, or minerals, driving of piles, drilling operations, bulkheading, *clearing of vegetation*, or
29 other land disturbance. Development includes the storage or use of equipment or materials
30 inconsistent with the existing *use*. Development also includes approvals issued by the *City* that
31 bind land to specific patterns of use, including, but not limited to, subdivisions, short
32 subdivisions, zone changes, *conditional use permits*, and binding site plans. Development does
33 not include the following activities:

34 A. Interior *building* improvements;

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

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

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

4 **18.20.730 Development agreement.**

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

8 **18.20.735 Development permit.**

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

11 **18.20.740 Development proposal.**

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

14 **18.20.750 Development proposal site.**

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

18 **18.20.752 Diameter at breast height (d.b.h.).**

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

22 **18.20.755 Differential settlement.**

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

29 **18.20.760 Distributed antenna system (DAS).**

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

33 **18.20.765 Disturbance.**

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

1 **18.20.772 Dock.**

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

3 **18.20.775 Domiciliary care.**

4 "Domiciliary care" means:

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

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

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

8 **18.20.780 Dormitory.**

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

10 **18.20.785 Drive-through service.**

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

19 **18.20.790 Drop box facility.**

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

21 **18.20.800 Drug store.**

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

23 **18.20.805 Durable materials.**

24 "Durable materials" means materials capable of withstanding wear and tear with limited
25 maintenance required, long-term use, vandal resistant, and weather resistant. [Ord. 11-0329 § 3
26 (Exh. 1).]

27 **18.20.810 Dwelling unit.**

28 "Dwelling unit" means one or more rooms designed for occupancy by a person or *family* for
29 living and sleeping purposes, containing *kitchen facilities* and rooms with internal accessibility,
30 for use solely by the dwelling's occupants. *Microhousing dwelling units* may share *kitchen*
31 *facilities* with other dwelling units in place of providing *kitchen facilities* within each unit. [Ord.
32 16-0415 § 2 (Att. B); Ord. 11-0329 § 3 (Exh. 1).]

33 **18.20.820 Dwelling unit, accessory.**

1 "Accessory dwelling unit" or "ADU" means a separate, complete *dwelling unit* attached to or
2 contained within the *structure* of the primary dwelling; or contained within a
3 separate *structure* that is accessory to the primary *dwelling unit* on the premises. [Ord. 20-0510
4 § 2 (Exh. A); Ord. 11-0329 § 3 (Exh. 1).]

5 **18.20.830 Dwelling unit, microhousing.**

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

11 **18.20.832 Dwelling, middle housing.**

12 "Middle housing dwelling" means buildings that are compatible in scale, form, and character
13 with single-family houses and contain two or more attached, stacked, or clustered homes
14 including duplexes, triplexes, fourplexes, townhouses, stacked flats, courtyard apartments, and
15 cottage housing

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

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

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

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

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

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

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

27 **18.20.835 Dwelling, multiple-family.**

28 "Multiple-family dwelling" means a one-family dwelling attached to one or more one-family
29 dwellings by common roofs, walls, or floors. Also includes one or more dwellings attached to
30 nonresidential *uses*. This definition does not include *accessory dwelling units*, *community*
31 *residential facilities*, *supportive living facilities*, or nursing and personal care facilities.

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

36 B. Townhouse. A one-family, ground-related dwelling attached to one or more such units or to a
37 nonresidential *use* in which each unit has its own exterior, ground-level access to the outside, no

1 unit is located over another unit, and each unit is separated from any other unit by one or more
2 vertical common walls. Typically the units are multi-story. [Ord. 16-0415 § 2 (Att. B); Ord. 14-
3 0391 § 2 (Exh. 1); Ord. 11-0329 § 3 (Exh. 1).]

4 **18.20.840 Dwelling unit, single detached.**

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

7 **18.20.860 Earth station.**

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

9 **18.20.863 Eating and drinking place.**

10 “Eating and drinking place” means an establishment that prepares meals, snacks and beverages
11 to customer order for immediate on-premises or off-premises consumption from a fixed
12 location.

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

15 **18.20.865 Educational institutions (public or private), K – 12.**

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

17 **18.20.867 Educational service.**

18 Educational service” means an institution that offers academic education, career and technical
19 instruction as well as schools or programs that offer tutoring or nonacademic or self-
20 enrichment classes, such as automobile driving and cooking instruction.

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

23 **18.20.870 Effective radiated power.**

24 “Effective radiated power” means the product of the *antenna* power input and the
25 numerical *antenna* power gain. [Ord. 11-0329 § 3 (Exh. 1).]

26 **18.20.880 Electrical substation.**

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

30 **18.20.885 Emergent wetland.**

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

34 **18.20.890 Emergency.**

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

4 **18.20.900 Energy resource recovery facility.**

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

6 **18.20.910 Enhancement.**

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

13 **18.20.920 Equipment, heavy.**

14 "Heavy equipment" means high-capacity mechanical devices for moving earth or other
15 materials, and mobile power units including, but not limited to:

16 A. Carryalls;

17 B. Graders;

18 C. Loading and unloading devices;

19 D. Cranes;

20 E. Drag lines;

21 F. Trench diggers;

22 G. Tractors;

23 H. Augers;

24 I. Bulldozers;

25 J. Concrete mixers and conveyers;

26 K. Harvesters;

27 L. Combines; or

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

30 **18.20.930 Erosion.**

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

33 **18.20.940 Erosion hazard areas.**

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

Page 57

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

5 **18.20.950 Evergreen.**

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

8 **18.20.965 Existing legal uses.**

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

18 **18.20.967 FAA.**

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

20 **18.20.970 Fabric shop.**

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

22 **18.20.1000 Fairground.**

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

24 **18.20.1010 Family.**

25 “Family” means an individual; two or more persons related by blood or marriage; a group of two
26 or more disabled residents protected under the Federal Housing Act Amendments, who are not
27 related by blood or marriage, living together as a single housekeeping unit; a group of residents,
28 who are not related by blood or marriage, living together as a single housekeeping unit; or a
29 group living arrangement where eight or fewer residents receive supportive services such as
30 counseling, foster care, or medical supervision at the *dwelling unit* by resident or nonresident
31 staff. For purposes of this definition, minors living with parent shall not be counted as part of
32 the maximum number of residents. [Ord. 24-0608 § 2 (Exh. A(II)); Ord. 11-0329 § 3 (Exh. 1).]

33 **18.20.1012 Family child-care home.**

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

37 **18.20.1015 FCC.**

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

2 **18.20.1020 Federal Emergency Management Agency (FEMA) floodway.**

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

4 **18.20.1040 Fence.**

5 "Fence" means a barrier for the purpose of enclosing space or separating *lots*, composed of:

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

7 B. Wood, metal or concrete posts connected by boards, rails, panels, wire or mesh. [Ord. 11-

8 0329 § 3 (Exh. 1).]

9 **18.20.1050 Financial guarantee.**

10 "Financial guarantee" means a form of financial security posted to ensure timely and proper

11 completion of improvements, compliance with this code or to warrant materials, workmanship

12 of improvements, and design. Financial guarantees include assignments of funds, cash

13 deposits, surety bonds, and other forms of financial security acceptable to the *city manager*.

14 [Ord. 11-0329 § 3 (Exh. 1).]

15 **18.20.1051 Fire or police facility.**

16 "Fire or police facility" means a government establishment engaged in law enforcement or fire

17 protection activities.

18 May include NAICS 92212 (Police Protection), 92215 (Parole Offices and Probation Offices),

19 and 92216 (Fire Protection). [Ord. 14-0391 § 2 (Exh. 1).]

20 **18.20.1052 First floor facades.**

21 "First floor facades" means, for the purposes of determining priority design standards, the

22 following categories of regulations when applied to the *ground floor* of *buildings*: *ground*

23 *floor* facades, *ground floor* transparency and visibility, *blank wall* and side wall, and building

24 materials. [Ord. 11-0329 § 3 (Exh. 1).]

25 **18.20.1055 Fish habitat.**

26 "Fish habitat" means habitat that is used by any fish at any life stage at any time of the year,

27 including potential habitat likely to be used by fish that could be recovered by *restoration* or

28 management and off-channel habitat. [Ord. 19-0488 § 4 (Exh. 2); Ord. 11-0329 § 3 (Exh. 1).]

29 **18.20.1056 Fish and wildlife habitat conservation areas.**

30 "Fish and wildlife habitat conservation areas" mean areas that serve a critical role in sustaining

31 needed habitats and species for the functional integrity of the ecosystem, and which, if altered,

32 may reduce the likelihood that the species will persist over the long term. These areas may

33 include but are not limited to rare and vulnerable ecological systems, communities, and habitat

34 or habitat elements including seasonal ranges, breeding habitat, winter range, and movement

35 corridors, and areas with high relative population density or species richness. [Ord. 24-0624 § 4

36 (Exh. B).]

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

Page 59

1 **18.20.1057 Flood or flooding.**

2 "Flood" or "flooding" means:

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

5 1. The overflow of inland waters.

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

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

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

17 **18.20.1059 Flood elevation study.**

18 "Flood elevation study" means an examination, evaluation and determination of flood hazards
19 and, if appropriate, corresponding water surface elevations, or an examination, evaluation and
20 determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards. [Ord. 19-0488
21 § 4 (Exh. 2).]

22 **18.20.1060 Flood fringe.**

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

24 **18.20.1070 Flood hazard areas.**

25 "Flood hazard areas" means those areas in the *City* subject to inundation by the *base flood* (see
26 "Area of special flood hazard") and those areas subject to flood risks from *channel relocation or*
27 *stream meander* including, but not limited to, *streams*, lakes, *wetlands* and closed depressions.
28 The latter flood hazard areas may extend outside of the area of special flood hazard mapped by
29 FEMA, but are defined and designated by the City. [Ord. 19-0488 § 4 (Exh. 2); Ord. 11-0329 § 3
30 (Exh. 1).]

31 **18.20.1080 Flood insurance rate map (FIRM).**

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

36 **18.20.1090 Flood insurance study (FIS).**

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

2 **18.20.1100 Flood protection elevation.**

3 "Flood protection elevation" means an elevation which is one foot above the *base flood*

4 *elevation*. [Ord. 11-0329 § 3 (Exh. 1).]

5 **18.20.1110 Floodplain.**

6 "Floodplain" means any land area susceptible to being inundated by water from any source (see

7 definition of "Flood or flooding"). [Ord. 19-0488 § 4 (Exh. 2); Ord. 11-0329 § 3 (Exh. 1).]

8 **18.20.1120 Floodproofing.**

9 "Floodproofing" means any combination of structural and nonstructural additions, changes, or

10 adjustments to structures which reduce or eliminate flood damage to real estate or improved

11 real property, water and sanitary facilities, structures and their contents. [Ord. 19-0488 § 4 (Exh.

12 2); Ord. 11-0329 § 3 (Exh. 1).]

13 **18.20.1125 Floodway.**

14 "Floodway" means the channel of a river or other watercourse and the adjacent land areas that

15 must be reserved in order to discharge the *base flood* without cumulatively increasing the water

16 surface elevation more than a designated height. Also known as the "regulatory floodway" or

17 "FEMA floodway." [Ord. 19-0488 § 4 (Exh. 2).]

18 **18.20.1130 Floodway, zero-rise.**

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

20 **18.20.1135 Floor area ratio (FAR).**

21 "Floor area ratio (FAR)" means a measure of development intensity equal to the gross building

22 floor area, divided by the *site area*. [Ord. 11-0329 § 3 (Exh. 1).]

23 **18.20.1140 Florist shop.**

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

25 **18.20.1150 Forest practice.**

26 "Forest practice" means any activity regulated by the Washington Department of Natural

27 Resources in WAC Title [222](#) or Chapter [79.06](#) RCW for which a forest practice permit is required,

28 together with:

29 A. Fire prevention, detection and suppression; and

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

31 **18.20.1160 Forest product sales.**

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

33 **18.20.1170 Forest research.**

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

2 **18.20.1180 Frequently flooded areas.**

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

7 **18.20.1185 Functions and values.**

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

14 **18.20.1187 Funeral home/crematory.**

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

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

18 **18.20.1190 Furniture and home furnishings store.**

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

20 **18.20.1200 General business service.**

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

22 **18.20.1202 General personal service use.**

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

24 **18.20.1203 General services land uses.**

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

30 **18.20.1205 Geologically hazardous areas.**

31 “Geologically hazardous areas” means areas that may not be suited to *development* consistent
32 with public health, safety or environmental standards because of their susceptibility to *erosion*,
33 sliding, earthquake, or other geological events as designated by WAC [365-190-080](#)(4). Types of
34 geologically hazardous areas include: *erosion, landslide*, seismic, and other hazards. [Ord. 11-
35 0329 § 3 (Exh. 1).]

1 **18.20.1210 Geologist.**

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

5 **18.20.1230 Golf course facility.**

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

7 **18.20.1233 Government/business services land uses.**

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

14 **18.20.1235 Government facilities, City.**

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

16 **18.20.1240 Grade span.**

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

19 **18.20.1250 Grading.**

20 "Grading" means any excavation, filling, removing the duff layer or any combination thereof.
21 [Ord. 11-0329 § 3 (Exh. 1).]

22 **18.20.1260 Grazing area.**

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

25 **18.20.1270 Ground cover.**

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

28 **18.20.1272 Ground floor.**

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

32 **18.20.1273 Grove.**

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

1 **18.20.1275 Hazard areas.**

2 "Hazard areas" means areas designated as frequently flooded areas or *geologically hazardous*
3 *areas* due to potential for *erosion, landslide*, seismic activity, or other geological condition. [Ord.
4 11-0329 § 3 (Exh. 1).]

5 **18.20.1280 Hazardous household substance.**

6 "Hazardous household substance" means a substance as defined in RCW [70.105.010](#). [Ord. 11-
7 0329 § 3 (Exh. 1).]

8 **18.20.1290 Hazardous liquid and gas transmission pipelines.**

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

11 **18.20.1300 Hazardous substance.**

12 "Hazardous substance" means a substance as defined in RCW [70.105.010](#). [Ord. 11-0329 § 3
13 (Exh. 1).]

14 **18.20.1301 Headwater stream.**

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

18 **18.20.1302 Health care and social assistance.**

19 "Health care and social assistance" means an establishment or agency providing health care or
20 social assistance. For purposes of this code, veterinary offices are considered a
21 subclassification of this use.

22 May include NAICS 62 (Health Care and Social Assistance), except the following: 621493
23 (Freestanding Ambulatory Surgical and Emergency Centers), 621511 (Medical Laboratories),
24 621910 (Ambulance Services), 622 (Hospitals), 623 (Nursing and Residential Care Facilities),
25 and 6244 (Child Day Care Services). May include 54194 (Veterinary Services). [Ord. 14-0391 § 2
26 (Exh. 1).]

27 **18.20.1305 Health services, miscellaneous.**

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

29 **18.20.1307 Hearing examiner.**

30 "Hearing examiner" means the hearing examiner as established by Chapter [19.30](#) KMC. [Ord. 11-
31 0329 § 3 (Exh. 1).]

32 **18.20.1310 Heavy equipment and truck repair.**

33 "Heavy equipment and truck repair" means the repair and maintenance of self-powered, self-
34 propelled or towed mechanical devices, equipment and vehicles used for commercial purposes,
35 such as tandem axle trucks, graders, backhoes, tractor trailers, cranes, and lifts, but excluding

1 automobiles and pickup trucks under 10,000 pounds, *recreational vehicles*, boats and their
2 trailers. [Ord. 11-0329 § 3 (Exh. 1).]

3 **18.20.1312 Habitat management.**

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

8 **18.20.1314 Habitats of local importance.**

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

15 **18.20.1320 Helistop.**

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

19 **18.20.1330 Historic resource.**

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

22 **18.20.1340 Historic structure.**

23 “Historic structure” means any structure that is:

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

27 B. Certified or preliminarily determined by the Secretary of the Interior as contributing to the
28 historical significance of a registered historic district or a district preliminarily determined by the
29 Secretary to qualify as a registered historic district;

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

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

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

35 2. Directly by the Secretary of the Interior in states without approved programs. [Ord. 19-0488
36 § 4 (Exh. 2).]

1 **18.20.1350 Hobby, toy, game shop.**

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

3 **18.20.1360 Home industry.**

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

8 **18.20.1370 Home occupation.**

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

12 **18.20.1372 Hospital.**

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

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

18 **18.20.1375 Hotel.**

19 “Hotel” means a *building* or portion thereof designed or used for transient rental for sleeping
20 purposes. Hotel *structures* are at least two stories in height, with lodging space above the first
21 floor. Lodging space may also be located on the first floor. Individual rooms are typically
22 accessed from a common hallway. A central *kitchen* and dining room and accessory shops and
23 services catering to the general public may be provided. Not included in this definition
24 are *townhouses*, *apartments*, bed and breakfasts, or *motels*. [Ord. 11-0329 § 3 (Exh. 1).]

25 **18.20.1380 Household pets.**

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

28 **18.20.1381 Human-scaled elements.**

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

32 **18.20.1382 Hydraulic project approval (HPA).**

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

36 **18.20.1390 Hydroelectric generation facility.**

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

Page 66

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

3 **18.20.1400 Impervious surface.**

4 "Impervious surface" means a nonvegetated surface that either prevents or retards the entry of
5 water into the soil mantle as under natural conditions prior to *development*, and/or that causes
6 water to run off the surface in greater quantities or at an increased rate of flow from the flow
7 present under natural conditions prior to *development*. Common *impervious surfaces* include,
8 but are not limited to, roofs, walkways, patios, driveways, parking lots, storage areas, areas
9 which are paved, graveled or made of packed or oiled earthen materials or other surfaces which
10 similarly impede the natural infiltration of surface and stormwater. Impervious surface shall not
11 include areas of turf, landscaping, or natural vegetation. Open uncovered flow control or water
12 quality treatment facilities shall not be considered as *impervious surfaces* under this title, but
13 shall be considered *impervious surfaces* for the purposes of runoff modeling. [Ord. 16-0428
14 § 13 (Att. I); Ord. 11-0329 § 3 (Exh. 1).]

15 **18.20.1420 Individual transportation and taxi.**

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

17 **18.20.1430 Infiltration rate.**

18 "Infiltration rate" means the rate of water entry into the soil expressed in inches per hour. [Ord.
19 11-0329 § 3 (Exh. 1).]

20 **18.20.1435 In-kind.**

21 "In-kind" means to replace *critical areas* with substitute areas whose characteristics and
22 functions closely approximate those destroyed or degraded by a regulated activity. [Ord. 11-
23 0329 § 3 (Exh. 1).]

24 **18.20.1437 Intentionally created stream.**

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

27 **18.20.1438 Intermittent stream.**

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

31 **18.20.1440 Interim recycling facility.**

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

33 **18.20.1470 Jail.**

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

35 **18.20.1480 Jail farm.**

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

2 **18.20.1490 Jewelry store.**

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

4 **18.20.1500 Joint use driveway.**

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

7 **18.20.1510 Kennel.**

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

11 **18.20.1520 Kitchen or kitchen facility.**

12 "Kitchen or kitchen facility" means an area within a *building* intended for the preparation and
13 storage of food and containing:

14 A. An appliance for the refrigeration of food;

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

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

17 **18.20.1525 Laboratory.**

18 "Laboratory" means a standalone facility subject to biosafety or hazardous materials
19 containment procedures in which research and experiments leading to the development of new
20 products are conducted. This use may be associated with an institutional, clinical or
21 commercial use.

22 May include NAICS 54138 (Testing Laboratories) and 621511 (Medical Laboratories). [Ord. 14-
23 0391 § 2 (Exh. 1).]

24 **18.20.1530 Landfill.**

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

26 **18.20.1540 Landscape water features.**

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

29 **18.20.1550 Landscaping.**

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

33 **18.20.1560 Landslide.**

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

3 **18.20.1570 Landslide hazard areas.**

4 "Landslide hazard areas" means areas at risk of mass movement resulting from a combination
5 of geologic, topographic, and hydrologic factors including: bedrock, soil, slope gradient, slope
6 aspect, geologic structure, groundwater, or other factors. [Ord. 24-0624 § 4 (Exh. B); Ord. 11-
7 0329 § 3 (Exh. 1).]

8 **18.20.1572 Large woody debris (LWD).**

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

14 **18.20.1575 Lattice tower.**

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

18 **18.20.1580 Level of service (LOS).**

19 "Level of service (LOS)" means a measure of transportation system performance or
20 completeness (by mode of travel) determined in accordance with Chapter [12.80](#) KMC. [Ord. 16-
21 0420 § 4 (Exh. 2); Ord. 11-0329 § 3 (Exh. 1).]

22 **18.20.1590 Light equipment.**

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

25 **18.20.1600 Livestock.**

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

28 A. Cattle;

29 B. Riding and draft horses;

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

32 D. Sheep; and

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

34 **18.20.1610 Livestock, large.**

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

3 **18.20.1620 Livestock, small.**

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

8 **18.20.1630 Livestock sales.**

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

10 **18.20.1640 Loading space.**

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

13 **18.20.1650 Log storage.**

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

15 **18.20.1660 Lot.**

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

18 **18.20.1661 Lot, parent.**

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

20 **18.20.1662 Lot, unit**

21 "Unit lot" means a lot created by the subdivision of a parent lot pursuant to KMC 17.20.160.

22 **18.20.1670 Lot line, interior.**

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

25 **18.20.1671 Low impact development (LID).**

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

31 **18.20.1673 Lowest floor.**

32 For purposes of flood hazard area regulations, "lowest floor" means the lowest floor of the
33 lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable
34 solely for parking of vehicles, building access or storage, in an area other than a basement area,

1 is not considered a building's lowest floor; provided, that such enclosure is not built so as to
2 render the structure in violation of the applicable nonelevation design requirements of Article
3 XIX of Chapter [18.55](#) KMC. [Ord. 19-0488 § 4 (Exh. 2).]

4 **18.20.1675 Manufactured home.**

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

7 **18.20.1675.1 Manufactured housing community.**

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

11 **18.20.1676 Manufacturing, heavy.**

12 "Heavy manufacturing" means an establishment engaged in the mechanical, physical, or
13 chemical transformation of materials, substances, or components into new products that is
14 likely to generate levels of truck traffic, noise, pollution, vibration, dust, fumes, odors, radiation,
15 poisons, pesticides, or other hazardous materials, fire or explosion hazards, or other undesirable
16 conditions that would be injurious to health or offensive to the senses, or would be an
17 obstruction to the free use of surrounding property and essentially interfere with the
18 comfortable enjoyment of life and property. Heavy manufacturing facilities use larger quantities
19 of raw materials and may require significant outdoor storage. Examples include concrete
20 manufacture, asphalt batch plants, mass production of commercial or recreational vehicles or
21 large machinery, production of industrial organic and inorganic chemicals, animal slaughtering,
22 and refining, extruding, rolling, or drawing of ferrous or nonferrous metals.

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

25 **18.20.1677 Manufacturing, light.**

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

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

39 **18.20.1678 Manufacturing land uses.**

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

18.20.1679.1 Cannabis.

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

18.20.1679.2 Cannabis business.

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

18.20.1679.2.5 Cannabis cooperative.

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

18.20.1679.3 Cannabis processor.

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

18.20.1679.4 Cannabis producer.

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

18.20.1679.4.5 Cannabis researcher.

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

18.20.1679.5 Cannabis retailer.

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

18.20.1680 Marina.

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

A. Showers;

1 B. Toilets; and

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

3 **18.20.1683 Mass wasting.**

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

6 **18.20.1685 Master plan.**

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

10 **18.20.1690 Median income.**

11 "King County median income" means the median family income for the Seattle-Bellevue, WA
12 HUD Metro FMR Area as most recently determined by the Secretary of Housing and Urban
13 Development under Section 8(f)(3) of the United States Housing Act of 1937, as amended, or if
14 programs under said Section 8(f)(3) are terminated, median family income is determined under
15 the method used by the Secretary prior to such termination. In the event that HUD no longer
16 publishes median family income figures for the Seattle-Bellevue, WA HUD Metro FMR Area or
17 King County, the *City* may use any other method for determining the King County median
18 income, adjusted for household size. [Ord. 19-0481 § 2 (Exh. A).]

19 **18.20.1695 Medical/dental office/outpatient clinic.**

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

21 **18.20.1700 Microwave.**

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

23 **18.20.1705 Miscellaneous repair.**

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

25 **18.20.1710 Mitigation.**

26 "Mitigation" means the use of any or all of the following actions listed in descending order of
27 preference:

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

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

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

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

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

3 F. Monitoring the impact and taking appropriate corrective measures. [Ord. 11-0329 § 3 (Exh.
4 1).]

5 **18.20.1720 Mitigation bank.**

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

11 **18.20.1730 Mitigation banking.**

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

17 **18.20.1740 Mixed use development.**

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

21 **18.20.1745 Mobile food vendor.**

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

23 **18.20.1747 Mobile food service.**

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

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

27 **18.20.1750 Mobile home.**

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

29 **18.20.1760 Mobile home park.**

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

31 **18.20.1761 Mobility unit.**

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

34 **18.20.1762 Modification.**

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

2 **18.20.1765 Modulation.**

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

6 **18.20.1770 Monitoring.**

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

13 **18.20.1775 Monopole tower.**

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

15 **18.20.1785 Motel.**

16 “Motel” means a *building* or group of detached or connected *buildings* designed or used
17 primarily for providing sleeping accommodations for automobile travelers and typically having
18 a *parking space* adjacent to a sleeping accommodation. This definition
19 excludes *townhouses, apartments, bed and breakfast guesthouses, and hotels*. [Ord. 11-0329
20 § 3 (Exh. 1).]

21 **18.20.1790 Motor vehicle and boat dealers.**

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

23 **18.20.1800 Motor vehicle and bicycle manufacturing.**

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

25 **18.20.1810 Mulch.**

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

28 **18.20.1820 Municipal water production.**

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

30 **18.20.1830 Native vegetation.**

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

34 **18.20.1835 Natural waters.**

1 "Natural waters" means all surface waters of the State, only excluding water conveyance
2 systems which are artificially constructed and actively maintained for irrigation. [Ord. 19-0488
3 § 4 (Exh. 2).]

4 **18.20.1840 Negative externality.**

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

9 **18.20.1850 Net buildable area.**

10 "Net buildable area" means the "*site area*" less the following areas:

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

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

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

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

19 E. *Regional utility corridors*;

20 F. Other areas, excluding *setbacks*, required by the *City* to remain undeveloped. [Ord. 11-0329
21 § 3 (Exh. 1).]

22 **18.20.1860 Nonconformance.**

23 "Nonconformance" means any *use*, improvement or *structure* established in conformance with
24 the *City* rules and regulations in effect at the time of establishment that no longer conforms to
25 the range of *uses* permitted in the *site's* current zone or to the current development standards
26 of the code due to changes in the code or its application to the subject property. [Ord. 11-0329
27 § 3 (Exh. 1).]

28 **18.20.1870 Nonhydroelectric generation facility.**

29 "Nonhydroelectric generation facility" means an establishment for the generation of electricity
30 by nuclear reaction, burning fossil fuels, or other electricity generation methods. [Ord. 11-0329
31 § 3 (Exh. 1).]

32 **18.20.1875 Nonindigenous.**

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

35 **18.20.1880 Nonionizing electromagnetic radiation (NIER).**

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

3 **18.20.1890 Noxious weed.**

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

7 **18.20.1900 Off-street required parking lot.**

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

9 **18.20.1905 Office.**

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

17 May include NAICS Sector 51 (Information), except the following: 512 (Motion Picture and
18 Sound Recording Industries), 515 (Broadcasting), 517 (Telecommunications), 518 (Data
19 Processing, Hosting and Related Services), and 51912 (Libraries and Archives). May include
20 Sectors 52 (Finance and Insurance) and 53 (Real Estate Rental and Leasing), except the
21 following: 53113 (Lessors of Miniwarehouses and Self-Storage Units), 5321 (Automotive
22 Equipment Rental and Leasing), 5322 (Consumer Goods Rental), 5323 (General Rental Centers),
23 and 5324 (Commercial and Industrial Machinery and Equipment Rental and Leasing). May
24 include Sector 54 (Professional, Scientific and Technical Services), except the following: 54135
25 (Building Inspection Services), 54138 (Testing Laboratories), 54171 (Research and
26 Development in the Physical, Engineering and Life Sciences), 54186 (Direct Mail Advertising),
27 54192 (Photographic Services), and 54194 (Veterinary Services). May include Sector 55
28 (Management of Companies and Enterprises) and 56151 (Travel Agencies). May include 8132
29 (Grantmaking and Giving Services), 8133 (Social Advocacy Organizations), 8139 (Business,
30 Professional, Labor, Political, and Similar Organizations), and Sector 92 (Public Administration),
31 except the following: 92212 (Police Protection), 92214 (Correctional Institutions), 92215 (Parole
32 Offices and Probation Offices), and 92216 (Fire Protection). [Ord. 14-0391 § 2 (Exh. 1).]

33 **18.20.1910 Open space.**

34 “Open space” means areas left predominately in a natural state to create urban separators and
35 greenbelts, sustain native ecosystems, connect and increase protective *buffers* for *critical*
36 *areas*, provide a visual contrast to continuous *development*, reinforce community identity and
37 aesthetics, or provide links between important environmental or recreational resources. [Ord.
38 11-0329 § 3 (Exh. 1).]

39 **18.20.1920 Open-work fence.**

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

3 **18.20.1930 Ordinary high water mark.**

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

12 **18.20.1940 Outdoor performance center.**

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

14 **18.20.1945 Outdoor retail display/sidewalk sale.**

15 "Outdoor retail display/sidewalk sale" means exhibit of goods which are directly accessible to
16 the public for retail sale. These display areas are accessory to the principal indoor retail *use*.
17 [Ord. 11-0329 § 3 (Exh. 1).]

18 **18.20.1960 Park.**

19 "Park" means a *site* designed or developed for recreational use by the public including, but not
20 limited to:

21 A. Indoor facilities, such as:

22 1. Gymnasiums;

23 2. Swimming pools; or

24 3. Activity centers;

25 B. Outdoor facilities, such as:

26 1. Playfields;

27 2. Fishing areas;

28 3. Picnic and related outdoor activity areas;

29 C. Areas and *trails* for:

30 1. Hikers;

31 2. Equestrians;

32 3. Bicyclists;

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

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

3 **18.20.1995 Parking management plan.**

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

9 **18.20.2000 Parking space.**

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

12 **18.20.2030 Peak hour.**

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

15 **18.20.2035 Pedestrian walkway.**

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

19 **18.20.2040 Permanent school facilities.**

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

22 **18.20.2050 Personal medical supply store.**

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

24 **18.20.2055 Personal service.**

25 "Personal service" means an establishment primarily engaged in providing services to
26 individuals, such as beauty and barber shops, retail laundry and drycleaning including coin-
27 operated, clothing alterations and repair, diaper services, carpet and upholstery cleaning
28 services, photo studios, shoe repair, pet grooming, and repair of personal or household items.
29 This definition excludes automotive repair and service.

30 May include NAICS 5322 (Consumer Goods Rental), 5323 (General Rental Center), 541921
31 (Photo Studios), 811211 (Consumer Electronics Repair and Maintenance), and 8114 (Personal
32 and Household Goods Repair and Maintenance). May include 812 (Personal and Laundry
33 Services) except the following: 8122 (Death Care Services), 812332 (Industrial Launderers), and
34 81293 (Parking Lots and Garages). [Ord. 14-0391 § 2 (Exh. 1).]

35 **18.20.2060 Pet shop.**

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

1 **18.20.2070 Photographic and electronic shop.**

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

3 **18.20.2102 Practical alternative.**

4 "Practical alternative" means an alternative that is available and capable of being carried out
5 after taking into consideration effectiveness, engineering feasibility, cost, safety, existing
6 technology, and logistics in light of overall project needs, purposes and objectives, and has less
7 impacts to *critical areas*. For example, a practical alternative to a proposal to place a sidewalk
8 through a *wetland* might be to place an elevated boardwalk through the *wetland*. [Ord. 19-0488
9 § 4 (Exh. 2); Ord. 11-0329 § 3 (Exh. 1).]

10 **18.20.2104 Priority habitat/species or priority wildlife habitat/species.**

11 "Priority habitat/species" or "priority wildlife habitat/species" means a habitat type of elements
12 with unique significant value to one or more *species* or habitats of local importance and
13 concern in urban areas as classified by the Washington State Department of Fish and Wildlife
14 Priority Habitat and Species (PHS) program. "Priority species" are wildlife species of concern
15 due to their population status and their sensitivity to habitat alteration. "Priority habitats" are
16 areas with one or more of the following attributes: comparatively high wildlife density, high
17 wildlife species richness, significant wildlife breeding habitat, significant wildlife seasonal
18 ranges, significant movement corridors for wildlife, limited availability, or high vulnerability.
19 General types of priority habitat identified in the PHS program potentially found in Kenmore
20 include meadows, oak woodlands, old-growth/mature forests, riparian areas, snag-rich areas,
21 urban natural open space, and wetlands. [Ord. 24-0624 § 4 (Exh. B); Ord. 11-0329 § 3 (Exh. 1).]

22 **18.20.2110 Private.**

23 "Private" means solely or primarily for the use of residents or occupants of the premises; e.g., a
24 noncommercial garage used solely by residents or their guests is a private garage. [Ord. 11-
25 0329 § 3 (Exh. 1).]

26 **18.20.2120 Private stormwater management facility.**

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

30 **18.20.2130 Professional office.**

31 "Professional office" means an office used as a place of business by licensed professionals, or
32 persons in other generally recognized professions, which use training or knowledge of a
33 technical, scientific or other academic discipline as opposed to manual skills, and which does
34 not involve outside storage or fabrication, or on-site sale or transfer of commodities. [Ord. 11-
35 0329 § 3 (Exh. 1).]

36 **18.20.2135 Pro shop.**

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

1 **18.20.2140 Public agency.**

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

6 **18.20.2150 Public agency animal control facility.**

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

8 **18.20.2160 Public agency archive.**

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

12 **18.20.2170 Public agency or utility office.**

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

15 **18.20.2180 Public agency or utility yard.**

16 “Public agency or utility yard” means a facility for open or enclosed storage, repair, and
17 maintenance of vehicles, equipment, or related materials, excluding document storage. [Ord. 11-
18 0329 § 3 (Exh. 1).]

19 **18.20.2190 Public agency training facility.**

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

21 **18.20.2195 Public space/public open space.**

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

28 **18.20.2202 Public view.**

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

31 **18.20.2205 Qualified professional.**

32 “Qualified professional” means a person with experience and training in the pertinent scientific
33 discipline, and who is a qualified scientific expert with expertise appropriate for the
34 relevant *critical area* subject in accordance with WAC [365-195-905](#)(4). A qualified professional
35 must have obtained a B.S. or B.A. or equivalent degree in biology, engineering, environmental

1 studies, fisheries, geology, hydrogeology, geomorphology, or a related field, and have two years
2 of related work experience.

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

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

8 **18.20.2207 Qualified tree protection professional.**

9 "Qualified tree protection professional" means a licensed professional with academic and/or
10 field experience that makes her or him a recognized expert in *tree* preservation and
11 management. The tree protection professional shall be an arborist certified by the International
12 Society of Arboriculture or be an arborist registered with the American Society of Consulting
13 Arborists, and shall have specific experience with *tree* management in the State of Washington.
14 A qualified tree protection professional must possess the ability to evaluate the health and
15 hazard potential of existing *trees*, and the ability to prescribe appropriate measures necessary
16 for the preservation of *trees* during *development*. [Ord. 15-0409 § 1 (Att. A); Ord. 11-0329 § 3
17 (Exh. 1).]

18 **18.20.2208 Quality habitat areas.**

19 "Quality habitat areas" means areas that provide significant wildlife value by virtue of their
20 characteristics. These characteristics include several parameters indicative of quality habitat,
21 including size, community diversity, interspersions (spatial patterns), continuity, forest vegetation
22 layers, forest age, and lack of invasive plants. Also referred to as a "primary habitat." [Ord. 24-
23 0624 § 4 (Exh. B).]

24 **18.20.2210 Radio frequency.**

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

29 **18.20.2220 Reasonable use.**

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

32 **18.20.2230 Receiving site.**

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

37 **18.20.2231 Reclassification.**

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

4 **18.20.2232 Reconstruction.**

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

7 **18.20.2233 Recreational/cultural land uses.**

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

12 **18.20.2234 Recreational facility, indoor.**

13 "Indoor recreational facility" means an establishment that provides facilities or services for
14 recreational uses inside a building. Indoor recreational facility includes such uses as
15 clubhouses, gyms, indoor swimming pools, and fitness and bowling centers.

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

19 **18.20.2237 Recreational facility, outdoor.**

20 "Outdoor recreational facility" means an establishment that provides facilities or services for
21 recreational uses outside a building. Outdoor recreational facility includes such uses as outdoor
22 tennis courts, outdoor swimming pools, batting cages, miniature golf courses, golf driving
23 ranges, marinas, boat launches, campgrounds, and RV parks.

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

27 **18.20.2240 Recreational vehicle (RV).**

28 "Recreational vehicle (RV)" means a vehicle designed primarily for recreational camping, travel
29 or seasonal use which has its own motive power or is mounted on or towed by another vehicle,
30 including but not limited to:

31 A. Travel trailer;

32 B. Folding camping trailer;

33 C. Park trailer;

34 D. Truck camper;

35 E. Park trailer;

1 F. Motor home; and

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

3 **18.20.2250 Recreational vehicle parks.**

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

5 **18.20.2260 Recyclable material.**

6 "Recyclable material" means a nontoxic, recoverable substance that can be reprocessed for the

7 manufacture of new products. [Ord. 11-0329 § 3 (Exh. 1).]

8 **18.20.2265 Regional land use.**

9 "Regional land use" means an airport, ferry terminal, park and ride lot, transfer station, racetrack,

10 stadium/arena, or other land use of a regional nature that may be difficult to site. Regional land

11 use includes essential public facilities, as defined in RCW [36.70A.200](#), if not otherwise defined

12 in this title.

13 May include NAICS Sector 22 (Utilities), 411 (Air Transportation), and 4881 (Support Activities

14 for Air Transportation). May include 562 (Waste Management Remediation Service) except

15 56299 (All Other Waste Management Services). May include 7112 (Spectator Sports) except

16 711211 (Sports Teams and Clubs). May include 713110 (Amusement and Theme Parks) and

17 71391 (Golf Courses and Country Clubs). [Ord. 14-0391 § 2 (Exh. 1).]

18 **18.20.2275 Regional land uses.**

19 For purposes of Chapter [18.40](#) KMC, "regional land uses" means *college/university, conference*

20 *center, hydroelectric generation facility, nonhydroelectric generation facility, regional land*

21 *use, resource land use, secure facility, transit bus base, school bus base, and wireless*

22 *communication facility.* [Ord. 17-0438 § 2 (Att. A); Ord. 11-0329 § 3 (Exh. 1).]

23 **18.20.2280 Regional stormwater management facility.**

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

25 **18.20.2290 Regional utility corridor.**

26 "Regional utility corridor" means a right-of-way tract or easement other than a *street* right-of-way

27 which contains transmission lines or pipelines for utility companies. Right-of-way tracts or

28 easements containing lines serving individual *lots* or *developments* are not regional utility

29 corridors. [Ord. 11-0329 § 3 (Exh. 1).]

30 **18.20.2292 Rehabilitation.**

31 "Rehabilitation" means the manipulation of the physical, chemical, or biological characteristics

32 of a site with the goal of repairing natural or historic functions of a degraded critical area.

33 Rehabilitation is a type of restoration. For wetlands, rehabilitation results in a gain in wetland

34 function but does not result in a gain in wetland acres. Activities could involve breaching a dike

35 to reconnect wetlands to a floodplain. [Ord. 24-0624 § 4 (Exh. B).]

36 **18.20.2295 Religious institution.**

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

Page 84

1 "Religious institution" means a place where religious services are conducted,
2 including *accessory uses* in the primary or accessory buildings such as religious education,
3 reading rooms, assembly rooms, and residences for nuns and clergy. This definition does not
4 include facilities for training of religious orders.

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

6 **18.20.2310 Relocatable facility.**

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

12 **18.20.2320 Relocation facilities.**

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

16 **18.20.2325 Residential land uses.**

17 For purposes of Chapters [18.35](#) and [18.40](#) KMC, "residential land uses" means *community*
18 *residential facility, family child-care home, manufactured home, mobile home, manufactured*
19 *housing community, multiple-family dwelling, single detached dwelling unit, supportive living*
20 *facility, and temporary lodging*. [Ord. 19-0481 § 2 (Exh. A); Ord. 17-0438 § 2 (Att. A); Ord. 11-
21 0329 § 3 (Exh. 1).]

22 **18.20.2326 Resource land use.**

23 "Resource land use" means a production use on agricultural, forest, aquatic, or mineral lands,
24 including farming, timber production, and mining.

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

27 **18.20.2327 Resource land uses.**

28 For purposes of Chapter [18.40](#) KMC, "resource land uses" means *resource land*
29 *use and cannabis producer*. [Ord. 24-0607 § 2 (Exh. A(III)); Ord. 17-0438 § 2 (Att. A); Ord. 11-
30 0329 § 3 (Exh. 1).]

31 **18.20.2330 Restoration.**

32 "Restoration" means measures taken to restore an altered or damaged natural feature including:

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

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

4 **18.20.2350 Retail, comparison.**

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

6 **18.20.2362 Retail land uses.**

7 For purposes of Chapters [18.35](#) and [18.40](#) KMC, “retail land uses” means *auction house*,
8 *automotive sales*; *eating and drinking place*, *cannabis retailer*, *mobile food service*, *retail*
9 *sales*, *retail sales*, *bulk*, and *vehicle refueling station*. [Ord. 24-0607 § 2 (Exh. A(IV)); Ord. 17-
10 0438 § 2 (Att. A); Ord. 11-0329 § 3 (Exh. 1).]

11 **18.20.2364 Retail sales.**

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

17 May include NAICS Sectors 44 – 45 (Retail Trade), except the following: 4411 (Automobile
18 Dealers), 4412 (Other Motor Vehicle Dealers), 44132 (Tire Dealers), 447 (Gasoline Stations),
19 45291 (Warehouse Clubs and Superstores), 45393 (Manufactured/Mobile Home Dealers), and
20 45431 (Fuel Dealers). [Ord. 17-0438 § 2 (Att. A); Ord. 14-0391 § 2 (Exh. 1); Ord. 11-0329 § 3
21 (Exh. 1).]

22 **18.20.2365 Retail sales, bulk.**

23 “Bulk retail sales” means a singular indoor “big box” retail business that occupies more than
24 65,000 square feet of gross floor area, typically requires high parking to building area ratios, and
25 has a regional sales market. Bulk retail sales can include, but is not limited to, membership
26 warehouse clubs that emphasize bulk sales, discount stores and department stores.

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

28 **18.20.2367 Retail sales, outdoor.**

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

30 **18.20.2370 Retaining wall.**

31 “Retaining wall” means any wall used to resist the lateral displacement of any material. [Ord. 11-
32 0329 § 3 (Exh. 1).]

33 **18.20.2375 Riparian stream corridor.**

34 “Riparian stream corridor” means areas adjacent to aquatic systems with flowing water that
35 contain both aquatic and terrestrial ecosystems that mutually influence each other. The width of
36 these areas extends to that portion of the terrestrial landscape that directly influences the

1 aquatic ecosystem by providing shade, fine or large woody material, nutrients, organic and
2 inorganic debris, terrestrial insects, or habitat for riparian-associated wildlife. Widths shall be
3 measured from the *ordinary high water mark* or from the top of bank if the ordinary high water
4 mark cannot be identified. It includes the entire extent of the *floodplain* and the extent
5 of *vegetation* adapted to wet conditions as well as adjacent upland plant communities that
6 directly influence the aquatic system. Riparian habitat areas include those riparian areas
7 severely altered or damaged due to human development activities. [Ord. 24-0624 § 4 (Exh. B);
8 Ord. 11-0329 § 3 (Exh. 1).]

9 **18.20.2380 Riparian management zone (RMZ).**

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

13 **18.20.2385 Riparian zone.**

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

17 **18.20.2410 Salmonid.**

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

20 **18.20.2415 Satellite dish.**

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

23 **18.20.2420 School bus base.**

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

26 **18.20.2430 School district.**

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

28 **18.20.2440 School district support facility.**

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

30 **18.20.2450 Schools, elementary and middle/junior high.**

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

32 **18.20.2460 Schools, secondary or high school.**

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

34 **18.20.2461 Seasonal low flow and seasonal low water.**

1 "Seasonal low flow" and "seasonal low water" mean the conditions of the seven-day, two-year
2 low water situation, as measured or estimated by accepted hydrologic techniques. [Ord. 19-
3 0488 § 4 (Exh. 2).]

4 **18.20.2462 Section 404 permit.**

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

8 **18.20.2465 Secure community transition facilities (SCTF).**

9 "Secure community transition facility (SCTF)" means a residential facility for persons civilly
10 committed and conditionally released to a less restrictive alternative under this chapter. A
11 secure community transition facility has supervision and security, and either provides or
12 ensures the provision of sex offender treatment services. Secure community transition facilities
13 include but are not limited to the facilities established pursuant to RCW [71.09.250](#) and any
14 community-based facilities established under this chapter and operated by the Secretary or
15 under contract with the Secretary. [Ord. 11-0329 § 3 (Exh. 1).]

16 **18.20.2468 Secure facility.**

17 "Secure facility" means a jail, prison, secure community transition facility, or other similar facility
18 for the confinement, correction, and rehabilitation of offenders. This definition includes facilities
19 managed and operated by the government as well as those operated by nongovernmental
20 entities under contract with the government.

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

22 **18.20.2470 Seismic hazard areas.**

23 "Seismic hazard areas" means areas in the *City* that are subject to severe risk of damage as a
24 result of earthquake-induced ground shaking, slope failure, settlement, or soil liquefaction. [Ord.
25 11-0329 § 3 (Exh. 1).]

26 **18.20.2480 Self-service storage.**

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

29 **18.20.2490 Sending site.**

30 "Sending site" means land capable of providing a public benefit if permanently protected by
31 virtue of having its zoned development potential transferred to another property. [Ord. 11-0329
32 § 3 (Exh. 1).]

33 **18.20.2500 Senior citizen.**

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

35 **18.20.2524 Services, off-site.**

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

1 **18.20.2527 Services, on-site.**

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

3 **18.20.2530 Setback.**

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

6 **18.20.2540 Shelters for temporary placement.**

7 "Shelters for temporary placement" means housing units within the *City* that provide housing to
8 persons on a temporary basis for a duration not to exceed four weeks. [Ord. 11-0329 § 3 (Exh.
9 1).]

10 **18.20.2550 Shooting range.**

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

12 **18.20.2560 Sign.**

13 "Sign" means any device, *structure*, fixture, or placard that is visible from a public right-of-way or
14 surrounding properties and uses graphics, symbols, or written copy for the purpose of
15 advertising or identifying any establishment, product, goods, or service. [Ord. 11-0329 § 3 (Exh.
16 1).]

17 **18.20.2570 Sign, awning.**

18 "Awning sign" means a *sign* painted on or attached directly to and supported by an awning. An
19 awning may be constructed of rigid or nonrigid materials and may be retractable or
20 nonretractable. [Ord. 11-0329 § 3 (Exh. 1).]

21 **18.20.2580 Sign, changing message center.**

22 "Changing message center sign" means an electrically controlled *sign* that contains advertising
23 messages which changes at intervals of eight seconds or greater. [Ord. 21-0523 § 2 (Exh. A);
24 Ord. 11-0329 § 3 (Exh. 1).]

25 **18.20.2590 Sign, community bulletin board.**

26 "Community bulletin board sign" means a permanent *sign* used to notify the public of
27 community events and public services, and which contains no commercial advertising. [Ord. 11-
28 0329 § 3 (Exh. 1).]

29 **18.20.2600 Sign, directional.**

30 "Directional sign" means a *sign* designed to guide or direct pedestrian or vehicular traffic to an
31 area, place or convenience, and may include incidental graphics such as trade names and
32 trademarks. [Ord. 11-0329 § 3 (Exh. 1).]

33 **18.20.2610 Sign, freestanding.**

1 "Freestanding sign" means a *sign* standing directly upon the ground or having one or more
 2 supports standing directly upon the ground, and being detached from any *building* or *fence*.
 3 [Ord. 11-0329 § 3 (Exh. 1).]

4 **18.20.2620 Sign, fuel price.**

5 "Fuel price sign" means a *sign* utilized to advertise the price of gasoline and/or diesel fuel. [Ord.
 6 11-0329 § 3 (Exh. 1).]

7 **18.20.2630 Sign, incidental.**

8 "Incidental sign" means a *sign*, emblem or decal designed to inform the public of goods,
 9 facilities, or services available on the premises, and may include but not be limited
 10 to *signs* designating:

11 A. Restrooms;
 12 B. Hours of operation;
 13 C. Acceptable credit cards;
 14 D. Property ownership or management;
 15 E. Phone booths; and
 16 F. Recycling containers. [Ord. 11-0329 § 3 (Exh. 1).]

17 **18.20.2640 Sign, indirectly illuminated.**

18 "Indirectly illuminated sign" means a *sign* that is illuminated entirely from an external artificial
 19 source. [Ord. 11-0329 § 3 (Exh. 1).]

20 **18.20.2650 Sign, monument.**

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

24 **18.20.2660 Sign, off-premises directional.**

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

28 **18.20.2670 Sign, on-premises.**

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

31 **18.20.2680 Sign, permanent residential development identification.**

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

1 **18.20.2690 Sign, portable.**

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

4 **18.20.2700 Sign, projecting.**

5 “Projecting sign” means any *sign* which is attached to and supported by the exterior wall of
6 a *building* with the exposed face of the *sign* on a plane perpendicular to the wall of the *building*,
7 projecting more than one foot from the wall of a *building* and vertical to the ground. [Ord. 11-
8 0329 § 3 (Exh. 1).]

9 **18.20.2710 Sign, time and temperature.**

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

13 **18.20.2720 Sign, wall.**

14 “Wall sign” means any *sign* painted on, or attached directly to and supported by,
15 a *building* or *structure*, with the exposed face of the *sign* on a plane parallel to the portion of
16 the *building* or *structure* to which it is attached; projecting no more than one foot from
17 the *building* or *structure*, including window *signs* which are permanently attached. [Ord. 11-0329
18 § 3 (Exh. 1).]

19 **18.20.2730 Significant tree.**

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

29 **18.20.2740 Site.**

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

33 **18.20.2750 Site area.**

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

36 **18.20.2765 Small cell.**

1 "Small cell" means a wireless communication facility that meets both of the following
2 qualifications:

3 A. Each antenna is located inside an antenna enclosure of no more than three cubic feet in
4 volume or, in the case of an antenna that has exposed elements, the antenna and all of its
5 exposed elements could fit within an imaginary enclosure of no more than three cubic feet; and

6 B. Primary equipment enclosures are no larger than 17 cubic feet in volume. The following
7 associated equipment may be located outside the primary equipment enclosure and if so
8 located, is not included in the calculation of equipment volume: electric meter, concealment,
9 telecomm demarcation box, ground-based enclosures, battery back-up power systems,
10 grounding equipment, power transfer switch, and cut-off switch. [Ord. 17-0446 § 2 (Att. A); Ord.
11 16-0426 § 4 (Att. B).]

12 **18.20.2782 Social card game.**

13 "Social card game" is defined as set forth in RCW [9.46.0282](#), as now in effect or as may be
14 subsequently amended or recodified. [Ord. 11-0329 § 3 (Exh. 1).]

15 **18.20.2784 Social services.**

16 "Social services" means establishments or agencies offering social or rehabilitation services.
17 Subcategories include:

18 "Social services, correctional" that offer offender rehabilitation, offender self-help, parole or
19 probation services; and

20 "Social services, noncorrectional" that provide services including, but not limited to, individual
21 and family counseling, welfare, relief, referral, job training, or vocational services. "Social
22 services, noncorrectional" includes social advocacy organizations. [Ord. 11-0329 § 3 (Exh. 1).]

23 **18.20.2790 Soil recycling facility.**

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

25 **18.20.2810 Special use permit.**

26 "Special use permit" means a permit granted by the *City* to locate a *regional land use* at a
27 particular location, subject to conditions placed on the proposed *use* to ensure compatibility
28 with adjacent land uses. [Ord. 11-0329 § 3 (Exh. 1).]

29 **18.20.2820 Specialized instruction school.**

30 "Specialized instruction school" means establishments engaged in providing specialized
31 instruction in a designated field of study, rather than a full range of courses in unrelated areas;
32 including, but not limited to:

33 A. Art;

34 B. Dance;

35 C. Music;

- 1 D. Cooking;
- 2 E. Driving; and
- 3 F. Pet obedience training. [Ord. 11-0329 § 3 (Exh. 1).]

4 **18.20.2822 Species.**

5 "Species" means any group of animals classified as a species or subspecies as commonly
6 accepted by the scientific community. [Ord. 11-0329 § 3 (Exh. 1).]

7 **18.20.2823 Species, candidate.**

8 "Species, candidate" means fish and wildlife species that the Washington State Department of
9 Fish and Wildlife will review for possible listing as endangered, threatened, or sensitive. [Ord. 24-
10 0624 § 4 (Exh. B).]

11 **18.20.2824 Species, endangered.**

12 "Species, endangered" means any fish or wildlife *species* that is threatened with extinction
13 throughout all or a significant portion of its range and is listed by the State or federal
14 government as an endangered species. [Ord. 11-0329 § 3 (Exh. 1).]

15 **18.20.2825 Species of concern.**

16 "Species of concern" means those species listed an endangered, state threatened, state
17 sensitive, or state candidate, as well as species listed or proposed for listing by the U.S. Fish
18 and Wildlife Service or the National Marine Fisheries Service. [Ord. 24-0624 § 4 (Exh. B).]

19 **18.20.2826 Species, threatened.**

20 "Species, threatened" means any fish or wildlife *species* that is likely to become an *endangered*
21 *species* within the foreseeable future throughout a significant portion of its range without
22 cooperative management or removal of threats, and is listed by the State or federal government
23 as a threatened species. [Ord. 11-0329 § 3 (Exh. 1).]

24 **18.20.2840 Sporting goods store.**

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

26 **18.20.2850 Sports club.**

27 "Sports club" means an establishment engaged in operating physical fitness facilities and
28 sports and recreation clubs. [Ord. 11-0329 § 3 (Exh. 1).]

29 **18.20.2860 Stable.**

30 "Stable" means a *structure* or facility in which horses or other *livestock* are kept for:

- 31 A. Boarding;
- 32 B. Training;
- 33 C. Riding lessons;

- 1 D. Breeding;
2 E. Rental; or
3 F. Personal use. [Ord. 11-0329 § 3 (Exh. 1).]

4 **18.20.2865 Standalone parking.**

5 “Standalone parking” means an establishment engaged in providing parking space for motor
6 vehicles or boats, usually on an hourly, daily or monthly basis. Parking may be provided on a
7 surface lot, in a garage or, in the case of boats, on a storage rack. Standalone parking does not
8 include required parking associated with a use, authorized through a development application.

9 May include NAICS 81293 (Parking Lots and Garages). [Ord. 14-0391 § 2 (Exh. 1).]

10 **18.20.2870 Standard of service, school districts.**

11 “School districts standard of service” means the standard adopted by each *school district* which
12 identifies the program year, the class size by *grade span* and taking into account the
13 requirements of students with special needs, the number of *school classrooms*, the types of
14 facilities the district believes will best serve its student population, and other factors as
15 identified by the *school district*. The district’s standard of service shall not be adjusted for any
16 portion of the classrooms housed in *relocatable facilities* which are used as transitional
17 facilities or for any specialized facilities housed in *relocatable facilities*. Except as otherwise
18 defined by the school board pursuant to a board resolution, transitional facilities shall mean
19 those facilities that are used to cover the time required for the construction of permanent
20 facilities; provided, that the “necessary financial commitments” as defined in
21 Chapter 18.45 KMC are in place to complete the permanent facilities called for in the capital
22 plan. [Ord. 11-0329 § 3 (Exh. 1).]

23 **18.20.2875 Start of construction.**

24 For purposes of flood hazard area regulations, “start of construction” includes substantial
25 improvement, and means the date the building permit was issued, provided the actual start of
26 construction, repair, reconstruction, placement or other improvement was within 180 days of
27 the permit date. The “actual start” means either the first placement of permanent construction
28 of a structure on a site, such as the pouring of slab or footings, the installation of piles, the
29 construction of columns, or any work beyond the stage of excavation; or the placement of a
30 manufactured home on a foundation. Permanent construction does not include land
31 preparation, such as clearing, grading and filling; nor does it include the installation of streets
32 and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations
33 or the erection of temporary forms; nor does it include the installation on the property of
34 accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the
35 main structure. For a substantial improvement, the “actual start of construction” means the first
36 alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that
37 alteration affects the external dimensions of the building. [Ord. 19-0488 § 4 (Exh. 2).]

38 **18.20.2884 Storage, indoor.**

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

1 **18.20.2887 Storage, outdoor.**

2 "Outdoor storage" means the storage of materials outside of a completely enclosed building for
3 more than 24 hours, including items for sale, lease, shipment, processing, maintenance or repair
4 (including vehicles and equipment), and items used in business operations. [Ord. 14-0391 § 2
5 (Exh. 1); Ord. 11-0329 § 3 (Exh. 1).]

6 **18.20.2890 Stream functions.**

7 "Stream functions" means natural processes performed by *streams* including functions which
8 are important in facilitating food chain production, providing habitat for nesting, rearing and
9 resting sites for aquatic, terrestrial and avian *species*, maintaining the availability and quality of
10 water, such as purifying water, acting as recharge and discharge areas for groundwater
11 aquifers, moderating surface and stormwater flows and maintaining the free flowing
12 conveyance of water, sediments and other organic matter. [Ord. 11-0329 § 3 (Exh. 1).]

13 **18.20.2900 Stream.**

14 "Stream" means an area where open surface water produces a defined channel or bed. A
15 defined channel or bed is an area which demonstrates clear evidence of the passage of water
16 and includes, but is not limited to, bedrock, channels, gravel beds, sand and silt beds, and
17 defined-channel swales. This includes watercourses where there is some component of natural
18 flow (groundwater, spring, etc.) or when an artificial stormwater system is incorporated within a
19 natural stream. A watercourse also includes all surface water connected wetlands that provide
20 or maintain habitat that supports fish. This definition is not meant to include artificially created
21 irrigation ditches, canals, storm or surface water runoff facilities or other wholly artificial
22 watercourses unless they are used by salmonids, created for the purposes of stream mitigation,
23 or are used to convey a watercourse naturally occurring prior to construction. A channel or bed
24 need not contain water year-round, provided there is evidence of at least intermittent flow during
25 years of normal rainfall. [Ord. 24-0624 § 4 (Exh. B); Ord. 19-0488 § 4 (Exh. 2); Ord. 11-0329 § 3
26 (Exh. 1).]

27 **18.20.2905 Stream reconnaissance report.**

28 "Stream reconnaissance report" means a report prepared by an applicant's qualified consultant
29 to describe a stream and to characterize its conditions, wildlife, habitat values, and water
30 quality. [Ord. 24-0624 § 4 (Exh. B).]

31 **18.20.2910 Street.**

32 "Street" means a public or recorded *private* thoroughfare providing pedestrian and vehicular
33 access through neighborhoods and communities and to abutting property. [Ord. 11-0329 § 3
34 (Exh. 1).]

35 **18.20.2920 Street frontage.**

36 "Street frontage" means any portion of a *lot* or combination of *lots* which directly abut a *street*.
37 [Ord. 11-0329 § 3 (Exh. 1).]

38 **18.20.2925 Street tree.**

1 "Street tree" means *trees* located within the *street* right-of-way, adjacent to public or *private*
2 *streets*, including undeveloped areas. [Ord. 11-0329 § 3 (Exh. 1).]

3 **18.20.2930 Structure.**

4 "Structure" means anything permanently constructed in or on the ground, or over the water;
5 excluding *fences* eight feet or less in height, decks less than 18 inches above grade, paved
6 areas, and structural or nonstructural fill. [Ord. 11-0329 § 3 (Exh. 1).]

7 **18.20.2935 Structural diversity.**

8 "Structural diversity" means the relative degree of diversity or complexity of vegetation in a
9 wildlife habitat area as indicated by the stratification or layering of different plant communities
10 (e.g., ground cover, shrub layer, and tree canopy), the variety of plant species, and the spacing or
11 pattern of vegetation. [Ord. 24-0624 § 4 (Exh. B).]

12 **18.20.2945 Subdrainage basin or sub-basin.**

13 "Subdrainage basin" or "sub-basin" means the drainage area of the highest
14 order *stream* containing the subject property impact area. "Stream order" is the term used to
15 define the position of a *stream* in the hierarchy of tributaries in the watershed. The
16 smallest *streams* are the highest order (first order) tributaries. These are the upper
17 watershed *streams* and have no tributaries of their own. When two first order *streams* meet,
18 they form a second order *stream*, and when two second order *streams* meet they become a
19 third order *stream*, and so on. [Ord. 11-0329 § 3 (Exh. 1).]

20 **18.20.2955 Substantial damage.**

21 For purposes of flood hazard area regulations, "substantial damage" means damage of any
22 origin sustained by a structure whereby the cost of restoring the structure to its before-
23 damaged condition would equal or exceed 50 percent of the market value of the structure
24 before the damage occurred. [Ord. 19-0488 § 4 (Exh. 2).]

25 **18.20.2960 Substantial improvement.**

26 "Substantial improvement" means any maintenance, repair, structural modification, addition or
27 other improvement of a *structure*, the cost of which equals or exceeds 50 percent of the market
28 value of the *structure* either before the maintenance, repair, modification or addition is started
29 or before the damage occurred, if the *structure* has been damaged and is being restored. [Ord.
30 11-0329 § 3 (Exh. 1).]

31 **18.20.2963 Supportive living facility.**

32 "Supportive living facility" means an assisted living facility, continuing care facility, convalescent
33 center, or nursing home. Supportive living facility does not include an adult family home,
34 community residential facility, hospital, or secure facility.

35 May include NAICS 6231 (Nursing Care Facilities) and 6233 (Community Care Facilities for the
36 Elderly). [Ord. 14-0391 § 2 (Exh. 1).]

37 **18.20.2965 Taxi stand.**

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

2 **18.20.2968 Temporary lodging.**

3 "Temporary lodging" means a hotel, motel, bed and breakfast guesthouse, or other facility
4 providing temporary accommodations for travelers for compensation.

5 May include NAICS 721 (Accommodation), except 72112 (Casino Hotels) and 7212
6 (RV/Recreational Vehicle Parks and Recreational Camps). [Ord. 14-0391 § 2 (Exh. 1).]

7 **18.20.2970 Theater.**

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

9 **18.20.2980 Theatrical production services.**

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

11 **18.20.2990 Tower.**

12 "Tower" means any wireless communications structure that is designed and constructed
13 primarily for the purpose of supporting one or more antennas. "Tower" includes a lattice tower
14 or monopole. "Tower" does not include a replacement utility pole or an amateur (ham) radio
15 facility. [Ord. 16-0426 § 4 (Att. B).]

16 **18.20.3000 Trails.**

17 "Trails" means manmade pathways designed and intended for use by pedestrians, bicyclists,
18 equestrians, and/or recreational users. [Ord. 11-0329 § 3 (Exh. 1).]

19 **18.20.3010 Transfer station.**

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

21 **18.20.3020 Transit bus base.**

22 "Transit bus base" means an establishment for the storage, dispatch, repair and maintenance of
23 coaches and other vehicles of a public transit system. [Ord. 11-0329 § 3 (Exh. 1).]

24 **18.20.3022 Transit, high capacity.**

25 "High capacity transit" means a transit stop that receives transit services from at least one
26 route that provides service at least four times per hour for 12 or more hours per day. [Ord. 24-
27 0621 § 2 (Exh. A).]

28 **18.20.3023 Transit center.**

29 "Transit center" means any facility designed for accommodating large numbers of public
30 transportation passengers to wait, board, and disembark at the intersection of multiple transit
31 routes. [Ord. 11-0329 § 3 (Exh. 1).]

32 **18.20.3025 Transit stop, major.**

33 **"Major transit stop" means:**

1 A. A stop on a high capacity transportation system funded or expanded under the provisions of
2 chapter 81.104 RCW;

3 B. Commuter rail stops;

4 C. Stops on rail or fixed guideway systems; or

5 D. Stops on bus rapid transit routes, including those stops that are under construction.

6 **18.20.3030 Transitional housing facilities.**

7 "Transitional housing facilities" means housing units within the *City* owned by public housing
8 authorities, nonprofit organizations or other public interest groups that provide housing to
9 persons on a temporary basis for a duration not to exceed 24 months in conjunction with job
10 training, self sufficiency training, and human services counseling; the purpose of which is to
11 help persons make the transition from homelessness to placement in permanent housing. [Ord.
12 11-0329 § 3 (Exh. 1).]

13 **18.20.3040 Transmission equipment.**

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

15 **18.20.3060 Transmission support structure.**

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

17 **18.20.3065 Transmission support structure, alternative.**

18 *Recodified to KMC [18.20.147](#) by Ord. 16-0426.* [Ord. 11-0329 § 3 (Exh. 1).]

19 **18.20.3067 Transmission support structure, guyed.**

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

21 **18.20.3070 Transmitter building.**

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

23 **18.20.3075 Transportation.**

24 "Transportation" means establishments providing transportation of passengers or cargo, such
25 as taxi and limousine services, scenic and sightseeing transportation businesses, motor vehicle
26 towing, trucking, shipping, or freight hauling businesses. This use includes related support
27 activities, such as cargo handling and packing and crating of cargo. Transportation does not
28 include *air transportation service* or *airport* (classified as a *regional land use*).

29 May include NAICS Sector 48 (Transportation and Warehousing), except the following: 481 (Air
30 Transportation), 486 (Pipeline Transportation), 4881 (Support Activities for Air Transportation),
31 and 493 (Warehousing and Storage). May include 62191 (Ambulance Services). [Ord. 17-0438
32 § 2 (Att. A); Ord. 14-0391 § 2 (Exh. 1).]

33 **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.

“Exceptional tree” means a tree which because of its unique combination of size, species, and age is worthy of long-term retention for the purposes and values set forth in KMC [18.57.015](#), and that has been determined to constitute an important community resource and may not be *removed* or damaged.

A. All healthy specimens of *tree* species in Table 1 are *exceptional trees* if they have a diameter at breast height (d.b.h.) equal to or greater than that listed for the respective species. For *trees* with multiple leaders at four and one-half feet above the ground, the d.b.h. shall be the combined cumulative total of branches greater than six inches diameter at four and one-half feet above the ground. For *trees* that have been removed and whereas only the stump remains, the size of the *tree* shall be measured from the diameter of the top of the stump.

B. Any healthy *tree* with a d.b.h. of 48 inches or greater is an *exceptional tree* except those in Table 2 that are never considered exceptional.

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"

Table 1: Exceptional Tree Species and Required Diameters at Breast Height

Tree Species (Common Name)	Scientific Name	Threshold d.b.h. (in inches)
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 <i>city manager</i>
Pine (any species)	<i>Pinus</i> family	30"
Shore Pine	<i>Pinus contorta</i>	12"
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>

2 [Ord. 24-0621 § 2 (Exh. A); Ord. 23-0593 § 3 (Exh. B).]

3 **18.20.3084 Tree, hazard.**

4 "Hazard tree" means any *tree* with any structural defect, disease, damage, or combinations of
5 these which make it subject to a high probability of failure which might cause damage to
6 persons or property. A "hazard tree" includes, but is not limited to, any isolated *tree(s)* that have

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

Page 100

1 a high probability of failure due to low *wind-firmness* in post-construction conditions as
2 determined by a *qualified tree protection professional*. [Ord. 11-0329 § 3 (Exh. 1).]

3 **18.20.3088 Tree, remove or removal.**

4 "Remove" or "removal" with regard to *trees* means the act of removing a *tree* by digging up,
5 cutting down, or any act which causes a *tree* to die within a period of three years from such act.
6 [Ord. 11-0329 § 3 (Exh. 1).]

7 **18.20.3090 Tree windthrow.**

8 "Tree windthrow" means the process of uprooting, breaking, and overthrowing of a *tree* by force
9 of wind during a storm event. [Ord. 15-0409 § 2 (Att. B).]

10 **18.20.3095 Unavoidable impact.**

11 "Unavoidable impact" means adverse impacts to a *critical area* that remain after all appropriate
12 and practicable avoidance and minimization have been achieved. [Ord. 11-0329 § 3 (Exh. 1).]

13 **18.20.3100 Unit Density.**

14 "Unit density" means the number of dwelling units allowed on a lot, regardless of lot size.

15 **18.20.3110 Use.**

16 "Use" means activity or function carried out on an area of land, or in
17 a *building* or *structure* located thereon. Any use subordinate or incidental to the primary use on
18 a *site* is considered an *accessory use*. [Ord. 11-0329 § 3 (Exh. 1).]

19 **18.20.3111 Uses, classified.**

20 "Uses, classified" means a use which appears in any list of permitted, conditional, accessory or
21 prohibited *uses* in this title. [Ord. 11-0329 § 3 (Exh. 1).]

22 **18.20.3112 Uses, permitted.**

23 "Uses, permitted" means land *uses* allowed outright within a zone. [Ord. 11-0329 § 3 (Exh. 1).]

24 **18.20.3114 Uses, prohibited.**

25 "Uses, prohibited" means any land *use* not specifically enumerated or permitted as allowable in
26 that district. [Ord. 11-0329 § 3 (Exh. 1).]

27 **18.20.3117 Uses, unclassified.**

28 "Uses, unclassified" means a *use* which does not appear in any list of permitted, conditional,
29 accessory, or prohibited *uses* in this title, but which is interpreted by the *city manager* as similar
30 to a listed permitted, conditional, accessory, or prohibited *use*. [Ord. 11-0329 § 3 (Exh. 1).]

31 **18.20.3118 Utility.**

32 "Utility" means an enterprise or facility serving the public by means of an integrated system of
33 collection, transmission, distribution, and processing facilities through more or less permanent
34 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.*

G. Natural gas gate stations and limiting stations;

H. Propane, compressed natural gas and liquefied natural gas storage tanks serving multiple *lots* or *uses* from which fuel is distributed directly to individual users;

I. Sewer lift stations and wastewater treatment or distribution systems; and

J. Pipes, electrical wires and associated structural supports.

Utility facility does not include larger-scale regional facilities that are classified as a regional land use.

May include NAICS Sector 22 (Utilities). [Ord. 14-0391 § 2 (Exh. 1); Ord. 11-0329 § 3 (Exh. 1).]

18.20.3130 Vector waste.

“Vector waste” means liquid or solid waste material collected from catch basins, retention/detention facilities or drainage pipes. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.3140 Vector waste receiving facility.

“Vector waste receiving facility” means a facility where *vector waste* is brought for treatment and storage prior to final disposal. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.3150 Variance.

“Variance” means an adjustment in the application of standards of a zoning code to a particular property. [Ord. 11-0329 § 3 (Exh. 1).]

18.20.3155 Variety store.

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

18.20.3160 Vegetation.

1 "Vegetation" means any and all plant life growing at, below or above the soil surface. [Ord. 11-
2 0329 § 3 (Exh. 1).]

3 **18.20.3165 Vehicle or equipment rental.**

4 "Vehicle or equipment rental" means an establishment that provides vehicles, machinery or
5 equipment to customers in return for a rental payment.

6 May include NAICS Sectors 5321 (Automotive Equipment Rental and Leasing), 5323 (General
7 Rental Centers), and 5324 (Commercial and Industrial Machinery and Equipment Rental and
8 Leasing). [Ord. 14-0391 § 2 (Exh. 1).]

9 **18.20.3168 Vehicle refueling station.**

10 "Vehicle refueling station" means an establishment retailing automotive fuels, sometimes in
11 combination with convenience store items.

12 May include NAICS 447 (Gasoline Stations). [Ord. 14-0391 § 2 (Exh. 1).]

13 **18.20.3170 Vocational school.**

14 "Vocational school" means establishments offering training in a skill or trade to be pursued as a
15 career. [Ord. 11-0329 § 3 (Exh. 1).]

16 **18.20.3180 Warehousing.**

17 "Warehousing" means establishments providing warehousing and storage of goods, including
18 standalone outdoor storage. Warehouses are distinguished from wholesale trade as
19 warehouses do not sell goods.

20 May include NAICS Sector 49 (Transportation and Warehousing), except 491 (Postal Service)
21 and 492 (Couriers and Messengers). May include 53113 (Lessors of Miniwarehouses and Self-
22 Storage Units). [Ord. 14-0391 § 2 (Exh. 1).]

23 **18.20.3190 Warehousing and wholesale trade.**

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

25 **18.20.3200 Wastewater treatment facility.**

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

27 **18.20.3220 Water-dependent use.**

28 "Water-dependent use" means a *use* or portion of a *use* that cannot exist in a location that is not
29 adjacent to the water, but is dependent on the water by reason of the intrinsic nature of its
30 operations. A *use* that can be carried out only on, in, or adjacent to water. Examples of water-
31 dependent uses include ship cargo terminal loading areas; fishing; ferry and passenger
32 terminals; barge loading, ship building, and dry docking facilities; *marinas*, moorage, and *boat*
33 *launching* facilities; aquaculture; float plane operations; surface water intake; and sanitary sewer
34 and storm drain outfalls. [Ord. 11-0329 § 3 (Exh. 1).]

35 **18.20.3225 Water resource inventory area (WRIA).**

1 "Water resource inventory area (WRIA)" means one of 62 watersheds in the State of
2 Washington, each composed of the drainage areas of a *stream* or *streams*, as established in
3 Chapter [173-500](#) WAC as it existed on January 1, 1997. Kenmore is located in WRIA 8, Lake
4 Washington/Cedar/Sammamish River. [Ord. 11-0329 § 3 (Exh. 1).]

5 **18.20.3227 Weather protection.**

6 "Weather protection" means awnings, canopies, *arcades* or marquees which are permanently
7 fixed to *buildings* and which cover the public sidewalks to provide protection from the weather
8 for pedestrians. Weather protection should allow light and transparency into *ground floor uses*.
9 [Ord. 11-0329 § 3 (Exh. 1).]

10 **18.20.3240 Wetland edge.**

11 "Wetland edge" means the line delineating the outer edge of a *wetland*, consistent with the 1987
12 U.S. Army Corps of Engineers Wetlands Delineation Manual in use on January 1, 1995, by the
13 United States Army Corps of Engineers and the United States Environmental Protection Agency
14 as implemented through and consistent with the May 23, 1994, "Washington Regional Guidance
15 on the 1987 Wetland Delineation Manual" document issued by the Corps of Engineers and the
16 Environmental Protection Agency. When the State of Washington, Department of Ecology,
17 adopts a manual as required pursuant to a new Section 11 of Engrossed Senate Bill
18 5776, *wetlands* regulated under development regulations shall be delineated pursuant to said
19 manual. [Ord. 11-0329 § 3 (Exh. 1).]

20 **18.20.3245 Wetland, establishment (creation).**

21 "Establishment" or "creation" of a wetland means the manipulation of the physical, chemical, or
22 biological characteristics present to develop a wetland on an upland or deepwater site, where a
23 wetland did not previously exist. Activities typically involve excavation of upland soils to
24 elevations that will produce a wetland hydroperiod, create hydric soils, and support the growth
25 of hydrophytic plant species. [Ord. 24-0624 § 4 (Exh. B).]

26 **18.20.3250 Wetland, forested.**

27 "Forested wetland" means a *wetland* which is characterized by woody *vegetation* at least 20
28 feet tall. [Ord. 11-0329 § 3 (Exh. 1).]

29 **18.20.3260 Wetland functions.**

30 "Wetland functions" means natural processes performed by *wetlands* including functions which
31 are important in facilitating food chain production, providing habitat for nesting, rearing and
32 resting sites for aquatic, terrestrial and avian *species*, maintaining the availability and quality of
33 water, acting as recharge and discharge areas for groundwater aquifers and moderating surface
34 and stormwater flows, as well as performing other functions including, but not limited to, those
35 set forth in [33 CFR 320.4\(b\)\(2\)](#), 1988. [Ord. 11-0329 § 3 (Exh. 1).]

36 **18.20.3280 Wetlands.**

37 "Wetlands" means those areas that are inundated or saturated by surface or groundwater at a
38 frequency and duration sufficient to support, and that under normal circumstances do support,

1 a prevalence of *vegetation* adapted for life in saturated soil conditions. Wetlands generally
2 include swamps, marshes, bogs and similar areas. Wetlands do not include those artificial
3 wetlands intentionally created from nonwetland sites, including, but not limited to, irrigation and
4 drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities,
5 farm ponds, and landscape amenities, or those wetlands created after July 1, 1990, that were
6 unintentionally created as a result of the construction of a road, *street*, or highway. Wetlands
7 may include those artificial wetlands intentionally created from nonwetland areas to mitigate
8 the conversion of wetlands. For identifying and delineating a wetland, local governments shall
9 use the most recently adopted Wetland Rating System for Western Washington. [Ord. 24-0624
10 § 4 (Exh. B); Ord. 11-0329 § 3 (Exh. 1).]

11 **18.20.3282 Wetland class.**

12 “Wetland class” means a hierarchy of systems, subsystems, classes, and subclasses used by
13 the U.S. Fish and Wildlife Service wetland classification scheme to describe wetland types (refer
14 to USFWS, December 1979, Classification of Wetlands and Deepwater Habitats of the United
15 States, for a complete explanation of the wetland classification scheme). Eleven class names
16 are used to describe wetland and deepwater habitat types. These include the following
17 examples which may be found in Kenmore: forested wetland, scrub-shrub wetland, emergent
18 wetland, moss-lichen wetland, unconsolidated shore, and aquatic bed. [Ord. 24-0624 § 4 (Exh.
19 B).]

20 **18.20.3284 Wetland determination.**

21 “Wetland determination” means a report prepared by a qualified consultant that identifies,
22 characterizes, and analyzes potential impacts to wetlands consistent with applicable provisions
23 of these regulations. [Ord. 24-0624 § 4 (Exh. B).]

24 **18.20.3286 Wetland delineation manual.**

25 “Wetland delineation manual” means a guideline document used to identify and delineate
26 wetland boundaries. This is the approved federal wetland delineation manual and applicable
27 regional supplements. [Ord. 24-0624 § 4 (Exh. B).]

28 **18.20.3288 Wetland mitigation banking.**

29 “Wetland mitigation banking” means the act of restoring, establishing, or enhancing a wetland,
30 stream, or other aquatic resource for the purpose of providing compensation in advance for
31 unavoidable impacts to similar aquatic resources. [Ord. 24-0624 § 4 (Exh. B).]

32 **18.20.3290 Wholesale trade.**

33 “Wholesale trade” means an establishment that sell goods for resale by other wholesalers or
34 retailers, capital or durable nonconsumer goods, or raw and intermediate material and supplies
35 used in production. Wholesalers normally operate from a warehouse characterized by little or no
36 display of merchandise. Neither the design nor the location of the premises is intended to solicit
37 walk-in traffic.

38 May include NAICS Sector 42 (Wholesale Trade). [Ord. 14-0391 § 2 (Exh. 1).]

1 **18.20.3295 Wildlife report.**

2 "Wildlife report" means a report, prepared by a qualified consultant, that evaluates plan
3 communities and wildlife functions and values on a site. [Ord. 24-0624 § 4 (Exh. B).]

4 **18.20.3300 Wildlife shelter.**

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

6 **18.20.3305 Wind-firm.**

7 "Wind-firm" means a *tree* which is capable of withstanding windstorms. [Ord. 11-0329 § 3 (Exh.
8 1).]

9 **18.20.3306 Wireless communication facility (WCF).**

10 "Wireless communication facility" or "WCF" generally means an unmanned facility for the
11 transmission and/or reception of radio frequency (RF) signals or other wireless
12 communications, typically consisting of one or more antennas, a transmission or alternative
13 transmission support structure, cables and other transmission equipment, and an equipment
14 enclosure or cabinets. Wireless communication facility shall not include equipment intended
15 solely for internal household or business use such as wireless modems, cellular signal boosters,
16 or personal cellular cellspots. [Ord. 16-0426 § 4 (Att. B).]

17 **18.20.3307 Wireless services.**

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

19 **18.20.3310 Work release facility.**

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

21 **18.20.3320 Wrecked, dismantled or inoperative vehicle.**

22 "Wrecked, dismantled or inoperative vehicle" means a motor vehicle or the remains or remnant
23 parts of a motor vehicle which is mechanically inoperative and cannot be made operative
24 without the addition of vital parts or mechanisms or the application of a substantial amount of
25 labor and is certified by the *department* as meeting at least three of the following requirements:

26 A. Is three years old or older;

27 B. Is extensively damaged, such damage including but not limited to any of the following:
28 missing wheels, tires, motor, or transmission;

29 C. Is apparently inoperable;

30 D. Has an approximate fair market value equal only to the approximate value of the scrap in it.
31 [Ord. 11-0329 § 3 (Exh. 1).]

32 **18.20.3330 Yard or organic waste processing.**

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

34 **18.20.3340 Zero-lot-line development.**

1 “Zero-lot-line development” means a *development* that sites a *building* so that a wall is on the
2 property boundary. Lot segregations for zero-lot-line development are discussed in
3 KMC [17.20.125](#). [Ord. 11-0329 § 3 (Exh. 1).]

4 **18.20.3350 Zero-rise floodway.**

5 “Zero-rise floodway” means the channel of the stream and that portion of the adjoining
6 floodplain which is necessary to contain and discharge the base flood flow without increasing
7 the base flood elevation. The zero-rise floodway will always include the FEMA floodway. [Ord.
8 24-0624 § 4 (Exh. B).]

9

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
<i>Air transportation service</i> ¹	<i>Ambulatory surgery center</i> ²⁵	<i>Adult entertainment business</i>
<i>Arts, entertainment, indoor</i> ^{2,3}	<i>Arts, entertainment, outdoor</i> ²⁶	<i>Animal kennel/shelter</i>
<i>Cottage housing</i> ^{38, 39}	<i>Cemetery, columbarium or mausoleum</i> ²⁷	<i>Auction house</i>
<i>Courtyard apartments</i> ³⁸	<i>College/university</i> ²⁵	<i>Automotive sales and service, marine</i>
<i>Day care</i> ⁴	<i>Community residential facility</i> ²⁸	<i>Automotive sales and service, non-marine</i>
<i>Duplex</i> ³⁸	<i>Eating and drinking place</i> ^{3,29}	<i>Business service, intensive</i>
<i>Educational service</i> ⁵	<i>Hospital</i> ⁶⁵	<i>Business service, standard</i>

Table A. R-1, R-4 and R-6 Zones Use Allowances

PERMITTED	CONDITIONALLY PERMITTED	PROHIBITED
<i>Family child-care home⁶</i>	<i>Manufactured housing community²⁰</i>	<i>Cannabis business</i>
<i>Fire or police facility^{7,8}</i>	<i>Personal service³¹</i>	<i>Cannabis cooperative</i>
<i><u>Fourplex³⁸</u></i>	<i>Recreational facility, indoor^{3,16,32}</i>	<i>Construction and trade</i>
<i>Health care and social assistance^{9,10}</i>	<i>Regional land use^{33,34,35}</i>	<i>Funeral home/crematory</i>
<i>Multiple-family dwelling¹¹</i>	<i>Retail sales^{31,36}</i>	<i>Laboratory</i>
<i>Office¹²</i>	<i>Temporary lodging³⁷</i>	<i>Manufacturing, heavy</i>
<i>Park¹³</i>		<i>Manufacturing, light</i>
<i>Recreational facility, outdoor^{14,15,16}</i>		<i>Mobile food service</i>
<i>Religious institution¹⁷</i>		
<i>Resource land use¹⁸</i>		<i>Retail sales, bulk</i>
<i>Single detached dwelling unit^{19,20}</i>		<i>Secure facility</i>
<i><u>Stacked flats³⁸</u></i>		<i>Transportation</i>
<i>Standalone parking²¹</i>		<i>Vehicle or equipment rental</i>
<i>Supportive living facility²²</i>		<i>Vehicle refueling station</i>
<i><u>Triplex³⁸</u></i>		<i>Warehousing</i>
<i><u>Townhouse^{11, 38}</u></i>		<i>Wholesale trade</i>
<i>Utility facility^{23,24}</i>		

- 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
- 5 is a 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
- 8 existing public school facility. All subject to Chapter [18.50](#) KMC. Otherwise, a conditional *use*.
- 9 3. *Social card games* are prohibited.
- 10 4. Permitted only as a re-use of a public school facility subject to Chapter [18.50](#) KMC, or
- 11 an *accessory use* to a school, *religious institution*, *park*, *sports club* or public housing
- 12 administered by a *public agency*, and:

- 1 a. Outdoor play areas shall be completely enclosed by a solid wall or *fence*, with no
2 openings 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
4 lines 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
7 development.
- 8 All other *day care uses* require a *conditional use permit*.
- 9 5. K-12 facilities only. All other *educational service uses* require a *conditional use permit*.
- 10 6. A *family child-care home* is subject to the requirements established by the Washington State
11 Department of Early Learning (DEL) in WAC Title [170](#). The *family child-care home* shall meet the
12 following requirements:
 - 13 a. The family child-care provider shall be licensed by DEL to operate a *family child-care*
14 *home*;
 - 15 b. A safe passenger loading area shall be provided;
 - 16 c. The *family child-care home* shall comply with all applicable building, fire, safety, and
17 health codes enforced by the *City*;
 - 18 d. The *family child-care home* shall comply with all applicable development standards of
19 the *City*, unless determined to be legally nonconforming;
 - 20 e. All signage shall conform to the applicable requirements of Chapter [18.42](#) KMC;
 - 21 f. The *City* has the authority to limit the hours of operation to facilitate neighborhood
22 compatibility; and
 - 23 g. Prior to receiving State licensing, the family child-care provider shall provide the *City* with
24 proof of written notification informing immediately adjoining property owners of the
25 intent to locate and maintain the *family child-care home*. The notification shall inform the
26 notified parties that comments may be submitted to the DEL and provide contact
27 information for submitting such comments to the DEL. The proof of notification shall be
28 in the form of a written affidavit containing (1) the date and means of notification; (2) a
29 copy of the notification; and (3) a list of the parties to whom the notification was
30 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.

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
11 as 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*~~
14 ~~*designed for townhouse units. Other townhouse units require a conditional use*~~
15 ~~*permit. Apartments are prohibited. Reserved*~~

16 12. *Public agency or utility office* permitted only as a re-use of a public school facility or a
17 surplus nonresidential facility subject to the provisions of Chapter [18.50](#) KMC. Otherwise, *public*
18 *agency or 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
22 lines adjoining residential zones, except for *structures* in on-site recreation areas
23 provided under KMC [18.30.130](#) or Chapter [20.47](#) KMC. Setback requirements
24 for *structures* in these on-site required recreation areas shall be maintained in
25 accordance with the zoning standards for the underlying residential zone.

26 14. Limited to *stable* and covered riding arena. All other *outdoor recreational*
27 *facility uses* require a *conditional use permit* except campground, RV park, and shooting range
28 which are prohibited.

29 15. Covered riding arenas are subject to KMC [18.70.030](#) and shall not exceed 20,000 square
30 feet unless a *conditional use permit* is obtained. Stabling areas, whether attached or detached,
31 shall not be counted in this calculation.

32 16. Conditionally permitted recreational facilities are subject to the following conditions and
33 limitations:

34 a. The bulk and scale shall be compatible with residential character of the area;

- 1 b. The gross floor area shall not exceed 10,000 square feet unless the *building* is on the
2 same *site* or adjacent to a *site* where a public facility is located or unless the *building* is a
3 nonprofit facility; and
- 4 c. Use is limited to residents of a specified residential *development* or to *sports*
5 *clubs* providing supervised instructional or athletic programs.
- 6 17. Only as a re-use of a public school facility subject to Chapter [18.50](#) KMC. Otherwise,
7 a *conditional use permit* is required.
- 8 18. Farming is permitted. All other *resource land uses* require a *conditional use permit*, except
9 mineral extraction, which is prohibited.
- 10 19. More than one *single detached dwelling unit* may be allowed on an individual *lot* through
11 the *conditional use permit* process. A *conditional use permit* is not required for *lots* in
12 subdivisions, short subdivisions, unit lot subdivisions, or binding site plans approved as multiple
13 unit *lots* or for *accessory dwelling units*.
- 14 20. *Manufactured homes* and *mobile homes* are allowed only in *manufactured housing*
15 *communities*. *Designated manufactured homes* are not restricted to *manufactured housing*
16 *communities*.
- 17 21. Limited to *commuter parking lots* for users of transit, carpools or ride-share programs,
18 provided:
- 19 a. They are located on existing parking lots for *religious institutions*, schools, or other
20 permitted nonresidential *uses* which have excess capacity available during commuting
21 hours; and
- 22 b. The *site* is adjacent to a designated arterial that has been improved to a standard
23 acceptable to the *department*.
- 24 Other *commuter parking lots* require a *conditional use permit*. All other *standalone*
25 *parking uses* are prohibited.
- 26 22. Only in a *building* listed on the National Register as an historic site or designated as a King
27 County landmark subject to the provisions of Chapter [2.20](#) KMC. Otherwise, a *conditional use*
28 *permit* is required.
- 29 23. Excluding utilities using *bulk gas storage tanks*, which are a *conditional use*. Liquefied
30 natural gas storage tanks are prohibited.
- 31 24. *Private stormwater management facilities* permitted except when participating in an
32 approved shared facility drainage plan. *Private stormwater management facilities* shall be
33 located on the same *lot* that they are designed to serve except in subdivisions or short
34 subdivisions that set aside a separate tract for such facilities. For shared facilities, such
35 facilities which are not located on the *lot* they are designed to serve shall be located on
36 a *lot* with the same or more intensive zoning designation.
- 37 25. Only as a re-use of a public school facility or a surplus nonresidential facility subject to
38 Chapter [18.50](#) KMC.

- 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
6 square 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
13 the streambed; or (2) impound more than three surface acres of water at the normal
14 maximum 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
18 maintained;
- 19 e. Any transmission line shall be limited to a: (1) right-of-way of five miles or less; and (2)
20 capacity of 230 kV or less;
- 21 f. Any new, permanent access road shall be limited to five miles or less; and
- 22 g. The facility shall only be located above any portion of the *stream* used by *anadromous fish*.
- 23 34. *Nonhydroelectric generation facilities* limited to *cogeneration* facilities for on-site use only.
- 24 35. Fairground, amusement park, and stadium/arena are prohibited.
- 25 36. Pet shops and auto supply stores are prohibited.
- 26 37. Bed and breakfast guesthouse only, subject to the following conditions:
- 27 a. The guesthouse shall be owner-occupied;
- 28 b. Meals shall be served to paying guests only (no restaurant use permitted);
- 29 c. The number of guestrooms shall not be greater than that authorized by the International
30 Building and Fire Codes;
- 31 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.

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				
<u>Base Unit Density: <i>Dwelling Unit/Lot</i></u>			<u>2 du/lot¹⁸</u>	<u>2 du/lot¹⁸</u>
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:

- 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
9 be placed in a separate tract that includes at least 50 percent of the *site*. *Open*
10 *space* tracts 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
20 width 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
23 10 feet.
- 24 9. At least 20 linear feet of driveway shall be provided between any garage, carport or other
25 fenced parking area and the *street* property line. The linear distance shall be measured along
26 the 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
29 the property line on which a *joint use driveway* is located to provide a straight line length of at
30 least 26 feet as measured from the centerline of the garage, carport or fenced parking area,
31 from the access 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
33 equal a minimum of 15 feet.
- 34 12. Reserved.
- 35 13. The maximum height of 45 feet to be used only for projects as follows:

- 1 a. In R-6 zones, a *building* with a footprint built on slopes exceeding a 15 percent finished
2 grade.
- 3 14. Applies to each individual *lot*. *Impervious surface* area standards for:
- 4 a. Regional *uses* shall be established at the time of permit review;
- 5 b. Nonresidential *uses* in residential zones shall comply with KMC [18.21.060](#) and [18.30.170](#);
- 6 c. Individual *lots* in the R-4 through R-6 zones which are less than 9,076 square feet in area
7 shall be subject to the applicable provisions of the nearest comparable R-6 zone;
- 8 d. *Lots* may be increased beyond the total amount permitted in this chapter subject to
9 approval of a *conditional use permit*;
- 10 e. The base *impervious surface* percentage may be exceeded, up to the
11 maximum *impervious surface* percentage, provided low impact development strategies
12 are implemented subject to approval by the *city manager*.
- 13 15 *Lots* smaller than one-half acre in area shall comply with standards of the nearest
14 comparable R-4 through R-6 zone. For *lots* that are one-half acre in area or larger, the
15 maximum *impervious surface* area allowed shall be at least 10,000 square feet. On any *lot* over
16 one acre in area, an additional five percent of the lot area may be used for *buildings* related to
17 agricultural or forestry practices. For *lots* smaller than two acres but larger than one-half acre,
18 an additional 10 percent of the lot area may be used for *structures* which are determined to be
19 medically necessary, provided the *applicant* submits with the permit application a notarized
20 affidavit, conforming with the requirements of KMC [18.100.170](#)(A)(2).
- 21 16 For properties with *critical areas* or topographic constraints, up to 20 percent of the number
22 of *lots* in a subdivision or a short subdivision of more than four *lots*, and one of the *lots* in a
23 short plat of four *lots* or less, may contain an area less than the prescribed minimum for this
24 zoning district. In no case shall any *lots* be created which contain an area more than 10 percent
25 less than the prescribed minimum for this zoning district. These smaller *lots* shall be located so
26 as to have the least impact on surrounding properties in terms of consistency of *street*
27 *frontages* and privacy of abutting properties.
- 28 17 This excludes any area required for public or *private streets*, access easements, access
29 tracts, and access panhandles.
- 30 18. Unit lot density applies to all lots within the R-4 and R-6 zones, excluding those identified in
31 KMC 18.21.035(B). The following provisions are applicable when determining permitted unit
32 density:
- 33 a. The permitted base unit density is:
- 34 (1) Two units per parent lot.
- 35 (2) Four units per lot on all lots within one-quarter mile walking distance of a major transit
36 stop.

1 (3) Four units per lot if at least one unit on the lot is affordable housing meeting the
2 requirements of KMC 18.21.035(C).

3 (4) Accessory dwelling units are considered units for the purposes of calculating unit
4 density, subject to the provisions of KMC 18.73.100.

5 (5) If single-family residential uses exist or are proposed on a lot pursuant to the base or
6 maximum density, then the unit lot density defined in this section is in addition to the that
7 single-family residential use. Single-family dwellings do not count as units for the
8 purposes of this section. If a duplex, triplex, fourplex, townhouse, stacked flat, courtyard
9 apartment, or cottage housing development are proposed, those are subject to the unit
10 lot density requirements listed in subsection (a)(1-3) of this footnote.

11 b. The standards of footnote 18 do not apply to lots after subdivision below 1,000 square
12 feet unless the city has enacted an allowable lot size below 1,000 square feet in the zone.

13 c. The lot lines applicable to a parent lot shall be used to determine dimensional standards
14 that relate to lot dimensions, including but not limited to: minimum lot size, setbacks,
15 maximum gross floor area, maximum hardscape area and maximum lot coverage any
16 created unit lot. These dimensional standards shall not be measured off individual unit
17 lots.

18 d. Unit density applies to lots created through the fee simple unit lot subdivision process
19 pursuant to KMC 18.20.160 that cannot be further subdivided based on the minimum lot
20 size listed in Table B for the applicable zone.

21 [Ord. 19-0481 § 2 (Exh. A); Ord. 16-0433 § 2 (Att. A); Ord. 16-0428 § 13 (Att. I); Ord. 11-0329 § 3
22 (Exh. 1).]

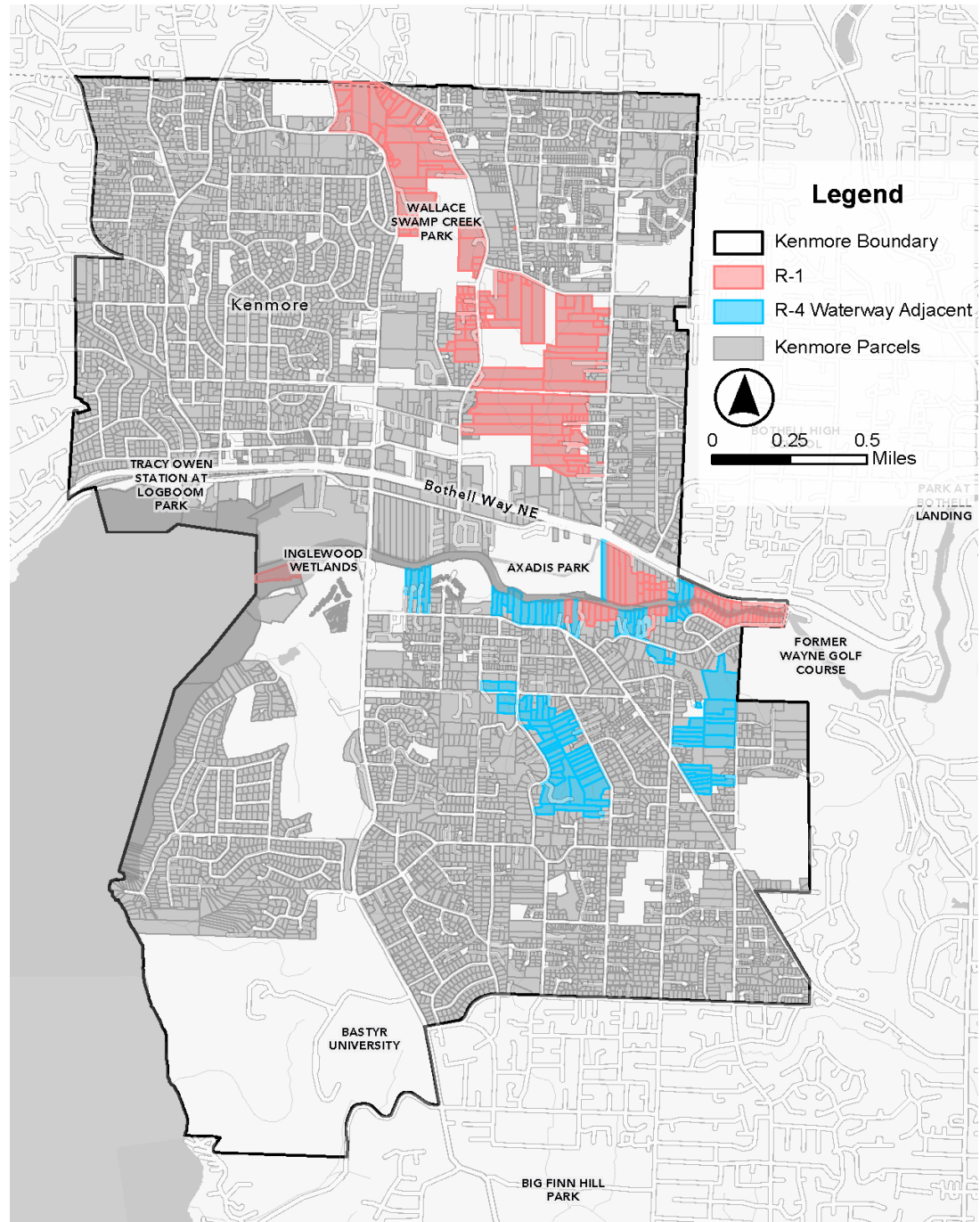
23 **18.21.035 Residential zones R-4 and R-6 - Middle Housing**

24 A. Middle housing shall be subject to the same development regulations as detached single
25 family homes for the purpose of review for consistency with this chapter.

26 B. The provisions of this section shall apply to all lots in the R-4 and R-6 zones, except:

27 1. Specific R-4 lots directly as identified in the exhibit within this subsection.
28

Applicable Middle Housing Development Areas



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
6 than telephone, that do not exceed 30 percent of the monthly income of a household whose
7 income does not exceed the following percentages of median household income adjusted for
8 household size, for the county where the household is located, as reported by the United States
9 Department 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
13 shall 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
18 if 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
25 other 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
31 the 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
35 for flexibility in development standards;

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
<i>Air transportation service</i> ¹	<i>Ambulatory surgery center</i> ²⁵	<i>Adult entertainment business</i>
<i>Arts, entertainment, indoor</i> ^{2,3}	<i>Arts, entertainment, outdoor</i> ²⁶	<i>Animal kennel/shelter</i>

Table C. R-12, R-18, and R-24 Zones Use Allowances

PERMITTED	CONDITIONALLY PERMITTED	PROHIBITED
<i>College/university</i> ^{4,5}	<i>Cemetery, columbarium or mausoleum</i> ²⁷	<i>Auction house</i>
<i>Community residential facility</i>	<i>Eating and drinking place</i> ^{3,28}	<i>Automotive sales and service, marine</i>
<i>Construction and trade</i> ⁶	<i>Hospital</i> ⁵	<i>Automotive sales and service, non-marine</i>
<i>Day care</i> ⁷	<i>Personal service</i> ²⁹	<i>Business service, intensive</i>
<i>Educational service</i> ⁸	<i>Recreational facility, indoor</i> ^{3,30,31}	<i>Business service, standard</i>
<i>Family child-care home</i> ⁹	<i>Regional land use</i> ³²	<i>Cannabis business</i>
<i>Fire or police facility</i> ^{10,11,12}	<i>Retail sales</i> ^{29,33}	<i>Cannabis cooperative</i>
<i>Health care and social assistance</i> ^{4,5,13}	<i>Temporary lodging</i> ³⁴	<i>Funeral home/crematory</i>
<i>Manufactured housing community</i>	<i>Warehousing</i> ³⁵	<i>Laboratory</i>
<i>Multiple-family dwelling</i>		<i>Manufacturing, heavy</i>
<i>Office</i> ¹⁴		<i>Manufacturing, light</i>
<i>Park</i> ¹⁵		<i>Mobile food service</i>
<i>Recreational facility, outdoor</i> ^{16,17}		<i>Resource land use</i>
<i>Religious institution</i> ¹⁸		<i>Retail sales, bulk</i>
<i>Single detached dwelling unit</i> ^{19,20}		<i>Secure facility</i>
<i>Standalone parking</i> ²¹		<i>Transportation</i>
<i>Supportive living facility</i>		<i>Vehicle or equipment rental</i>
<i>Utility facility</i> ^{22,23,24}		<i>Vehicle refueling station</i>
		<i>Wholesale trade</i>

- 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
- 5 is a conditional *use*. All other *air transportation service uses* are prohibited.

- 1 2. Museums and libraries permitted only as accessory to a *park* or in a *building* listed on the
2 National Register as an historic site or designated as a *City* landmark subject to
3 Chapter [18.50](#) KMC; otherwise, a *conditional use permit* is required. Artist studios permitted
4 only as a re-use of a surplus nonresidential facility subject to Chapter [18.50](#) KMC or as a joint
5 use of an existing public school facility; otherwise a *conditional use permit* is required. For all
6 other *arts, entertainment, indoor uses*, a *conditional use permit* is required, except theater, which
7 is prohibited.
- 8 3. *Social card games* are prohibited.
- 9 4. Permitted only as a re-use of a public school facility subject to Chapter [18.50](#) KMC.
- 10 5. Conditionally permitted only as a re-use of a surplus nonresidential facility subject to
11 Chapter [18.50](#) KMC.
- 12 6. Permitted when:
- 13 a. Located in the R-24 zone; and
- 14 b. On a *site* in *office* or *construction and trade office uses* as of May 8, 2003; and
- 15 c. Part of a *mixed use development*; and
- 16 d. Limited to 15,000 square feet; and
- 17 e. No *outdoor storage* of equipment occurs.
- 18 Otherwise, prohibited.
- 19 7. *Day care II* permitted only as a re-use of a public school facility subject to Chapter [18.50](#) KMC,
20 or an *accessory use* to a school, *religious institution, park, sports club* or public housing
21 administered by a *public agency*, and:
- 22 a. Outdoor play areas shall be completely enclosed by a solid wall or *fence*, with no openings
23 except for gates and have a minimum height of six feet;
- 24 b. Outdoor play equipment shall maintain a minimum distance of 20 feet from property lines
25 adjoining residential zones;
- 26 c. Direct access to a developed arterial *street* shall be required in any residential zone; and
- 27 d. Hours of operation may be restricted to assure compatibility with surrounding development.
- 28 Otherwise, *day care II* requires a *conditional use permit*.
- 29 8. K-12 facilities only, except vocational school which is permitted only as a re-use of a surplus
30 nonresidential facility subject to Chapter [18.50](#) KMC unless a *conditional use permit* is obtained.
31 All other *educational service uses* require a *conditional use permit*.
- 32 9. A *family child-care home* is subject to the requirements established by the Washington State
33 Department of Early Learning (DEL) in WAC Title [170](#). The *family child-care home* shall meet the
34 following requirements:

- 1 a. The family child-care provider shall be licensed by DEL to operate a *family child-care home*;
2 b. A safe passenger loading area shall be provided;
3 c. The *family child-care home* shall comply with all applicable building, fire, safety, and health
4 codes enforced by the *City*;
5 d. The *family child-care home* shall comply with all applicable development standards of
6 the *City*, unless determined to be legally nonconforming;
7 e. All signage shall conform to the applicable requirements of Chapter [18.42](#) KMC; and
8 f. The *City* has the authority to limit the hours of operation to facilitate neighborhood
9 compatibility.
- 10 10. Limited to “storefront” police offices. Such offices shall not have:
11 a. Holding cells;
12 b. Suspect interview rooms; or
13 c. Long-term storage of stolen properties.
14 All other police facilities require a *conditional use permit*.
- 15 11. Fire facilities require a *conditional use permit*, subject to the following:
16 a. All *buildings* and *structures* shall maintain a minimum distance of 20 feet from property lines
17 adjoining residential zones;
18 b. Any *buildings* from which fire-fighting equipment emerges onto a *street* shall maintain a
19 distance of 35 feet from such *street*; and
20 c. No *outdoor storage*.
- 21 12. Fire or police training facilities such as shooting ranges, auto test tracks, and fire
22 suppression simulations are prohibited.
- 23 13. Veterinary clinics are prohibited.
- 24 14. *Public agency* or *utility office* is permitted only as a re-use of a public school facility or a
25 surplus nonresidential facility subject to the provisions of Chapter [18.50](#) KMC. All other *office*
26 *uses* require a *conditional use permit*.
- 27 15. The following conditions and limitations shall apply, where appropriate:
28 a. Lighting for *structures* and fields shall be directed away from residential areas;
29 b. *Structures* or service yards shall maintain a minimum distance of 50 feet from property lines
30 adjoining residential zones, except for *structures* in on-site recreation areas provided under
31 KMC [18.30.130](#) or Chapter [20.47](#) KMC. Setback requirements for *structures* in these on-site
32 required recreation areas shall be maintained in accordance with the zoning standards for the
33 underlying residential zone.

1 16. Golf course facility only permitted. Clubhouses, maintenance *buildings*, equipment storage
2 areas and driving range tees shall be at least 50 feet from residential property lines. Lighting for
3 practice greens and driving range ball impact areas shall be directed away from adjoining
4 residential zones. Applications shall comply with adopted best management practices for golf
5 course development. All other *outdoor recreational facility uses* are conditional *uses*,
6 except *stable*, RV park, and shooting range, which are prohibited.

7 17. Conditional *uses* are subject to the following conditions and limitations:

8 a. The bulk and scale shall be compatible with residential character of the area;

9 b. Use is limited to residents of a specified residential *development* or to *sports clubs* providing
10 supervised instructional or athletic programs.

11 18. Permitted only as a re-use of a public school facility subject to Chapter [18.50](#) KMC.
12 Other *religious institutions* require a *conditional use permit*.

13 19. More than one *single detached dwelling unit* may be allowed on an individual *lot* through
14 the *conditional use permit* process. A *conditional use permit* is not required for *lots* in
15 subdivisions, short subdivisions or binding site plans approved as multiple unit *lots* or
16 for *accessory dwelling units*.

17 20. *Manufactured homes* and *mobile homes* are allowed only in *manufactured housing*
18 *communities*. *Designated manufactured homes* are not restricted to *manufactured housing*
19 *communities*.

20 21. Limited to commuter parking facilities for users of transit, carpools or ride-share programs,
21 provided:

22 a. They are located on existing parking lots for *religious institutions*, schools, or other permitted
23 nonresidential *uses* which have excess capacity available during commuting hours; and

24 b. The *site* is adjacent to a designated arterial that has been improved to a standard acceptable
25 to the *department*.

26 Otherwise a *conditional use permit* is required.

27 22. *Bulk gas storage tanks* which pipe to individual residences require a *conditional use*
28 *permit*. All other *bulk gas storage tanks*, including liquefied natural gas storage tanks, are
29 prohibited.

30 23. *Private stormwater management facilities* permitted except when participating in an
31 approved shared facility drainage plan. *Private stormwater management facilities* shall be
32 located on the same *lot* that they are designed to serve except in subdivisions or short
33 subdivisions that set aside a separate tract for such facilities. For shared facilities, such
34 facilities which are not located on the *lot* they are designed to serve shall be located on
35 a *lot* with the same or more intensive zoning designation.

36 24. *Hydroelectric generation facilities* are prohibited. A *nonhydroelectric generation facility* may
37 be conditionally permitted as a *cogeneration* facility for on-site use only.

- 1 25. Conditionally permitted only as a re-use of a surplus nonresidential facility subject to
2 Chapter [18.50](#) KMC.
- 3 26. Arboretum only.
- 4 27. *Structures* shall maintain a minimum distance of 100 feet from property lines adjoining
5 residential zones.
- 6 28. Excluding drinking places, and limited to a maximum of 5,000 square feet of gross floor area
7 and subject to KMC [18.21.070](#).
- 8 29. Limited to a maximum of 5,000 square feet of gross floor area and subject to the additional
9 requirements in KMC [18.21.070](#).
- 10 30. Conditional *uses* are subject to the following conditions and limitations:
- 11 a. The bulk and scale shall be compatible with residential character of the area;
- 12 b. For *sports clubs*, the gross floor area shall not exceed 10,000 square feet unless
13 the *building* is on the same *site* or adjacent to a *site* where a public facility is located or unless
14 the *building* is a nonprofit facility; and
- 15 c. Use is limited to residents of a specified residential *development* or to *sports clubs* providing
16 supervised instructional or athletic programs.
- 17 31. Bowling center and shooting range are prohibited.
- 18 32. Amusement park, fairground, and stadium/arena are prohibited.
- 19 33. Auto supply stores and pet shops are prohibited.
- 20 34. Bed and breakfast guesthouse only, subject to the following conditions:
- 21 a. The guesthouse shall be owner-occupied;
- 22 b. Meals shall be served to paying guests only (no restaurant *use* permitted);
- 23 c. The number of guestrooms shall not be greater than that authorized by the International
24 Building and Fire Codes;
- 25 d. Parking shall be provided as required by this title; and
- 26 e. The guesthouse shall be compatible with the neighborhood character as determined by
27 the *city manager*, and shall not create significant adverse neighborhood effects that cannot be
28 mitigated.
- 29 35. *Self-service storage* only permitted and only if accessory to an *apartment development* of at
30 least 12 units, provided:
- 31 a. The gross floor area in *self-service storage* shall not exceed the total gross floor area of
32 the *apartment* dwellings on the *site*;
- 33 b. All outdoor lights shall be deflected, shaded and focused away from all adjoining property;

- 1 c. The use of the facility shall be limited to dead storage of household goods;
- 2 d. No servicing or repair of motor vehicles, boats, trailers, lawn mowers or similar equipment;
- 3 e. No *outdoor storage* or storage of flammable liquids, highly combustible or explosive
- 4 materials or hazardous chemicals;
- 5 f. No residential occupancy of the storage units;
- 6 g. No business activity other than the rental of storage units; and
- 7 h. A resident director shall be required on the *site* and shall be responsible for maintaining the
- 8 operation of the facility in conformance with the conditions of approval.
- 9 [Ord. 24-0607 § 2 (Exh. A(VI)); Ord. 19-0481 § 2 (Exh. A); Ord. 18-0463 § 3 (Exh. 2); Ord. 17-0438
- 10 § 2 (Att. A); Ord. 16-0426 § 5 (Att. C); Ord. 16-0421 § 2 (Att. A); Ord. 14-0384 § 5; Ord. 11-0329
- 11 § 3 (Exh. 1).]

12 **18.21.045 Residential zone MHC – Use allowances.**

13 The following *uses* listed in Table D are identified as *permitted*, conditionally permitted,

14 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> ⁸	<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>

Table D. MHC Zone Use Allowances

PERMITTED	CONDITIONALLY PERMITTED	PROHIBITED
		<i>College/university</i>
		<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 1. *Day care I* is permitted. *Day care II* is permitted only as an *accessory use* to a *religious*
2 *institution, park* or public housing administered by a *public agency*, and:
- 3 a. Outdoor play areas shall be completely enclosed by a solid wall or *fence* with no openings
4 except for gates and have a minimum height of six feet;
- 5 b. Outdoor play equipment shall maintain a minimum distance of 20 feet from property lines
6 adjoining residential zones;
- 7 c. Direct access to a developed arterial *street* shall be required in any residential zone; and
- 8 d. Hours of operation may be restricted to assure compatibility with surrounding *development*.
- 9 Otherwise, *day care II* requires a *conditional use permit*.
- 10 2. A *family child-care home* is subject to the requirements established by the Washington State
11 Department of Early Learning (DEL) in WAC Title [170](#). The *family child-care home* shall meet the
12 following requirements:
- 13 a. The family child-care provider shall be licensed by DEL to operate a *family child-care home*;
- 14 b. A safe passenger loading area shall be provided;
- 15 c. The *family child-care home* shall comply with all applicable building, fire, safety, and health
16 codes enforced by the *City*;
- 17 d. The *family child-care home* shall comply with all applicable development standards of
18 the *City*, unless determined to be legally nonconforming;
- 19 e. All signage shall conform to the applicable requirements of Chapter [18.42](#) KMC; and
- 20 f. The *City* has the authority to limit the hours of operation to facilitate neighborhood
21 compatibility.
- 22 3. The following conditions and limitations shall apply, where appropriate:
- 23 a. Lighting for *structures* and fields shall be directed away from residential areas;
- 24 b. *Structures* or service yards shall maintain a minimum distance of 50 feet from property lines
25 adjoining residential zones.
- 26 4. One *single detached dwelling unit* only per existing legal lot as of April 23, 2019.
- 27 5. *Manufactured homes* and *mobile homes* are allowed only in *manufactured housing*
28 *communities*. *Designated manufactured homes* are not restricted to *manufactured housing*
29 *communities*.
- 30 6. K-12 facilities only. All other *educational service uses* are prohibited.
- 31 7. Bed and breakfast guesthouse only, subject to the following conditions:
- 32 a. The guesthouse shall be owner-occupied;
- 33 b. Meals shall be served to paying guests only (no restaurant *use* permitted);

- c. The number of guestrooms shall not be greater than that authorized by the International Building and Fire Codes;
- 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

	Z O N E S					
STANDARDS		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 Side <i>Setback</i> ^{3,5}		5 ft. ⁷	5 ft. ⁷	5 ft. ⁷	5 ft. ⁷	5 ft.
Minimum Rear <i>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

1 density incentive or density transfer. Maximum density may only be exceeded pursuant to
2 KMC [18.80.040\(E\)\(1\)\(f\)](#).

3 ³ These standards may be modified under the provisions for *zero-lot-line developments*.

4 ⁴ The *building envelope* is determined through meeting minimum lot size and minimum lot width
5 measurement requirements (KMC [18.30.110](#)).

6 ⁵ Vehicle access points from garages, carports or fenced parking areas shall be set back from
7 the property line on which a *joint use driveway* is located to provide a straight line length of at
8 least 26 feet as measured from the centerline of the garage, carport or fenced parking area,
9 from the access point to the opposite side of the *joint use driveway*.

10 ⁶ At least 20 linear feet of driveway shall be provided between any garage, carport or other
11 fenced parking area and the *street* property line. The linear distance shall be measured along
12 the centerline of the driveway from the access point to such garage, carport or fenced area to
13 the *street* property line.

14 ⁷ a. For *developments* consisting of three or more single detached dwellings located on a
15 single parcel, the *setback* shall be 10 feet along any property line abutting R-1 through R-6,
16 except for *structures* in on-site recreation areas required in KMC [18.30.130](#), which shall have
17 a *setback* of five feet.

18 b. For *townhouse* and *apartment development*, the *setback* shall be 20 feet along any property
19 line abutting R-1 through R-6, except for *structures* in on-site recreation areas required in
20 KMC [18.30.130](#), which shall have a *setback* of five feet, unless the *townhouse* or *apartment*
21 *development* is adjacent to property upon which an existing *townhouse* or *apartment*
22 *development* is located.

23 ⁸ In the R-12, R-18, R-24 and R-48 zones, height limits may be increased when portions of
24 the *structure* which exceed the base height limit provide one additional foot of *street* and
25 interior *setback* for each foot above the base height limit, provided the maximum height may not
26 exceed 75 feet. Netting or fencing and support *structures* for the netting or fencing used to
27 contain golf balls in the operation of golf courses or golf driving ranges are exempt from the
28 additional interior *setback* requirements; provided, that the maximum height shall not exceed 75
29 feet.

30 ⁹ The base height to be used only for projects as follows:

31 a. In R-18, R-24 and R-48 zones using residential density incentives and *transfer of density*
32 *credits* pursuant to this title.

33 ¹⁰ Applies to each individual *lot*. *Impervious surface* area standards for:

34 a. Regional *uses* shall be established at the time of permit review;

35 b. Nonresidential *uses* in residential zones shall comply with KMC [18.21.060](#) and [18.30.170](#);

36 c. *Lots* may be increased beyond the total amount permitted in this chapter subject to approval
37 of a *conditional use permit*.

¹¹ Minimum density is determined by multiplying the allowable number of dwelling units, as calculated using KMC [18.30.020](#), by the percentage shown for each zone.

¹² See also the standards in KMC [18.50.140](#).

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

18.21.055 MHC zoning exception.

A. A *manufactured housing community* landowner may request an exception from the application of the MHC zoning to their property through a Type 4 permit process as described in Chapter [19.25](#) KMC.

B. Along with other information required by the *department*, the application shall include information demonstrating that:

1. There is no *reasonable use* of the MHC property under the MHC zoning;
2. The *uses* authorized by the MHC zoning are not economically viable at the property's location; and
3. The proposal meets the zone reclassification criteria in KMC [18.115.060](#).

If, based on the information provided, the request is granted by the city council, the property shall revert to the zoning designation in place on April 23, 2019, without further action by the council. If necessary, a comprehensive plan map amendment to recognize that zoning designation shall be initiated by the *City*. [Ord. 19-0481 § 2 (Exh. A).]

18.21.060 Nonresidential land uses in residential zones.

Except for *utility facilities*, *regional land uses*, and nonresidential *uses* regulated by KMC [18.21.070](#), all nonresidential *uses* located in the R zones shall be subject to the following requirements:

A. *Impervious surface* coverage shall not exceed:

1. Seventy percent of the *site* in the R-1 through R-6 zones.
2. Eighty percent of the *site* in the R-12 through R-48 and MHC zones.

B. *Buildings* and *structures*, except *fences* and wire or mesh backstops, shall not be closer than 30 feet to any property line, except as provided in subsection C of this section.

C. A single detached dwelling allowed as accessory to a church or school shall conform to the *setback* requirements of the zone.

D. Parking areas are permitted within the required *setback* area from property lines, provided such parking areas are located outside of the required landscape area.

E. *Sites* shall abut or be accessible from at least one public *street* functioning at a level consistent with the *City street* design standards. New *high school sites* shall abut or be accessible from a public *street* functioning as an arterial per the *City* design standards.

F. The base height shall conform to the zone in which the *use* is located.

1 G. *Building* illumination and lighted *signs* shall be designed so that no direct rays of light are
2 projected into neighboring residences or onto any *street* right-of-way. [Ord. 19-0481 § 2 (Exh. A);
3 Ord. 16-0428 § 13 (Att. I); Ord. 11-0329 § 3 (Exh. 1).]

4 **18.21.070 Personal service, eating and drinking place and retail sales uses in R-4 through R-
5 24 zones.**

6 *Personal service uses, eating and drinking place uses, and retail sales uses* which are located in
7 the R-4 through R-24 zones shall be subject to the following requirements:

8 A. Each individual establishment shall not exceed 5,000 square feet of gross floor area and the
9 combined total of all contiguous commercial establishments shall not exceed 15,000 square
10 feet of gross floor area;

11 B. Establishments shall not be located less than one mile from another commercial
12 establishment, unless located with other establishments meeting the criteria in subsection A of
13 this section;

14 C. Establishment *sites* shall abut an intersection of two public *streets*, each of which is
15 designated as a neighborhood collector or arterial and which has improved pedestrian facilities
16 for at least one-fourth mile from the *site*;

17 D. The maximum on-site parking ratios for establishments and *sites* shall be two per 1,000
18 square feet and required parking shall not be located between the *building(s)* and the *street*;

19 E. *Buildings* shall comply with the *building facade modulation* and roofline variation
20 requirements in KMC [18.50.080](#) and at least one facade of the *building* shall be located within
21 five feet of the sidewalk;

22 F. If the *personal service, eating and drinking place, or retail sales use* is located in
23 a *building* with multifamily *uses*, then the commercial *use* shall be on the *ground floor* and shall
24 not exceed 25 percent of the total floor area of the *building*, and

25 G. *Sign* and *landscaping* standards for the *use* apply. [Ord. 17-0438 § 2 (Att. A); Ord. 11-0329 § 3
26 (Exh. 1).]

27 **18.21.073 Accessory uses.**

28 *Accessory uses*, when consistent with the definition in Chapter [18.20](#) KMC, are allowed as
29 determined by the *city manager*. [Ord. 17-0438 § 3 (Att. B).]

30 **18.21.075 Drive-through service.**

31 *Drive-through service* is prohibited in these zoning districts. [Ord. 19-0481 § 2 (Exh. A); Ord. 17-
32 0438 § 3 (Att. B).]

33 **18.21.078 Outdoor storage.**

34 *Outdoor storage* is prohibited in these zoning districts. [Ord. 19-0481 § 2 (Exh. A); Ord. 17-0438
35 § 3 (Att. B).]

1 **18.21.080 Wireless communication facilities.**

2 Use allowances and development regulations for *wireless communication facilities* are located
3 in Chapter [18.60](#) KMC. [Ord. 16-0426 § 6 (Att. D).]

4

5

1	Chapter 18.30
2	DEVELOPMENT STANDARDS – GENERAL
3	Sections:
4	<u>18.30.010 Purpose.</u>
5	<u>18.30.015 Burke-Gilman Trail.</u>
6	<u>18.30.020 Density calculations – Allowable dwelling units, lots or floor area.</u>
7	<u>18.30.040 Fences.</u>
8	<u>18.30.050 Height – Measurement method.</u>
9	<u>18.30.060 Height – Exceptions to limits.</u>
10	<u>18.30.070 Light and glare.</u>
11	<u>18.30.080 Lot area – Prohibited reduction.</u>
12	<u>18.30.090 Lot area – Minimum lot area for construction.</u>
13	<u>18.30.100 Lot divided by zone boundary.</u>
14	<u>18.30.110 Lot width – Measurement method.</u>
15	<u>18.30.112 Cannabis businesses – Standards.</u>
16	<u>18.30.113 Outdoor storage for nonresidential uses.</u>
17	<u>18.30.115 Public nuisance – Prohibited activities.</u>
18	<u>18.30.130 Recreation space – On-site areas.</u>
19	<u>18.30.140 Recreation space – Maintenance.</u>
20	<u>18.30.150 Recreation space – Financial guarantees.</u>
21	<u>18.30.155 Recreational vehicles.</u>
22	<u>18.30.160 Setbacks – Measurement.</u>
23	<u>18.30.170 Setbacks – Specific building or use.</u>
24	<u>18.30.190 Setbacks – Modifications.</u>
25	<u>18.30.200 Setbacks – From regional utility corridors.</u>
26	<u>18.30.210 Setbacks – From alley.</u>
27	<u>18.30.220 Setbacks – Required modifications.</u>
28	<u>18.30.230 Setbacks – Projections and structures allowed.</u>
29	<u>18.30.240 Sight distance requirements.</u>

1 [18.30.250 Storage space and collection points for trash and recyclables.](#)

2 [18.30.260 Trail corridors – Applicability.](#)

3 [18.30.270 Trail corridors – Design standards.](#)

4 [18.30.280 Trail corridors – Maintenance of trail corridors/improvements.](#)

5 [18.30.290 Relocation plan for manufactured housing communities.](#)

6 **18.30.010 Purpose.**

7 The purpose of this chapter is to establish basic standards for *development* relative to
8 residential density, dimensional requirements and specific rules for general application. The
9 standards and rules are established to provide flexibility in project design, maintain privacy
10 between adjacent *uses* and meet the on-site recreation needs of project residents. [Ord. 11-
11 0329 § 3 (Exh. 1).]

12 **18.30.015 Burke-Gilman Trail.**

13 A. RB-zoned properties which lie north of NE 175th Street shall provide 10 feet of Type
14 II *landscaping* along the common property boundary with the Burke-Gilman public trail right-of-
15 way. Property owners may negotiate with King County to have the Type II *landscaping* located
16 within the Burke-Gilman public right-of-way.

17 B. The Burke-Gilman Trail shall be considered a public right-of-way for purposes of
18 Sections [18.52.180](#), [18.52.200](#), [18.52.230](#), [18.52.240](#), and [18.52.310](#) of Chapter [18.52](#) KMC
19 (Design Standards). [Ord. 23-0574 § 2 (Exh. A); Ord. 14-0391 § 2 (Exh. 1).]

20 **18.30.020 Density calculations – Allowable dwelling units, lots or floor area.**

21 Permitted number of *dwelling units* or *lots* or floor area shall be determined as follows:

22 A. The allowed number of *dwelling units* or *lots* (base density) shall be computed by multiplying
23 the *site area* by the applicable residential base density number;

24 [1. R-1, R-4, and R-6 zoned parcels are permitted 2 dwelling units per lot per the](#)
25 [requirements of KMC 18.21.030, Footnote 18.](#)

26 B. The maximum density (unit or *lot*) limits shall be computed by adding the bonus or transfer
27 units authorized by Chapter [18.80](#) KMC to the base units computed under subsection A of this
28 section;

29 C. The allowed floor area shall be computed by applying the *floor area ratio* to the project *site*
30 *area*; and

31 D. Except for short subdivisions of four or fewer *lots*, when density calculations result in a
32 fraction, the fraction shall be rounded to the nearest whole number as follows:

33 1. Fractions of 0.50 or above shall be rounded up; and

34 2. Fractions below 0.50 shall be rounded down.

- 1 E. When density calculations result in a fraction, the permitted number of *lots* derived from short
2 subdivisions of four or fewer *lots* shall be rounded as follows:
- 3 1. For a short subdivision resulting in less than two *lots* (base density) as described in
4 subsection A of this section, fractions of 0.85 shall be rounded up to the nearest
5 whole number and fractions below 0.85 shall be rounded down.
- 6 2. For a short subdivision resulting in more than two but less than three *lots* (base
7 density) as described in subsection A of this section, fractions of 0.75 shall be
8 rounded up to the nearest whole number and fractions below 0.75 shall be rounded
9 down.
- 10 3. For a short subdivision resulting in more than three *lots* but less than four *lots* (base
11 density) as described in subsection A of this section, fractions of 0.60 shall be
12 rounded up to the nearest whole number and fractions below 0.60 shall be rounded
13 down. [Ord. 11-0329 § 3 (Exh. 1).]
- 14 ...
- 15

1	Chapter 18.40
2	DEVELOPMENT STANDARDS – PARKING AND CIRCULATION
3	Sections:
4	<u>18.40.010 Purpose.</u>
5	<u>18.40.020 Authority and application.</u>
6	<u>18.40.030 Computation of required off-street parking spaces.</u>
7	<u>18.40.035 Parking in the urban residential zone, downtown commercial zone east of 73rd</u>
8	<u>Avenue NE, public and semi-public zone abutting SR-522, and the urban corridor zone, east</u>
9	<u>subarea.</u>
10	<u>18.40.038 Exceedance of minimum parking – Downtown commercial zone, downtown</u>
11	<u>residential zone, urban corridor zone, east subarea, and urban residential zone.</u>
12	<u>18.40.040 Shared parking requirements.</u>
13	<u>18.40.050 Exceptions for community residential facilities (CRF) and senior citizen assisted</u>
14	<u>living.</u>
15	<u>18.40.055 Parking for certain types of development served by transit.</u>
16	<u>18.40.060 Parking for the disabled.</u>
17	<u>18.40.070 Loading space and loading dock requirements.</u>
18	<u>18.40.080 Stacking spaces for drive-through facilities.</u>
19	<u>18.40.090 Transit and rideshare provisions.</u>
20	<u>18.40.100 Pedestrian and bicycle circulation and access.</u>
21	<u>18.40.110 Off-street parking plan design standards.</u>
22	<u>18.40.120 Off-street parking construction standards.</u>
23	<u>18.40.130 Compact car allowance requirements.</u>
24	<u>18.40.140 Internal circulation road standards.</u>
25	18.40.010 Purpose.
26	The purpose of this chapter is to provide adequate parking for all <i>uses</i> 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 <i>uses</i> that assure safe,
30	convenient and adequately sized parking facilities within activity centers;
31	B. Providing incentives to rideshare through preferred parking arrangements;
32	C. Providing for parking and storage of bicycles;

1 D. Requiring the use of permeable surfacing unless infeasible;

2 E. Providing safe, direct pedestrian access from public rights-of-way to *structures* and
3 between *developments*; and

4 F. Requiring *uses* which attract large numbers of employees or customers to provide transit
5 stops. [Ord. 16-0428 § 13 (Att. I); Ord. 11-0329 § 3 (Exh. 1).]

6 **18.40.020 Authority and application.**

7 A. Before an occupancy permit may be granted for any new or enlarged *building* or for a change
8 of *use* in any existing *building*, the *use* shall be required to meet the provisions of this chapter.

9 B. If this chapter does not specify a parking requirement for a land *use*, the *city manager* shall
10 establish the minimum requirement based on a study of anticipated parking demand.
11 Transportation demand management actions taken at the *site* shall be considered in
12 determining anticipated demand. If the *site* is located in an activity center or community
13 business center, the minimum requirement shall be set at a level less than the anticipated
14 demand, but at no less than 75 percent of the anticipated demand. In the study
15 the *applicant* shall provide sufficient information to demonstrate that the parking demand for a
16 specific land *use* will be satisfied. Parking studies shall be prepared by a professional engineer
17 with expertise in traffic and parking analyses, or an equally qualified individual as authorized by
18 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
21 off-street parking shall be provided in a manner consistent with the provisions of this chapter.
22 The contracts shall be reviewed by the *city manager* for compliance with this chapter, and if
23 approved, the contracts shall be recorded with the county records and elections division as a
24 deed restriction on the title to all applicable properties. These deed restrictions may not be
25 revoked or modified without authorization by the *city manager*.

26 D. Where a neighborhood or subarea plan with design guidelines that includes the subject
27 property has been adopted, the *city manager* shall base allowable waivers or modifications on
28 the policies 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-
31 street parking areas shall contain at a minimum the number of *parking spaces* as stipulated in
32 the following table. Off-street parking ratios expressed as number of spaces per square feet
33 means the usable or net square footage of floor area, exclusive of nonpublic areas. Nonpublic
34 areas include but are not limited to building maintenance areas, storage areas, closets,
35 restrooms and exterior walls. If the formula for determining the number of off-street *parking*
36 *spaces* results in a fraction, the number of off-street *parking spaces* shall be rounded to the
37 nearest whole number with fractions of 0.50 or greater rounding up and fractions below 0.50
38 rounding down.

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:		
<i>Single detached dwelling unit</i>	2.0 per <i>dwelling unit</i>	2.0 per <i>dwelling unit</i> ; tandem stalls permitted
<u><i>Duplex, Triplex, and Fourplex</i></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>
<i>Townhouse</i>	2.0 per <i>dwelling unit</i> ; <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 <i>dwelling unit</i> ; tandem stalls permitted
Guest parking	1 space for every 5 units	1 space for every 5 units
<i>Apartment.</i>		
<i>Microhousing dwelling unit</i>	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 <i>dwelling unit</i>	1.0:du; tandem stalls permitted
One-bedroom unit	1.5 per <i>dwelling unit</i>	1.0:du; tandem stalls permitted
Two-bedroom unit	1.7 per <i>dwelling unit</i>	1.5:du; tandem stalls permitted

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

Page 139

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

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
<i>Hotel/motel</i>	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	<i>(city manager)</i>	<i>(city manager)</i>
RECREATIONAL/CULTURAL:		
<i>Recreational/cultural land uses</i>	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	–
<i>Park/playfield</i>	<i>(city manager)</i>	<i>(city manager)</i>
Theater	1 per 3 fixed seats	1 per 3 fixed seats
<i>Conference center</i>	1 per 3 fixed seats, plus 1 per 50 square feet used for assembly purposes without fixed seats, or 1	1 per 3 fixed seats, plus 1 per 50 square feet used for assembly purposes without fixed seats, or 1 per bedroom,

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
	per bedroom, whichever results in the greater number of spaces	whichever 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

LAND USE	MINIMUM PARKING SPACES REQUIRED Citywide, Except in Downtown Commercial and Downtown Residential Zones West of 68th Avenue NE	MINIMUM PARKING SPACES REQUIRED 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
<i>Vocational school</i>	1 per <i>school classroom</i> , plus 1 per 5 students	1 per <i>school classroom</i> , plus 1 per 5 students
<i>Specialized instruction school</i>	1 per <i>school classroom</i> , plus 1 per 2 students	1 per <i>school classroom</i> , plus 1 per 2 students
<i>College/university</i>	1 per 2 commuting students, faculty and staff	–
GOVERNMENT/BUSINESS SERVICES:		
<i>Government/business services land uses</i>	1 per 300 square feet	1 per 300 square feet
Exceptions:		
<i>Public agency yard</i>	1 per 300 square feet of offices, plus 0.9 per 1,000 square feet of indoor storage or repair areas	–
<i>Public agency archive</i>	0.9 per 1,000 square feet of storage area, plus 1 per 50 square feet of waiting/reviewing areas	–

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
<i>Fire or police facility</i>	<i>(city manager)</i>	<i>(city manager)</i>
<i>Construction and trade</i>	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
<i>Warehousing and storage</i>	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
<i>Self-service storage</i>	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	–
<i>Heavy equipment repair</i>	1 per 300 square feet of office, plus 0.9 per 1,000 square feet of indoor repair areas	–
RETAIL/WHOLESALE:		
<i>Retail land uses</i>	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

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
<i>Vehicle refueling stations w/o grocery</i>	3 per facility, plus 1 per service bay	3 per facility, plus 1 per service bay
<i>Vehicle refueling stations w/grocery, no service bays</i>	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
<i>Wholesale trade uses</i>	0.9 per 1,000 square feet	0.9 per 1,000 square feet
<i>Retail sales and wholesale trade mixed use</i>	1 per 300 square feet	1 per 300 square feet
MANUFACTURING:		
<i>Manufacturing land uses</i>	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:		
<i>Resource land uses</i>	(city manager)	–
REGIONAL:		
<i>Regional land uses</i>	(city manager)	(city manager)

- 1 B. An *applicant* may request a modification of the minimum required number of *parking*
- 2 *spaces* by providing a parking demand analysis demonstrating that parking demand can be met
- 3 with a reduced parking requirement. In such cases, the *city manager* may approve a reduction of
- 4 up to 50 percent of the minimum required number of spaces.

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
4 in different parking requirements, the *city manager* will establish the amount of parking based
5 on a 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
16 the *use* or its location will generate a high volume of bicycle activity. Such a
17 determination will 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
26 and 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
29 impede 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
31 facilities for employees shall be provided. The *city manager* shall allocate the required
32 number of parking spaces between bike rack parking and enclosed locker-type
33 parking facilities.

34 5. One indoor bicycle storage space shall be provided for every two *dwelling*
35 *units* in *townhouse* and *apartment* residential *uses*, unless individual garages are
36 provided for every unit. The *city manager* may reduce the number of bike rack parking
37 spaces if *indoor storage* facilities are available to all residents.

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

Page 146

1 F. Exceedance of Minimum Parking – Zones Other Than Downtown Commercial and Downtown
2 Residential Zones West of 68th Avenue NE. Provision of parking shall not exceed 30 percent
3 more than the minimum parking requirements unless the excess parking spaces are included in
4 a structured parking garage, or under building and screened from the street frontage, unless the
5 additional parking is associated with a phased, mixed use development and is interim in nature.

6 G. Tree Retention – DC and DR Zones. Where an applicant proposes retention of *trees* in
7 accordance with KMC [18.35.100](#)(G) in the DC and DR zones, the *city manager* may reduce
8 parking requirements by one *parking space* for every two *significant trees* that are saved in
9 excess of the significant tree ordinance requirements.

10 H. Critical Area or Buffer Protection. When unavoidable, the *city manager* may reduce minimum
11 parking requirements in order to maximize the protection of a *critical area* or its *buffer*. The
12 reduction in the number of parking stalls or alternative stall or drive aisle dimensional
13 requirements shall be in proportion to the area to be retained in the *buffer* or *critical area*. [Ord.
14 24-0609 § 2 (Exh. A); Ord. 23-0574 § 2 (Exh. A); Ord. 19-0488 § 5 (Exh. 3); Ord. 19-0481 § 2 (Exh.
15 A); Ord. 17-0438 § 2 (Att. A); Ord. 16-0428 § 13 (Att. I); Ord. 16-0415 § 2 (Att. B); Ord. 14-0391
16 § 2 (Exh. 1); Ord. 11-0329 § 3 (Exh. 1).]

17 **18.40.035 Parking in the urban residential zone, downtown commercial zone east of 73rd**
18 **Avenue NE, public and semi-public zone abutting SR-522, and the urban corridor zone, east**
19 **subarea.**

20 Parking in the urban residential zone, the downtown commercial zone east of 73rd Avenue NE,
21 the public and semi-public zone abutting SR-522, and the urban corridor zone, east subarea,
22 should be sufficient to support local businesses and residential development, while at the same
23 time promoting transit ridership, walkable streets, and efficient use of land. Proposed
24 development shall provide parking as follows:

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

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

- 28 1. One-half parking space per dwelling unit.
- 29 2. One-half additional parking space per every five dwelling units shall be provided and
30 designated as guest parking for use by all guests.
- 31 3. There are no minimum parking requirements for multifamily residential developments
32 specifically for housing senior citizens or people with disabilities. For
33 residential developments specifically for housing senior citizens, an applicant shall
34 prepare a parking demand analysis to determine parking requirements for staff and
35 visitors. Parking requirements for senior citizen assisted living facilities are
36 addressed in KMC [18.40.030](#)(A) and [18.40.050](#).

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

- 1 1. On-street parking immediately adjoining a property proposed for development or
2 provided as part of the proposed development may be counted toward the minimum
3 parking requirement.
- 4 2. Shared parking among uses is encouraged. Developments that propose shared
5 parking arrangements shall submit a *parking management plan* that describes the
6 terms and conditions of shared parking arrangements on site.
- 7 D. Maximum parking shall not exceed the minimum requirement calculated under the provisions
8 of KMC [18.40.030](#).
- 9 1. Applicants may be allowed to exceed the maximum parking if the applicant can
10 produce a parking study that demonstrates probable on-site parking needs that are
11 significantly higher than similar uses. This traffic study shall be subject to review by
12 the *city manager* before approval for additional parking is granted. All parking granted
13 in excess of the maximum shall be provided in a structured parking garage or under
14 building and screened from the street frontage.
- 15 E. All other parking requirements shall be as provided in this chapter.
- 16 Exception: This section, as adopted by Ordinance No. 23-0574, shall not apply to certain real
17 properties located within the area of the transit oriented development (TOD) district overlay as
18 identified in KMC [18.29.020](#) and Figure 18.29.020.1, and as further identified by the following
19 tax parcel numbers (TPN): TPN 011410-0889, TPN 011410-0881, TPN 011410-0870, TPN
20 011410-0885, TPN 011410-0865, TPN 011410-0860, and TPN 011410-0855. [Ord. 23-0574 § 2
21 (Exh. A).]
- 22 **18.40.038 Exceedance of minimum parking – Downtown commercial zone, downtown
23 residential zone, urban corridor zone, east subarea, and urban residential zone.**
- 24 Provision of parking in excess of the minimum parking requirements shall require the excess
25 parking be included in a structured parking garage, or under *building* and screened from
26 the *street frontage*, unless the additional parking is associated with a phased, *mixed use
27 development* and is interim in nature.
- 28 Exception: This section, as adopted by Ordinance No. 23-0574, shall not apply to certain real
29 properties located within the area of the transit oriented development (TOD) district overlay as
30 identified in KMC [18.29.020](#) and Figure 18.29.020.1, and as further identified by the following
31 tax parcel numbers (TPN): TPN 011410-0889, TPN 011410-0881, TPN 011410-0870, TPN
32 011410-0885, TPN 011410-0865, TPN 011410-0860, and TPN 011410-0855. [Ord. 23-0574 § 2
33 (Exh. A).]
- 34 **18.40.040 Shared parking requirements.**
- 35 The amount of off-street parking required by KMC [18.40.030](#) may be reduced by an amount
36 determined by the *city manager* when shared parking facilities for two or more *uses* are
37 proposed, provided:
- 38 A. The total parking area exceeds 5,000 square feet;

1 B. The parking facilities are designed and developed as a single on-site common parking facility,
2 or as a system of on-site and off-site facilities, if all facilities are connected with improved
3 pedestrian facilities and no *building* or *use* involved is more than 800 feet from the most remote
4 shared facility;

5 C. The amount of the reduction shall not exceed 10 percent for each *use*, unless:

- 6 1. The normal hours of operation for each *use* are separated by at least one hour; or
- 7 2. A parking demand study is prepared by a professional traffic engineer and submitted
8 by the *applicant* documenting that the hours of actual parking demand for the
9 proposed *uses* will not conflict and those *uses* will be served by adequate parking if
10 shared parking reductions are authorized;
- 11 3. The *use* is a *mixed use development* pursuant to KMC [18.50.120](#), in which case a 25
12 percent reduction may be granted;
- 13 4. The *city manager* will determine the amount of reduction subject to subsection D of
14 this section;

15 D. The total number of *parking spaces* in the common parking facility is not less than the
16 minimum required spaces for any single *use*;

17 E. A covenant or other contract for shared parking between the cooperating property owners is
18 approved by the *city manager*. This covenant or contract must be recorded with the *City* as a
19 deed restriction on both properties and cannot be modified or revoked without the consent of
20 the *city manager*; and

21 F. If any requirements for shared parking are violated, the affected property owners must
22 provide a remedy satisfactory to the *city manager* or provide the full amount of required off-
23 street parking for each *use*, in accordance with the requirements of this chapter, unless a
24 satisfactory alternative remedy is approved by the *city manager*. [Ord. 11-0329 § 3 (Exh. 1).]

25 **18.40.050 Exceptions for community residential facilities (CRF) and senior citizen assisted**
26 **living.**

27 A. The minimum requirement of one off-street *parking space* per two bedrooms for *CRFs* and
28 one off-street *parking space* per two *senior citizen assisted living* units may be reduced by up to
29 50 percent, as determined by the *city manager* based on the following considerations:

- 30 1. Availability of *private*, convenient transportation services to meet the needs of the
31 residents;
- 32 2. Accessibility to and frequency of public transportation; and
- 33 3. Pedestrian access to health, medical, and shopping facilities.

34 B. If a *CRF* facility or *senior citizen assisted living* facility is no longer used for such purposes,
35 additional off-street *parking spaces* shall be required in compliance with this chapter prior to the
36 issuance of a new certificate of occupancy.

1 C. The parking requirements of KMC [18.40.055](#), if applicable, shall apply. [Ord. 24-0609 § 2 (Exh.
2 A); Ord. 11-0329 § 3 (Exh. 1).]

3 **18.40.055 Parking for certain types of development served by transit.**

4 Affordable housing shall be as defined under KMC [18.20.098](#). Housing for seniors shall be
5 defined as housing restricted to those meeting the definition of "senior citizen" as found in
6 KMC [18.20.2500](#).

7 Notwithstanding any other provision in this title, the following types of development shall have
8 the following parking requirements:

9 A. Transit Serving *Very Low-Income Affordable Housing Units* and *Extremely Low-Income*
10 *Affordable Housing Units*.

- 11 1. For *very low-income affordable housing units* or *extremely low-income affordable*
12 *housing units* that are located within one-quarter mile (1,320 feet), as measured
13 linearly along *streets* or other pedestrian pathways, of a transit stop that receives
14 transit service at least two times per hour for 12 or more hours per day, residential
15 parking requirements shall be no greater than 0.6 spaces per unit.
- 16 2. The *city manager* may require a *developer* to record a covenant that prohibits the
17 rental of units subject to this parking restriction for any purpose other than providing
18 for *very low-income affordable housing units* or *extremely low-income affordable*
19 *housing units*. The covenant must address price restrictions and household income
20 limits and policies if the property is converted to a use other than for such low-income
21 housing, as part of an affordability agreement pursuant to KMC [18.77.050](#).
- 22 3. The *city manager* may require more than 0.6 spaces per unit if the city manager
23 determines that particular *very low-income affordable housing units* or *extremely low-*
24 *income affordable housing units* are located in an area with a lack of access to street
25 parking capacity, physical space impediments, or other reasons supported by
26 evidence that would make on-street parking infeasible for such units.

27 B. Transit Serving Market Rate Multifamily *Dwelling Units*.

- 28 1. For market rate multifamily *dwelling units* that are located within one-quarter mile
29 (1,320 feet), as measured linearly along *streets* or other pedestrian pathways, of a
30 transit stop that receives transit service from at least one route that provides service
31 at least four times per hour for 12 or more hours per day, residential parking
32 requirements shall be no greater than 0.75 spaces per unit.
- 33 2. The *city manager* may require a *developer* to provide more than 0.75 spaces per unit
34 if the *city manager* has determined a particular *dwelling unit* to be in an area with a
35 lack of access to street parking capacity, physical space impediments, or other
36 reasons supported by evidence that would make on-street parking infeasible for
37 the *dwelling unit*.

38 C. Transit Serving Multifamily Housing for Seniors or People With Disabilities.

- 1 1. For multifamily *developments* specifically for housing seniors or people with
2 disabilities that are located within one-quarter mile (1,320 feet), as measured linearly
3 along *streets* or other pedestrian pathways, of a transit stop that receives transit
4 service at least four times per hour for 12 or more hours per day, there shall be no
5 minimum residential parking requirements for the residents of such *dwelling units*.
6 Housing for seniors shall be defined as housing restricted to those meeting the
7 definition of *senior citizen* as found in KMC [18.20.2500](#).
- 8 2. As an exception to subsection (C)(1) of this section, the *city manager* may require one
9 or more parking spaces per bedroom for housing for seniors or people with
10 disabilities if the *city manager* determines a particular unit to be in an area with a lack
11 of access to street parking capacity, physical space impediments, or other reasons
12 supported by evidence that would make on-street parking infeasible for the unit.
- 13 3. The *city manager* may require parking for staff and visitors of such multifamily
14 housing for seniors or people with disabilities, consistent with the requirements of
15 this title.
- 16 4. The *city manager* may require a *developer* to record a covenant that prohibits the
17 rental of such units subject to the parking restriction of this section for any purpose
18 other than providing for housing for seniors or people with disabilities, as part of an
19 affordability agreement pursuant to KMC [18.77.050](#). [Ord. 24-0609 § 2 (Exh. A).]

20 **18.40.060 Parking for the disabled.**

21 Off-street parking and access for physically disabled persons shall be provided in accordance
22 with the regulations adopted pursuant to Chapter [19.27](#) RCW, State Building Code,
23 KMC [18.40.055](#), and Chapter [70.92](#) RCW, Public Buildings – Provisions for Aged and Disabled.
24 See Chapter 11 of the International Building Code as adopted by the *City*. [Ord. 24-0609 § 2
25 (Exh. A); Ord. 11-0329 § 3 (Exh. 1).]

26 **18.40.070 Loading space and loading dock requirements.**

27 A. Every nonresidential *building* engaged in retail, wholesale, manufacturing or storage
28 activities, excluding *self-service storage* facilities, shall provide *loading spaces* in accordance
29 with the 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

GROSS FLOOR AREA	REQUIRED NUMBER OF LOADING SPACES
64,001 to 96,000 square feet	4
96,001 to 128,000 square feet	5
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
2 hall, 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

GROSS FLOOR AREA	REQUIRED NUMBER OF LOADING SPACES
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

C. Each *loading space* required by this section shall be a minimum of 10 feet wide, 30 feet long, and have an unobstructed vertical clearance of 14 feet, six inches, and shall be surfaced, improved and maintained as required by this chapter. *Loading spaces* shall be located so that trucks shall not obstruct pedestrian or vehicle traffic movement or project into any public right-of-way. All *loading space* areas shall be separated from parking areas and shall be designated as truck *loading spaces*.

D. Any *loading space*, including loading docks, located within 100 feet of areas zoned for residential *use* shall be screened and operated as necessary to reduce noise and visual impacts. Noise mitigation measures may include architectural or structural barriers, *berms*, walls, or restrictions on the hours of operation.

E. Multi-story *self-service storage* facilities shall provide two *loading spaces*, and single-story facilities one *loading space*, adjacent to each building entrance that provides common access to interior storage units. Each loading berth shall measure not less than 25 feet by 12 feet with an unobstructed vertical clearance of 14 feet, six inches, and shall be surfaced, improved and maintained as required by this chapter. Any floor area additions or structural alterations to a *building* shall be required to provide *loading space* or spaces as set forth in this chapter.

F. Loading docks shall be screened from view of the public right-of-way. Screening may include architectural or structural barriers, *berms*, walls or vegetation. [Ord. 14-0391 § 2 (Exh. 1); Ord. 11-0329 § 3 (Exh. 1).]

18.40.080 Stacking spaces for drive-through facilities.

A. A stacking space shall be an area measuring eight feet by 20 feet with direct forward access to a service window of a drive-through facility. A stacking space shall be located to prevent any vehicles from extending onto the public right-of-way, or interfering with any pedestrian circulation, traffic maneuvering, or other *parking space* areas. Stacking spaces for drive-through or drive-in *uses* may not be counted as required *parking spaces*.

B. *Uses* providing drive-up or *drive-through services* shall provide vehicle stacking spaces as follows:

- 1 1. For each drive-through lane of a bank/financial institution, business service, or other
2 drive-through *use* not listed, a minimum of five stacking spaces shall be provided; and
- 3 2. For each drive-through lane of a restaurant, a minimum of seven stacking spaces
4 shall be provided. [Ord. 11-0329 § 3 (Exh. 1).]

5 **18.40.090 Transit and rideshare provisions.**

6 *A. Government/business services land uses and manufacturing land uses, ambulatory surgery*
7 *center, hospital, educational service and college/university* shall be required to reserve
8 one *parking space* of every 20 required spaces for rideshare parking as follows:

- 9 1. The *parking spaces* shall be located closer to the primary employee entrance than any
10 other employee parking except disabled;
- 11 2. Reserved areas shall have markings and *signs* indicating that the space is reserved;
12 and
- 13 3. Parking in reserved areas shall be limited to vanpools and carpools established
14 through rideshare programs by public agencies and to vehicles meeting minimum
15 rideshare qualifications set by the employer;

16 *B. The city manager* may reduce the number of required off-street *parking spaces* when one or
17 more scheduled transit routes provide service within one-quarter mile (1,320 feet) of the *site* as
18 measured linearly along *streets* or other pedestrian pathways. The amount of reduction shall be
19 based on the number of scheduled transit runs between 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to
20 6:00 p.m. each business day up to a maximum reduction as follows:

- 21 1. Four percent for each run serving *government/business service land*
22 *uses and manufacturing land uses*, up to a maximum of 40 percent; and
- 23 2. Two percent for each run serving *recreational/cultural land uses, general services*
24 *land uses, retail land uses, and wholesale trade*, up to a maximum of 20 percent; and

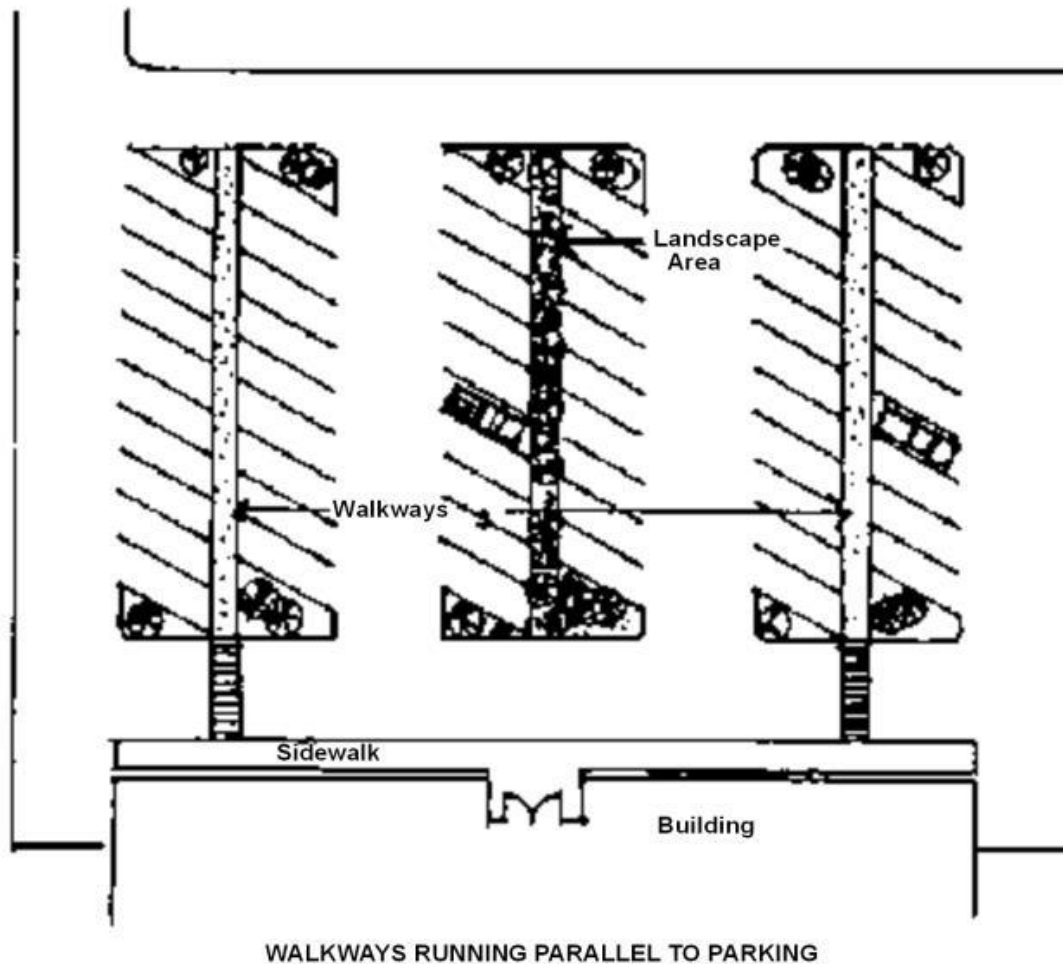
25 *C. All uses* which are located on an existing transit route and are required under the
26 computation for required off-street *parking spaces* in KMC [18.40.030\(A\)](#) to provide more than
27 200 *parking spaces* may be required to provide transit shelters, bus turnout lanes or other
28 transit improvements as a condition of permit approval. *Uses* which reduce required parking
29 under subsection B of this section shall provide transit shelters if transit routes adjoin the *site*.
30 [Ord. 17-0438 § 2 (Att. B); Ord. 14-0391 § 2 (Exh. 1); Ord. 11-0329 § 3 (Exh. 1).]

31 **18.40.100 Pedestrian and bicycle circulation and access.**

32 *A. Nonresidential Uses.* All permitted nonresidential *uses* shall provide pedestrian and bicycle
33 access within and onto the *site*. Access points onto the *site* shall be provided (1) approximately
34 every 800 to 1,000 feet along existing and proposed perimeter sidewalks and walkways, and (2)
35 at all arrival points to the *site*, including abutting *street* intersections, crosswalks, and transit
36 stops. In addition, access points to and from adjacent *lots* shall be coordinated to provide
37 circulation patterns between *developments*.

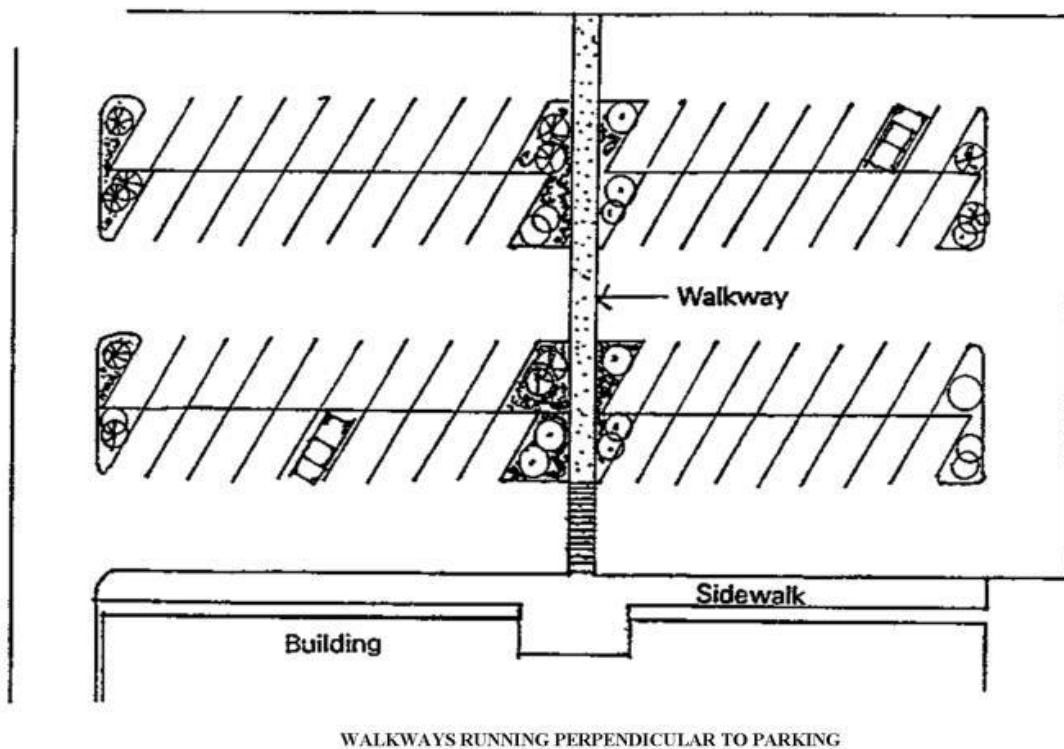
38 *B. Residential Uses.*

- 1 1. All permitted residential *uses* of five or more *dwelling units* shall provide pedestrian
2 and bicycle access within and onto the *site*. Access points onto the *site* shall be
3 provided (a) approximately every 800 to 1,000 feet along existing and proposed
4 perimeter sidewalks and walkways, and (b) at all arrival points to the *site*, including
5 abutting *street* intersections, crosswalks, and transit and school bus stops. In
6 addition, access points to and from adjacent *lots* shall be coordinated to provide
7 circulation patterns between *sites*.
- 8 2. Residential *uses* of five or more *dwelling units* shall provide for nonmotorized
9 circulation between cul-de-sacs or groups of *buildings* to allow pedestrian and bicycle
10 access within and through the *development* to adjacent activity centers, *parks*,
11 common tracts, dedicated open space intended for active recreation, schools or other
12 public facilities, transit and school bus stops, and public *streets*.
- 13 3. Access shall only be required to school bus stops that are within or adjacent to a
14 proposed residential *use* of five or more *dwelling units* and that are identified by the
15 affected *school district* in response to a notice of application.



- 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
- 4 entrances. Walkways shall be provided when the pedestrian access point onto the *site*, or
- 5 any *parking space*, is more than 75 feet from the building entrance or principal on-site
- 6 destination and as follows:
- 7 1. All *developments* which contain more than one *building* shall provide walkways
 - 8 between the principal entrances of the *buildings*;
 - 9 2. All nonresidential *buildings* set back more than 100 feet from the public right-of-way
 - 10 shall provide for direct pedestrian access from the *building* to *buildings* on
 - 11 adjacent *lots*; and

- 1 3. Walkways across parking areas shall be located as follows:
- 2 a. Walkways running parallel to the parking rows shall be provided for every six rows.
- 3 Rows without walkways shall be landscaped or contain barriers or other means to
- 4 encourage pedestrians to use the walkways; and
- 5 b. Walkways running perpendicular to the parking rows shall be no further than
- 6 20 *parking spaces*. Landscaping, barriers or other means shall be provided
- 7 between the parking rows to encourage pedestrians to use the walkways.



- 8
- 9 D. Pedestrian and bicycle access and walkways shall meet the following minimum design
- 10 standards:
- 11 1. Access and walkways shall be well lit and physically separated from driveways
- 12 and *parking spaces* by landscaping, *berms*, barriers, grade separation or other means
- 13 to protect pedestrians from vehicular traffic;
- 14 2. Access and walkways shall be a minimum of 48 inches of unobstructed width and
- 15 meet the surfacing standards of the *City street* standards for walkways or sidewalks;

- 1 3. The minimum standard for walkways required to be accessible for persons with
2 disabilities shall be designed and constructed to comply with the current State
3 Building Code regulations for barrier-free accessibility;
- 4 4. A crosswalk shall be required when a walkway crosses a driveway or a paved area
5 accessible to vehicles.
- 6 E. Blocks in excess of 660 feet shall be provided with a crosswalk at the approximate midpoint
7 of the block.
- 8 F. The *city manager* may waive or modify the requirements of this section when:
- 9 1. Existing or proposed improvements would create an unsafe condition or security
10 concern;
- 11 2. There are topographical constraints, or existing or required *structures* effectively
12 block access;
- 13 3. The *site* is not contiguous to an activity center, *park*, common tract, dedicated *open*
14 *space*, school, transit stop or other public facility;
- 15 4. The land *use* would not generate the need for pedestrian or bicycle access; or
- 16 5. The public is not allowed access to the subject land *use*.
- 17 The *city manager's* waiver may not be used to modify or waive the requirements of this
18 section relating to sidewalks and safe walking conditions for students.
- 19 G. The provisions of this section shall not apply on *school district* property. [Ord. 11-0329 § 3
20 (Exh. 1).]

21 **18.40.110 Off-street parking plan design standards.**

- 22 A. Off-street parking areas shall not be located more than 600 feet from the *building* they are
23 required to serve for all *uses* except those specified as follows; where an off-street parking area
24 does not abut the *building* it serves, the required maximum distance shall be measured from the
25 nearest building entrance that the parking area serves:
- 26 1. For all single detached dwellings the *parking spaces* shall be located on the
27 same *lot* they are required to serve;
- 28 2. For all other residential dwellings at least a portion of parking areas shall be located
29 within 150 feet from the *building* or *building(s)* they are required to serve;
- 30 3. For all nonresidential *uses* permitted in residential zones, the *parking spaces* shall be
31 located on the same *lot* they are required to serve and at least a portion of parking
32 areas shall be located within 150 feet from the nearest building entrance they are
33 required to serve;
- 34 4. In the community business and neighborhood business zones, parking lots shall be
35 located to the rear or sides of *buildings*. Relief from this subsection (A)(4) may be
36 granted by the *city manager* only if the *applicant* can demonstrate that there is no

practical site design to meet this requirement. The *city manager* may allow only the number of *parking spaces* that cannot be accommodated to the rear or sides of *buildings* to be located to the front of *buildings*,

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

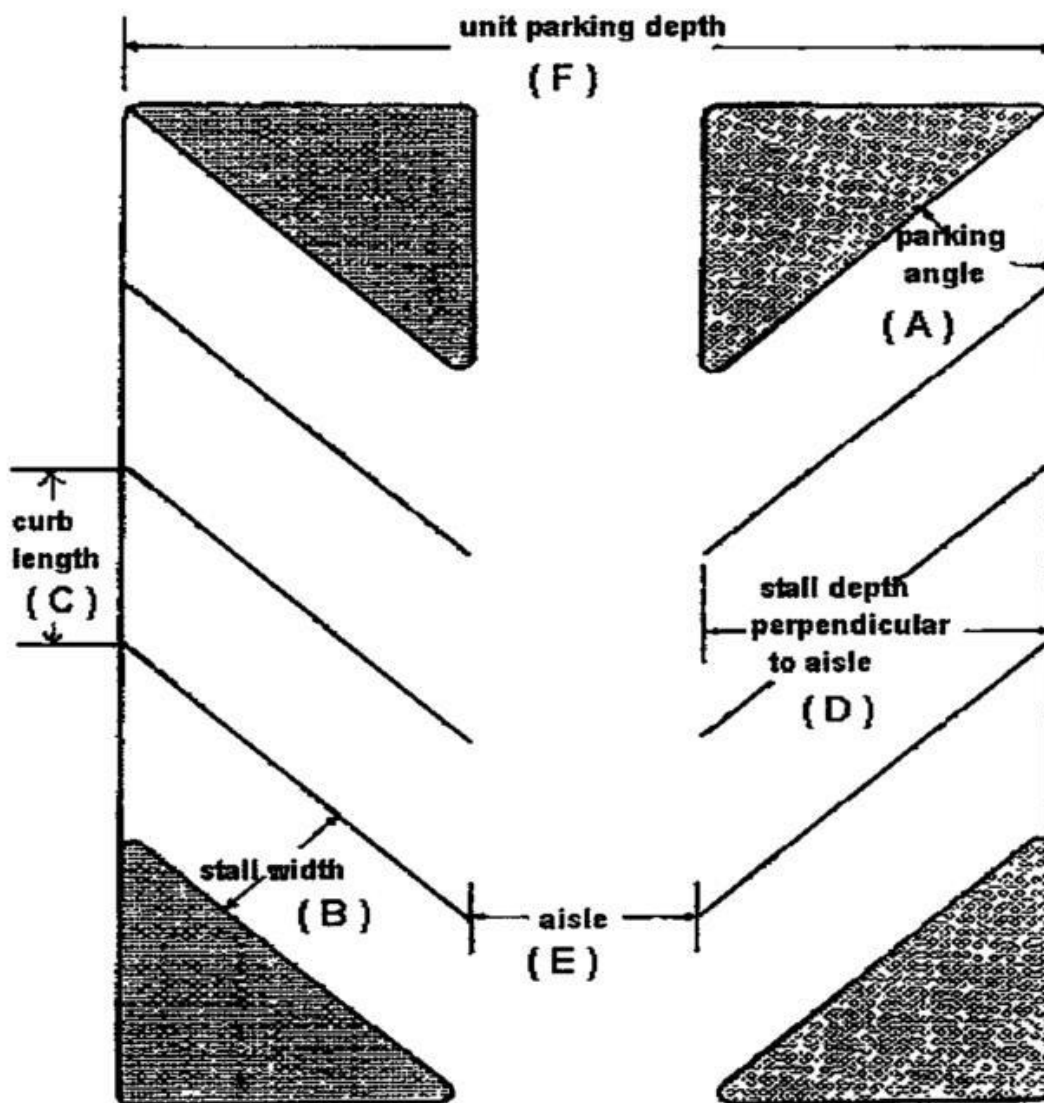
MINIMUM PARKING STALL AND AISLE DIMENSIONS

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
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

1 * for compact stalls only

2 ** variable with compact and standard combinations

NOMENCLATURE OF OFF-STREET PARKING AREA



1

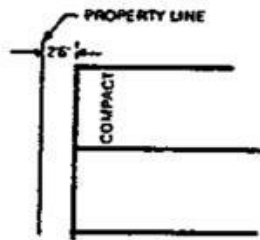
2 C. Any *parking spaces* abutting a required landscaped area on the driver or passenger side of
 3 the vehicle shall provide an additional 18 inches above the minimum space width requirement
 4 to provide a place to step other than in the landscaped area. The additional width shall be
 5 separated from the adjacent *parking space* by a parking space division stripe.

6 D. The *parking space* depth may be reduced if vehicles overhang a walkway or landscaping
 7 under the following conditions:

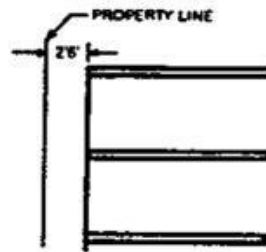
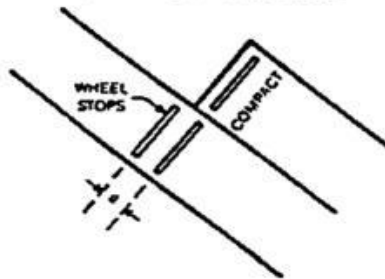
- 1 1. Wheel stops or curbs are installed;
- 2 2. The remaining walkway provides a minimum of 48 inches of unimpeded passageway
- 3 for pedestrians;
- 4 3. The amount of space depth reduction is limited to a maximum of 18 inches; and
- 5 4. Landscaping is designed in accordance with KMC [18.35.070](#)(E).
- 6 E. Driveways providing ingress and egress between off-street parking areas and
- 7 abutting *streets* shall be designed, located and constructed in accordance with the provisions of
- 8 Chapter [12.50](#) KMC, Road Standards.
- 9 F. *Parking spaces* required under this title shall be located as follows:
- 10 1. For *single detached dwelling units* the required *parking spaces* shall be outside of any
- 11 required *setbacks* or *landscaping*, but driveways crossing *setbacks* and
- 12 required *landscaping* may be used for parking. However, if the driveway is a *joint use*
- 13 *driveway*, no vehicle parked on the driveway shall obstruct any joint user's access to
- 14 the driveway or *parking spaces*;
- 15 2. For all other *developments*, *parking spaces* may be permitted by the *city*
- 16 *manager* in *setback* areas in accordance with an approved landscape plan; and
- 17 3. For nonresidential *uses* in residential zones, parking is permitted in *setback* areas in
- 18 accordance with KMC [18.21.060](#).
- 19 G. Lighting shall be provided for safety of traffic and pedestrian circulation on the *site*. It shall
- 20 be designed to minimize direct illumination of abutting properties and adjacent *streets*. The *city*
- 21 *manager* shall have the authority to waive the requirement to provide lighting.
- 22 H. Tandem or end-to-end parking is allowed in
- 23 residential *developments*. *Apartment* or *townhouse developments* may have tandem parking
- 24 areas for each *dwelling unit* but shall not combine parking for separate *dwelling units* in tandem
- 25 parking areas.
- 26 I. All vehicle parking and storage must be in a garage, carport or on an
- 27 approved *impervious surface*. Any *impervious surface* used for vehicle parking or storage must
- 28 have direct and unobstructed driveway access.
- 29 J. The total number of vehicles parked or stored outside of a *building* on a single-family *lot* in
- 30 the R-4 through R-6 zones, excluding *recreational vehicles* and trailers, shall not exceed six
- 31 vehicles on *lots* 12,500 square feet or less and eight vehicles on *lots* greater than 12,500 square
- 32 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
- 36 located in a parking structure; and

- 1 2. A minimum turning radius of 26 feet, four inches with a minimum turning diameter,
2 curb to curb, of 52 feet, five inches shall be provided from parking aisles to adjacent
3 carpool 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
14 Chapter [13.35](#) KMC.
- 15 C. Paved parking areas shall have *parking spaces* marked by surface paint lines or suitable
16 substitute traffic marking material in accordance with the Washington State Department of
17 Transportation Standards. Wheel stops are required where a parked vehicle would encroach on
18 adjacent property, pedestrian access or circulation areas, right-of-way or landscaped areas.
19 Typically approved markings and wheel stop locations are illustrated below.

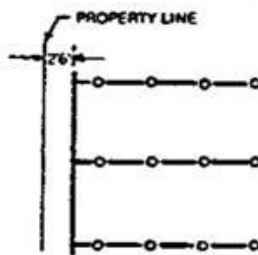
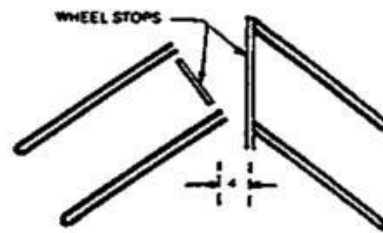
STALL MARKINGS AND WHEEL STOP LOCATIONS



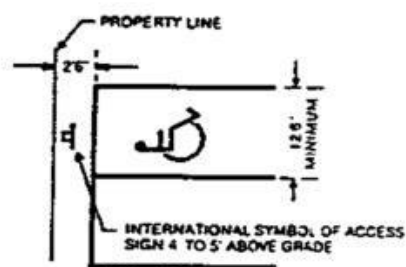
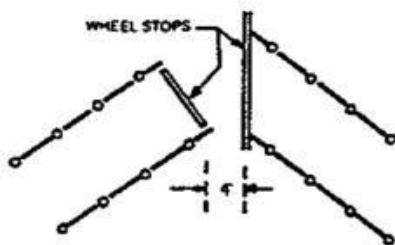
COMPACT MARKING



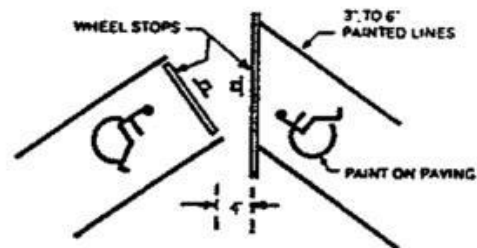
PAINTED HORSESHOE MARKING



METAL OR PLASTIC TRAFFIC MARKING



HANDICAP MARKING



1

2 [Ord. 11-0329 § 3 (Exh. 1).]

1 **18.40.130 Compact car allowance requirements.**

2 In any *development* containing more than 20 *parking spaces*, up to 50 percent of the total
3 number of spaces may be sized to accommodate compact cars, subject to the following:

4 A. Each space shall be clearly identified as a compact car space by painting the word
5 "COMPACT" in capital letters, a minimum of eight inches high, on the pavement at the base of
6 the *parking space* and centered between the striping;

7 B. Aisle widths shall conform to the standards set for standard size cars; and

8 C. *Apartment developments* with less than 20 parking spaces may designate up to 40 percent
9 of the required parking spaces as compact spaces. [Ord. 16-0428 § 13 (Att. I); Ord. 11-0329 § 3
10 (Exh. 1).]

11 **18.40.140 Internal circulation road standards.**

12 Internal access roads to off-street parking areas shall conform to City street standards set forth
13 in Chapter [12.50](#) KMC. [Ord. 11-0329 § 3 (Exh. 1).]

14

15

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 ~~a~~an 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
Lots with an area equal to or greater than 6,000 square feet	10% of the lot area up to a maximum of 1,500 square feet
Lots with an area less than 6,000 square feet	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.

G. An applicant seeking to build an accessory dwelling unit shall file a notice approved by the department with the records and elections division which identifies the dwelling unit as

1 accessory. The notice shall run with the land. The *applicant* shall submit proof that the notice
2 was filed before the *department* shall approve any permit for the construction of the *accessory*
3 *dwelling unit*. The required contents and form of the notice shall be set forth in administrative
4 rules.

5 ~~H. The total number of occupants in the principal *dwelling unit* and the *accessory dwelling*~~
6 ~~*unit* combined shall not exceed the maximum number of occupants established for a single-~~
7 ~~family dwelling as defined in KMC 18.20.1010 is permitted per dwelling unit and accessory~~
8 ~~*dwelling unit on a lot, regardless of whether that unit is owned separately or leased. [Ord. 20-*~~
9 ~~*0510 § 2 (Exh. A); Ord. 11-0329 § 3 (Exh. 1).]*~~

10 I. Detached accessory dwelling units may be sited at a property line with no setback if the
11 property line abuts a public alley.

12 J. Existing structures, including legally nonconforming structures, may be converted into
13 accessory dwelling units provided they meet relevant existing building code requirements.

14 K. Public street improvements (e.g. frontage improvements) are not required as a condition of
15 permitting accessory dwelling units.

16 L. Accessory dwelling units may be sold individually from the principal unit. Condominium units
17 originally constructed as accessory dwelling units may be sold or otherwise conveyed
18 individually from the principal unit.

19 **18.73.110 Home occupation.**

20 Residents of a *dwelling unit* may conduct one or more *home occupations* as accessory
21 activities, provided:

22 A. The total area devoted to all *home occupation(s)* shall not exceed 20 percent of the floor area
23 of the *dwelling unit*. Areas with attached garages and storage *buildings* shall not be considered
24 part of the *dwelling unit* for purposes of calculating allowable *home occupation* area but may be
25 used for storage of goods associated with the *home occupation*,

26 B. In residential zones, all the activities of the *home occupation(s)* shall be conducted indoors,
27 except for those related to growing or storing of plants used by the *home occupation(s)*,

28 C. No more than one nonresident shall be employed by the *home occupation(s)*,

29 D. The following activities shall be prohibited in residential zones only:

- 30 1. Automobile, truck and *heavy equipment* repair;
- 31 2. Autobody work or painting;
- 32 3. Parking and storage of *heavy equipment*; and
- 33 4. Storage of building materials for use on other properties;

34 E. In addition to required parking for the *dwelling unit*, on-site parking shall be provided as
35 follows:

- 36 1. One stall for a nonresident employed by the *home occupation(s)*; and

- 1 2. One stall for patrons when services are rendered on site.
- 2 3. For *specialized instruction schools*, the number of stalls shall be as required by
- 3 Chapter [18.40](#) KMC;
- 4 F. Sales shall be limited to:
- 5 1. Mail order sales; and
- 6 2. Telephone sales with off-site delivery;
- 7 G. *Specialized instruction schools* shall be limited to:
- 8 1. Twelve students per one-hour session;
- 9 2. *Structures* used for the school shall maintain a distance of 25 feet from property lines
- 10 adjoining residential zones;
- 11 H. Services to patrons shall be arranged by appointment or provided off site;
- 12 I. The *home occupation(s)* may use or store a vehicle for pickup of materials used by the *home*
- 13 *occupation(s)* or the distribution of products from the *site*, provided:
- 14 1. No more than one such vehicle shall be allowed;
- 15 2. Such vehicle shall not park within any required *setback* areas of the *lot* or on
- 16 adjacent *streets*; and
- 17 3. Such vehicle shall not exceed a weight capacity of one ton;
- 18 J. The *home occupation(s)* shall not use electrical or mechanical equipment that results in:
- 19 1. A change to the occupancy type of the *structure(s)* used for the *home occupation(s)*;
- 20 2. Visual or audible interference in radio or television receivers, or electronic equipment
- 21 located off-premises; or
- 22 3. Fluctuations in line voltage off-premises; and
- 23 K. *Uses* not allowed as *home occupations* may be allowed as a *home industry* pursuant to this
- 24 chapter. [Ord. 17-0438 § 2 (Att. A); Ord. 11-0329 § 3 (Exh. 1).]
- 25 **18.73.120 Home industry.**
- 26 In all zones except R-12, R-18, R-24, UR, CB Juanita subarea, and NB, a resident may establish
- 27 a *home industry* as an accessory activity, provided:
- 28 A. In the R-1, R-4 and R-6 zones, a *conditional use permit* is obtained;
- 29 B. The *site area* shall be no less than one acre;
- 30 C. The area of the *home industry* shall not exceed 50 percent of the floor area of the *dwelling*
- 31 *unit*. Areas within attached garages and storage *buildings* shall not be considered part of
- 32 the *dwelling unit* for purposes of calculating allowable *home industry* area but may be used for
- 33 storage of goods associated with the *home occupation*;

- 1 D. No more than four nonresidents shall be employed in a *home industry*,
2 E. In addition to required parking for the *dwelling unit*, on-site parking shall be provided as
3 follows:
4 1. One stall for each nonresident employee of the *home industry*; and
5 2. One stall for customer parking;
6 F. Additional customer parking shall be calculated for areas devoted to the *home industry* at the
7 rate of one stall per:
8 1. One thousand square feet of *building* floor area; and
9 2. Two thousand square feet of outdoor work or storage area;
10 G. Sales shall be limited to items produced on site, except for items collected, traded and
11 occasionally sold by hobbyists, such as coins, stamps, and antiques;
12 H. Ten feet of Type I *landscaping* shall be provided around portions of parking and outside
13 storage areas which are otherwise visible from adjacent properties or public rights-of-way; and
14 I. The *city manager* shall ensure compatibility of the *home industry* by:
15 1. Limiting the type and size of equipment used by the *home industry* to those which are
16 compatible with the surrounding neighborhood;
17 2. Providing for *setbacks* or screening as needed to protect adjacent residential
18 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
22 may be excessive. [Ord. 23-0574 § 2 (Exh. A); Ord. 18-0454 § 2 (Exh. 1); Ord. 17-0438
23 § 2 (Att. A); Ord. 11-0329 § 3 (Exh. 1).]
24

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33

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.

- 1 4. Required perimeter landscaping shall not be counted as private open space.
- 2 E. A cottage development shall provide a minimum of 250 square feet of common open space
3 per cottage.
- 4 1. A cottage development shall provide a minimum of 250 square feet of common open
5 space per cottage.
- 6 2. Common open spaces may be comprised of lawns, gardens, plazas, seating areas,
7 covered gazebos, trees, or similar features.
- 8 3. Community buildings, clubhouses, or structures are not required but can be counted
9 as common open space provided they are on site and permanently affixed.
- 10 4. Common open space shall be located and made accessible to all residents of the
11 cottage housing development.
- 12 5. Common open space shall be connected to other areas of the development through
13 on-site pedestrian pathways.
- 14 6. Common open space shall be designed and located to protect existing stands of
15 trees pursuant to KMC 18.57.
- 16 **18.75.030 Site Design Standards**
- 17 A. Site design standards for cottage housing shall meet the requirements of KMC 18.52 Article
18 II, except as noted otherwise in this Chapter.
- 19 1. Each cottage shall have a paved on-site pedestrian pathway, providing access to a
20 public sidewalk, common open space, common parking areas, common buildings and
21 common solid waste areas, if provided.
- 22 2. Parking outside of garages shall be screened per KMC 18.52.180.
- 23 3. Mechanical and utility equipment shall be located and designed to minimize visibility
24 by the public. Preferred locations are abutting alleys, access drives, within, atop, or
25 under buildings, underground, or other locations away from the public right-of-way.
26 Equipment shall not intrude into required common open space or pedestrian
27 pathways.
- 28 **18.75.040 Building Design Standards**
- 29 A. Building design standards for cottage housing shall meet the requirements of KMC 18.52
30 Article III and Article V, except as noted otherwise in this Chapter.
- 31 1. Cottage front facades shall face a common open space or a right-of-way.
- 32 2. Cottages may be attached or detached.
- 33 3. Buildings should be oriented and designed to promote privacy between detached
34 cottages, including the location of transparent features such as windows and doors.
- 35 4. Cottages with identical architectural designs should not be placed directly adjacent to
36 one another and should be separated by at least one other nonidentical cottage.

- 1 Variation in materials or colors between adjacent cottages are encouraged to create
- 2 distinct cottages within a development.
- 3 5. Parking provided in garages shall meet the following standards:
- 4 a. Garage elevations visible from a public street should be designed to minimize
- 5 visual impact through the use of fencing, lattices, landscaping, or other screening
- 6 methods.
- 7 a. Garages may be detached from cottage units. Up to four garages may be attached
- 8 to one another.
- 9 **18.75.050 Public Benefits and Development Incentives**
- 10 A. Development incentives permitted for cottage housing development are permitted as define
- 11 in KMC 18.21.035(J).
- 12

1	Chapter 19.25
2	PROCEDURES FOR LAND USE DECISIONS, PUBLIC NOTICE, HEARINGS AND APPEALS
3	Sections:
4	<u>19.25.010 Chapter purpose.</u>
5	<u>19.25.020 Classifications of land use decision processes.</u>
6	<u>19.25.030 Preapplication conferences.</u>
7	<u>19.25.040 Application requirements.</u>
8	<u>19.25.050 Determination of completeness.</u>
9	<u>19.25.055 Vesting.</u>
10	<u>19.25.060 Notice of application.</u>
11	<u>19.25.065 Public notice boards.</u>
12	<u>19.25.080 Applications – Modifications to proposal.</u>
13	<u>19.25.083 Application cancelled for inactivity.</u>
14	<u>19.25.085 Type 2 decisions.</u>
15	<u>19.25.090 Notice of decision.</u>
16	<u>19.25.092 Appeals.</u>
17	<u>19.25.095 Applications – Limitations on refiling of applications.</u>
18	<u>19.25.100 Time limitations.</u>
19	19.25.010 Chapter purpose.
20	The purpose of this chapter is to establish standard procedures for land use decisions,
21	including public notice, hearings and appeals. These procedures are designed to promote timely
22	and informed public participation in discretionary land use decisions; eliminate redundancy in
23	the application, permit review, hearing and appeal processes; provide for uniformity in public
24	notice procedures; minimize delay and expense; and result in development approvals that
25	implement the policies of the <i>comprehensive plan</i> . [Ord. 11-0329 § 3 (Exh. 1).]
26	19.25.020 Classifications of land use decision processes.
27	A. Land use decisions are classified into five types, based on the amount of discretion
28	associated with each decision. Procedures for the five different types are distinguished
29	according to who makes the decision, whether public notice is required, whether a public
30	hearing is required before a decision is made and whether administrative appeals are provided.
31	The types of land use decisions are listed in Exhibit A of this section.

- 1 1. Type 1 decisions are made by the *city manager*. Type 1 decisions are nonappealable
2 administrative decisions that require the exercise of little or no administrative discretion. Public
3 notice is not required for Type 1 decisions.
- 4 2. Type 2 decisions are made by the *city manager*. Type 2 decisions are discretionary decisions
5 that are subject to administrative appeal.
- 6 3. Type 3 decisions are quasi-judicial decisions made by the *hearing examiner* following an
7 open record hearing. Type 3 decisions may be appealed directly to King County superior court,
8 pursuant to Chapter [36.70C](#) RCW, the Land Use Petition Act, based on the record established by
9 the *hearing examiner*.
- 10 4. Type 4 decisions are quasi-judicial decisions made by the city council based on the record
11 established by the *hearing examiner*.
- 12 5. Type 5 decisions are legislative decisions made by the city council.
- 13 B. Except as provided in KMC [16.75.060](#) and [19.35.160](#) or unless otherwise agreed to by
14 the *applicant*, all Type 2, 3 and 4 decisions included in consolidated permit applications that
15 would require more than one type of land use decision process may be processed and decided
16 together, including any administrative appeals, using the highest-numbered land use decision
17 type applicable to the project application. KMC [16.75.060](#) sets out the combined hearing
18 authority for shoreline exemptions, shoreline substantial development permits, shoreline
19 variances, and shoreline conditional use permits.
- 20 C. Certain development proposals are subject to additional procedural requirements beyond the
21 standard procedures established in this chapter.
- 22 D. Land use permits that are categorically exempt from review under SEPA do not require a
23 threshold determination (determination of nonsignificance (DNS) or determination of
24 significance (DS)). For all other projects, the SEPA review procedures in Chapter [19.35](#) KMC are
25 supplemental to the procedures in this chapter.

26

Exhibit A

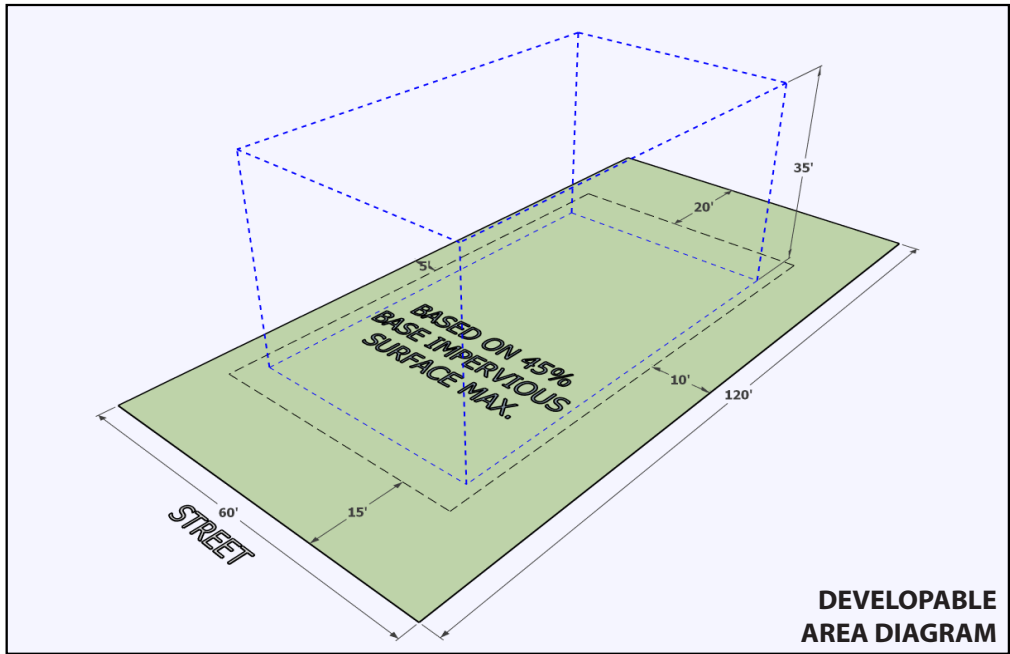
LAND USE DECISION TYPES

TYPE 1 ²	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; 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	<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

	record. Appealable to Growth Management Hearings Board pursuant to Chapter 36.70A RCW	order to obtain a <i>comprehensive plan</i> amendment or related zoning map or text amendment pursuant to Chapter 18.120 KMC.
--	---	---

- 1 ¹ All shoreline permits, including shoreline variances and conditional uses, are appealable to the
2 State Shorelines Hearings Board and not to the *hearing examiner*.
- 3 ² Type 1 land use decisions that are not categorically exempt from environmental review under
4 Chapter [43.21C](#) RCW (State Environmental Policy Act) shall provide a notice of application per
5 KMC [19.25.060](#) and a notice of decision per KMC [19.25.090](#). The notice of decision may be a
6 copy of the permit.
- 7 ³ Approvals that are consistent with the *comprehensive plan* may be considered by the city
8 council at any time. Zone *reclassifications* that are not consistent with the *comprehensive*
9 *plan* land use map require a *site-specific comprehensive plan land use map amendment* and the
10 city council's hearing, and consideration shall be considered a Type 5 land use decision and
11 scheduled with the amendment to the *comprehensive plan* under Chapter [19.20](#) KMC.
- 12 ⁴ If the proposal is being considered as part of the annual *docket* work program as described in
13 Chapter [19.20](#) KMC. If the proposal is not part of the annual *docket*, the city council conducts
14 the public participation process and makes the decision on the record.
- 15 ⁵ Decisions on shoreline variance and shoreline conditional use permits require approval by the
16 Department of Ecology.
- 17 [Ord. 23-0593 § 5 (Exh. C); Ord. 21-0521 § 3 (Exh. B); Ord. 19-0481 § 2 (Exh. A); Ord. 16-0426 § 8
18 (Att. F); Ord. 12-0334 § 18; Ord. 11-0329 § 3 (Exh. 1).]
- 19 ...



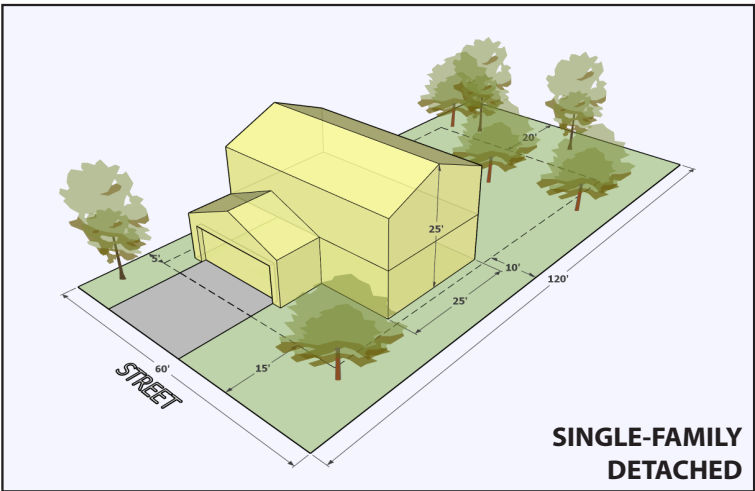
LEGEND

- 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.

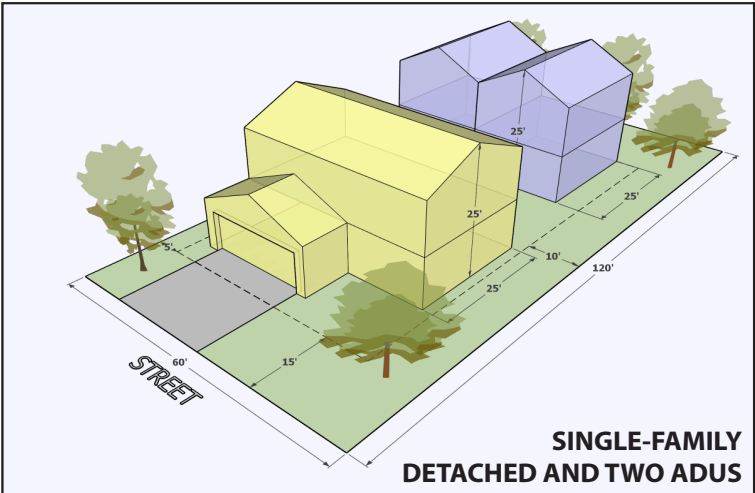
NOTE: These development scenarios are illustrative and for demonstration purposes only.



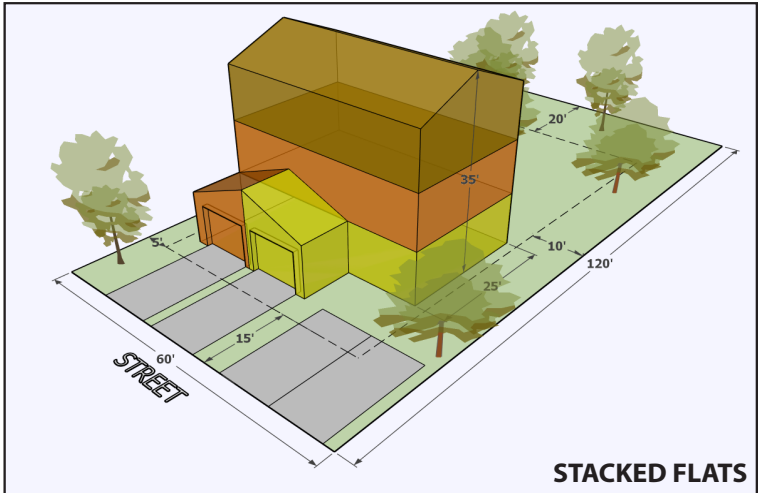
**SINGLE-FAMILY
DETACHED**



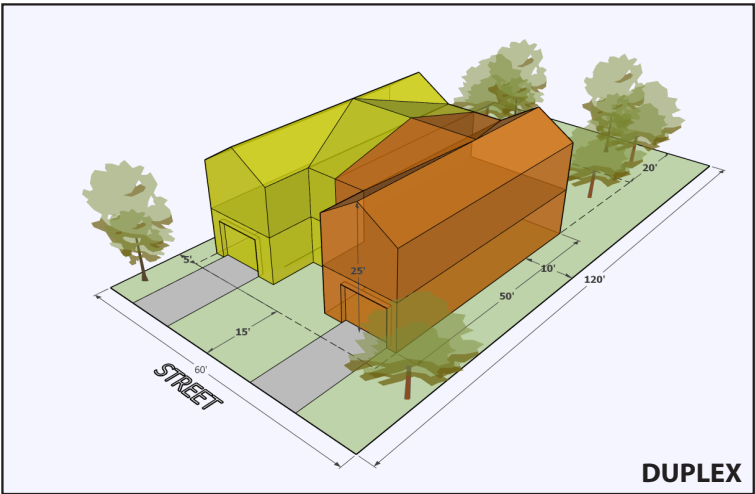
TRIPLEX



**SINGLE-FAMILY
DETACHED AND TWO ADUS**



STACKED FLATS



DUPLEX



**COTTAGE
HOUSING**



A Regional Coalition for Housing

Together Center Campus
16305 NE 87TH St, Suite 119
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 25, 2025

Summary

With the support of City staff, ARCH staff would recommend that the Kenmore Planning Commission consider the attached code amendments for incorporating housing affordability requirements in conjunction with middle housing density increases.

Background

At the March 18 Planning Commission's meeting, ARCH staff presented a feasibility analysis of various middle housing prototypes, mostly redevelopment projects of older, single-family homes on 10,000 square foot lots. We also modeled one scenario retaining an existing home and building a triplex on one-half of the lot. (Please see Note 1 at the end of this memo.) The analysis indicated that:

1. Projects with fewer than four units per lot and floor-area ratios under 0.5, as well as stacked flat housing types, are likely to be infeasible in most cases under present conditions.
2. Projects with four units per lot and floor-area ratios (FAR) greater than 0.5 can be feasible.
3. The feasible projects were able to absorb a fee in lieu of affordable housing of \$6.00 per square foot of total floor space and remain feasible. The \$6.00 per square foot was derived from the midpoint of the price gaps between affordable and market-rate sale prices of all the prototypes where the affordability level was set at 80 percent of the area median income (AMI).

ARCH staff concluded that, in general, middle housing projects can be expected to be more profitable than conventional subdivision projects, and that inclusionary zoning (mandatory housing affordability associated with upzoning) would not deter construction of middle housing in Kenmore and could benefit the community, either by creating affordable homes in larger

projects or by gaining revenue from smaller projects to create affordable housing elsewhere in Kenmore. We do not predict the end of conventional single-family home construction in Kenmore, only that under present conditions, builders will try to build more housing rather than less whenever possible.

An inclusionary zoning policy would take the place of Kenmore's existing Residential Density Incentive (RDI), which has been part of the zoning code since the city's incorporation. RDI is voluntary and awards developers with one bonus unit for each unit sold or rented at 80 percent of AMI or two bonus units for each unit sold at 70 percent AMI or rented at 50 percent AMI. RDI has been used three times. One multifamily rental project has not been built, one townhouse project paid a fee in lieu of one homeownership unit, and one townhouse project under construction will provide a rental unit affordable at 70 percent AMI.

ARCH staff also presented two options for implementing an affordable housing requirement in R-4 and R-6 zones. The Planning Commission asked staff to return with code amendments that would:

- Require projects of four or more new units to provide 10 percent of the units affordable at 80 percent AMI, if owner-occupied, and 60 percent AMI if renter-occupied.
- Provide a developer option to pay a fee in lieu of affordable units in projects of four to nine units (where a 10 percent "set-aside" results in a fraction less than one units).
- Exempt smaller units from the fee-in-lieu assessment.
- Delay implementation of the affordability requirement for builders who have purchased property and planned projects under existing R-4 and R-6 zoning to get their applications vested, and to give the City Council sufficient time to determine an appropriate in-lieu fee rate.

ARCH staff has drafted code amendments following the Planning Commission's instructions, as described above under Background. We wish to ask Commissioners to reconsider one aspect, however. In our memo to the Planning Commission for their March 18th meeting, ARCH staff outlined two options for R-4 and R-6 zones. Option 1 applied the inclusionary (affordability) requirement only to projects creating four or more units and did not exempt small-sized units. Option 2 applied to all projects but exempted units smaller than 2,000 square feet. ARCH staff inadvertently suggested that the Commission could consider combining the project-size and unit-size exemptions, which the Commission did in their motion. We regret causing this confusion and wish to clarify the intent of separating these provisions, addressed below.

Analysis

Additional Modeling. After Kimley Horn consultants presented illustrations of six middle housing prototypes to the Commission on March 18, ARCH staff re-ran our model with those parameters – 7,200 square foot lots and housing sizes provided by Kimley Horn. The results (see Attachment 1) were similar to those in the 10,000 square foot lot versions; feasible scenarios had four or more new units and:

- Detached homes, e.g., single-family, cottages, and ADUs, with combined floor area greater than about 0.6 FAR, or

- Attached homes, e.g., townhomes and duplexes, with combined floor area greater than about 0.8 FAR.

In short, the economy appears to favor detached homes, but attached homes (not stacked) can be feasible if they are large enough.

Inclusionary Zoning Compared to Residential Density Incentive. The inclusionary zoning proposal would be more attractive to builders than the RDI program because the builder received more development capacity for the affordable housing they provide – one to three additional units per lot in exchange for 10 percent of the units in the project, compared to one or two bonus units for each affordable unit.

Proposed Code Amendments.

Project Size and Unit Size Exemptions

Option 1 presented an exemption for projects of one to three new units on the grounds that these are typically built by smaller builders or single homeowners and shown to be infeasible (or less feasible) in our modeling. Option 2 would have exempted only units up to a certain size (square footage), encouraging construction of smaller units and requiring affordability from large homes regardless of project size.

Combining the project size and unit size exemptions has the unintended (in ARCH staff's view) effect of exempting nearly all middle housing in projects of fewer than ten units from contributing affordability. That is because in those cases all the housing units we modeled were smaller than 2,000 square feet. The draft code amendments have both the project size and unit size exemptions, with the latter set at 1,000 square feet so that, in projects of four to nine units, only the most "naturally affordable" middle housing units would be exempt. All units, regardless of size, would be counted to determine the project size and whether a project meets the four-unit threshold.

If the Commission decides to recommend a unit size exemption greater than 1,000 square feet, the proposed regulations (found in other sections of Chapter 18 KMC) may suggest possible guideposts:

- Accessory dwelling units (ADUs). ADUs can be as large as 1,000 square feet on lots smaller than 6,000 square feet, or up to 1,500 square feet on larger lots.
- Cottage housing. The Commission has been considering incentives for builders to keep cottages smaller than 1,200 square feet. Pairing this with an affordable housing exemption may increase the attraction for builders.

Market-rate sales of cottage housing and larger ADUs are estimated to require incomes greater than 150 percent AMI.

Full Implementation Date

ARCH staff suggests that December 31, 2025, would give enough time for the City Council to determine the initial fee rate and for builders to submit permit applications for projects allowed under the existing code.

Fee Evaluations

The draft code amendments provide for the City Council to set the in-lieu fee rate based on the difference between market-rate and affordable home prices, where affordability is based at 80 percent AMI. The relationship between market-rate and affordable home prices can change over time, as can the cost factors that affect the prices that builders need to make profits. As time passes, the City may want to evaluate whether the fee rate still reflects housing market economics and household incomes but not change the rate so radically that builders find the cost unpredictable.

ARCH staff proposed that the fee rate should increase with the Consumer Price Index for at least two years at a time before the Council resets the fee, after re-evaluating with current market conditions. The Commission may want to consider whether a longer period would provide the benefit of more stability.

Recommendations

ARCH staff propose that the Planning Commission consider the following questions before recommending code amendments to the City Council.

- A. Should smaller units be exempt from the in-lieu fee if small projects (fewer than four units) are already exempt? Alternatively, if smaller units are exempt, do small projects also need the exemption?**
- B. How long should the implementation delay last?**
- C. How often should the City Council re-evaluate – and potentially reset – the in-lieu fee?**

Attachments

Attachment: Proposed Code Amendments.

Notes

1. In 2020, ARCH staff analyzed Kenmore parcel data from the King County Assessor, which shows that the median size of 1,105 lots in R-4 is 11,500 square feet and the median of 5,336 R-6 lots is 9,939 square feet.

ARCH's consultant, BAE Urban Economics, who built the model, based their acquisition cost assumptions in part on 2023-2024 sales data obtained through Redfin.com. Those records – 98 sales of single-family homes built no later than 1980 on lots smaller than one acre and priced below \$1.5 million – had a median lot size of 10,707 square feet.

Attachment 1. Modeling

All scenarios use a 7,200 square foot lot, which costs \$578,512 to acquire (\$3.5 million per acre) and requires tear-down of an existing single-family home, except for the "Existing SFR + Triplex." That scenario uses the price of a 3,600 square foot portion of the lot (\$289,256).

"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	2,400	4,240	4,800	4,800	5,600
FAR	0.3	0.6	0.7	0.7	0.8
Avg Unit Sq Ft	2,400	2,120	1,600	1,200	1,400
Avg Bedrooms	4	4	3	2	3
Avg Market Price	\$1,344,000	\$996,400	\$752,000	\$672,000	\$658,000
Total Dev Costs	\$1,557,069	\$2,110,000	\$2,285,479	\$2,495,284	\$2,529,632
Net Proceeds	\$1,303,680	\$1,933,016	\$2,188,320	\$2,607,360	\$2,553,040
Residual Profit	(\$253,389)	(\$176,984)	(\$97,159)	\$112,076	\$23,408
Feasibility	Infeasible	Infeasible	Infeasible	Feasible	Feasible
In-lieu Fee at \$6.00 per Sq Ft	\$14,400	\$25,440	\$28,800	\$28,800	\$33,600
Residual Profit after In-lieu Fee	(\$267,789)	(\$202,424)	(\$125,959)	\$83,276	(\$10,192)

	Two Duplexes**	Three-flat, Stacked	Existing SFR + Triplex**	New SFR + 2 ADUs
No. of Units	4	3	3	3
Total Sq Ft	6,336	3,240	3,240	4,400
FAR	0.9	0.5	0.9	0.6
Avg Unit Sq Ft	1,584	1,080	1,080	1,467
Avg Bedrooms	3	2.3	2.3	2.7
Avg Market Price	\$744,480	\$540,000	\$507,600	\$821,333
Total Dev Costs	\$2,740,231	\$2,367,838	\$1,405,959	\$2,200,452
Net Proceeds	\$148,351	\$1,581,400	\$1,477,116	\$2,390,080
Residual Profit	\$229,751	(\$796,438)	\$71,157	\$189,628

	Two Duplexes**	Three-flat, Stacked	Existing SFR + Triplex**	New SFR + 2 ADUs
Feasibility	Feasible	Infeasible	Feasible	Feasible
In-lieu Fee at \$6.00 per Sq Ft	\$38,016	\$19,440	\$19,440	\$26,400
Residual Profit after In-lieu Fee	\$110,335	(\$815,878)	\$51,717	\$163,228

* Four cottage homes instead of three, as illustrated by Kimley Horn.

** Not illustrated by Kimley Horn.

= new amendments 4/1

Chapter 18.77 AFFORDABLE HOUSING

Sections:

18.77.010 Affordable housing – Purpose and intent.

18.77.015 General provisions.

18.77.020 Downtown residential zone.

18.77.025 Downtown commercial zone.

18.77.028 Urban corridor zone, east subarea.

18.77.030 Transit oriented development (TOD) district overlay.

18.77.040 Community business zone, Juanita subarea.

18.77.042 Urban residential zone.

18.77.045 Alternative compliance.

18.77.050 Affordability agreement.

18.77.060 Expedited permit processing.

18.77.010 Affordable housing – Purpose and intent.

The purpose of this chapter is to implement, through regulations, the responsibility of the *City* under the Washington State Growth Management Act to consider the housing needs of all economic segments of the community, and to assure an adequate affordable housing supply in the *City*. The *City* recognizes that the marketplace is the primary supplier of adequate housing for those in the upper economic groups, but that some combination of appropriately zoned land, regulatory incentives, innovative planning techniques, and requirements will be necessary to make adequate provisions for the needs of households whose incomes are at or below median income. [Ord. 23-0574 § 2 (Exh. A); Ord. 19-0481 § 2 (Exh. A); Ord. 11-0329 § 3 (Exh. 1).]

18.77.015 General provisions.

A. Determination of Number of Affordable Housing Units Required – Rounding. See KMC 18.30.020(D) for method of rounding to determine the number of affordable housing units required, **except for affordable housing required in R-4 and R-6 zones, as provided in KMC 18.77.043(B).**

B. Adjacent Developments. Adjacent *developments* by the same or affiliated *developer* will be considered as a single *development* for the purpose of applying the thresholds for compliance.

C. Designation of Affordable Housing Units. Prior to the issuance of any permit(s), the *City* shall review and approve the location and unit mix of the affordable housing units consistent with the following standards:

1. Location. The location of the affordable housing units shall be approved by the *City*, with the intent that they generally be intermingled with all other *dwelling units* in the *development*.

2. Tenure. The tenure of the affordable housing units (ownership or rental) shall be the same as the tenure for the rest of the housing units in the *development*.

3. Size (Bedroom). The affordable housing units shall consist of a range of number of bedrooms that is comparable to units in the overall *development*.

4. Size (Square Footage). The size of the affordable housing units, if smaller than the other units with the same number of bedrooms in the *development*, shall be approved by the *city manager*. If there is a proposal that the affordable units be smaller than the market rate units, in no case shall the affordable housing units be less than 500 square feet for a studio unit, 600 square feet for a one-bedroom unit, 800 square feet for a two-bedroom unit, or 1,000 square feet for a three-bedroom unit.

5. Design. The exterior design of the affordable housing units shall be compatible and comparable with the rest of the *dwelling units* in the *development* and shall comply with any applicable design standards. The interior finish and quality of construction of the affordable housing units shall at a minimum be comparable to entry level rental or ownership housing in the *City*.

D. Duration. Housing shall serve only income-eligible households for a minimum period of 50 years from the latter of the date when the affordability agreement between the housing owner and the *City*, as described in KMC 18.77.050, is recorded, or the date when the affordable housing becomes available for occupancy as determined by the *City*.

E. Timing/Phasing. The affordable housing units shall be available for occupancy in a time frame comparable to the availability of the rest of the *dwelling units* in the *development*. [Ord. 23-0574 § 2 (Exh. A); Ord. 19-0481 § 2 (Exh. A).]

18.77.020 Downtown residential zone.

The provisions of this section shall apply to multifamily residential *developments* proposed on property-properties four acres or greater in size within the downtown residential zone that lie west of 68th Avenue NE, and which are providing for more than 20 *multiple-family dwelling units*.

A. Twenty-five percent of the total number of units in the *development* shall be reserved for eligible households and affordable to households with incomes no greater than 70 percent of the King County median income, if renter-occupied, or affordable to households with incomes

no greater than 80 percent of median income, if owner-occupied. [Ord. 23-0574 § 2 (Exh. A); Ord. 19-0481 § 2 (Exh. A); Ord. 11-0329 § 3 (Exh. 1).]

18.77.025 Downtown commercial zone.

A. Multifamily or ~~mixed-use~~~~mixed-use~~ development proposed within the downtown commercial zone east of 73rd Avenue NE shall provide affordable housing as follows:

Twenty-five percent of the total number of residential units in the development shall be *very low-income affordable housing units* if renter-occupied or *low-income affordable units* if owner-occupied.

B. Multifamily or ~~mixed-use~~~~mixed-use~~ development proposed within the downtown commercial zone west of 73rd Avenue NE shall provide affordable housing as follows:

Twenty-five percent of the total number of units in the *development* shall be reserved for eligible households and affordable to households with incomes no greater than 70 percent of the King County median income, if renter-occupied, or affordable to households with incomes no greater than 80 percent of median income, if owner-occupied. [Ord. 23-0574 § 2 (Exh. A).]

18.77.028 Urban corridor zone, east subarea.

Multifamily or ~~mixed-use~~~~mixed-use~~ development proposed within the urban corridor zone, east subarea, shall provide affordable housing as follows:

Twenty-five percent of the total number of residential units in the development shall be *very low-income affordable housing units* if renter-occupied or *low-income affordable housing units* if owner-occupied.

Exception: This section, as adopted by Ordinance No. 23-0574, shall not apply to certain real properties located within the area of the transit oriented development (TOD) district overlay as identified in KMC 18.29.020 and Figure 18.29.020.1, and as further identified by the following tax parcel numbers (TPN): TPN 011410-0889, TPN 011410-0881, TPN 011410-0870, TPN 011410-0885, TPN 011410-0865, TPN 011410-0860, and TPN 011410-0855. [Ord. 23-0574 § 2 (Exh. A).]

18.77.030 Transit oriented development (TOD) district overlay.

A. Properties developed under the TOD district overlay, Chapter 18.29 KMC, shall include affordable housing units.

B. Cap on Total Number of Affordable Housing Units Required. Affordable housing requirements shall be capped at 10 percent of the total number of *dwelling units* being provided.

C. Number of Affordable Housing Units Required. Affordable housing units shall be provided for any *development* exceeding the base density of the underlying zone as follows:

1. Tier 1. If the number of bonus units is less than or equal to 30 percent of the total number of *dwelling units*, then for every three bonus units, one *dwelling unit* shall be a *moderate-income affordable housing unit* and two bonus *dwelling units* may be bonus market rate *dwelling units*.

2. Tier 2. If the number of bonus units is greater than 30 percent of the total number of *dwelling units* and if the overall project density is less than or equal to 120 *dwelling units* per acre, then a combination of *low-income affordable housing units* and *moderate-income affordable housing units* shall be provided as follows: For every four bonus units allowed beyond that needed to achieve the 10 percent *moderate-income affordable housing units*, one of the *moderate-income affordable housing units* shall be made into a *low-income affordable housing unit* up to a maximum of 33 percent of the affordable housing units (or 3.3 percent of the total *dwelling units* in the *development*).

3. Tier 3. If the overall development density is greater than 120 *dwelling units* per acre, a combination of *very low-income affordable housing units*, *low-income affordable housing units* and *moderate-income affordable housing units* shall be provided as follows: The required numbers of *low-income affordable housing units* and *moderate-income affordable housing units* shall be equivalent to those that would be required under Tier 2, assuming that the project were to be developed at a density of 120 *dwelling units* per acre. An amount of *very low-income affordable housing* shall be required so that the total combined amount of *very low-income*, *low-income* and *moderate-income affordable housing units* is equal to 10 percent of the total number of *dwelling units* in the *development*.

4. Affordable Housing Example. Example is a one-and-one-half-acre property with a base density of 48 *dwelling units* (du)/acre. Without the TOD district overlay, the property could achieve up to 72 *dwelling units*.

Tier 1 example: Proposed TOD *development* would achieve 93 *dwelling units* on *site* for 62 du/acre. This provides 21 "bonus" *dwelling units* above the 48 du/acre base density of the zone. Since the number of bonus units (21) is less than 30 percent of the total units (93), seven of the 21 bonus units must be affordable to moderate-income households, meeting Tier 1 affordability requirements.

Tier 2 example: Proposed TOD *development* would achieve 113 *dwelling units* on *site* for 75 du/acre. This provides 41 "bonus" *dwelling units* above the 48 du/acre base density of the zone.

Since the number of bonus units (41) is greater than 30 percent of the total units (113), 11 of the 41 bonus units must be affordable, meeting the 10 percent affordability cap. Nine of these are affordable to moderate-income households and two are affordable to low-income households (33 of the bonus units used toward achieving 10 percent affordable units).

(11*3) plus eight of the bonus units applied toward making two of the affordable units low-income affordable units ($8 \times .25 = 2$).

Tier 3 example: Proposed TOD *development* would achieve 210 *dwelling units on site* for 140 du/acre. The first step is to determine how many affordable units would have been required assuming 120 du/acre using the Tier 2 formula. This calculation results in 13 *moderate-income affordable housing units* and five *low-income affordable housing units*. To achieve the requirement that 10 percent of the total units in the *development* be affordable, three additional affordable housing units would be needed ($21 - 18 = 3$). These three units would be required to be *very low-income affordable housing units*. In summary, the *development* would provide 13 *moderate-income affordable housing units*, five *low-income affordable housing units*, and three *very low-income affordable housing units*. [Ord. 19-0481 § 2 (Exh. A); Ord. 14-0391 § 2 (Exh. 1); Ord. 13-0363 § 5; Ord. 11-0329 § 3 (Exh. 1).]

18.77.040 Community business zone, Juanita subarea.

A. For properties choosing to develop at higher residential densities in the CB Juanita subarea, Chapter 18.23 KMC, affordable housing units shall be provided for any *development* exceeding the base density of 24 *dwelling units* per acre as follows:

1. For every four bonus units, one bonus *dwelling unit* shall be reserved for eligible households and affordable to households with incomes no greater than 70 percent of the King County median income, if renter-occupied, or affordable to households with incomes no greater than 80 percent of median income, if owner-occupied, and three bonus *dwelling units* may be bonus market rate *dwelling units*.

2. For the purpose of satisfying the affordable unit requirement under this section:

a. Each *very low-income affordable housing unit* provided counts as two renter-occupied affordable units required by subsection (A)(1) of this section.

b. Each unit provided, affordable at 65 percent of the King County median income, counts as two owner-occupied affordable units required by subsection (A)(1) of this section.

Example: Proposed *development* would achieve 36 *dwelling units* on a one-acre *site* for a density of 36 du/acre. This provides 12 "bonus" *dwelling units* above the 24 du/acre base density of the zone. Three of the 12 *bonus units* must be affordable units as described in subsection (A)(1) of this section. Alternatively, the project could provide one affordable unit as described in subsection (A)(2) of this section and one affordable unit as described in subsection (A)(1) of this section. [Ord. 23-0574 § 2 (Exh. A); Ord. 19-0481 § 2 (Exh. A).]

18.77.042 Urban residential zone.

= new amendments 4/1

Multifamily or ~~mixed-use~~ *mixed-use* development proposed within the urban residential zone shall provide affordable housing as follows:

Twenty-five percent of the total number of residential units in the development shall be *very low-income affordable housing units* if renter-occupied or *low-income affordable housing units* if owner-occupied. [Ord. 23-0574 § 2 (Exh. A).]

18.77.043 R-4 and R-6 zones.

All residential developments producing four or more new dwelling units shall provide affordable housing as follows:

A. Ten percent of the total number of residential units in the development shall be very low-income housing if renter-occupied or low-income housing if owner-occupied.

1. Development applications vested by December 31st, 2025, shall be exempt from this affordable housing requirement if the proposed development conforms to regulations in place before June 1st, 2025.

2. Development applications made under regulations adopted after May 31st, 2025, shall provide affordable housing as prescribed in this section.

B. Developments producing four to nine new dwelling units shall not have the number of affordable units rounded down to zero but may either provide an affordable unit on-site or pay a fee in lieu of the required fractional affordable unit.

1. Notwithstanding the provisions of KMC 18.77.045, fees in lieu of affordable housing required in R-4 and R-6 zones shall be calculated from a rate set by the city council in the city's development fee schedule.

a. Payment of a fee in lieu of fractional affordable units shall be the applicant's option and does not require a proposal or the city manager's approval.

b. The initial fee rate shall be based on the difference between typical market-rate housing expenses and affordable housing expenses in Kenmore as the city shall determine using commonly accepted methods.

c. The city council shall increase or decrease the fee annually to reflect the current published annual change in the Seattle Consumer Price Index for Wage Earners and Clerical Workers.

d. The city council may reset the fee rate, no more frequently than two years, based on updated analysis of market-rate and affordable housing expenses.

e. A written agreement is not necessary but charges and payments, including dates payable, may be administered as any other development fees.

= new amendments 4/1

2. New dwelling units smaller than 2,000 square feet shall be exempt from assessment of in-lieu fees but not from the count of new dwelling units in the development.

3. Deposits and uses of payments in lieu of fractional affordable units shall follow the same policies established in KMC 18.77.045.

C. Developments producing ten or more new dwelling units shall have the number of affordable units rounded according to KMC 18.30.020(D).

18.77.045 Alternative compliance.

While the *City* prefers to achieve affordable housing on site, the *city manager* may approve a request for satisfying all or part of the affordable housing requirements with alternative compliance methods as follows:

A. Application. Applications for alternative compliance shall be submitted at the time of permit application, and must be approved prior to issuance of any building permit.

B. Off-Site Provision. A project proponent may propose to satisfy all or part of affordable housing requirements off site.

1. The project proponent must demonstrate that off-site provision of new affordable housing achieves a result equal to or better than providing affordable housing on site.

2. Affordable housing units provided through this method must be the same type of units as the units in the project which gave rise to the requirement.

3. Priority is for the project to be located within the same zoning district as the *development* responsible for providing affordable housing. However, the *city manager* may approve a project located outside the zoning district if the location has access to commercial *uses* and transit, does not result in an undue concentration of affordable housing, and has adequate infrastructure.

4. The proposal must demonstrate that the affordable units provided off site will be completed before or within the same time period as the *development* generating the affordable housing requirement. For projects approved for off-site affordable housing, there will be a recorded agreement on both the "sending" property and the "receiving" property. The covenant on the sending site will be released once the affordable housing is completed on the receiving property.

C. Contribution to Preservation of Existing Affordable Housing. A project proponent may propose to satisfy all or part of affordable housing requirements through purchase and long-term preservation of existing affordable housing, particularly in the *City's manufactured housing communities*. The *applicant* shall provide information demonstrating affordability of the units to be preserved and a long-term covenant shall be placed over the preserved units, ensuring preservation and maintenance of the affordable units.

D. Fee in Lieu. Cash payments in lieu of providing actual housing units may be proposed and, if approved by the *city manager*, shall be used only for the subsequent preservation or provision of affordable housing units by the *City* or other housing provider approved by the *city manager*.

1. Payments in lieu shall be based on the difference between the cost of construction for a prototype affordable housing unit on the subject property, including land costs and development fees, and the revenue generated by an affordable housing unit.

2. Prior to issuance of building permits for the project, the *City* and *applicant* shall execute a written agreement that establishes the *applicant's* payment obligations (amounts and due dates) for the project. The *City* may require the *applicant* to secure its payment obligations by irrevocable letter of credit or other form acceptable to the *City*.

3. The *City* shall deposit collected payments in an affordable housing fund established by the *City*.

4. Before the *city manager* approves or executes an agreement to accept payment in lieu of affordable housing, the *City* must have a plan for investing funds in affordable housing that supports *City* objectives. The *City* should make every effort to use these funds as quickly as possible.

5. The highest priority location for affordable housing funded wholly or in part with in-lieu fees is the subarea location of the project that generated the in-lieu fee; however, the *city manager* may authorize the use of these funds for affordable housing projects in other subareas of the *City* (as a second priority) or within another jurisdiction (as a third priority) with close proximity to commercial uses, transit services, and/or employment opportunities. [Ord. 23-0574 § 2 (Exh. A); Ord. 19-0481 § 2 (Exh. A).]

18.77.050 Affordability agreement.

A. Prior to issuing any building permit, an agreement in a form approved by the *city manager* that addresses price restrictions, homebuyer or tenant qualifications, phasing of construction, monitoring of affordability, duration of affordability, and any other applicable topics of the affordable housing units shall be recorded with King County Department of Records and Elections. This agreement shall be a covenant running with the land and shall be binding on the assigns, heirs and successors of the *applicant*. The *City* may agree, at its sole discretion, to subordinate any affordable housing regulatory agreement for the purpose of enabling the owner to obtain financing for *development* of the property.

B. Monitoring and Fees. The *City* reserves the right to establish, in the affordability agreement referred to in subsection A of this section, monitoring fees for the affordable housing unit, which can be adjusted over time to account for inflation. The purpose of any monitoring fee is for the review and processing of documents to maintain compliance with income and affordability restrictions of the affordability agreement. [Ord. 23-0574 § 2 (Exh. A); Ord. 19-0481 § 2 (Exh. A).]

18.77.060 Expedited permit processing.

A. Certain projects containing *extremely low-income* or *very low-income affordable housing units* in the R-12, R-18, R-24, NB, CB, DR, DC, UC, UR, WC, RB, and PSP zones that require a Type 2 land use decision as described in KMC 19.25.020 may have that process reduced to a Type 1 land use decision unless the proposal includes any of the following:

1. Short subdivision, including revisions and alterations;
2. Zoning variance;
3. Conditional use permit;
4. Shoreline permit; or
5. Critical area exceptions, variances or modifications under Chapter 18.55 KMC.

B. Any applicant for a project containing *extremely low-income* or *very low-income affordable housing* units may request that review of the project be expedited. The request may be made on forms provided by the *City*. If a determination is made by the *city manager* that *City* staffing or other permit priorities do not allow expedited permit review, the *applicant* may request that the project be reviewed by a consultant working for the City at the *applicant's* expense. [Ord. 23-0574 § 2 (Exh. A); Ord. 21-0521 § 2 (Exh. A).]

CITY OF KENMORE

WASHINGTON

ORDINANCE NO. 23-0572

AN ORDINANCE OF THE CITY OF KENMORE, WASHINGTON, AMENDING TITLE 3 OF THE KENMORE MUNICIPAL CODE, “REVENUE AND FINANCE” TO ADOPT A NEW CHAPTER 3.90 TO THE KENMORE MUNICIPAL CODE ESTABLISHING AN AFFORDABLE HOUSING FUND TO RECEIVE AND HOLD AFFORDABLE HOUSING-RELATED FEES IN LIEU AND GRANTS AND TO SUPPORT THE CITY’S AFFORDABLE HOUSING DEVELOPMENTS; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Kenmore City Council’s #2 priority for 2023-24 is to increase and preserve the options for affordable housing stock; and

WHEREAS, Section 18.77.045(D) of the Kenmore Municipal Code (KMC) allows the City of Kenmore to accept fees from developers in lieu of compliance with the general requirements of Chapter 18.77 KMC to provide for affordable housing units in new developments; and

WHEREAS, the City of Kenmore allocated half of its American Rescue Plan Act resources and donated the underlying land for the affordable housing development at 6532 Bothell Way NE; and

WHEREAS, the City of Kenmore purchased the property at 7010 NE 181st St. NE, known as the Holt property, with the intention of constructing another affordable housing development on the site; and

WHEREAS, the City of Kenmore will continue to pursue grants and other funding opportunities to support the City’s future affordable housing endeavors; and

WHEREAS, the City of Kenmore collaborates with A Regional Coalition for Housing (ARCH) and other governmental agencies to support regional affordable housing efforts; and

WHEREAS, the City desires to amend Title 3 KMC and adopt a new Chapter 3.90 KMC establishing a new fund entitled “Affordable Housing Fund” for the purpose of receiving and to hold affordable housing related fees in lieu, grants, and other revenues from which payments will be made for the City’s future affordable housing developments;

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

Section 1. Amendment. Title 3 of the Kenmore Municipal Code (KMC), “Revenue and Finance” is amended to add a new Chapter 3.90 KMC, entitled “Affordable Housing Fund” to read as follows:

Chapter 3.90
AFFORDABLE HOUSING FUND

Sections:

3.90.010 Established.

3.90.020 Purpose & Use.

3.90.030 Custodian.

3.90.010 Established.

The Affordable Housing Fund is hereby established.

3.90.020 Purpose & Use.

The purpose of the Affordable Housing Fund is to hold fees received from developers under KMC 18.77.045(D), outside grants, and other revenues. The City will use these funds to support its future affordable housing developments and may also make transfers out of it to other government and quasi-government agencies in order to support affordable housing efforts on a regional level.

3.90.030 Custodian.

The City Manager or such employee of the City designated by the City Manager in writing shall be the custodian of the Affordable Housing Fund. The custodian shall have full responsibility for the Fund and its proper use. The custodian shall be covered by a surety bond in the full amount of the Fund and any advances made to the Fund at any time, and such bond shall be conditioned upon the proper accounting for and legal expenditure of all such funds, in addition to other conditions required by law.

Section 2. Severability. If any section, subsection, sentence, clause, phrase, or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase, or word of this ordinance.

Section 3. Corrections. Upon the approval of the city attorney, the city clerk and/or code publisher is authorized to make any necessary technical corrections to this Ordinance, including but not limited to the correction of scrivener’s/clerical errors, references, Ordinance numbering, section/subsection numbers, and any reference thereto.

Section 4. Effective Date. This ordinance shall take effect and be in full force and effect five (5) days after passage and publication of an approved summary consisting of the title.

PASSED by the City Council this 11th day of April, 2023.

APPROVED:


Nigel C. Herbig (Apr 11, 2023 16:56 PDT)
MAYOR NIGEL HERBIG

ATTEST/AUTHENTICATED:


Michelle Kang (Apr 11, 2023 16:48 PDT)
MICHELLE KANG, ACTING CITY CLERK

APPROVED AS TO FORM:


Dawn Reitan (Apr 13, 2023 08:06 PDT)
DAWN REITAN, CITY ATTORNEY

FILED WITH THE CITY CLERK: 03/14/2023

PASSED BY THE CITY CLERK: Passed by the City Council: 04/10/2023

PUBLICATION DATE: 04/14/2023

EFFECTIVE DATE: 04/19/2023

ORDINANCE NO. **23-0572**

Ordinance 23-0572 - Creating Affordable Housing Fund Revised 3.13.23

Final Audit Report

2023-04-13

Created:	2023-04-11
By:	Michelle Kang (mkang@kenmorewa.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAArOfnRevT_RYjVTiaeFhyNNXp0KYvUzTo

"Ordinance 23-0572 - Creating Affordable Housing Fund Revised 3.13.23" History

-  Document created by Michelle Kang (mkang@kenmorewa.gov)
2023-04-11 - 11:44:41 PM GMT
-  Document emailed to nherbig@kenmorewa.gov for signature
2023-04-11 - 11:47:53 PM GMT
-  Document emailed to Dawn Reitan (dreitan@insleebest.com) for signature
2023-04-11 - 11:47:53 PM GMT
-  Document emailed to Michelle Kang (mkang@kenmorewa.gov) for signature
2023-04-11 - 11:47:53 PM GMT
-  Document e-signed by Michelle Kang (mkang@kenmorewa.gov)
Signature Date: 2023-04-11 - 11:48:12 PM GMT - Time Source: server
-  Email viewed by nherbig@kenmorewa.gov
2023-04-11 - 11:56:06 PM GMT
-  Signer nherbig@kenmorewa.gov entered name at signing as Nigel G. Herbig
2023-04-11 - 11:56:33 PM GMT
-  Document e-signed by Nigel G. Herbig (nherbig@kenmorewa.gov)
Signature Date: 2023-04-11 - 11:56:35 PM GMT - Time Source: server
-  Email viewed by Dawn Reitan (dreitan@insleebest.com)
2023-04-13 - 3:06:41 PM GMT
-  Document e-signed by Dawn Reitan (dreitan@insleebest.com)
Signature Date: 2023-04-13 - 3:06:53 PM GMT - Time Source: server



Powered by
Adobe
Acrobat Sign

✓ Agreement completed.

2023-04-13 - 3:06:53 PM GMT

Names and email addresses are entered into the Acrobat Sign service by Acrobat Sign users and are unverified unless otherwise noted.



Powered by
Adobe
Acrobat Sign